



U.S. Department
of Transportation
**Federal Highway
Administration**

FHWA Compliance Assessment Program (CAP)

PY 2018

CAP Core Question Guide

| | | | |
|---------------|--------------|----------------|--|
| FHWA DIVISION | PMI TEAM ID# | DATE OF REVIEW | FEDERAL PROJECT # STATE PROJECT # |
|---------------|--------------|----------------|--|

| | |
|---|--|
| <input type="checkbox"/> INTERSTATE <input type="checkbox"/> NHS <input type="checkbox"/> NON-NHS | <input type="checkbox"/> STATE ADMINISTERED <input type="checkbox"/> LOCALLY ADMINISTERED |
|---|--|

CONSTRUCTION AUTHORIZATION DATE:

PROJECT DESCRIPTION

| | |
|----------------------------------|-------------------|
| INDIVIDUAL (S) CONDUCTING REVIEW | SUPERVISOR REVIEW |
| | NAME: |
| | DATE: |

ADDITIONAL CAP REVIEW GUIDE(S) USED ON THIS REVIEW (LIST ALL)

Instructions

1. Complete all questions in the CAP Review Guide. Do not modify questions. Additional Division Specific questions may be added at the bottom of the guide.
2. Directly verify all answers with source documentation.
3. Do not correct deficiencies and then adjust CAP answers. Answers must reflect status at time of review.
4. Provide clarifying comments for each answer.
5. Enter answers and comments from each CAP project review into the CAP SharePoint Site.
6. Ensure source documentation is retained by the Division or State and available as necessary for quality assurance reviews or audits.
7. Use answers and comments from each CAP Review Guide for local trending and analysis.

| # | QUESTIONS | CITATION | ANSWER | COMMENT |
|---|--|-------------------|--|---------|
| 1 | Are (1) mitigation measures either not needed for the project or (2) mitigation measures stated as commitments in the environmental document being implemented on the project? | 23 CFR 771.109(b) | <p>Yes, mitigation measures were not required, based on the environmental document.</p> <p>Yes, mitigation measures were required, based on the environmental document, and are being implemented in the PS&E package(s) and contracts, as appropriate.</p> <p>Yes, mitigation measures were required, based on the</p> | |

| # | QUESTIONS | CITATION | ANSWER | COMMENT |
|---|--|---|---|---------|
| | | | <p>environmental document, and have been implemented programmatically or through standard practices.</p> <p>No, mitigation commitments described in the environmental document are not being implemented on the project.</p> <p>N/A, requirement does not apply.</p> <p>Don't Know, could not be verified at the time of review</p> | |
| 2 | Is the Federal share for each program code authorized on the current construction project agreement set at no more than the maximum permitted by enabling legislation? | <p>23 CFR 630.106(f)</p> <p>23 U.S.C. 120</p> <p>Guide to Federal-Aid Programs and Projects</p> | <p>Yes, the Federal share authorized for each program code for this project is supported as authorized in law, regulation or policy.</p> <p>No, the Federal share authorized for this project for one or more program codes was not supported as authorized in law, regulation or policy.</p> <p>N/A, requirement does not apply.</p> <p>Don't Know, could not be verified at the time of review.</p> | |
| 3 | Is the project eligible for the funding code(s) assigned to the project given the project type, project title and project description? | <p>23 CFR 630 Subpart A</p> <p>Guide to Federal-Aid Programs and Projects</p> | <p>Yes, the project scope is eligible for the authorized funds.</p> <p>No, the project scope is not eligible for the authorized funds.</p> <p>N/A, requirement does not apply.</p> <p>Don't Know, could not be verified at the time of review.</p> | |
| 4 | Does the project agreement have an end date documented in FMIS that conforms to the procedures established between the Division and the State? | <p>2 CFR 200.77, 200.210 and 200.331</p> <p>2 CFR 200 Implementation Guidance, Dec. 4, 2014</p> <p>HCFB/HIPA Funds Management</p> | <p>Yes, the FMIS authorization includes an end date that conforms to established procedures agreed to by the Division and State</p> <p>No, the FMIS authorization does not include an end date that conforms to established procedures agreed to by the Division and State.</p> <p>N/A, requirement does not apply.</p> <p>Don't Know, could not be</p> | |

