PARTNERING AGREEMENT

Between
MoDOT's Bridge Division and
FHWA's MO Division Bridge Engineer

I. Definitions:

a. Project of Division Interest (PoDI):
   • PoDIs are those projects that have an elevated risk, contain elements of higher risk, or present a meaningful opportunity for FHWA involvement to enhance meeting program or project objectives.

II. Roles and Responsibilities of MoDOT

MoDOT’s Role – Ensure that the Bridge Division performs in accordance with state and federal laws and regulations while achieving MoDOT’s priorities and goals. For our program area, the following tasks are considered the most important and we will work with FHWA as true partners to ensure success:

• Develop bridge contract plans in accordance with MoDOT’s established policies and procedures.

• Extend invitations to FHWA bridge staff to meetings in which they express interest to participate.

• Submit type, size and location (TS&L) drawings to FHWA 10 working days prior to expected approval for PoDI projects identified as Preconstruction – Bridge Design (Design – Preliminary Plans).

• Submit Design Exceptions for identified PoDI projects 10 working days prior to expected response.

• Submit bridge plans, specifications and estimates (PS&E) for identified PoDI projects to Design Division to meet STIP commitment. Design will submit bridge PS&E for identified PoDI projects to FHWA with the complete project PS&E.

• Maintain the National Bridge Inventory (NBI) data, the element level inspection data for bridges on the National Highway System (NHS) and the National Tunnel Inventory (NTI) data for Missouri. Submit the NBI and the element level inspection data to FHWA for acceptance by March 15th each year. Submit the NTI data annually as required.
• Administer the bridge inspection program and tunnel inspection program in Missouri to ensure compliance with the National Bridge Inspection Standards (NBIS) and the National Tunnel Inspection Standards (NTIS).

• MoDOT determines if a bridge project is under State Administered or included as an FHWA PoDI project per Section 123.1.1 of the Engineering Policy Guide. This section references the PoDI Matrix, developed through a risk-based process by FHWA and updated quarterly. The PoDI matrix outlines the project actions that require FHWA involvement and/or approvals.

III. Roles and Responsibilities of FHWA

FHWA’s Role – Ensure that FHWA’s Bridge Program is administered in accordance with federal laws and regulations while implementing FHWA’s Performance Plan and required stewardship and oversight. For our program area, the following tasks are considered the most important and we will work with MoDOT as true partners to ensure success:

• Participate in bridge project development activities in coordination with MoDOT’s Bridge Division and with FHWA’s Transportation Engineers. Provide bridge project review and approval on designated PoDI projects in accordance with the current Oversight Agreement between MoDOT and FHWA.

• Maintain consistent communication with MoDOT’s Bridge Division regarding status of identified PoDI projects, and identify those that the FHWA bridge staff would like to more fully participate in.

• Review TS&L submittal within 10 working days for PoDI projects identified as Preconstruction – Bridge Design (Design – Preliminary Plans).

• Review Design Exceptions for identified PoDI projects within 10 working days.

• Review the bridge portion of PS&E for identified PoDI projects within 10 working days.

• Coordinate the annual submittal of NBI data, the element-level inspection data for NHS bridges, and the NTI data for Missouri to FHWA HQ by March 15th each year.

• Perform oversight and review of the National Bridge Inspection Program (NBIP) in Missouri, including the NBIS and the NBI.
• Perform oversight and assistance in the implementation of the tunnel inspection program in Missouri including the NTIS and the NTI.

• Apprise MoDOT of changes in the NBIS, the NBIP, the NBI, the NTIS and the NTI.

IV. **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 meetings between MoDOT’s State Bridge Engineer and FHWA’s Division Bridge Engineer quarterly or semiannually, in order to discuss any items or issues of mutual interest.

• We will collaborate in the annual development of the bridge-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 revisit this partnering agreement annually to determine if changes need to be made.

V. **Conflict Resolution**

In case of conflict, we will resolve it at the lowest level by mutual agreement. If we cannot reach a mutual agreement, we agree to elevate the issue in the following manner:

• First, MoDOT’s State Bridge Engineer and FHWA’s Division Bridge Engineer will meet to discuss and attempt to resolve conflicts that could not be resolved by their staff.
• Issues unresolved at the first level will be elevated to MoDOT’s Assistant Chief Engineer and FHWA’s Assistant Division Administrator.

• Finally, any issues unresolved at the first or second levels will be elevated to MoDOT’s Chief Engineer and FHWA’s Division Administrator.

VI. Performance Evaluation

We will measure our partnering progress and success by the following performance indicators. If either partner indicates these measures may not be met, then data on that item will be collected to evaluate the measure until such time as both partners have no concerns.

• 90% of project actions involving FHWA reviews, approvals and decisions completed within 10 working days of submittal.

• 90% of MoDOT responses to FHWA review comments within 10 working days.

• In addition, we agree to enhance the good working relationship between the two offices by having regular meetings between MoDOT’s State Bridge Engineer and FHWA’s Division Bridge Engineer. These meetings will serve as a regular opportunity to assess performance and ensure that our offices continue to work well together.

We will measure our bridge program strength by the following measures. These measures will continue to be monitored and reported as indicated. Measures may be added, modified or deleted by mutual agreement through revision to this partnering agreement.

• Percent of Structurally Deficient Deck Area on NHS Bridges (Tracker measure 2d). Desired trend: Down.

• Number of active Plans of Corrective Action on the NBIP. Desired trend: Down.

• Number of Truss Bridges Awaiting Gusset Plate Analysis (Bridge Division D-Tracker measure 2b). Desired trend: Down.
VII. **Communicating with Management**

We will keep management informed of our activities and how our partnering is working by:

- We agree to regularly inform our immediate supervisors of significant activities in the Bridge area and to provide updates on how this partnering agreement is working.

**DATE: 10-25-17**

**MISSOURI DEPARTMENT OF TRANSPORTATION**

Dennis Heckman, P.E.
MoDOT State Bridge Engineer
105 W Capitol Ave, P.O. Box 270
Jefferson City, MO 65102
(573) 751-4676; Fax: (573) 526-5488

**FHWA**

Kenneth Foster Jr, P.E.
FHWA MO Division Bridge Engineer
3220 West Edgewood, Suite H
Jefferson City, MO 65109
(573) 638-2613; Fax: (573) 636-9283