

FHWA and NDOT Stewardship and Oversight Agreement



May 2015



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**STEWARDSHIP AND OVERSIGHT AGREEMENT
ON PROJECT ASSUMPTION AND PROGRAM OVERSIGHT
BY AND BETWEEN
FEDERAL HIGHWAY ADMINISTRATION, NEVADA DIVISION
AND THE
STATE OF NEVADA 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 Nevada Department of Transportation (NDOT) 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 Nevada Division Office (FHWA) and NDOT 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 NDOT 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 NDOT 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. NDOT *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 NDOT and FHWA determine that assumption of responsibilities is appropriate.
- B. Approvals and related activities for which NDOT 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. NDOT may not assume responsibilities for Interstate projects that are in high risk categories. (23 U.S.C. 106(c)(1))
- D. NDOT 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. NDOT *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 NDOT 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), NDOT is to exercise the Secretary’s approvals and related responsibilities on these projects in accordance with Federal laws.
- C. NDOT, 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, the State may request FHWA carry out any approval or related responsibility listed in Attachment A off the NHS. Such project-specific requests shall be documented in accordance with the FHWA PoDI/PoCI Guide.
- D. Pursuant to 23 U.S.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

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

SECTION VI. PERMISSABLE AREAS OF ASSUMPTION UNDER 23 U.S.C. 106(c)

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

- A. Design, which includes preliminary engineering, engineering, and design-related services directly relating to the construction of a FAHP-funded project, including engineering, design, project development and management, construction project management and inspection, surveying, mapping (including the establishment of temporary and permanent geodetic control in accordance with specifications of the National Oceanic and Atmospheric Administration), and architectural-related services.
- B. PS&E, which represents the actions and approvals required before authorization of construction. The PS&E package includes geometric standards, drawings, specifications, project estimates, 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 NDOT

- A. Any approval or related responsibility not listed in Attachment A cannot be assumed by the State without prior concurrence by FHWA Headquarters. The following is a list of the most frequently-occurring approvals and related responsibilities that may not be assumed by NDOT:
 - 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 NDOT 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, NDOT 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.
- B. The FHWA 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. The FHWA shall perform annual reviews that address elements of NDOT's financial management system in accordance with 23 U.S.C. 106(g)(2)(A). FHWA will periodically review NDOT'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 NDOT, 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 NDOT 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 Nevada's transportation needs. The FHWA may work collaboratively with NDOT to assess the risks inherent with the FAHP and funds management, and how that assessment will be used to align resources to develop appropriate risk response strategies

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

- Program Assessments;
- FIRE Reviews;
- Program Reviews;
- Certification Reviews;

- Recurring or periodic reviews such as the Compliance Assessment Program (CAP); and
- Inspections of project elements or phases.

These techniques will be carried out in a manner consistent with applicable Division Standard Operating Procedures or other control documents relating to program assessments, FIRE, program reviews, CAP, etc.

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

The FHWA will annually conduct a risk assessment process to identify the FHWA's high risk areas (threats and opportunities) and determine response strategies for those risks. The risk assessment process is documented in the Nevada Division's Strategic Planning Process Policy which is incorporated by reference into this agreement including any future amendments to the policy. Once the risks are identified, strategies are then developed to avoid, enhance, mitigate, transfer or accept the high risk areas.

Typical project-level oversight techniques and processes the FHWA utilizes include:

- Required Project Actions - FHWA will accomplish those 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 - FHWA will annually identify Projects of Division Interest (PoDI) based on risk evaluations. The process for identifying PoDIs is documented in the Nevada Division's Risk Based Approach to Project Stewardship and Oversight Policy which is incorporated by reference into this agreement including any future amendments to the policy. Each PoDI will have a stewardship and oversight plan developed that will describe the oversight actions that will be conducted.
- Statistically-based Compliance Reviews - The FHWA Compliance Assessment Program (CAP) uses a statistical approach to establish compliance review requirements for Federal-aid highway projects. The purpose of the CAP is to provide reasonable assurance that Federal-aid highway construction projects are in compliance with key federal requirements. FHWA will annually identify CAP projects and determine which CAP Technical Guides, in addition to the CAP Core Question Form, will be applied to CAP projects. The CAP process is documented in the FHWA's Risk Based Approach to Project Stewardship and Oversight Policy which is incorporated by reference into this agreement including any future amendments to the policy.

E. Program Responsibility Matrix

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

F. Manuals and Operating Agreements

NDOT 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 FHWA and NDOT jointly established Stewardship and Oversight Indicators (Indicators). The FHWA and NDOT will review the MAP-21 Performance Measures and Indicators in accordance with the frequencies identified in the Nevada Department of Transportation Performance Measures and Indicators document which is incorporated by reference into this agreement. The FHWA and NDOT will identify and implement actions to improve program delivery based upon an analysis of the measures and indicators including any future amendments to the document.

SECTION XI. NDOT OVERSIGHT AND REPORTING REQUIREMENTS

A. NDOT Oversight and Reporting Requirements

NDOT 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, NDOT will conduct program and project level activities to ensure compliance with Federal and State requirements, maintain adequate project delivery systems, and provide sufficient accounting controls in accordance with the documents listed in Appendix C. Additionally, NDOT provides oversight activities of Federal-aid projects as described in *Appendix A – Project Action Responsibility Matrix* and FHWA programs as described in *Appendix B – Program Responsibility Matrix*.

At the program level, NDOT, in coordination with FHWA, will continue to updates to its manuals, plans, policies, and programmatic agreements as conditions require. NDOT maintains qualification requirements for its staff and consultants. As a component of the qualification requirements, NDOT implements training on a variety of subjects or requires specific training from outside sources.

At the project level, during the project development process, NDOT will follow processes and procedures that are in accordance with its technical manuals, plans, policies, and programmatic agreements that FHWA concurs with for use on Federal-aid projects. NDOT will provide copies of any documents to FHWA upon request that demonstrate NDOT's standard processes have been followed on Federal-aid funded programs or projects. In cases where NDOT determines that a deviation from the standard process is

necessary, NDOT may consult with FHWA to ensure that project eligibility is maintained.

During construction, NDOT will oversee construction operations in accordance with NDOT's Construction Manual, Documentation Manual, Materials Division Testing Manual and construction policies. NDOT will provide copies of any construction documentation to FHWA upon request on Federal-aid funded projects.

NDOT maintains an AASHTO AMRL accredited laboratory to implement its materials acceptance program.

NDOT holds a series of regularly scheduled meeting including Leadership meetings, Department Head meetings, Project Status meetings, Resident Engineers' conferences, and Resident Engineers' Academies. In addition, NDOT coordinates regularly with the Nevada Association of General Contractors, the Nevada Association of Consulting Engineers, the Metropolitan Planning Organizations, County Boards, Departments of Public Works, and local elected officials. These meetings assist NDOT in ensuring compliance with federal requirements.

NDOT conducts internal reviews of its processes. NDOT will provide copies of any reviews of Federal-aid funded programs or projects to FHWA upon request.

B. NDOT Oversight of Locally Administered Projects

- B.1. NDOT is required to provide adequate oversight of sub-recipients including oversight of any assumed responsibilities NDOT delegates to a LPA.
- B.2. Pursuant to 23 U.S.C. 106(g)(4), NDOT 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. NDOT 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. NDOT 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). NDOT shall carry out these responsibilities using the following actions, programs, and processes:

Through this agreement, NDOT accepts the responsibility for sub-recipient compliance with all applicable laws and requirements.

NDOT makes sub-recipients aware of Federal grant requirements through the application of policies, guidance, standard procedures, and programmatic agreements that were developed with FHWA involvement to ensure that Title 23 and Title 49 requirements are met. NDOT provides sub-recipients with training and technical assistance on program- and project-related Federal requirements.

NDOT provides numerous resources including NDOT's LPA Manual, Right-of Way Manual, Construction Manual, Materials Division Testing Manual, Documentation Manual, and other supporting documentation to aid sub-recipients' compliance with Federal requirements.

NDOT monitors the activities of the sub-recipient as necessary including, but not limited to, conducting audits and performing on-site reviews.

