



**STEWARDSHIP AND OVERSIGHT AGREEMENT  
ON PROJECT ASSUMPTION AND PROGRAM OVERSIGHT  
BY AND BETWEEN  
FEDERAL HIGHWAY ADMINISTRATION, IDAHO DIVISION OFFICE  
  
AND THE  
  
IDAHO TRANSPORTATION DEPARTMENT (ITD)**

**MAY 12, 2015**

## **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 FHWA and ITD on the roles and responsibilities of FHWA and ITD 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 ITD 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 ITD 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 ITD to enter into an agreement relating to the extent to which ITD 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 FHWA and ITD 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 ITD 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 ITD on a program-wide basis under 23 U.S.C 106 or have the effect of altering Attachment A.

Nothing in this Stewardship and Oversight Agreement shall obligate ITD to assume responsibility, liability, or perform any action prohibited under Idaho law.

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

- A. ITD may assume 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 ITD and FHWA determine that assumption of responsibilities is appropriate.
- B. Approvals and related activities for which ITD has assumed responsibilities as shown in Attachment A will apply program wide unless project specific actions for which FHWA 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. ITD may not assume responsibilities for Interstate projects that are in high risk categories. (23 U.S.C. 106(c)(1))
- D. ITD 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. ITD shall assume 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 ITD 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), ITD is to exercise the Secretary's approvals and related responsibilities on these projects in accordance with Federal laws.
- C. ITD, 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, ITD 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**

ITD may permit local public agencies (LPAs) to carry out ITD's assumed responsibilities on locally administered projects. ITD 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 ITD**

- A. Any approval or related responsibility not listed in Attachment A cannot be assumed by ITD 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 ITD:
- 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 ITD 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, ITD 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 ITD 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 or on a State-by-State basis.
- B. As of the effective date of this Agreement, FHWA Division has determined there are no high risk categories.

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

- A. In 23 U.S.C. 106(g), Congress directs that the Secretary shall establish an oversight program to monitor the effective and efficient use of funds authorized to carry out the FAHP. This program includes FHWA oversight of the State's processes and management practices, including those involved in carrying out the approvals and related responsibilities assumed by the State under 23 U.S.C. 106(c). Congress defines that, at a minimum, the oversight program shall be responsive to all areas relating to financial integrity and project delivery.
- B. FHWA shall perform annual reviews that address elements of ITD's financial management system in accordance with 23 U.S.C. 106(g)(2)(A). FHWA will periodically review ITD's monitoring of sub-recipients pursuant to 23 U.S.C. 106(g)(4)(B).

- C. FHWA shall perform annual reviews that address elements of the project delivery systems of ITD, which elements include one or more activities that are involved in the life cycle of project from conception to completion of the project. FHWA will also evaluate the practices of ITD 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), FHWA will employ a risk management framework to evaluate financial integrity and project delivery, and balance risk with staffing resources, available funding, and the State's transportation needs. FHWA may work collaboratively with ITD to assess the risks inherent with the FAHP and funds management, and how that assessment will be used to align resources to develop appropriate risk response strategies.

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

- Program Assessments;
- FIRE Reviews;
- Program Reviews;
- Certification Reviews;
- Recurring or periodic reviews; ie. Compliance Assessment Program (CAP);
- Program Management;
- Inspections of project elements or phases.

These techniques will be carried out in a manner consistent with applicable Division Standard Operating Procedures or other control documents relating to program assessments, FIRE, program reviews, Projects of Division Interest, CAP, etc. Reviews may be conducted by individual FHWA or ITD staff or by joint team staff participation.

Some of the established tools used to assist in carrying out these tasks are noted in Attachment C of this Agreement (Manuals and Operating Agreements). Additional tools can be found in Section IV of the Idaho S&O Agreement Reference Guide (Methods of Program Oversight).

E. Program Responsibility Matrix

Attachment B to this S&O Agreement is the Program Responsibility Matrix that identifies all relevant FHWA program actions. The matrix identifies both the FHWA and ITD program contact offices responsible for each action.

F. Manuals and Operating Agreements

ITD manuals, agreements and other control documents that have been approved for use on Federal-aid projects are listed in Attachment C to this S&O Agreement. Any modifications/revision to these documents requires FHWA Division review and approval.

G. Stewardship and Oversight Indicators

FHWA Division and ITD will jointly establish local indicators to assess performance in administering the Federal-aid Highway Program requirements and to help determine whether funds are being effectively utilized to improve the transportation system. The identified indicators will be maintained, updated, and improved annually as a joint effort between FHWA and ITD. The approved indicators by FHWA and ITD will be incorporated by reference to this agreement within the Idaho S&O Agreement Reference Guide.

As outlined in MAP-21, ITD will align their strategic system level performance measures with the national performance measures and targets. Additional information on the national performance measures process is found in the aforementioned reference guide.

