

**GEORGIA
FEDERAL-AID
STEWARDSHIP AND
OVERSIGHT AGREEMENT**

THE GEORGIA DEPARTMENT OF TRANSPORTATION

AND

THE FEDERAL HIGHWAY ADMINISTRATION GEORGIA DIVISION

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Section 1 - INTRODUCTION

This Georgia Federal-aid Stewardship and Oversight Agreement outlines the roles and responsibilities of both Federal Highway Administration (FHWA) and Georgia Department of Transportation (GDOT) in the accomplishment of oversight and administration of Federal-aid Highway Projects and Programs.

The purpose of the Agreement is to provide guidance in clarifying actions, preventing misinterpretations, and avoiding time delays. The Stewardship and Oversight Agreement is intended to be a living document that can be modified when needed to incorporate additional legislation, additional processes, or other changes to improve program and project delivery in the State of Georgia. GDOT and FHWA agree to use a broad set of performance and compliance indicators, as identified in the Stewardship and Oversight Agreement, to track performance trends and to implement countermeasures/actions when the data is not moving in the desired target direction. Performance and compliance indicators will be reported to the FHWA on the times specified in the Agreement for each program area. The Stewardship and Oversight Agreement will be reviewed periodically by GDOT and FHWA and a summary of the status of all performance and compliance indicators will be reported at that time.

In general, FHWA will use Process Review/Product Evaluation (PR/PE) techniques to assess the capability and capacity of the GDOT in those areas where the GDOT has assumed FHWA's responsibilities. FHWA will also use these techniques to monitor and evaluate GDOT's fulfillment of the responsibilities outlined in this Agreement. In cases where project level activity is still an integral part of FHWA's stewardship and oversight efforts, early involvement in project decisions combined with an assessment of the quality of the products produced during the project development process will be the primary focus.

In addition, the Agreement includes stewardship responsibilities for various programs with identified actions by each agency. FHWA will use Program Activities as defined later in this Agreement to monitor and evaluate program performance and effectiveness. This Agreement incorporates the concept of mutual service standards that include agreed upon formats, procedures and targeted timeframes for GDOT and FHWA actions, including submissions, comments and approvals. The Agreement also takes into account the FHWA and GDOT resources and capabilities, and the federal requirements where FHWA has a mandated role in the oversight process. This Agreement forms the principal basis for monitoring and evaluating the quality of the GDOT's Federal-aid program, and the continued disbursement of federal funds based upon GDOT policies, practices, and staffing resources.

While GDOT can assume the responsibility for FHWA in many **Title 23 U.S.C.** actions, some **Title 23 U.S.C.** requirements remain FHWA responsibilities. These program elements include, but are not limited to:

- All Federal responsibilities for planning and programming oversight specified in **23 USC 134 and 135.**
- Waivers to Buy America requirements.
- Environmental approvals.
- Programmatic approvals.
- Civil Rights program approvals.

- Utility Accommodations Policy
- Proprietary Items
- Special Experimental Project (SEP) methods (FHWA HQ approval required for experimental contracting/project delivery methods)
- Federal air quality conformity determinations required by the **Clean Air Act**.
- Obligation of Federal funds.
- Traffic control devices that pose to be experimental.
- Addition or modification of access points on the Interstate System.
- Use of Interstate airspace for non-highway-related purposes.
- Hardship acquisition and protective buying.
- Modifications to project agreements.
- Final vouchers.

FHWA will annually perform risk assessments of various program areas for the purpose of prioritizing its program level oversight activities for the coming year. The objective of these risk assessments is to focus the limited resources of the FHWA Division Office on those activities that represent the greatest risk to FHWA in fulfilling its stewardship responsibilities. A portion of the risk assessments will involve an evaluation of GDOT's internal controls, operating procedures, and staffing. By this process, it is expected that the greatest possible confidence level will be achieved for the resources committed. GDOT will be invited to participate in these risk assessments; however, FHWA will make all final determinations of program areas for review. Results from these risk assessments may suggest mitigating strategies and/or appropriate reviews, such as a training course and/or PR/PEs respectively.