- B.4. NDOT 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:

In accordance with NDOT's LPA Manual and individual project Cooperative (LPA) Agreements, primary roles and responsibilities are outlined to ensure efficient project delivery and project accounting.

An LPA must have an established and documented policy/procedure for each of the following project administration components or utilize NDOT's procedures:

- Consultant Services Evaluation and Selection
- Consultant Services Management
- Change Order Process
- Dispute Resolution / Claims Management Process
- Finance, Accounting and Record Keeping
- Title VI of the Civil Rights Act of 1964
- Disadvantaged Business Enterprise (DBE)
- Davis-Bacon and/or State Prevailing Wages
- The Uniform Relocation Assistance and Real Property Acquisition Policy Act of 1970 as amended.
- The National Environmental Policy Act of 1969 (NEPA)

Prior to project initiation, NDOT assesses the qualifications, experience and capabilities of respective LPAs. This process requires approval of an LPA's overall processes and past experience delivering and administering transportation projects. Additionally, LPAs shall not be under a fiscal watch or fiscal emergency, identified through a formal audit, and without significant issues as it relates to a LPA's ability to administer a project.

- B.5. NDOT 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:

Prior to an LPA's participation in the program, NDOT reviews and evaluates the LPA's qualifications and ability to administer all phases of the project including demonstrating previous project experience.

Unsatisfactory or negligent performance by a LPA in the management of a LPA project can result in NDOT disallowing the LPA to be delegated specific responsibilities on future projects.

- B.6. NDOT 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:

As documented in Section 11.4 and Appendix F of the LPA Manual, the NDOT Resident Engineer monitors the Local agency's performance during construction through progress meetings, periodic on-site inspections, reviewing proposed change orders, reviewing and forwarding invoices for payment, verifying construction documentation, and conducting the final inspection and project acceptance. The Resident Engineer documents these activities to ensure that an LPA has completed the project in conformance with approved plans and specifications.

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

The roles and responsibilities of the LPA are documented in Section 11.3 of the LPA Manual and require that a competent, experienced staff certifies the work is constructed in accordance with Federal regulations and the Plans and Specifications. The LPA must also provide a Project Manager, who is a full-time agency employee, to be in responsible charge of the project.

Section 11.1 states that when work is being performed within NDOT right-of-way, a Professional Engineer registered in Nevada must be in responsible charge of the construction supervision.

- B.8. NDOT shall ensure that project actions will be administered in accordance with all applicable Federal laws and regulations. NDOT will use the following process on required approvals on sub-recipient projects as documented in the Cooperative (LPA) Agreements, LPA Manual, Right-of-Way Manual, Construction Manual, Documentation Manual and other supporting documentation and approved on sub-recipient administered projects.

The activities for ensuring compliance and maintaining oversight include, but are not limited to, these areas:

- a. Consultant selection and management;
 - b. Environmental approvals;
 - c. Design reviews and design exception approvals;
 - d. Civil Rights reviews;
 - e. Financial management including audits and indirect cost allocation plans;
 - f. Right-of-way plan approval;
 - g. Construction monitoring, including Quality Control/Quality Assurance (QC/QA); and
 - h. Contract administration including NDOT's responsibility to approve a sub-recipient to pursue a contract procurement method other than competitive bidding.
- B.9. NDOT shall document its oversight activities for LPA-administered projects and findings, and how it will share this information with the FHWA.

NDOT will develop and document an Annual LPA Program Summary to monitor sub-recipient activities to assure compliance with applicable Federal requirements. This will document NDOT's oversight activities, issues resulting from oversight activities, accomplishments and areas for improvement. NDOT will provide the Annual Summary Report to the 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 Nevada Division Administrator, who shall sign this S&O Agreement last.
- B. The FHWA and NDOT 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 NDOT or FHWA; or
 - Priorities shift as a result of audits, public perception, or changes in staffing at either the NDOT or FHWA Office.
- C. The FHWA and NDOT 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 FHWA and NDOT 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 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 must be approved by the FHWA Office of Infrastructure in writing and documented by an amendment to this S&O Agreement.

EXECUTION BY THE FHWA NEVADA DIVISION OFFICE

Executed this ____26th____ day of May, 2015.

/s/_____

Susan E. Klekar
Division Administrator

EXECUTION BY THE NEVADA DEPARTMENT OF TRANSPORTATION

Executed this 26th day of May, 2015.

/s/

Rudy Malfabon
Director, Nevada Department of Transportation

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ATTACHMENT A – PROJECT ACTION RESPONSIBILITY MATRIX

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ATTACHMENT A - PROJECT ACTION RESPONSIBILITY MATRIX

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

The NDOT 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, 2014) (Excluding PoDIs, which are subject to separate PoDI Plans) | | |
|---|----------------------------|-----------------------------|
| ACTION | AGENCY RESPONSIBLE | |
| | PROJECTS ON THE NHS | PROJECTS OFF THE NHS |
| 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 |

ATTACHMENT A - PROJECT ACTION RESPONSIBILITY MATRIX

| PROJECT ACTION RESPONSIBILITY MATRIX (as of February 6, 2014) (Excluding PoDIs, which are subject to separate PoDI Plans) | | |
|---|----------------------------|-----------------------------|
| ACTION | AGENCY RESPONSIBLE | |
| | PROJECTS ON THE NHS | PROJECTS OFF THE NHS |
| 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 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) |
| 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 |

ATTACHMENT A - PROJECT ACTION RESPONSIBILITY MATRIX

| PROJECT ACTION RESPONSIBILITY MATRIX (as of February 6, 2014) (Excluding PoDIs, which are subject to separate PoDI Plans) | | |
|---|----------------------------|-----------------------------|
| ACTION | AGENCY RESPONSIBLE | |
| | PROJECTS ON THE NHS | PROJECTS OFF THE NHS |
| Approve exceptions to design standards [23 CFR 625.3(f)] | STATE | STATE |
| Interstate System Access Change [23 USC 111] (Note: this action cannot be assumed by State) | FHWA | 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 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 |
| 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 |

ATTACHMENT A - PROJECT ACTION RESPONSIBILITY MATRIX

| PROJECT ACTION RESPONSIBILITY MATRIX (as of February 6, 2014) (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 major bridges or other 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, utility and railroad work [23 CFR 635.309(b)] | FHWA for Interstate STATE for Non-Interstate | 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)] | FHWA for Interstate STATE for Non-Interstate | STATE |
| Ensure compliant ROW certificate is in place [23 CFR 635.309(c)] | STATE | STATE |

ATTACHMENT A - PROJECT ACTION RESPONSIBILITY MATRIX

| PROJECT ACTION RESPONSIBILITY MATRIX (as of February 6, 2014) (Excluding PoDIs, which are subject to separate PoDI Plans) | | |
|---|---|-----------------------------|
| ACTION | AGENCY RESPONSIBLE | |
| | PROJECTS ON THE NHS | PROJECTS OFF THE NHS |
| 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 Interstate System) | FHWA for Interstate STATE for Non-Interstate (3) | STATE (3) |
| Requests for credits toward the non-Federal share of construction costs for early acquisitions, donations or other contributions applied to a project (note: this action cannot be assumed by State) | FHWA | FHWA |
| Federal land transfers [23 CFR 710, Subpart F] (Note: this action cannot be assumed by State) | FHWA | FHWA |

ATTACHMENT A - PROJECT ACTION RESPONSIBILITY MATRIX

| PROJECT ACTION RESPONSIBILITY MATRIX (as of February 6, 2014) (Excluding PoDIs, which are subject to separate PoDI Plans) | | |
|--|----------------------------|-----------------------------|
| ACTION | AGENCY RESPONSIBLE | |
| | PROJECTS ON THE NHS | PROJECTS OFF THE NHS |
| 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 |
| 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 |

ATTACHMENT A - PROJECT ACTION RESPONSIBILITY MATRIX

| PROJECT ACTION RESPONSIBILITY MATRIX (as of February 6, 2014) (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] | 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 |
| 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 |

ATTACHMENT A - PROJECT ACTION RESPONSIBILITY MATRIX

| PROJECT ACTION RESPONSIBILITY MATRIX (as of February 6, 2014) (Excluding PoDIs, which are subject to separate PoDI Plans) | | |
|---|----------------------------|-----------------------------|
| ACTION | AGENCY RESPONSIBLE | |
| | PROJECTS ON THE NHS | PROJECTS OFF THE NHS |
| 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

