

FHWA/MoDOT Partnering Agreement

Local Public Agency (LPA) Program

Roles and Responsibilities of FHWA and MoDOT:

The following activities require coordination between FHWA and MoDOT in order to attain reviews/approvals within the agreed timeframes. In this agreement, all reference to days denotes business days. FHWA and MoDOT agree to work as true partners to ensure the success of the LPA Program.

The following table identifies the various approval/review activities.

Activities		MoDOT/FHWA Responsibilities		
Approval/Action	Reference Document	Description of Actions and Responsibilities	Expected Timeframe (MoDOT)	Expected Timeframe (FHWA)
Modifications to LPA Program	23 CFR 635.102 23 U.S.C. 106(g) 23 CFR 635.105(a)	MoDOT will discuss any changes or modifications to the LPA Program and/or LPA projects that could jeopardize federal participation.	Will submit 10 days prior to expected approval.	Will provide feedback during early involvement, comments (if any), and approval or rejection within 10 days of receipt.
Revisions to Article 136 of the Engineering Policy Guide (EPG)	EPG Approval Process	MoDOT will involve FHWA early in the development and will submit Level 2 and Level 3 EPG Ballot Issues to FHWA for review and approval. FHWA will review, offer feedback, and approve/reject all Level 2 and 3 ballot items.	Will submit 10 days prior to expected approval.	Will provide feedback during early involvement, comments (if any), and approval or rejection within 10 days of receipt.

Activities		MoDOT/FHWA Responsibilities		
Approval/Action	Reference Document	Description of Actions and Responsibilities	Expected Timeframe (MoDOT)	Expected Timeframe (FHWA)
Quarterly LPA Advisory Committee Meetings	23 U.S.C. 106(g) 23 CFR 635.105(a)	MoDOT will send a formal invitation to the FHWA LPA Program Coordinator and provide FHWA all information regarding the meeting. FHWA to share knowledge and feedback concerning the Federal-aid program.	As it becomes available	As it becomes available
PoDI Plan Development, Core Team Activity and Construction Oversight	PoDI Tracker	<p>FHWA will meet with MoDOT District LPA Teams after the draft STIP/TIP is submitted to MoDOT Central Office to develop a short list of potential projects, based on the various risk factors. FHWA will evaluate the risk factors and develop a list of PoDIs.</p> <p>MoDOT will provide FHWA the ability to participate in core team meetings, review plans, and provide input regarding safety, compliance, and constructability on projects identified as LPA PoDIs.</p>	<p>After the MoDOT Central Office Team receives the list of PoDIs it will be uploaded to the EPG.</p> <p>Will provide FHWA with a minimum of 10 days advance notice for meetings.</p>	<p>Will provide MoDOT a list of PoDIs for each District and the overall PoDI summary. Each PoDI will identify the various activities for each project.</p> <p>If FHWA would like to change the PoDI classification, FHWA will provide MoDOT a 30-days' notice (min) prior to making the change.</p>

Activities		MoDOT/FHWA Responsibilities		
Approval/Action	Reference Document	Description of Actions and Responsibilities	Expected Timeframe (MoDOT)	Expected Timeframe (FHWA)
Construction Oversight – PoDI projects	23 U.S.C. 106(g) 23 CFR 635.105(a)	MoDOT District LPA Team will communicate with FHWA throughout the construction phase of the PoDI projects and invite FHWA LPA Program Coordinator and/or FHWA Transportation Engineer to all regularly scheduled construction update meetings. FHWA to share knowledge and feedback concerning PoDI projects to MoDOT District LPA Team.	Throughout the construction phase of PoDI projects.	Throughout the construction phase of PoDI projects.
Project Completion	23 U.S.C. 106(g) 23 CFR 635.105(a)	Complete the LPA projects on time and within budget while ensuring all safety, quality, right of way, and environmental requirements are met. Maintain effective communication between FHWA’s LPA Program Coordinator and MoDOT’s Local Programs Administrator regarding project	Throughout project.	Throughout project.

