

S & O Agreement

Attachment C

Ground Rules

We agree to concentrate efforts in improving our work by following these ground rules.

- We will respect each other by acting professionally and listening to respective points of view.
- We will communicate by the most effective methods available (e.g. phone, e-mail, and meetings).
- We will make decisions by mutual agreement whenever possible. When unable to do this, we will elevate to a higher level in accordance with the conflict resolution process.
- We will conduct quarterly or semiannual meetings between MoDOT and FHWA staff to discuss any items or issues of mutual interest. These meetings will serve as a regular opportunity to assess performance and ensure our offices continue to work well together.
- We will work together to annually conduct a risk assessment and to participate in the FHWA Strategic Advance.
- We will collaborate in the annual development of the related portions of FHWA's Performance Plan.
- We will present a unified voice to internal and external customers. We will discuss matters together before responding to customers.
- We will abide by the decisions made through the dispute resolution process and will share that decision with staff.
- We will revisit this partnering agreement annually to determine if changes need to be made.

Conflict Resolution

Conflicts are to be resolved at the lowest level possible between FHWA and MoDOT staff. After exhausting all possibilities and an agreement cannot be reached between MoDOT and FHWA staff, the issue will be elevated in the following manner:

- Elevate the discussion to the applicable MoDOT Division Lead and FHWA Team Leaders. We will make every effort to solve the conflict at our level.
- If unresolved issues persist, we will present our cases both verbally and in writing to the applicable MoDOT Chief Officer and FHWA's Deputy Division Administrator no more than two (2) weeks after hearing from the parties involved.
- Unresolved issues between the applicable MoDOT Chief Officer and FHWA's Deputy Division Administrator will be handled through collaborative discussions between MoDOT Director/Deputy Director and FHWA Division Administrator.

Communicating with Management

We will keep management informed of our activities and how our partnering is working by regularly informing our immediate supervisors of significant activities in the Program area and providing updates on how this partnering agreement is working.

Risk Management Process

The objective of FHWA's risk management process is to establish a consistent approach to identify and prioritize program area risks. Applying the principles of risk makes it possible to identify threats and opportunities; assess and prioritize those threats and opportunities; and determine and prioritize strategies so that we can decide how to address future issues affecting the Federal-aid Highway Programs.

MoDOT Staff and FHWA staff agree to coordinate yearly to identify risk items for the next performance year.

PoDI Selection Process

FHWA has developed an internal process for the identification of PoDIs, as required and in conformance with FHWA HQ guidance; this internal process will guide the yearly PoDI selection process.

The identification of PoDIs will involve a seven-step process including a risk-based assessment to identify project risks, development of potential PoDIs, short-list of potential projects, project screening, oversight plan development, final PoDI selection and sharing PoDIs with MoDOT. The TEs and Program Specialists are responsible for identifying the PoDIs and project specific oversight plans which incorporates those elements of the project to be reviewed. Each TE and Program Specialist will work with the Design Liaison within their respective MoDOT Districts and other MoDOT Central Office staff in the development and selection of the PoDIs for each District. The final PoDI selection decision will rest with the Program Implementation and Program Development Team Leaders.

FHWA will provide MoDOT's State Design Engineer, State Construction and Materials Engineer and others a copy of the PoDI Tracker Spreadsheet and Summary tab for inclusion in MoDOT's EPG.

Definitions

Projects of Division Interest (PoDI):

- PoDI are those projects that contain elements of higher risk, or present a meaningful opportunity for FHWA involvement to enhance meeting program or project objectives.

Local Public Agency (LPA):

- LPA means any city, county, township, municipality, or other political subdivision that may be empowered to cooperate with the State Transportation Authority (STA) in highway matters. [23 CFR 635.102]

Performance Year (PY):

- Encompasses the months of October 1 to September 30.

MoDOT's Values of Safety, Service and Stability are measured by several Tangible Results:

- Tangible Results are what MoDOT's customers expect the department to accomplish. These are the tangible things that MoDOT's customers will see as the department fulfills its mission. MoDOT delivers results through accountability, innovation and efficiency.
- Values represent the fundamental principles and philosophy of the agency and guide the agency's behavior. These values establish the boundaries within which all department activities will be conducted.

Missouri's Strategic Highway Safety Plan (SHSP) Show-Me Zero- Driving Missouri Toward Safer Roads:

- The Show-Me Zero 5-year SHSP identifies strategies having the greatest potential to move Missouri toward zero traffic fatalities.

Timeframe for completing actions (business days):

- Consecutive days that FHWA and MoDOT are both open for business, excluding Federal and State Holidays, Saturdays, and Sundays.

Engineering Policy Guide (EPG)

- This document provides a single reference for all engineering and engineering-related [Bridge](#), [Construction](#), [Design](#), [Highway Safety & Traffic](#), [Maintenance](#), [Planning](#) and [Right of Way](#) guidance.

MoDOT/FHWA Stewardship and Oversight (S&O) Agreement

- The S&O Agreement sets forth the agreement between FHWA and MoDOT on the roles and responsibilities of the FHWA MO Division and MoDOT with respect to Title 23 project approvals and related responsibilities, and the Federal-aid Highway Program (FAHP) oversight activities.

Major Projects

- A project with an estimated total cost of \$500,000,000 or more.