ATTACHMENT A - PROJECT ACTION RESPONSIBILITY MATRIX

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)

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ATTACHMENT B - PROGRAM RESPONSIBILITY MATRIX

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ATTACHMENT B - PROGRAM RESPONSIBILITY MATRIX

PROGRAM ACTION RESPONSIBILITY

The following matrix is an example list of program actions. The Division should refer to (link removed) for the latest updated version which can be incorporated into the agreement or referenced as a control document. Modify the matrix to reflect the Division and State “Responsible Program Office.” The primary office of contact should be listed, rather than an individual or the approving official.

| Activity | Authority | Frequency | Due Date | FHWA HQ Program Office | FHWA Division Responsible Program Office | State DOT Responsible Program Office | Remarks |
|--|--|-----------|----------------|-----------------------------------|--|--------------------------------------|--|
| Appropriations, Allotments, Obligations | 31 USC 1341(a)(1)(A)& (B); 31 USC 1517(a); 23 USC 118(b), 23 USC 121 | As needed | Not Applicable | Office of Chief Financial Officer | Finance | Financial Management | 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 C.F.R Part 200, Subpart E;ASMBC-10 | As needed | Not Applicable | Office of Chief Financial Officer | Finance | Accounting | The State will certify that the ICAP was prepared in accordance with 2 CFR 200 Subpart E. |
| FIRE Program Activities | FHWA Order 4560.1C (or as superseded) | Ongoing | | Office of Chief Financial Officer | Finance | Internal Audit | 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. |

ATTACHMENT B - PROGRAM RESPONSIBILITY MATRIX

| Activity | Authority | Frequency | Due Date | FHWA HQ Program Office | FHWA Division Responsible Program Office | State DOT Responsible Program Office | Remarks |
|---|---|------------------|-----------------|-----------------------------------|---|--|--|
| Audit Coordination/FHWA Financial Statement Audit/State External Audit Reviews/State Internal Audit Reviews | FMFIA, 2 C.F.R Part 200, Subpart F; GAAP, CFO Act of 1990; DOT Order 8000.1C | As needed | Not Applicable | Office of Chief Financial Officer | Finance | Internal Audit | 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 | Finance | Accounting | State will provide all information necessary to document sampled payments and FHWA offices will review and complete appropriate data submittal forms. |
| Transfer of Funds between programs or to other FHWA offices or agencies as requested by State | 23 USC 126, 23 USC 132, and FHWA Order 4551.1 | As needed | Not Applicable | Office of Chief Financial Officer | Finance | Financial Management and Project Development | State will submit requests for transfer and FHWA approves and processes the funding transfers between programs, to other States, to other agencies, and to FHWA HQ, Federal Lands, or Research offices. |
| Reviews of State Transportation Departments Financial Management Systems - Financial Integrity | 23 USC 106(g)(2)(A) | Annually | Not Applicable | Office of Chief Financial Officer | Finance | Accounting | 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). |

ATTACHMENT B - PROGRAM RESPONSIBILITY MATRIX

| Activity | Authority | Frequency | Due Date | FHWA HQ Program Office | FHWA Division Responsible Program Office | State DOT Responsible Program Office | Remarks |
|--|--|--|--------------------------|-----------------------------------|--|--|--|
| Review Adequacy of Sub-recipient Project Delivery Systems and Sufficient Accounting Controls to Manage Federal Funds | 23 USC 106(g)(4)(A)(i) | As needed | Not Applicable | Office of Chief Financial Officer | Finance | Accounting | |
| Periodic Reviews of States Monitoring of sub-recipients | 23 USC 106(g)(4)(B) | As needed | Not Applicable | Office of Infrastructure | Finance Local Program | Accounting Design Division | |
| Approval of Increased Federal Share Agreement (Sliding Scale) | 23 USC 120(b)(2) | As determined by the Federal Share Agreement | Not Applicable | Office of Chief Financial Officer | Finance | Director's Office with Assistance from Financial Management and Accounting | A State must enter into an agreement with FHWA for use of the increased Federal share allowable under this section, which must be reviewed and updated periodically as agreed to in the agreement. States must demonstrate that they are in compliance with the statute and the agreement. |
| Prepare / Review Title VI Plan Accomplishments and Next Year's Goals | 23 CFR 200.9(b)(10) | Annually | 1-Oct | Office of Civil Rights | Civil Rights | Contract Compliance | 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 | Civil Rights | Contract Compliance | Division office reviews and comments. |
| Prepare / Review State Internal EEO Affirmative Action Plan (Title VII) Accomplishments and Goals | 23 CFR 230.311 | Annually | 1-Oct | Office of Civil Rights | Civil Rights | Contract Compliance | Division office reviews and uploads to HCR SharePoint. |
| Review DBE Program Revisions | 49 CFR 26.21(b)(2) | As needed | Not Applicable | Office of Civil Rights | Civil Rights | Contract Compliance | Division sends to HCR for review and approval as |
| Prepare / DBE Uniform Awards and Commitment Report | 49 CFR 26, Appendix B | Semi-Annual | June 1st December 1st | Office of Civil Rights | Civil Rights | Contract Compliance | Division Office reviews and sends to HCR |

ATTACHMENT B - PROGRAM RESPONSIBILITY MATRIX

| Activity | Authority | Frequency | Due Date | FHWA HQ Program Office | FHWA Division Responsible Program Office | State DOT Responsible Program Office | Remarks |
|--|--|-----------------------|---------------|------------------------|--|--------------------------------------|---|
| Prepare / Annual Analysis and Corrective Action Plan (if necessary) | 49 CFR 26.47(c) | Annual (as necessary) | December 31st | Office of Civil Rights | Civil Rights | Contract Compliance | 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 | Civil Rights | Contract Compliance | Division reviews and approves; HCC provides legal sufficiency review and approval sends copy to HCR |
| Prepare / Review On-the-Job-Training (OJT) goals & accomplishments | 23 CFR 230.111(b) | Annually | TBA | Office of Civil Rights | Civil Rights | Contract Compliance | Division office reviews and comments. |
| Approval of OJT and DBE Supportive Services fund requests | 23 CFR 230.113 & 23 CFR 230.204 | Annual | TBA | Office of Civil Rights | Civil Rights | Contract Compliance | Division recommends approval submits to HCR for final approval |
| Return of any unused discretionary grant program funding | 23 CFR 230.117(2) | Annual | TBA | Office of Civil Rights | Civil Rights Finance | Financial Management | Division works with HCR and CFO |
| Prepare / Review of Report on Supportive Services (OJT & DBE) | 23 CFR 230.113(g), 230.121(e), 230.204(g)(6) | Quarterly | | Office of Civil Rights | Civil Rights | Contract Compliance | Division office reviews and comments. |
| Prepare / Review Annual Contractor Employment Report (Construction Summary of Employment Data (Form PR-1392) | 23 CFR 230.121(a); Appendix D to Subpart A, Part 230, General Information and Instructions | Annually | 1-Dec | Office of Civil Rights | Civil Rights | Contract Compliance | Recommendation sent to HQ for approval. |
| Prepare / Review State DOT Employment Statistical Data (EEO-4) | 23 CFR, Subpart C, Appendix A | Biannual | 1-Dec | Office of Civil Rights | Civil Rights | Contract Compliance | Report sent to HQ quarterly for informational purposes and recommendation sent to HQ annually for approval. |