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

### **A. ITD Oversight and Reporting Requirements**

ITD is responsible for demonstrating to FHWA how it is carrying out its responsibilities in accordance with this S&O Agreement. In order to fulfill this responsibility, ITD will:

- Adhere to all ITD Board and Administrative Policies.
- Conduct stewardship and oversight activities for each of the Project Actions detailed in the Project Action Responsibility Matrix (see Attachment A of this Agreement). PoDI projects are subject to risk-based stewardship and oversight and will be governed by a separate PoDI Plan detailing FHWA and ITD responsibilities.
- Conduct stewardship and oversight on each of the Program Activities detailed in the Program Responsibility Matrix (see Attachment B of this Agreement). Report to FHWA per the frequency and due dates listed in the Matrix.
- Continuously update and monitor both the performance measures on the Department's external Dashboard and the internal performance measures/indicators on the internal Scorecard to ensure trends are moving in the desired target direction. These measures and indicators provide documented evidence ITD's assumption of responsibilities is functioning appropriately. The program performance indicators will be provided to FHWA as needed, but not less frequently than annually.
- Various Sections within ITD (Office of Internal Review, Planning Services, Office of Civil Rights, Central Lab, District Labs, Design/Traffic Services, Contracting Services, and Materials/Construction etc.) will independently carry out the following oversight activities: internal audit functions, reviews, spot-checks, special analysis, investigations, quality control reviews, etc. These activities will be carried out on the ITD Districts and Program Offices, MPOs, LHTAC, ACHD, Disadvantaged Business Enterprises, consultants, sub-grantees, contractors, and railroad and utility companies with reports sent to FHWA as required to ensure compliance with federal, state, and local laws and regulations. Additional details are referenced in the Idaho S&O



Agreement Reference Guide, Section IV (Methods of Program Oversight) Part b.  
(Program Oversight).

B. ITD Oversight of Locally Administered Projects

The information found in this section summarizes how ITD will provide oversight of Locally Administered Projects and fulfills the requirements of Sections B1 – B9 as noted below. ITD is required to provide adequate oversight of LPA's including oversight of any assumed responsibilities ITD has delegated. ITD is to exercise similar judgments as FHWA and carry out its responsibilities based on Federal laws, regulations, and policies. As a general rule, Idaho does not have any LPA's (sub-recipients) that receive funding directly. However, on TIGER projects, communities can elect to receive funding directly from FHWA rather than through ITD if desired.

Idaho has two entities responsible for the majority of the Federal-aid local programs in Idaho. The Local Highway Technical Assistance Council (LHTAC) with statewide Local Program Administration responsibility and the Ada County Highway District (ACHD) which administers the program for northern Ada County, including the Boise metropolitan area. For all local projects, ITD develops State/Local Agreements for each individual project which is agreed upon by both parties.

- B.1. ITD is required to provide adequate oversight of sub-recipients including oversight of any assumed responsibilities ITD delegates to a LPA.
- B.2. Pursuant to 23 U.S.C. 106(g)(4), ITD 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. ITD 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. ITD acknowledges that it is responsible for sub-recipient awareness of Federal grant requirements management of grant awards and sub-awards, and is familiar with and comprehends pass through entity responsibilities (2 C.F.R 200.331 Requirements for Pass-thru Entities).

The FHWA Division Office approves the Idaho S&O Agreement Reference Guide; ITD's Guidelines for LPA's; and reviews and concurs in the ITD/LHTAC and ITD/ACHD Stewardship Agreements. These documents provide processes for ITD delegated activities to LPA's to

ensure project delivery systems, reporting, and other requirements are carried out in accordance with FHWA regulations.

- B.4. ITD shall assess whether a sub-recipient has adequate project delivery systems and sufficient accounting controls to properly manage projects.

See paragraph 2 of Section XI.B.3, above.

- B.5. ITD 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).

See paragraph 2 of Section XI.B.3, above.

- B.6. ITD shall assess whether sub-recipient projects receive adequate inspection to ensure they are completed in conformance with approved plans and specifications.

See paragraph 2 of Section XI.B.3, above.

- B.7. ITD 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 and that ITD's process to ensure compliance with this requirement is documented.

See paragraph 2 of Section XI.B.3, above.

- B.8. ITD shall ensure that project actions will be administered in accordance with all applicable Federal laws and regulations for required approvals on sub-recipient projects and approved on sub-recipient administered projects.

See paragraph 2 of Section XI.B.3, above.

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

ITD carries out these responsibilities in accordance with the ITD/LHTAC and ITD/ACHD Stewardship Agreements. In addition, independent audit firms are hired annually to implement a financial review of the LPAs and prepare a Single Audit Report. The FHWA Division reviews the report prior to it being presented to OMB. The Division then follows the findings in the report until they are fixed.