Section 2 – STEWARDSHIP AND OVERSIGHT OF FEDERAL-AID PROJECTS

This agreement between the GDOT and the FHWA sets forth the respective roles and responsibilities of each party in the administration and oversight of Federal-aid Highway Projects in the State of Georgia. At a minimum, this agreement will be reviewed annually by GDOT and FHWA before August 15. At the same time GDOT will provide a summary of the status of performance/compliance indicators as described throughout Section 3.

As a condition to accepting Federal-aid highway funds, GDOT agrees to follow all applicable project and program requirements.

A. FHWA Responsibilities

The FHWA is ultimately accountable for all Federal-aid highway projects. This includes local agency projects (See Part C). The FHWA Georgia Division will fulfill its stewardship role at a project level as follows:

Full Oversight Projects – Annually, typically July or August, FHWA and GDOT will negotiate which new projects will be selected for “full oversight” by FHWA. A minimum of three (3) projects per District per year will be selected. In addition, the FHWA will retain full-oversight on all major projects as defined by FHWA’s major project criteria (cost > \$500 million), all TIFIA funded projects, and on all projects funded through the Appalachian Development Highway Program. Ideally, the projects will be selected from projects listed in the Statewide Transportation Improvement Program (STIP) to be approved by FHWA the following October 1st, and may include projects selected from all four years of the STIP. During the discussions, FHWA and GDOT may agree to delete previously selected full-oversight projects. The projects should be selected considering the factors below:

- Controversial and Congressional interest Projects
- Demonstration (demo) and pilot projects
- Interstate projects:
 - o With design exceptions to the 13 controlling criteria
 - o For new or modified access points
 - o For major reconstruction and widening
- Projects utilizing innovative contracting methods, such as design build
- Special Experimental Projects (SEP):
 - o Projects requiring SEP-14 approval for alternative contracting methods
 - o Projects requiring SEP-15 approval for public-private partnerships
- Projects with an EIS
- Projects with major, unique and/or unusual structures
- A priority focus for projects on the NHS
- A desire to have a mix in project size and scope
- Public/Private Partnerships

- Special/Media Interest

On full oversight projects, the FHWA Division Office personnel will review and approve project designs, approve Plans, Specifications and Estimates, concur in award, approve changes in contract (change orders, supplemental agreements, time extensions, claims, etc.), project final acceptance, allotment requests, and conduct construction project inspections.

- **Involvement on Other Projects** – The FHWA may become involved with any Federal-aid project, including those for which GDOT has assumed oversight responsibility. FHWA oversight of non full-oversight projects will be through product level activities, such as Process Review/Program Evaluation (PR/PE), Continuous Process Improvement (CPI), etc.
- **Non-Title 23 Responsibility** – FHWA will continue to be responsible for the oversight of applicable non-Title 23 requirements. Such oversight will be conducted through a combination of both project and program level activities. Applicable non-Title 23 requirements include, but are not limited to:
 - **National Environmental Policy Act (NEPA) of 1969**
 - **Section 4 (f) of the DOT Act of 1966**
 - **Civil Rights Act of 1964**
 - **Uniform Relocation Assistance and Real Properties Acquisition Policies Act of 1970**
 - **Disadvantaged Business Enterprise Program (DBE)**
 - **Clean Air Act Amendments of 1990**

B. GDOT Responsibilities

GDOT hereby advises FHWA that it wishes to assume project oversight responsibilities in accordance with the following:

- **NHS Projects including Interstate** – GDOT assumes oversight responsibility for the right-of-way approval, utility approval, railroad approval and related activities, design approval, design exceptions, plans, specifications, estimates, contract award, and inspection of the construction, except for projects designated as “full oversight”. All NHS projects must be designed in accordance with AASHTO standards, comply with all **Title 23 U.S.C.** and non-Title 23 U.S.C. requirements.
- **Non-NHS Projects** – GDOT assumes oversight responsibility for the right-of-way approval, utility approval, railroad approval and related activities, design approval, design exceptions, plans, specifications, estimates, contract award, and inspection of projects not on the NHS. Non-NHS projects are required to be designed, constructed, operated, and maintained in accordance with State law, regulations, directives, safety standards, design standards, and construction standards, in lieu of many **Title 23 U.S.C.** requirements. **Title 23 U.S.C.** requirements that are applicable to all Federal-aid projects include, but are not limited to, transportation planning, procurement of professional services, **Davis-Bacon** wage rates,

advertising for bids, award of contracts, use of convict produced materials, **Buy America Act** provisions and other requirements. All non-NHS projects must also comply with all non-Title 23 U.S.C. requirements.