ATTACHMENT B - PROGRAM RESPONSIBILITY MATRIX

| Activity | Authority | Frequency | Due Date | FHWA HQ Program Office | FHWA Division Responsible Program Office | State DOT Responsible Program Office | Remarks |
|--|--|-----------|--|---------------------------------|--|--|---|
| Prepare / Review Annual Federal Projected Awards Reports - Historically Black Colleges & Universities/Tribal Colleges & Universities/Hispanic Serving Institutes, American Indian Alaskan Native, Asian Pacific & American Islander. | Presidential Executive Orders: 13230, 13256, 13270, 13361, 13515 | Annual | TBA | Office of Civil Rights | Civil Rights | Contract Compliance | Divisions submit data to HCR who prepares report for DOCR |
| Prepare / Review ADA Complaint Reports of Investigation | 28 CFR 35.190 | As needed | Not Applicable | Office of Civil Rights | Civil Rights | Contract Compliance | Division office reviews, FHWA HQ approves and issues finding. |
| Review Americans with Disabilities Act (ADA) /Sec. 504 Program Plan accomplishments and next year's goals | 49 CFR 27.11(c), EO 12250 | Annually | 1-Oct | Office of Civil Rights | Civil Rights | Contract Compliance | 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 | Civil Rights Finance | Contract Compliance Financial Management Human Resources | Divisions work with HCR and CFO |
| Prepare / Review Request for National Summer Transportation Institute (NSTI) Proposals (SOWs) | 23 USC 140(b) | Annual | TBA | Office of Civil Rights | Civil Rights | Contract Compliance | Divisions recommend approval. HCR gives final approval |
| Prepare / Review NSTI Report (questionnaire) | 23 USC 140(b) | Annual | October 15th | Office of Civil Rights | Civil Rights | Contract Compliance | Divisions ensure that host sites submit report to HCR |
| Receipt of State Consultation Process with Tribal Governments | 23 CFR 450.210(c) | As needed | Not Applicable | Office of Federal Lands Highway | Environment | Environmental Services | Informational Purposes. |
| Approval of Contracting Procedures for Consultant Selection | 23 CFR 172.5 & 172.9 | As needed | Not Applicable | Office of Infrastructure | Design | Administrative Services | FHWA Division Office Approval. |

ATTACHMENT B - PROGRAM RESPONSIBILITY MATRIX

| Activity | Authority | Frequency | Due Date | FHWA HQ Program Office | FHWA Division Responsible Program Office | State DOT Responsible Program Office | Remarks |
|---|--|-----------|----------------|--------------------------|--|--------------------------------------|--|
| Determination of High Risk Categories - Limitation on Interstate Projects | 23 USC 106(c)(4)(B) | As needed | Not Applicable | Office of Infrastructure | Division Administrator | Director's office | Office of Program Administration determines national categories and must concur on any State designations. |
| Approval of State 3R Program | 23 CFR 625.4(a)(3), 23 USC 109(n) | As needed | Not Applicable | Office of Infrastructure | Pavements | Materials Division | FHWA Division Office Approval. |
| Verify adoption of Design Standards (National Highway System, including Interstate) | 23 CFR 625, 23 USC 109(b), 23 USC 109(c)(2), 23 USC 109(o) | As needed | Not Applicable | Office of Infrastructure | Design | Design Division | 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 | Not Applicable | Office of Infrastructure | Bridge | Bridge Division | Director of HIBT has approval of preliminary plans of Major and Unusual Bridges on the Interstate Highway System (M1100.A) |
| Approval of State Standard Specifications | 23 CFR 625.3 | As needed | Not Applicable | Office of Infrastructure | Design | Construction | FHWA Division Office Approval. |
| Verify State Design Exception Policy complies with FHWA Policy | 23 CFR 625.3 | As needed | Not Applicable | Office of Infrastructure | Design | Design Division | FHWA Division Office Approval. |
| Approval of State Standard Detail Plans | 23 CFR 625.3 | As needed | Not Applicable | Office of Infrastructure | Design | Design Division | FHWA Division Office Approval. |
| Approval of Pavement Design Policy | 23 CFR 626.3 | As needed | Not Applicable | Office of Infrastructure | Pavements | Materials Division | FHWA Division Office Approval. |
| Review of Value Engineering Policy and Procedures | 23 CFR 627.1(b)&(c), 23 CFR 627.7 FHWA Order 1311.1B | As needed | Not Applicable | Office of Infrastructure | Design | Performance Analysis | FHWA Division Office Review. |
| Review of Value Engineering Annual Report | 23 CFR 627.7, FHWA Order 1311.1B | Annual | Not Applicable | Office of Infrastructure | Design | Performance Analysis | FHWA Division Office collects, reviews, and submits to HQ for review and reporting. |
| Review and Approval of Interstate Access Requests | 23 USC 111, 23 CFR 710, 74 FR 43743-43746 (Aug. 27, 2009) | As needed | Not Applicable | Office of Infrastructure | Design | Design Division | FHWA Division Office approval with concurrence from HQ on more complex access requests. |

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| Activity | Authority | Frequency | Due Date | FHWA HQ Program Office | FHWA Division Responsible Program Office | State DOT Responsible Program Office | Remarks |
|--|----------------|---------------|----------------|--------------------------|--|--------------------------------------|--|
| Approval of Liquidated Damages Rate | 23 CFR 635.127 | Every 2 years | Not Applicable | Office of Infrastructure | Construction | Construction | FHWA Division Office Approval. |
| Approval of Quality Assurance Program | 23 CFR 637.205 | As needed | Not Applicable | Office of Infrastructure | Construction | Construction Division | State administers, with programmatic agreement by the Division Office, as part of their materials testing and construction quality assurance/acceptance program. |
| Assure Central Laboratory accredited by AASHTO Accreditation Program or FHWA approved comparable program | 23 CFR 637.209 | As needed | Not Applicable | Office of Infrastructure | Materials | Materials Division | State administers, with programmatic agreement by the Division Office, as part of their materials testing and construction quality assurance/acceptance program. |
| Assure Non-STD designated lab performing Independent Assurance sampling and testing accredited by AASHTO Accreditation Program or FHWA approved comparable program | 23 CFR 637.209 | As needed | Not Applicable | Office of Infrastructure | Materials | Construction Division | State administers, with programmatic agreement by the Division Office, as part of their materials testing and construction quality assurance/acceptance program. |
| Assure Non-STD designated lab used in dispute resolution accredited by AASHTO Accreditation Program or FHWA approved comparable program | 23 CFR 637.209 | As needed | Not Applicable | Office of Infrastructure | Materials | Construction Division | State administers, with programmatic agreement by the Division Office, as part of their materials testing and construction quality assurance/acceptance program. |

ATTACHMENT B - PROGRAM RESPONSIBILITY MATRIX

| Activity | Authority | Frequency | Due Date | FHWA HQ Program Office | FHWA Division Responsible Program Office | State DOT Responsible Program Office | Remarks |
|---|---|-----------|----------------|--------------------------|--|--------------------------------------|---|
| Review Independent Assurance Annual Report | 23 CFR 637.207 | Annually | 1-Mar | Office of Infrastructure | Materials | Construction Division | 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 | Not Applicable | Office of Infrastructure | Civil Rights | Contract Compliance | 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 | Not Applicable | Office of Infrastructure | Pavements | Materials Division | FHWA Division Office Approval |
| Approval of Utility Agreement / Alternate Procedure | 23 CFR 645.119 | As needed | Not Applicable | Office of Infrastructure | Right of Way | Right of Way Division | FHWA Division Office Approval |
| Approval of Utility Accommodation Policy | 23 CFR 645.215, 23 USC 109(l), 23 USC 123 | As needed | Not Applicable | Office of Infrastructure | Right of Way | Right of Way Division | FHWA Division Office Approval |
| Review Bridge Construction, Geotechnical, and Hydraulics | 23 CFR 650 | As needed | Not Applicable | Office of Infrastructure | Structures | Bridge Division | Division remarks: Division Office reviews plans, specifications, and manuals for conformance with national standards |
| Review Plans of Corrective Action established to address NBIS compliance issues | 23 CFR 650, 23 USC 144 | Annually | December 31 | Office of Infrastructure | Structures | Bridge Division | 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 | Structures | Bridge Division | 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 | Structures | Bridge Division | Submit to HQ. |