## **SECTION XII: IMPLEMENTATION AND AMENDMENTS**

- A. This S&O Agreement will take effect as of the effective date of the signature of the FHWA Idaho Division Administrator, who shall sign this S&O Agreement last.
- B. FHWA and ITD 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 ITD or FHWA; or
  - Priorities shift as a result of audits, public perception, or changes in staffing at either ITD or FHWA.
- C. FHWA and ITD 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 FHWA and ITD 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 FHWA's S&O Agreement internet site within five (5) business days of the effective date.
- D. Any changes to the high risk categories must be documented by an amendment to this S&O Agreement.
- E. Any changes to the Project Action Responsibility Matrix (Attachment A) must be approved by the FHWA Office of Infrastructure in writing and documented by an amendment to this S&O Agreement.

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**EXECUTION BY THE FHWA IDAHO DIVISION OFFICE**

Executed this 12 day of May, 2015.

/s/  
\_\_\_\_\_  
Signature

\_\_\_\_\_  
Peter J. Hartman  
Division Administrator

**EXECUTION BY THE IDAHO TRANSPORTATION DEPARTMENT**

Executed this 13 day of May, 2015.

\_\_\_\_\_/s/ for\_\_\_\_\_  
Signature

\_\_\_\_\_  
Brian W. Ness  
Director ITD

## ATTACHMENT A PROJECT ACTION RESPONSIBILITY MATRIX

The following matrix identifies Federal-aid Highway Program (FAHP) project approvals and related responsibilities. The matrix specifies which ones are subject to State assumption under the provisions of 23 U.S.C. 106(c) or other statutory or regulatory authority, as well as those which are reserved to FHWA.

This matrix applies program wide; any revisions to project assumptions by ITD, as shown in the matrix, will be handled on a project by project basis. When a change in project approval assumptions is determined appropriate for a specific project, the project will be classified as a PoDI and the project approval assumptions will be documented in a project oversight plan.

Actions that the Division has determined it should retain that ITD could have assumed (on the NHS) are: “Approve exceptions to design standards” and “Approve Interstate System Access Justification Report”. The Division understands that the affected projects become PoDI projects.<sup>1</sup> These actions will be identified in the matrix with an asterisk (\*). FHWA and ITD will jointly analyze and develop a list of PoDI projects with risk-based stewardship and oversight design and/or construction phase items highlighted as activities of interest for each individual project on an annual basis.

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 outside the scope of assumed actions and are reserved to FHWA by law. While FHWA may not delegate decision-making authority to a State unless authorized by law, FHWA may authorize a State DOT to perform work needed to reach the decision point, or to implement the decision.

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.

ITD 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.

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<sup>1</sup> *The following are considered PoDI projects: Major Projects (>\$500M); Appalachian Development Highway Projects; TIGER Discretionary Grant Projects; NHS Projects with Retained FHWA Project Approval; Non-NHS Projects with Retained FHWA Project Approval; and Projects Selected by FHWA for Risk-based Stewardship & Oversight. Regardless of retained project approval actions, any Federal-aid Highway Project either on or off the NHS that the Division identifies as having an elevated level of risk can be selected for risk-based stewardship and oversight and would then be identified as a PoDI. Please see “Projects of Division Interest (PoDI)/Projects of Corporate Interest (PoCI) Guidance (available at <http://www.fhwa.dot.gov/federalaid/stewardship/>)*

<b>PROJECT ACTION RESPONSIBILITY MATRIX (as of February 6, 2015)</b> <b>(Excluding PoDIs, which are subject to separate PoDI Plans)</b>		
<b>ACTION</b>	<b>AGENCY RESPONSIBLE</b>	
	<b>PROJECTS ON THE NHS</b>	<b>PROJECTS OFF THE NHS</b>
Ensure project in Statewide Transportation Improvement Program (STIP)/Transportation Improvement Program (TIP)	STATE	STATE
Identify proposed funding category	STATE(1)	STATE(1)
Obligate funds/approve Federal-aid project agreement, modifications, and project closures (project authorizations) (Note: this action cannot be assumed by State)	FHWA	FHWA
Authorize current bill (Note: this action cannot be assumed by State)	FHWA	FHWA
Review and Accept Financial Plan and Annual Updates for Federal Major Projects over \$500 million [23 U.S.C. 106(h)] (Note: this action cannot be assumed by State)	FHWA	FHWA
Review Cost Estimates for Federal Major Projects over \$500 million [23 U.S.C. 106(h)] (Note: this action cannot be assumed by State)	FHWA	FHWA
Develop Financial Plan for Federal Projects between \$100 million and \$500 million. [23 U.S.C. 106(i)]	STATE	STATE
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	FHWA(2)	FHWA(2)