- **Local Agency Projects** – GDOT is responsible for assuring that all Federal-aid projects administered by local agencies comply with all applicable Federal and State requirements. GDOT is not relieved of this responsibility even though the project may be delegated to the local agency. In accordance with **23 CFR 1.11 and 635.105**, GDOT is responsible for ensuring that the local agency is qualified and equipped to administer the project and has processes in place to ensure compliance with Federal requirements. The FHWA will review project records on one local agency highway project per District per year to assure that the above requirements are being met.

For those projects that GDOT has agreed to assume oversight responsibility, GDOT will follow all applicable FHWA policies, regulations, **Title 23**, and non-Title 23 requirements as if FHWA were involved.

C. Delegation of Authority to Local Agencies

The GDOT may, pursuant to **23CFR 1.11 and 635.105**, delegate certain Federal-aid project authorities to a adequately qualified and staffed local public agency. The GDOT is responsible for ensuring that appropriate procedures and guidelines are in place to facilitate the compliance of local public agency administered Federal-aid projects. FHWA will review and approve these practices and procedures for Federal-aid projects.

The GDOT will determine if the local agency is well qualified and adequately staffed to administer projects before delegation of any activities. The GDOT will review the local agency's ability to administer Federal-aid projects or specific activities on a case-by-case basis, and the extent of delegation will be dependent on their current staffing level and experience, and past performance. An Agency Agreement will be executed between GDOT and the local agency to outline the responsibilities of both GDOT and the local agency.

The GDOT retains responsibility under Federal law and regulations for all delegated activities. The GDOT will have written procedures established for the local agency that provide the necessary processes, approvals, oversight and review that ensures the delegated projects receive adequate supervision and inspection, and are completed in conformance with approved plans and specifications and applicable federal requirements. While GDOT will offer any training, advice, or other assistance as may be needed by a local agency to aid it in successfully completing its Federal-aid project, it is understood that the project is controlled by the local agency. As such, if the local agency is not following prescribed requirements, GDOT's recourse would be to remove Federal-aid funds from the project.

Program elements that will not be delegated to local agencies include, but are not limited to:

- **NEPA** approval
- Sole source approval

- Approval of force accounts
- Design exception approval
- Approval of right of way certification
- Approval of engineering plans
- Approval of contract modification
- Approval of DBE goals
- Approval and audit of labor compliance
- Final inspection
- Project acceptance

D. Programming and Project Authorization/Agreement

Federal legislation requires an opportunity for early and continuous public involvement in the development of the State Transportation Improvement Program (STIP). Funding flexibility and expanded project eligibility have given decision makers more options to address transportation priorities. Public involvement in transportation issues and decision making is vital because of expanded eligibility and diversity.

Ultimately, FHWA is accountable for ensuring that the Federal highway program is delivered consistent with the established requirements. Through program streamlining and flexibility, Federal legislation assumes certain project approval authorities to the states. Authorization to proceed with a project is accomplished by FHWA after a specific request is received from GDOT. FHWA authorization to advertise the physical construction for bids or to proceed with force account construction thereof shall not be given until all of the following conditions have been met in accordance with **23 CFR 635**.

- PS&E is complete and ready for advertisement
- ROW available
- Utilities coordinated
- Railroad Agreements obtained
- Permits obtained
- Environmental documents approved and appropriate environmental commitments have been included in the PS&E.

Occasional exceptions may be made to the ROW, utility, and railroad requirements above when meeting one or more of these conditions are not “feasible or practical.” In these cases, the PS&E must adequately account for these exceptions.