ATTACHMENT B - PROGRAM RESPONSIBILITY MATRIX

| Activity | Authority | Frequency | Due Date | FHWA HQ Program Office | FHWA Division Responsible Program Office | State DOT Responsible Program Office | Remarks |
|--|--|--|----------------|--------------------------|--|---|--|
| Review Section 9 of the Rivers and Harbors Act Submittals (Bridge Permits) | 23 CFR 650 Subpart H; 33 CFR 114 & 115 | As needed | Not Applicable | Office of Infrastructure | Structures | Bridge Division | Division remarks: Division office reviews required permits with other federal agencies |
| Approval for reduction of expenditures for off-system bridges | 23 USC 133(g)(2)(B) | As needed | Not Applicable | Office of Infrastructure | Structures | Bridge Division | 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 | Asset Management | Maintenance and Asset Management Division | |
| 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 | Asset Management | Maintenance and Asset Management Division | |
| Review Reporting on Performance Targets | 23 USC 150(e) | Beginning four years after enactment of MAP-21 and biennially thereafter | | Office of Infrastructure | Assistant Division Administrator | Performance Analysis | |
| 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 | Division Leadership | Performance Analysis | |

ATTACHMENT B - PROGRAM RESPONSIBILITY MATRIX

| Activity | Authority | Frequency | Due Date | FHWA HQ Program Office | FHWA Division Responsible Program Office | State DOT Responsible Program Office | Remarks |
|--|---------------------------------|--|-----------------|-------------------------------|---|---|--|
| States and sub-recipient failure to maintain projects - Notice and withholding Federal-aid Funds | 23 USC 116(d) | As needed | Not Applicable | Office of Infrastructure | Division Administrator | Director's Office | |
| Emergency Relief (ER) Damage Assessments and Reports | 23 CFR 668 23 USC 120 and 125 | As needed | Not Applicable | Office of Infrastructure | Field Operations Team | Maintenance and Asset Management Division | Perform with State. |
| Toll Credit and Maintenance of Effort (MOE) Calculation and Agreement | 23 USC 120(i) | Annually | | Office of Infrastructure | Planning | Accounting | State will calculate the amount of eligible toll credit and submit for approval. FHWA will review and approve the request. |
| Local Public Agency (LPA) Oversight | 2 CFR 200.331; 23 USC 106(g)(4) | As needed | Not Applicable | Office of Infrastructure | Local Programs | Design Division LPA | States are responsible to ensure that LPAs are aware of all the applicable Federal-aid Program requirements; States are responsible to ensure monitoring and oversight to assure compliance with Federal requirements. 23 USC further reinforces stressing accountability on "project delivery systems" and "accounting controls." |
| Approval to Sell, Lease or Otherwise Dispose of a Ferry Purchased with Federal-aid Funds | 23 USC 129 (c)(6) | As needed | Not Applicable | Office of Infrastructure | | | 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 | | | Division Office works with Office of Program Administration and HCC |

ATTACHMENT B - PROGRAM RESPONSIBILITY MATRIX

| Activity | Authority | Frequency | Due Date | FHWA HQ Program Office | FHWA Division Responsible Program Office | State DOT Responsible Program Office | Remarks |
|--|--|---------------|----------------|---------------------------------------|--|--------------------------------------|--|
| TIFIA Credit Program | 23 USC 601-609 | As needed | Not Applicable | Office of Innovative Program Delivery | Finance | Accounting | Project sponsors submit requests for credit assistance to the TIFIA JPO for review; approval by the Secretary |
| GARVEEs | 23 USC 122; GARVEE Guidance 3/14 | As needed | Not Applicable | Office of Innovative Program Delivery | Finance | Accounting | MOUs strongly suggested for each GARVEE issue. FM contacts OIPD for review/concurrence before final approval |
| State Infrastructure Banks | NHS Act Section 308; 23 USC 610; SIB Guidance 3/14 | Annual Report | Not Applicable | Office of Innovative Program Delivery | Finance | Accounting | 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 | Not Applicable | Office of Innovative Program Delivery | Finance | Accounting | At the option of the project sponsor, may execute a Tolling Eligibility MOU with the Division Office; HIN coordinates FHWA HQ review |
| Section 166 HOV/HOT Lanes Tolling Authority Requests | 23 USC 166(d) | As needed | Not Applicable | Office of Innovative Program Delivery | Finance | Accounting | At the option of the project sponsor, may execute a Tolling Eligibility MOU with the Division Office; HIN coordinates FHWA HQ review |
| Value Pricing Pilot Program Tolling Authority Requests | ISTEA Section 1012(b) | As needed | Not Applicable | Office of Innovative Program Delivery | Finance | Accounting | Requests submitted to HIN to coordinate review; approval by the Administrator |
| Interstate System Reconstruction and Rehabilitation Pilot Program Tolling Authority Requests | TEA-21 Section 1216(b) | As needed | Not Applicable | Office of Innovative Program Delivery | Finance | Accounting | Applications submitted to HIN to coordinate review; approval by the Administrator |

ATTACHMENT B - PROGRAM RESPONSIBILITY MATRIX

| Activity | Authority | Frequency | Due Date | FHWA HQ Program Office | FHWA Division Responsible Program Office | State DOT Responsible Program Office | Remarks |
|--|--|--|--|---------------------------------------|--|--|---|
| 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); ISTE A Section 1012(b)(3) | Annually | | Office of Innovative Program Delivery | Finance | Accounting | Division Office to receive the reports. |
| Project Management Plan (Major Projects) | 23 U.S.C. 106(h)(2) | Prior to first federal authorization of construction funds for a Major Project | Not Applicable | Office of Innovative Program Delivery | Division Office will conduct concurrent review with HQ Office of Innovative Program Delivery. | Project Management Division | Division Office will provide approval after receiving concurrence from HQ Office of Innovative Program Delivery. |
| Financial Plan (Major Projects) | 23 U.S.C. 106(h)(3) | Prior to first federal authorization of construction funds for a Major Project and then annually. | Annually as noted in the approved Initial Financial Plan | Office of Innovative Program Delivery | Division Office will conduct concurrent review with HQ Office of Innovative Program Delivery. | 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 (Other Projects) | 23 U.S.C. 106(i) | Prior to first federal authorization of construction funds for an Other Project and then annually. | Annually as noted in the approved Initial Financial Plan | Office of Innovative Program Delivery | Division Office will review and approve Financial Plans for Other Projects in accordance with its stewardship and oversight agreement with the State DOT or Project Sponsor. | State DOT or Project Sponsor will prepare and submit Project Management Plan | 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 | Planning | Intermodal Planning | 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 | Planning | Intermodal Planning | OST lead |

ATTACHMENT B - PROGRAM RESPONSIBILITY MATRIX

| Activity | Authority | Frequency | Due Date | FHWA HQ Program Office | FHWA Division Responsible Program Office | State DOT Responsible Program Office | Remarks |
|--|-------------------------------|--|--|------------------------|--|--------------------------------------|---|
| 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 | Planning | Intermodal Planning | OST lead |
| Review HOV Operations Report for Tolled Use and Low-Emission and Energy-Efficient Vehicle Use | 23 USC 166(d) | Annually | | Office of Operations | Operations | Traffic Operations | |
| Congestion Partnerships Assessment | Annual Memo from HQ | Annually | 1-Jul | Office of Operations | Operations | Traffic Operations | Complete with partners and forward to HQ. |
| Traffic Incident Management Self-Assessment | Annual Memo from HQ | Annually | 1-Jul | Office of Operations | Operations | Traffic Operations | 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 | Safety | Traffic Operations | Complete with partners and forward to HQ. |
| Approval of State-Prepared Manual on Uniform Traffic Control Devices - State Traffic Control Manuals | 23 CFR 655.603, 23 USC 109(d) | As needed | Not Applicable | Office of Operations | Safety | Traffic Operations | |
| Review Vehicle Size & Weight Enforcement Plan | 23 CFR 657.11, 23 USC 127 | Annually | 1-Oct | Office of Operations | Planning | Planning Administration | |
| Review Vehicle Size & Weight Enforcement Certification | 23 CFR 657.13, 23 USC 141 | Annually | 1-Jan | Office of Operations | Planning | Planning Administration | |
| Approval of National Network Modifications | 23 CFR 658.11 | As needed | Not Applicable | Office of Operations | Planning | Planning Administration | |
| Intelligent Transportation System Architecture & Standards | 23 CFR Part 940 | As needed | Not Applicable | Office of Operations | Operations | Traffic Operations | |