<b>PROJECT ACTION RESPONSIBILITY MATRIX (as of February 6, 2015)</b> <b>(Excluding PoDIs, which are subject to separate PoDI Plans)</b>		
<b>ACTION</b>	<b>AGENCY RESPONSIBLE</b>	
	<b>PROJECTS ON THE NHS</b>	<b>PROJECTS OFF THE NHS</b>
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))		
Consultant Contract Selection	STATE (3)	STATE (3)
Sole source Consultant Contract Selection	STATE (3)	STATE (3)
Approve hiring of consultant to serve in a “management” role (Note: this action cannot be assumed by State) [23 CFR 172.9]	FHWA	FHWA
Approve consultant agreements and agreement revisions (Federal non-Major Projects) [23 CFR 172.9]	STATE	STATE
Approve consultant agreements and agreement revisions on Federal Major Projects [23 CFR 172.9] (Note: this action cannot be assumed by State)	FHWA	FHWA
Approve exceptions to design standards [23 CFR 625.3(f)]	FHWA*	STATE
Approve Interstate System Access Change [23 USC 111] (Note: this action cannot be assumed by State)	FHWA	N/A
Interstate System Access Justification Report [23 USC 111] (Note: action may be assumed by State pursuant to 23 USC 111(e))	FHWA*	N/A
Airport highway clearance coordination and respective public interest finding (if required) [23 CFR 620.104]	STATE	STATE
Approve Project Management Plan for Federal Major Projects over \$500 million [23 USC 106(h)] (Note: this action cannot	FHWA	FHWA



<b>PROJECT ACTION RESPONSIBILITY MATRIX (as of February 6, 2015)</b> <b>(Excluding PoDIs, which are subject to separate PoDI Plans)</b>		
<b>ACTION</b>	<b>AGENCY RESPONSIBLE</b>	
	<b>PROJECTS ON THE NHS</b>	<b>PROJECTS OFF THE NHS</b>
be assumed by State)		
Approve innovative and Public-Private Partnership projects in accordance with SEP-14 and SEP-15 (Note: this action cannot be assumed by State)	FHWA	FHWA
Provide pre-approval for preventive maintenance project (until FHWA concurs with STATE procedures) (Note: this action cannot be assumed by State)	FHWA	FHWA
Provide approval of preliminary plans for unusual/complex bridges or structures on the Interstate. [23 USC 109(a) and FHWA Policy]	FHWA (4)	N/A
Provide approval of preliminary plans for unusual/complex bridges or structures (non-Interstate). [23 USC 109(a) and FHWA Policy]	STATE (4)	STATE
Approve retaining right-of-way encroachments [23 CFR 1.23 (b) & (c)]	STATE	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
Make feasibility/practicability determination for allowing authorization of construction prior to completion of ROW clearance,	STATE	STATE

<b>PROJECT ACTION RESPONSIBILITY MATRIX (as of February 6, 2015)</b> <b>(Excluding PoDIs, which are subject to separate PoDI Plans)</b>		
<b>ACTION</b>	<b>AGENCY RESPONSIBLE</b>	
	<b>PROJECTS ON THE NHS</b>	<b>PROJECTS OFF THE NHS</b>
utility and railroad work [23 CFR 635.309(b)]		
Make public interest finding on whether State may proceed with bid advertisement even though ROW acquisition/relocation activities are not complete for some parcels [23 CFR 635.309(c)(3)]	FHWA for Interstate STATE for Non-Interstate	STATE
Ensure compliant ROW certificate is in place [23 CFR 635.309(c)]	STATE	STATE
Approve Hardship and Protective Buying [23 CFR 710.503] (If a Federal-aid project) (Note: this action cannot be assumed by State)	FHWA	FHWA
Approve Interstate Real Property Interest Use Agreements [23 CFR 710.405] (Note: this action cannot be assumed by State)	FHWA	N/A
Approve non-highway use and occupancy [23 CFR 1.23(c)]	FHWA for Interstate STATE for Non-Interstate (3)	STATE (3)
Approve disposal at less than fair market value of federally funded right-of-way, including disposals of access control [23 U.S.C. 156] (Note: this action cannot be assumed by State)	FHWA	FHWA
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	FHWA for Interstate STATE for Non-Interstate (3)	STATE (3)

**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
Interstate System)		
Requests for credits toward the non-Federal share of construction costs for early acquisitions, donations or other contributions applied to a project (note: this action cannot be assumed by State)	FHWA	FHWA
Federal land transfers [23 CFR 710, Subpart F] (Note: this action cannot be assumed by State)	FHWA	FHWA
Functional replacement of property [23 CFR 710.509] (Note: this action cannot be assumed by State)	FHWA	FHWA
Accept Transportation Management Plans (23 CFR 630.1012(b))	STATE	STATE
Approval of System Engineering Analysis (for ITS) [23 CFR 940.11]	STATE	STATE
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