| # | QUESTIONS | CITATION | ANSWER | COMMENT |
|---|---|---------------------------------------|--|---------|
| | | Memo, Oct. 29, 2014. | verified at the time of review. | |
| 5 | Did the State advance the project for construction authorization following appropriate internal controls regarding segregation of duties? | 2 CFR 200.303 31 USC 3512 FMFIA | <p>Yes, there are two different State employee signatures in FMIS.</p> <p>Yes, project records indicate that at least two different State employees approved the project to advance to construction authorization.</p> <p>No, there is only one State employee signature to advance the project construction authorization.</p> <p>N/A, requirement does not apply.</p> <p>Don't Know, could not be verified at the time of review</p> | |
| 6 | Were the advertisement and approved plans and specifications available to bidders a minimum of 3 weeks before opening bids? | 23 CFR 635.112(b) | <p>Yes, the advertisement and approved plans and specification were available to bidders at least 3 weeks before opening bids.</p> <p>Yes, while, the advertisement and approved plans and specifications were available for less than 3 weeks an exception or variance was properly approved by the Division Administrator (or the State if authority assumed) with appropriate justification.</p> <p>No, the advertisement and approved plans and specifications were not available to bidders at least 3 weeks before opening bids and no exception or variance was properly approved.</p> <p>N/A, requirement does not apply.</p> <p>Don't Know, could not be verified at the time of review.</p> | |
| 7 | Does the executed contract include the appropriate minimum wage rates determined by the Secretary of Labor to be prevailing where the construction is located | 23 CFR 635.117(f) | <p>Yes, the executed contract includes the appropriate minimum wage rates determined by the Secretary of Labor to be prevailing where the construction is located (State & County) as of the bid opening date.</p> <p>No, the executed contract does</p> | |

| # | QUESTIONS | CITATION | ANSWER | COMMENT |
|---|--|---|--|---------|
| | (State & County) for the date of bid opening? | | <p>not include the appropriate minimum wage rates determined by the Secretary of Labor to be prevailing where the construction is located (State & County) as of the bid opening date.</p> <p>N/A, requirement does not apply.</p> <p>Don't Know, could not be verified at the time of review.</p> | |
| 8 | Was work undertaken by a method other than low-bid contract, or the project advertised, only after the original construction authorization date in FMIS? | 23 CFR 635.112(a) | <p>Yes, the construction was advertised for bid or work was undertaken only after the original construction agreement authorization date.</p> <p>No, work was undertaken or the project advertised before the original construction agreement authorization date.</p> <p>N/A, requirement does not apply.</p> <p>Don't Know, could not be verified at the time of review.</p> | |
| 9 | Based on a minimum review of one applicable contract pay item paid in one progress payment, did the State provide adequate assurance that completed work quantities were determined accurately, in accordance with the State's statewide uniform procedures? | <p>23 CFR 635.123</p> <p>FHWA's Contract Administration Core Curriculum Manual, October 2014.</p> | <p>Yes, the State provided adequate assurance that completed work quantities are determined accurately, in accordance with the State's statewide uniform procedures.</p> <p>No, the State did not provide adequate assurance that completed work quantities were determined accurately, in accordance with the State's statewide uniform procedures.</p> <p>N/A, requirement does not apply.</p> <p>N/A, project activity has not yet resulted in a progress payment for this project as of the date of review.</p> <p>Don't Know, could not be verified at the time of review.</p> | |

| # | QUESTIONS | CITATION | ANSWER | COMMENT |
|------------------------------------|--|--|---|---------|
| 10 | Based on a minimum review of one applicable pay item paid in one progress payment, did the State ensure that all steel or iron material manufacturing processes, including application of coatings, for that pay item occur in the United States as required under FHWA's Buy America regulations? | 23 CFR 635.410(b)(1) FHWA's Contract Administration Core Curriculum Manual, October 2014. | <p>Yes, the State ensured that steel or iron material manufacturing processes, including application of coatings, occurred in the United States.</p> <p>No, the State did not ensure that steel or iron material manufacturing processes, including application of coatings, occurred in the United States.</p> <p>N/A, requirement does not apply.</p> <p>N/A, project activity has not yet resulted in a progress payment for this project as of the date of review.</p> <p>Don't Know, could not be verified at the time of review.</p> | |
| DIVISION SPECIFIC QUESTIONS | | | | |
| Insert Question | | | | |
| Insert Question | | | | |