Activities		MoDOT/FHWA Responsibilities		
Approval/Action	Reference Document	Description of Actions and Responsibilities	Expected Timeframe (MoDOT)	Expected Timeframe (FHWA)
		and/or program issues and concerns.		
Compliance Assessment Program (CAP) Reviews	23 U.S.C. 106(g) 23 CFR 635.105(a)	FHWA's LPA Program Coordinator will coordinate annual CAP reviews with MoDOT's Local Programs Administrator to promote a joint review effort of the LPA Program.	Will respond and coordinate with FHWA as needed.	Annually January-May
FHWA/MoDOT Stewardship and Oversight and Partnering Agreements	23 U.S.C. 106(g) 23 CFR 635.105(a)	FHWA's LPA Program Coordinator will request MoDOT's Local Programs Administrator and/or MoDOT's Central Office LPA Liaisons participation in the discussion of the FHWA/MoDOT agreements related to the LPA Program.	Will respond and coordinate with FHWA as needed.	Annually
LPA Certification Training	23 U.S.C. 106(g) 23 CFR 635.105(a)	MoDOT will invite FHWA to participate and/or assist with the delivery of the LPA certification training. FHWA will share	Regularly as needed.	Regularly as needed.

Activities		MoDOT/FHWA Responsibilities		
Approval/Action	Reference Document	Description of Actions and Responsibilities	Expected Timeframe (MoDOT)	Expected Timeframe (FHWA)
		knowledge and feedback concerning the Federal-aid program.		
Program Risk Assessment Process	PY25 LPA Program Assessment and Performance Analysis	FHWA's LPA Program Coordinator will request MoDOT's Local Programs Administrator and/or MoDOT's Central Office LPA Liaisons participation in a yearly meeting to assess the state of the LPA program and identify any potential risk areas and potential mitigation strategies to reduce the risk.	Annually May/June	Annually May/June

Activities		MoDOT/FHWA Responsibilities		
Approval/Action	Reference Document	Description of Actions and Responsibilities	Expected Timeframe (MoDOT)	Expected Timeframe (FHWA)
Program Performance Evaluation	23 U.S.C. 106(g) 23 CFR 635.105(a)	<p>MoDOT agrees to monitor the following measures:</p> <ul style="list-style-type: none"> • Percent of Federal Aid funds committed to LPA projects (MoDOT Tracker 6g and Design Division DTracker 6e). • Percent of LPA projects completed on time (MoDOT Tracker 3c). • Number of LPA trainings provided to the staff and/or Local Agencies. • Number of days from sponsor project selection to project award (Design Division DTracker 6f). • Number of days required to complete final paperwork for local projects (Design Division DTracker 6g). <p>FHWA agrees to monitor the following measures:</p>	Quarterly, unless otherwise noted.	Quarterly, unless otherwise noted.

Activities		MoDOT/FHWA Responsibilities		
Approval/Action	Reference Document	Description of Actions and Responsibilities	Expected Timeframe (MoDOT)	Expected Timeframe (FHWA)
		<ul style="list-style-type: none"> • Number of Project Authorizations reviewed and the types of findings. (After the Fact reviews) • Number of Buy America focused reviews and types of findings. • Percent of CAP projects and question types (annual CAP review) answered sufficiently (no deficient findings). 		
Foster Program Relationship	23 U.S.C. 106(g) 23 CFR 635.105(a)	MoDOT’s Local Programs Administrator will schedule regular meetings between MoDOT’s LPA Staff and FHWA’s LPA Program Coordinator to enhance the good working relationship between the two offices. These meetings will serve as a regular opportunity to assess performance and ensure our offices	Monthly meetings	Monthly meetings

Activities		MoDOT/FHWA Responsibilities		
Approval/Action	Reference Document	Description of Actions and Responsibilities	Expected Timeframe (MoDOT)	Expected Timeframe (FHWA)
		continue to work well together.		

This agreement will be reviewed and updated, as needed, on an annual basis.

IN WITNESS WHEREOF, the parties have entered into this Agreement on the date last written below.

FEDERAL HIGHWAY ADMINISTRATION:

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FHWA-MO LPA Program Coordinator

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MISSOURI DEPARTMENT OF TRANSPORTATION:

Ashley Buechter, P.E.

MoDOT Local Programs Administrator

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