<b>PROJECT ACTION RESPONSIBILITY MATRIX (as of February 6, 2015)</b> <b>(Excluding PoDIs, which are subject to separate PoDI Plans)</b>		
<b>ACTION</b>	<b>AGENCY RESPONSIBLE</b>	
	<b>PROJECTS ON THE NHS</b>	<b>PROJECTS OFF THE NHS</b>
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
Approve cost-effectiveness determinations for construction work performed by force account or by contract awarded by other than competitive bidding [23 CFR 635.104 &.204]	STATE	STATE
Approve emergency determinations for contracts awarded by other than competitive bidding [23 CFR 635.104 &.204]	STATE	STATE
Approve construction engineering by local agency [23 CFR 635.105]	STATE	STATE
Approve advertising period less than 3 weeks [23 CFR 635.112]	STATE	STATE
Approve addenda during advertising period [23 CFR 635.112]	STATE	STATE
Concur in award of contract [23 CFR 635.114]	STATE	STATE
Concur in rejection of all bids [23 CFR 635.114]	STATE	STATE
Approval of Design-Build Requests-for-Proposals and Addenda [23 CFR 635.112]	STATE	STATE
Approve changes and extra work [23 CFR 635.120]	STATE	STATE
Approve contract time extensions [23 CFR 635.120]	STATE	STATE
Concur in use of mandatory borrow/disposal sites [23 CFR 635.407]	STATE	STATE
Accept materials certification [23 CFR 637.207]	STATE	STATE

<b>PROJECT ACTION RESPONSIBILITY MATRIX (as of February 6, 2015)</b> <b>(Excluding PoDIs, which are subject to separate PoDI Plans)</b>		
<b>ACTION</b>	<b>AGENCY RESPONSIBLE</b>	
	<b>PROJECTS ON THE NHS</b>	<b>PROJECTS OFF THE NHS</b>
Concur in settlement of contract claims [23 CFR 635.124]	STATE	STATE
Concur in termination of construction contracts [23 CFR 635.125]	STATE	STATE
Waive Buy America provisions [23 CFR 635.410] (Note: this action cannot be assumed by State)	FHWA	FHWA
Final inspection/acceptance of completed work [23 USC 114(a)]	STATE	STATE
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

## **FOOTNOTES:**

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











































Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	FHWA Division Responsible Program Office	ITD Responsible Program Office	Remarks
Review of State Self-certification that Planning Process is in Accordance with Applicable Requirements	23 CFR 450.218(a)	Submitted with proposed STIP or STIP amendments	Not Applicable	Office of Planning, Environment & Realty	Planning Team	Planning Services	Received with STIP. FHWA and FTA issue a joint finding.
Approval of Transportation Management Area (TMA) MPO Unified Planning Work Programs (UPWP)	23 CFR 450.308(b) and 23 CFR 420 (Subpart A)	Prior to Program End	Not Applicable	Office of Planning, Environment & Realty	Planning Team	Planning Services	
Approval of Non-TMA UPWA	23 CFR 450.308(b) and 23 CFR 420 (Subpart A)	Prior to Program End	Not Applicable	Office of Planning, Environment & Realty	Planning Team	Planning Services	May use simplified work statement.
Approval of UPWP Revisions and Amendments (All MPO's)	23 CFR 420.115	As needed	Not Applicable	Office of Planning, Environment & Realty	Planning Team	Planning Services	
Review of UPWP Performance and Expenditure Reports (All MPO's)	23 CFR 420.117(b)	Not more frequently than quarterly	Not Applicable	Office of Planning, Environment & Realty	Planning Team	Planning Services	
Approval of Report Before Publication (All MPO's)	23 CFR 420.117(e)	As needed	Not Applicable	Office of Planning, Environment & Realty	Planning Team	Planning Services	Waiver may be granted.
Approval to use Planning Funds outside Urbanized Areas for States Receiving Minimum Apportionment	23 USC 104(d)(1)(A)(ii)	As needed	Not Applicable	Office of Planning, Environment & Realty	Planning Team	Planning Services	
Review of Metropolitan Planning Area Boundary (Establishment and Changes)	23 CFR 450.312	As needed	Not Applicable	Office of Planning, Environment & Realty	Planning Team	Planning Services	Approval by MPO and the Governor, shape files forwarded to HQ. (Comment: No action is required by FHWA/FTA).
Review of Metropolitan Transportation Planning Organizations (MPO) Designation and Re-designation	23 CFR 450.310	As needed	Not Applicable	Office of Planning, Environment & Realty	Planning Team	Planning Services	Require agreement between Governor and local governments.
Review of Metropolitan Planning Agreements (MPA) for Attainment or Entire Nonattainment Area	23 CFR 450.314(a)	When Completed	Not Applicable	Office of Planning, Environment & Realty	Planning Team	Planning Services	Between MPO/State DOT/Transit Operator. Included in UPWP or Prospectus (23 CFR 450.314(d)).