ATTACHMENT B - PROGRAM RESPONSIBILITY MATRIX

| Activity | Authority | Frequency | Due Date | FHWA HQ Program Office | FHWA Division Responsible Program Office | State DOT Responsible Program Office | Remarks |
|---|---|--------------------------|-------------------------|--|--|--------------------------------------|---|
| Approval of Work Zone Significant Project Determination | 23 CFR 630.1010 | As needed | | Office of Operations | Safety | Traffic Operations | |
| Approval of Exceptions to Work Zone Procedures for Interstate Projects | 23 CFR 630.1010 | As needed | | Office of Operations | Safety | Traffic Operations | |
| Approval of Work Zone Policy and Procedures Conformance Review | 23 CFR 630.1014 | At appropriate intervals | | Office of Operations | Safety | Traffic Operations | |
| 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 | Safety | Traffic Operations | |
| Approval of State Planning Work Program and Revisions (Part 1) | 23 CFR 420.111, 23 CFR 420.115, and 23 CFR 420.209 | Annually | Prior to Program Period | Office of Planning, Environment & Realty | Planning | Planning Administration | FHWA Division Office Approval. |
| Approval of State Research and Development Work Program (Part 2) | 23 CFR 420.111, 23 CFR 420.115, and 23 CFR 420.209 | Annually | Prior to Program Period | Office of Planning, Environment & Realty | Planning | Planning Administration | FHWA Division Office Approval. |
| Approval of State's Distribution of Planning Funds Formula - Allocation Formulas for PL Funds | 23 CFR 420.109, 23 USC 104(d)(2)(A)(i) | When Revised | Not Applicable | Office of Planning, Environment & Realty | Planning | Planning Administration | FHWA Division Office Approval. |
| Review of State Public Involvement Procedures | 23 CFR 450.210(a) | As needed | Not Applicable | Office of Planning, Environment & Realty | Planning | Planning Administration | FHWA Division Office Review to Assure Compliance. |
| Receipt of State Consultation Process for Non- metropolitan Local Officials | 23 CFR 450.210(b) | As needed | Not Applicable | Office of Planning, Environment & Realty | Planning | Planning Administration | Informational Purposes. |
| Review of Long-range Statewide Transportation Plan | 23 CFR 450.214 | As needed | Not Applicable | Office of Planning, Environment & Realty | Planning | Planning Administration | FHWA Division Office Review to Assure Compliance. |
| Approval of Statewide Transportation Improvement Program (STIP) | 23 CFR 450.216, 23 CFR 450.218(a) & (c), 23 USC 135(g)(7) | At least every 4 years | Not Applicable | Office of Planning, Environment & Realty | Planning | Planning Administration | Joint FHWA and FTA approval. |
| Approval of STIP Amendments | 23 CFR 450.218(a) & (c) | As needed | Not Applicable | Office of Planning, Environment & Realty | Planning | Planning Administration | Joint FHWA and FTA approval. |

ATTACHMENT B - PROGRAM RESPONSIBILITY MATRIX

| Activity | Authority | Frequency | Due Date | FHWA HQ Program Office | FHWA Division Responsible Program Office | State DOT Responsible Program Office | Remarks |
|--|--|---|----------------|--|--|--------------------------------------|--|
| Finding of Consistency of Planning Process with Section 134 and 135 | 23 USC 135(g)(8), 23 CFR 450.218(b) | Concurrent with STIP approval | Not Applicable | Office of Planning, Environment & Realty | Planning | Planning Administration | FHWA and FTA issue a joint finding concurrent with STIP approval. |
| Review of State Self-certification that Planning Process is in Accordance with Applicable Requirements | 23 CFR 450.218(a) | Submitted with proposed STIP or STIP amendments | Not Applicable | Office of Planning, Environment & Realty | Planning | Planning Administration | Received with STIP. |
| Approval of Transportation Management Area (TMA) MPO Unified Planning Work Programs (UPWP) | 23 CFR 450.308(b) and 23 CFR 420 (Subpart A) | Prior to Program End | Not Applicable | Office of Planning, Environment & Realty | Planning | Planning Administration | |
| 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 | Planning Administration | 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 | Planning Administration | |
| 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 | Planning Administration | |
| Approval of Report Before Publication (All MPO's) | 23 CFR 420.117(e) | As needed | Not Applicable | Office of Planning, Environment & Realty | Planning | Planning Administration | 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 | Planning Administration | |
| Review of Metropolitan Planning Area Boundary (Establishment and Changes) | 23 CFR 450.312 | As needed | Not Applicable | Office of Planning, Environment & Realty | Planning | Planning Administration | 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 | Planning Administration | Require agreement between Governor and local governments. |

ATTACHMENT B - PROGRAM RESPONSIBILITY MATRIX

| Activity | Authority | Frequency | Due Date | FHWA HQ Program Office | FHWA Division Responsible Program Office | State DOT Responsible Program Office | Remarks |
|--|--|---|----------------|--|--|--------------------------------------|---|
| 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 | Planning Administration | Between MPO/State DOT/Transit Operator. Included in UPWP or Prospectus (23 CFR 450.314(d)). |
| Review of MPA - for MPA that do not include the entire nonattainment or maintenance area | 23 CFR 450.314(b), 23 USC 109(j) | When Completed | Not Applicable | Office of Planning, Environment & Realty | Planning | Planning Administration | 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 | Planning Administration | Must be developed and published. |
| Review of Metropolitan Transportation Plan (MTP) in Attainment Areas (and Updates) | 23 CFR 450.322 | Every 4 years | Not Applicable | Office of Planning, Environment & Realty | Planning | Planning Administration | |
| Review of MTP in Non-Attainment and Maintenance Areas (and Updates) | 23 CFR 450.322 | Every 5 years | Not Applicable | Office of Planning, Environment & Realty | Planning | Planning Administration | |
| Review of MTP Amendments | 23 CFR 450.322(c) | As Needed | Not Applicable | Office of Planning, Environment & Realty | Planning | Planning Administration | |
| 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 | Planning Administration | After receipt of MPO determination; Joint FHWA and FTA determination; In consultation with the Environmental Protection Agency (EPA). |
| Review of Transportation Improvement Program (TIP) | 23 CFR 450.300(a); 23 CFR 450.324(b); 23 CFR 450.328(a), 23 USC 134(j)(1)(D) | Prior to Program Period | Not Applicable | Office of Planning, Environment & Realty | Planning | Planning Administration | No succinct Federal approval action is required for the TIP. FHWA/FTA approval of the TIP is through the STIP approval process. |

ATTACHMENT B - PROGRAM RESPONSIBILITY MATRIX

| Activity | Authority | Frequency | Due Date | FHWA HQ Program Office | FHWA Division Responsible Program Office | State DOT 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 | Planning Administration | 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) | Not Applicable | Office of Planning, Environment & Realty | Planning | Planning Administration | Applies to non-attainment and maintenance areas only. After receipt of MPO determination, joint determination with FTA (in cooperation with EPA). |
| Federal Finding of Consistency of Planning Process with Section 134 and 135 | 23 CFR 450.218(b); 23 CFR 450.334(a) | Concurrent with (S)TIP submittal | Not Applicable | Office of Planning, Environment & Realty | Planning | Planning Administration | 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 | Not Applicable | Office of Planning, Environment & Realty | Planning | Planning Administration | 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 | Planning | Planning Administration | 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 | Planning Administration | |
| Approval of Revision of Functional Classification | 23 CFR 470.105 (b) | As needed | Not Applicable | Office of Planning, Environment & Realty | Planning | Planning Administration | |
| Approval by Administrator of Interstate Additions & Revisions | 23 USC 103(c)(1)(D), 23 CFR 470.111, 23CFR 470.115 (a) | As needed | Not Applicable | Office of Planning, Environment & Realty | Planning | Planning Administration | Approval by HQ – Administrator. |