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	FHWA Division Responsible Program Office	ITD Responsible Program Office	Remarks
Review of MPA - for MPA that do not include the entire nonattainment or maintenance area	23 CFR 450.314(b), 23 USC 109(j)	When Completed	Not Applicable	Office of Planning, Environment & Realty	Planning Team	Planning Services	Between MPO/State DOT/State AQ Agency.
Review of MPO Public Participation Procedures	23 CFR 450.316(a)	As needed	Not Applicable	Office of Planning, Environment & Realty	Planning Team	Planning Services	Must be developed and published by MPOs.
Review of Metropolitan Transportation Plan (MTP) in Attainment Areas (and Updates)	23 CFR 450.322	Every 5 years	Not Applicable	Office of Planning, Environment & Realty	Planning Team	Planning Services	Developed by MPOs.
Review of MTP in Non-Attainment and Maintenance Areas (and Updates)	23 CFR 450.322	Every 4 years	Not Applicable	Office of Planning, Environment & Realty	Planning Team	Planning Services	Developed by MPOs.
Review of MTP Amendments	23 CFR 450.322(c)	As Needed	Not Applicable	Office of Planning, Environment & Realty	Planning Team	Planning Services	
Air Quality Conformity Determination on LRTP in Non-attainment and Maintenance Areas	23 CFR 450.322(d)	Concurrent with LRTP updates at least every 4 years and as needed on amendments	Not Applicable	Office of Planning, Environment & Realty	Planning Team	Planning Services	After receipt of MPO determination; Joint FHWA and FTA determination in consultation with EPA.
Review of Transportation Improvement Program (TIP)	23 CFR 450.300(a); 23 CFR 450.324(b); 23 CFR 450.328(a), 23 USC 134(j)(1)(D)	Prior to Program Period	Not Applicable	Office of Planning, Environment & Realty	Planning Team	Planning Services	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, 40 CFR 93	At least every 4 years, or when the TIP has been modified (unless exempt projects)	Not Applicable	Office of Planning, Environment & Realty	Planning Team	Planning Services	Applies to non-attainment and maintenance areas only. After receipt of MPO determination, joint determination with FTA in cooperation with EPA.
In Metropolitan Planning Areas, Review of State and MPO Self-certification that Planning Process is in Accordance with Applicable Requirements	23 CFR 450.334 (a), 23 CFR 218(a)	Annually or concurrent with the STIP/TIP cycle	Not Applicable	Office of Planning, Environment & Realty	Planning Team	Planning Services	Required for all MPO's. May be included in the STIP, TIP, or UPWP, at least every 4 years.

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	FHWA Division Responsible Program Office	ITD Responsible Program Office	Remarks
In TMA's, Certification that Planning Process is in Accordance with Applicable Requirements	23 CFR 450.334(b), 23 USC 134(k)(5)	Every 4 years		Office of Planning, Environment & Realty	Planning Team	Planning Services	Joint FHWA and FTA Certification.
Approval of Federal-Aid Urban Area Boundaries	23 CFR 470.105 (a), 23 USC 101(a)(33)	As needed	Not Applicable	Office of Planning, Environment & Realty	Planning Team	Planning Services	
Review of CMAQ Annual Report	CMAQ Guidance Memo October 31, 2006	Annually	1-Mar	Office of Planning, Environment & Realty	Planning Team	Planning Services	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	Planning Team	Planning Services	Call for entries for the FHWA FTA Transportation Planning and Excellence Awards.
Approval of Certified Public Road Mileage	23 CFR 460.3(b)	Annually	1-Jun	Office of Highway Policy information	Planning Team	Planning Services	Approved by Governor or designee. FHWA reviews and sends to HQ with concurrence.
Published Annual Reports (Performance Measurement)	Idaho Code 67-1901-67-1904	Annually	1-Sep	Office of Highway Policy information	Finance Team	Planning Services	Budget Report
Federal Finding of Consistency of Planning Process with Section 134 and 135	23 CFR 450.218(b); 23 CFR 450.334(a)	Concurrent with (S)TIP submittal	Not Applicable	Office of Planning, Environment & Realty	Planning Team	Planning Services, Contracting Services	At least every four years, joint finding with FTA when TIP is submitted.
Approval of Revision of Functional Classification	23 CFR 470.105 (b)	As needed	Not Applicable	Office of Planning, Environment & Realty	Planning Team	Planning Services, Design/Traffic Services	
Approval by Office Director of National Highway System (NHS) Additions and Revisions	23 USC 103(b)(3), 23 CFR 470.113 and 470.115(a)	As needed	Not Applicable	Office of Planning, Environment & Realty	Planning Team	Planning Services, Districts, Idaho Transportation Board	Approved by HQ - Office Director.

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	FHWA Division Responsible Program Office	ITD Responsible Program Office	Remarks
Review of TIP Amendments	23 CFR 450.324(a); 23 CFR 450.328(b)	As needed	Not Applicable	Office of Planning, Environment & Realty	Planning Team	Planning Services, Office of Transportation Investments	No succinct Federal approval action is required for the TIP. FHWA/FTA approval of the TIP is through the STIP approval process.
Review Vehicle Size & Weight Enforcement Plan	23 CFR 657.11, 23 USC 127	Annually	1-Oct	Office of Operations	Financial Team	Port of Entry	
Review Vehicle Size & Weight Enforcement Certification	23 CFR 657.13, 23 USC 141	Annually	1-Jan	Office of Operations	Financial Team	Port of Entry	
Approval of Acquisitions, Appraisals, and Relocations Program and Procedures	49 CFR Part 24, The UA	As needed	Not Applicable	Office of Planning, Environment & Realty	ROW Program Manager	Right-of-Way Services	
Early Acquisitions	23 CFR 710.501	As needed	Not Applicable	Office of Planning, Environment & Realty	ROW Program Manager	Right-of-Way Services	
Approval of ROW Disposal Authorization Request	23 CFR 710.409	As needed	Not Applicable	Office of Planning, Environment & Realty	ROW Program Manager	Right-of-Way Services	
Approval of ROW Operations Manual (Organization, Policies and Procedures), Updates, and Certification	23 CFR 710.201	January 1, 2001 and every 3 years thereafter or as required by changes in State law or Federal regulation or law	Not Applicable	Office of Planning, Environment & Realty	ROW Program Manager	Right-of-Way Services	
Approval of Exception to Charging Fair Market Value	23 CFR 710.403 and 23 CFR 710.409	As needed	Not Applicable	Office of Planning, Environment & Realty	ROW Program Manager	Right-of-Way Services	
Approval of Interstate Real Property Use Agreements	23 CFR 710.405	As needed	Not Applicable	Office of Planning, Environment & Realty	ROW Program Manager	Right-of-Way Services	
Approval of Request for Federal Land Transfer	23 CFR 710.601	As needed	Not Applicable	Office of Planning, Environment & Realty	ROW Program Manager	Right-of-Way Services	
Approval of Request for Direct Federal Acquisition	23 CFR 710.603	As needed	Not Applicable	Office of Planning, Environment & Realty	ROW Program Manager	Right-of-Way Services	

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	FHWA Division Responsible Program Office	ITD Responsible Program Office	Remarks
Approval of Outdoor Advertising Policies and Procedures, and Regulation and Procedure Approval	23 CFR 750.304, 23 CFR 750.705, 23 USC 131	As needed	Not Applicable	Office of Planning, Environment & Realty	ROW Program Manager	Right-of-Way Services	
Approval of Requests to Exempt Certain Nonconforming Signs, Displays, and Devices	23 CFR 750.503	As needed	Not Applicable	Office of Planning, Environment & Realty	ROW Program Manager	Right-of-Way Services	
Approval of Uniform Act Waivers and Waivers from Availability of Comparable Replacement Dwelling before Displacement	49 CFR 24.7, 49 CFR 24.204(b)	As needed	Not Applicable	Office of Planning, Environment & Realty	ROW Program Manager	Right-of-Way Services	Requests reviewed and approved by HEPR Office Director.
Review of Uniform Relocation Assistance & Real Property Acquisition Report -(OMB Form 2125-0030)	49 CFR 24.9c & Appendix B 49 CFR 24.603	Annually	15-Nov	Office of Planning, Environment & Realty	ROW Program Manager	Right-of-Way Services	Submitted to FHWA Headquarters (HQ).
Review of Real Property Acquisition Statistical Report	FHWA Order 6540.1	Annually	15-Nov	Office of Planning, Environment & Realty	ROW Program Manager	Right-of-Way Services	
Approval of Data Submittal	23 CFR 420.105(b), HPMS Field Manual	Annually	15-Jun	Office of Highway Policy information	Planning Team	Transportation Services	ITD sends directly to FHWA and HQ. Review by FHWA.
Highway Statistics Reports	Guide to Reporting Highway Statistics			Office of Highway Policy information	Financial Team	Transportation Services, Office of Highway Safety	State DOT of Division Office sends directly to HQ.
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	Materials/Pavements	Transportation Systems	
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	Materials/Pavements	Transportation Systems	

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	FHWA Division Responsible Program Office	ITD Responsible Program Office	Remarks
Annual Traffic Reports	Traffic Monitoring Analysis System and Traffic Monitoring Guide reporting	When Published	As needed	Office of Highway Policy information	Planning Team	Transportation Systems	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	Planning Team	Transportation Systems	Review memo to HQ.
Traffic Flow Maps		When Published		Office of Highway Policy information	Planning Team	Transportation Systems	When Published.
Vehicle Classification Data	MAP-21, HPMS Field Manual, Traffic Monitoring Guide	15-Jun	15-Jun	Office of Highway Policy information	Planning Team	Transportation Systems	Part of Annual HPMS submittal.
Permanent ATR Data	Heavy Vehicle Travel Information System Field Manual	Monthly	Monthly	Office of Highway Policy information	Planning Team	Transportation Systems	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	Planning Team	Transportation Systems	Send up to one week of data per quarter
Weight and Vehicle Classification Data Collected at Weigh-in-motion sites	Heavy Vehicle Travel Information System Field Manual	15-Jun	Annually	Office of Highway Policy information	Planning Team	Transportation Systems	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 State 3R Program	23 CFR 625.4(a)(3), 23 USC 109(n)	As needed	Not Applicable	Office of Infrastructure	Design Engineer	Transportation Systems, Office of Transportation Investments	FHWA Division Office Approval.
Vehicles and Drivers (561, 562, 566, and 571)	A Guide to Reporting Highway Statistics, Chapters 3, 4, 5, and 6	1-Apr	1-Apr	Office of Highway Policy information	Financial Team	Vehicle Services, Driver Services	
Determination of High Risk Categories - Limitation on Interstate Projects	23 USC 106(c)(4)(B)	As needed	Not Applicable	Office of Infrastructure			Office of Program Administration determines national categories and must concur on any State designations.