ATTACHMENT B - PROGRAM RESPONSIBILITY MATRIX

| Activity | Authority | Frequency | Due Date | FHWA HQ Program Office | FHWA Division Responsible Program Office | State DOT Responsible Program Office | Remarks |
|--|---|-----------|----------------|--|--|--------------------------------------|--|
| 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 | Planning Administration | Approved by HQ - Office Director. |
| Review of CMAQ Annual Report | CMAQ Guidance Memo October 31, 2006 | Annually | 1-Mar | Office of Planning, Environment & Realty | Planning | Planning Administration | 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 | Planning Administration | 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 | Planning | Planning Administration | FHWA HQ approval. |
| Approval of Public Involvement Program Procedures | 23 CFR 771.111(h), 23 USC 128 | As needed | Not Applicable | Office of Planning, Environment & Realty | Environment | Environmental Services | |
| Approval of NEPA Procedures, including Section 4(f) | 23 CFR 771; 23 CFR 774; SAFETEA-LU 6007 & 6009, 23 USC 109(h) | As needed | Not Applicable | Office of Planning, Environment & Realty | Environment | Environmental Services | |
| Approval of Noise Policies | 23 CFR 772.7, 772.9, and 772.13, 23 USC 109(i) | As needed | Not Applicable | Office of Planning, Environment & Realty | Environment | Environmental Services | FHWA approves State' noise abatement policy. |

ATTACHMENT B - PROGRAM RESPONSIBILITY MATRIX

| Activity | Authority | Frequency | Due Date | FHWA HQ Program Office | FHWA Division Responsible Program Office | State DOT Responsible Program Office | Remarks |
|---|--------------------------------------|--|------------------------------------|--|--|---|--|
| EIS Status Updates | FHWA Strategic Goal - EIS Timeliness | Quarterly | (Fiscal Year - Oct, Jan, Apr, Jul) | Office of Planning, Environment & Realty | Environment | Environmental Services | 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 | Environment | Environmental Services | |
| Exemplary Ecosystem Initiatives Applications | | Annually | 1-Apr | Office of Planning, Environment & Realty | Environment | Environmental Services | |
| Approval of Acquisitions, Appraisals, and Relocations Program and Procedures | 49 CFR Part 24, The UA | As needed | Not Applicable | Office of Planning, Environment & Realty | Right of Way | Right of Way Division | |
| Early Acquisitions | 23 CFR 710.501 | As needed | Not Applicable | Office of Planning, Environment & Realty | Right of Way | Right of Way Division | |
| Local Public Agency Oversight | 49 CFR 24.4(b); 23 CFR 710.201 | As needed | Not Applicable | Office of Planning, Environment & Realty | Right of Way Local Programs | Right of Way Division Design Division LPA | |
| Approval of Highway Facility Relinquishment | 23 CFR 620.203 | As needed | Not Applicable | Office of Planning, Environment & Realty | Right of Way | Right of Way Division | |
| Approval of ROW Disposal Authorization Request | 23 CFR 710.409 | As needed | Not Applicable | Office of Planning, Environment & Realty | Right of Way | Right of Way Division | |
| 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 | Right of Way | Right of Way Division | |

ATTACHMENT B - PROGRAM RESPONSIBILITY MATRIX

| Activity | Authority | Frequency | Due Date | FHWA HQ Program Office | FHWA Division Responsible Program Office | State DOT Responsible Program Office | Remarks |
|--|--|-----------|----------------|--|--|--------------------------------------|---|
| 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 | Right of Way | Right of Way Division | |
| Approval of Interstate Real Property Use Agreements | 23 CFR 710.405 | As needed | Not Applicable | Office of Planning, Environment & Realty | Right of Way | Right of Way Division | |
| Approval of Request for Federal Land Transfer | 23 CFR 710.601 | As needed | Not Applicable | Office of Planning, Environment & Realty | Right of Way | Right of Way Division | |
| Approval of Request for Direct Federal Acquisition | 23 CFR 710.603 | As needed | Not Applicable | Office of Planning, Environment & Realty | Right of Way | Right of Way Division | |
| 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 | Right of Way | Right of Way Division | |
| Approval of Requests to Exempt Certain Nonconforming Signs, Displays, and Devices | 23 CFR 750.503 | As needed | Not Applicable | Office of Planning, Environment & Realty | Right of Way | Right of Way Division | |
| Approval of Railroad Agreement Alternate Procedure | 23 CFR 646.220 | As needed | Not Applicable | Office of Planning, Environment & Realty | Right of Way | Right of Way Division | |
| 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 | Right of Way | Right of Way Division | 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 | Right of Way | Right of Way Division | Submitted to FHWA Headquarters (HQ). |
| Review of Real Property Acquisition Statistical Report | FHWA Order 6540.1 | Annually | 15-Nov | Office of Planning, Environment & Realty | Right of Way | Right of Way Division | |

ATTACHMENT B - PROGRAM RESPONSIBILITY MATRIX

| Activity | Authority | Frequency | Due Date | FHWA HQ Program Office | FHWA Division Responsible Program Office | State DOT Responsible Program Office | Remarks |
|--|--|--|-----------------------------|--|--|--------------------------------------|--|
| Approval of Management Process and Project Selection Procedures and Certification for Research, Development & Technology Transfer Program and Revisions to Process | 23 CFR 420.115 and 23 CFR 420.209 | As needed | Not Applicable | Office of Planning, Environment & Realty | Research | Research & Library | FHWA Division Office Approval. |
| Periodic Review of States Management Process of the Research, Development & Technology Transfer Program | 23 CFR 420.209 | Periodic | Not Applicable | Office of Planning, Environment & Realty | Research | Research & Library | FHWA Division Office Periodic Review. |
| Approval of Performance and Expenditure Reports for SPR Research Work Programs | 23 CFR 420.117 | No less frequently than annual and no more frequently than quarterly | 90 Days After End Of Period | Office of Planning, Environment & Realty | Research | Research & Library | FHWA Division Office Approval. |
| Approval of SPR research reports | 23 CFR 420.117 | Prior to publication unless prior approval is waved | Not Applicable | Office of Planning, Environment & Realty | Research | Research & Library | FHWA Division Office Approval unless waived. |
| Annual Traffic Reports | Traffic Monitoring Analysis System and Traffic Monitoring Guide reporting | When Published | As needed | Office of Highway Policy information | Planning | Traffic Information | 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 | Traffic Information | Review memo to HQ. |

ATTACHMENT B - PROGRAM RESPONSIBILITY MATRIX

| Activity | Authority | Frequency | Due Date | FHWA HQ Program Office | FHWA Division Responsible Program Office | State DOT Responsible Program Office | Remarks |
|--|--|---|----------------|--------------------------------------|--|--------------------------------------|--|
| Approval of Certified Public Road Mileage | 23 CFR 460.3(b) | Annually | 1-Jun | Office of Highway Policy information | Planning | Traffic Information | 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 | Planning | Traffic Information | State DOT sends directly to Division Office and HQ. |
| Highway Statistics Reports | Guide to Reporting Highway Statistics | | | Office of Highway Policy information | Planning | Traffic Information | State DOT of Division Office sends directly to HQ. |
| Motor Fuels Report | A Guide to Reporting Highway Statistics, Chapter 2 | Due 60 days after end of each reporting month | | Office of Highway Policy information | Planning | Traffic Information | |
| 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 | Planning | Traffic Information | |
| Finance (531, 532, 541, 542, and 543 (optional)) | A Guide to Reporting Highway Statistics, Chapters 8 and 9 | 1-Apr | 1-Apr | Office of Highway Policy information | Finance | Accounting | |
| Transportation Bond Referendums | A Guide to Reporting Highway Statistics, Chapter 9 | When Published | When Published | Office of Highway Policy information | Finance | Accounting | |
| State DOT / Toll Authority Audits and Published Annual Reports and Form 539 (optional) | A Guide to Reporting Highway Statistics, Chapter 10 | When Published | When Published | Office of Highway Policy information | Finance | N/A – No tolling in Nevada | Annually, Due as soon as available. |
| Finance (536) | A Guide to Reporting Highway Statistics, Chapter 11 | 30-Sep | 30-Sep | Office of Highway Policy information | Finance | Performance Analysis | Biennially for odd-numbered years. Due nine months after end of reporting year |