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	FHWA Division Responsible Program Office	ITD Responsible Program Office	Remarks
Toll Credit and Maintenance of Effort (MOE) Calculation and Agreement	23 USC 120(i)	Annually	Not Applicable	Office of Infrastructure			
Approval to Sell, Lease or Otherwise Dispose of a Ferry Purchased with Federal-aid Funds	23 USC 129 (c)(6)	As needed	Not Applicable	Office of Infrastructure			
Territorial Highway Program - Approval of Territory Agreement	23 USC 165(c)(5)	Reviewed and Revised as needed every two years	Not Applicable	Office of Infrastructure			
State Infrastructure Banks	NHS Act Section 308; 23 USC 610; SIB Guidance 3/14	Annual Report	Not Applicable	Office of Innovative Program Delivery			
Section 129 Tolling Authority Requests	23 USC 129(a)	As needed	Not Applicable	Office of Innovative Program Delivery			
Section 166 HOV/HOT Lanes Tolling Authority Requests	23 USC 166(d)	As needed	Not Applicable	Office of Innovative Program Delivery			
Value Pricing Pilot Program Tolling Authority Requests	ISTEA Section 1012(b)	As needed	Not Applicable	Office of Innovative Program Delivery			
Interstate System Reconstruction and Rehabilitation Pilot Program Tolling Authority Requests	TEA-21 Section 1216(b)	As needed	Not Applicable	Office of Innovative Program Delivery			
Annual Audit of Toll Facility Records and Certification of Adequate Maintenance - Report Submittal	23 USC 129(a)(3)(B); TEA-21 Section 1216(b)(5)(B); SAFETEA-LU Section 1604(b)(3)(A); ISTEA Section 1012(b)(3)	Annually	Not Applicable	Office of Innovative Program Delivery			
Review HOV Operations Report for Tolled Use and Low-Emission and Energy-Efficient Vehicle Use	23 USC 166(d)	Annually	Not Applicable	Office of Operations			
State DOT / Toll Authority Audits and Published Annual Reports and Form 539 (optional)	A Guide to Reporting Highway Statistics, Chapter 10	When Published	Not Applicable	Office of Highway Policy information			

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	FHWA Division Responsible Program Office	ITD Responsible Program Office	Remarks
Review of Biennial - Toll Facilities in the United States	23 CFR 450.105(b) HPMS Field Manual	Biennially - Odd Years	Not Applicable	Office of Highway Policy information			
Section 154/164 Compliance Status - Funds Reservation	23 USC 154 and 23 USC 164	Annually	Not Applicable	Office of Safety			As of March 11, 2014 Idaho has compliant State laws, so these penalties do not apply.



**ATTACHMENT C  
MANUALS AND OPERATING AGREEMENTS**

**ITD Manuals: Approved by FHWA for use on Federal-aid Projects**

**Note: This list is not all inclusive**

- Bridge Design (LRFD) Manual
- Contract Administration Manual
- Design Build Manual
- Environmental Process Manual
- Financial Services Manual
- Guide for Utility Management Manual
- Idaho Manual for Bridge Evaluation
- Laboratory Operations Manual
- Local Public Agency (LPA) Guidelines and Manuals
- Materials Manual
- Professional Service Agreement Procedures Manual
- Quality Assurance Manual
- Right of Way Manual
- Roadway Design Manual
- Traffic Manual (e.g. MUTCD supplement)
- Transportation Alternatives Program Manual

**ITD Plans, Programs, Procedures, Standards, Drawings, and Operating Procedures:**

- Access Management: Standards and Procedures for Highway Right-of-Way Encroachment
- Access Policy Affirmative Action Plan
- ADA Transition Plan
- Bid Evaluation Procedures
- Contract Compliance & Workforce Development Plan
- Disadvantaged Business Enterprise (DBE) Program Plan
- Highway Safety Improvement Plan
- Idaho Bridge Inspection Coding Guide
- Indirect Cost Allocation Plan (Cost Pool Composition/Eligibility)
- Maintenance Manual
- Public Participation Plan (Environmental Justice and Limited English Proficiency)
- Standard and Supplemental Specifications

- Standard Drawings
- State Internal EEO Plan (Affirmative Action Plan – AAP) and Annual Updates
- Statewide Transportation Improvement Plan
- Title VI Implementation Plan
- Title VI Program Plan
- Transportation Improvement Plan
- Work Programs

**Operating (Programmatic) Agreements:**

- Categorical Exclusion Programmatic Agreement on Minor Transportation Projects
- Section 106 Programmatic Agreement on Minor Highway Improvement Projects
- Wetlands Programmatic Agreement and Finding for Categorically Excluded Transportation Projects