ATTACHMENT B - PROGRAM RESPONSIBILITY MATRIX

| Activity | Authority | Frequency | Due Date | FHWA HQ Program Office | FHWA Division Responsible Program Office | State DOT Responsible Program Office | Remarks |
|---|---|--|---------------------|--------------------------------------|--|--------------------------------------|---|
| Finance (534) | A Guide to Reporting Highway Statistics, Chapter 12 | 15-Jun | 15-Jun | Office of Highway Policy information | Finance | Performance Analysis | Annually for State, Biennially for local |
| Highway Finance and Tax Legislation | A Guide to Reporting Highway Statistics, Chapter 13 | When Published | When Published | Office of Highway Policy information | Finance | Accounting | |
| State DOT Budgets and Published Annual Reports | A Guide to Reporting Highway Statistics, Chapter 13 | When Published | When Published | Office of Highway Policy information | Finance | Accounting Financial Management | |
| Motor Fuel Oversight Review | July 24, 2001 HQ Memo | Initial baseline reports no later than December 31, 2003 | | Office of Highway Policy information | Finance | Accounting | 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 | Finance | N/A - No tolling in Nevada | Division Office sends to HQ. |
| State Highway Maps (Tourist) | | When Published | When Published | Office of Highway Policy information | Planning | Location Division | Two copies to each Division Office and 100 copies to HQ. |
| Traffic Flow Maps | | When Published | | Office of Highway Policy information | Planning | Location Division | When Published. |
| Vehicle Classification Data | MAP-21, HPMS Field Manual, Traffic Monitoring Guide | 15-Jun | 15-Jun | Office of Highway Policy information | Planning | Traffic Information | Part of Annual HPMS submittal. |
| Highway Use Tax Evasion Grant Awards | 23 USC 143 | Annual | Not Applicable | Office of Highway Policy information | Finance | Traffic Information | 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. |

ATTACHMENT B - PROGRAM RESPONSIBILITY MATRIX

| Activity | Authority | Frequency | Due Date | FHWA HQ Program Office | FHWA Division Responsible Program Office | State DOT Responsible Program Office | Remarks |
|--|--|-----------|----------------|--------------------------------------|--|--------------------------------------|--|
| Heavy Vehicle Use Tax (HVUT) – Certification of verifying proof-of-payment of HVUT | 23 CFR 669.7 | 1-Jul | 1-Jul | Office of Highway Policy information | Finance | Traffic Information | Each year, the Governor of each State, or a designee must certify that the State is verifying that the HVUT has been paid before they issue or renew registrations on vehicles over 55,000 lbs. The HVUT program is administered by the Internal Revenue Service. |
| Heavy Vehicle Use Tax (HVUT) – Certification of verifying proof-of-payment of HVUT | 23 CFR 669 | Annual | 1-Jan | Office of Highway Policy information | Finance | Traffic Information | 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 | Not Applicable | Office of Highway Policy information | Finance | Traffic Information | 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 | Planning | Traffic Information | Submit monthly, within 20 days after the close of the month for which the data were collected. |

ATTACHMENT B - PROGRAM RESPONSIBILITY MATRIX

| Activity | Authority | Frequency | Due Date | FHWA HQ Program Office | FHWA Division Responsible Program Office | State DOT Responsible Program Office | Remarks |
|--|--|---------------|---|--------------------------------------|--|--------------------------------------|---|
| Continuous Automatic Vehicle Classifier Data | Heavy Vehicle Travel Information System Field Manual | Monthly | Monthly | Office of Highway Policy information | Planning | Traffic Information | 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 | As needed | Office of Highway Policy information | Planning | Traffic Information | WIM data collected at non-continuous sites during a year should be submitted by June 15 of the following year. If continuous WIM data are available, then up to one week of data per quarter. |
| Approval of MAP-21 compliant SHSP update within the legislatively required timeframe. | 23 U.S.C. 148 (d)(2)(B) | Non Recurring | By Aug. 1 of the fiscal year after the HSIP final rule is established | Office of Safety | Safety | Safety Engineering | FHWA Division Offices provide copy of SHSP process approval letter to HQ. |
| Highway Safety Improvement Program (HSIP) and Railway-Highway Crossing Program (RHCP) Reports | 23 USC 148(h), 23 CFR 924.15 | Annually | 31-Aug | Office of Safety | Safety | Safety Engineering | 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 | Safety | Safety Engineering | 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 | Safety | Safety Engineering | Certifications due to the Division Office by January 1. |

ATTACHMENT B - PROGRAM RESPONSIBILITY MATRIX

| Activity | Authority | Frequency | Due Date | FHWA HQ Program Office | FHWA Division Responsible Program Office | State DOT Responsible Program Office | Remarks |
|---|--|-----------|----------------|------------------------|--|--|---|
| Section 154/164 Compliance Status - Funds Reservation | 23 USC 154 and 23 USC 164 | Annually | 30-Oct | Office of Safety | Safety | Safety Engineering | States must submit a Shift letter to the Division Office by Oct. 30 indicating how to apply the penalty. New penalty states have additional time. The Office of Safety processes the compilation of information in a memo to the CFO. |
| Review Safety Belt Compliance Status | 23 USC 153, 23 CFR 1215.6 | Annually | Annually | Office of Safety | Safety | Safety Engineering | NHTSA |
| High Risk Rural Roads (HRRR) Special Rule | 23 USC 148(g)(1) | Annually | Annually | Office of Safety | Safety | Safety Engineering | 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 | Safety | Safety Engineering | States should include in their annual HSIP reports (due August 31st) the calculations performed, verifying whether the Older Driver Special Rule applies in the State. If the Special Rule applies to a State in a given year, the State must include in its subsequent SHSP strategies to address the increases in the fatality and serious injury rates for drivers and pedestrians over the age of 65. |
| FHWA Emergency Preparedness Program | Executive Order 12656 and FHWA Order 1910.2C | As needed | Not Applicable | Office of Operations | Division Emergency Coordinator | Homeland Security/Emergency Manager for NDOT | National Programs. |

ATTACHMENT C - MANUALS AND OPERATING AGREEMENTS

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ATTACHMENT C - MANUALS AND OPERATING AGREEMENTS

FINANCE

Chart of Accounts Coding Manual

PLANNING

Statewide Transportation Improvement Plan

Work Programs

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

STRUCTURES

NDOT Structures Manual

DESIGN

NDOT Road Design Guide

NDOT Standard Specifications for Road and Bridge Construction

NDOT Standard Plans for Road and Bridge Construction

NDOT Special Provisions

NDOT Project Cost Estimation Manual

NDOT Project Management Guidelines

NDOT Pioneer Program Guidelines

NDOT Risk Management and Risk-Based Cost Estimation Guidelines

NDOT Water Quality Planning and Design Guide

LPA

NDOT Local Public Agency Manual

CIVIL RIGHTS

Affirmative Action Plan

DBE Program Plan

Pending - ADA Transition Plan

Title VI Plan

DBE Goal Methodology

RIGHT OF WAY

NDOT Right of Way Manual

CONSTRUCTION

NDOT Construction Manual

NDOT Documentation Manual

NDOT Materials Division Testing Manual

NDOT Transportation Technician Qualification Program Manual

NDOT Construction Site Best Management Practices

NDOT Bid Review Analysis Team Procedures

ATTACHMENT C - MANUALS AND OPERATING AGREEMENTS

OPERATIONS

NDOT Access Management System and Standards
NDOT Pavement Management System Overview
Statewide and the Regional ITS Architectures
Nevada Sign Supplement
NDOT Work Zone Safety and Mobility Implementation Guide
Managed Lanes and Ramp Metering Manual

ENVIRONMENTAL

Programmatic Agreement for Categorical Exclusion Actions (FHWA and NDOT)
Programmatic Agreement for Biological Opinion (FHWA, NDOT, and U.S. FWS)
Memorandum of Understanding and Operating Manual for Processing Federal-Aid Highway Right-of-Way from Bureau of Land Management (FHWA, NDOT, and BLM)
Programmatic Agreement for Section 106 Consultation (FHWA, NDOT, SHPO, NDSP, BLM, U.S. FS, and USCOE)
NDOT Environmental Services Procedures Guide

SAFETY

Nevada Strategic Highway Safety Plan
NDOT Safety Procedure Manual
NDOT Highway Safety Manual
Highway Safety Improvement Plan

OTHER

NDOT Maintenance Manual
NDOT State Research, Development, and Technology Transfer Program Manual
NDOT Utility and Accommodations Manual
NDOT Consultant Selection Process
Nevada Department of Transportation Performance Measures and Indicators