For full oversight projects, GDOT will provide all required documentation to FHWA at least nine (9) days prior to the date authorization is requested. All documentation will be provided to FHWA in a single submittal. If it is not feasible or practical to submit any required documentation with the submittal, a status of this documentation will be provided with the submittal. FHWA will review the project documentation to assure that all project requirements are met. For projects with state

administered oversight, the GDOT will ensure that all applicable requirements have been met and that the project was developed in compliance with this agreement and all applicable laws and standards.

The GDOT and FHWA will utilize electronic signature procedures for requesting and approving Project Authorizations and Project Agreements for each Federal-aid highway and highway planning and research project eligible for Federal-aid funding. On State administered oversight projects, submittal of the project authorization to FHWA for electronic signature will serve as GDOT’s implicit certification that all applicable requirements are satisfied.

Table 1
Project Authorization/Agreement Summary

WORK ACTIVITY	FULL FEDERAL OVERSIGHT PROJECTS		STATE ADMINISTERED PROJECTS ON THE NHS		STATE ADMINISTERED PROJECTS OFF THE NHS	
	GDOT ACTION	FHWA ACTION	GDOT ACTION	FHWA ACTION	GDOT ACTION	FHWA ACTION
Authorization to Advertise	Prepare Authorization	Review and Comment or Approve Authorization (9 days)	Prepare Authorization	Review and Comment or Approve Authorization (5 days)	Prepare Authorization	Review and Comment or Approve Authorization (5 days)
PS&E Addendums	Prepare	Review and Comment or Approve (5 days)	Approve	None	Approve	None
Utility Certification (Include in PS&E Package)	Prepare	Review and Comment or Approve (10 days)	Approve	None	Approve	None
ROW Certification (Include in PS&E Package)	Prepare	Review and Comment or Approve (10 days)	Prepare and Approve	None	Prepare and Approve	None
Permits (Include in PS&E Package)	Obtain Permits	Review Permits	Obtain Permits	None	Obtain Permits	None
Consultant Selection	Execute Consultant Contract	Review and Comment or Approve Agreement (5 days)	Execute Consultant Contract	None	Execute Consultant Contract	None
Experimental Features	Prepare	Review and Comment or Approve (10 days)	Approve	None	Approve	None
Warranty Clauses	Prepare	Review and Comment or Approve (10 days)	Prepare	Approve (10 days)	Prepare and approve	None

Pavement Design	Prepare	Review and Comment or Approve as part of PS&E	Prepare and Approve	None	Approve	None
Life Cycle Cost Analysis	Prepare and Approve	Review and Concur (14 days)	Prepare and Approve	None	Approve	None
Value Engineering Analysis ¹	Prepare and Approve	Review and Concur (14 days)	Prepare and Approve	None	None	None

¹ Required only on Federal-aid projects with a total cost (construction+ROW+PE) greater than \$25 million.

E. Programmatic Agreement for Low Risk Projects

The FHWA has determined that the Division Offices may establish a programmatic approach with the state concerning inherently low risk projects on the Interstate System. The programmatic approach allows FHWA and GDOT to enter into this Stewardship and Oversight Agreement and select oversight projects using a risk based approach rather than following the strict definitions in **Title 23** for oversight of projects on the Interstate system.

Inherently low risk projects include those that are routine, and generally non-controversial in which the State DOTs have a high-level of experience and documented procedures and processes in place for ensuring compliance with federal requirements. These projects would not include complex or unique engineering features, would not traditionally involve major changes in scope or cost, satisfy design standards, and would not jeopardize the safety or operation of the Interstate System. Complex projects that are classified as “major projects” (as defined by FHWA major project criteria with costs greater than \$500 million), or involve new partners (public/private partnerships), or involve new, innovative contracting methods, or are viewed as high risk, are not considered inherently low risk projects.

For inherently low risk projects, FHWA grants to GDOT the approvals for design, plans, specifications, estimates, contract awards, contract administration, and project inspections in advance of the actual delivery of the project. However, these approvals must not occur until after the completion of the **NEPA** process or the satisfaction of other related environmental laws and procedures.

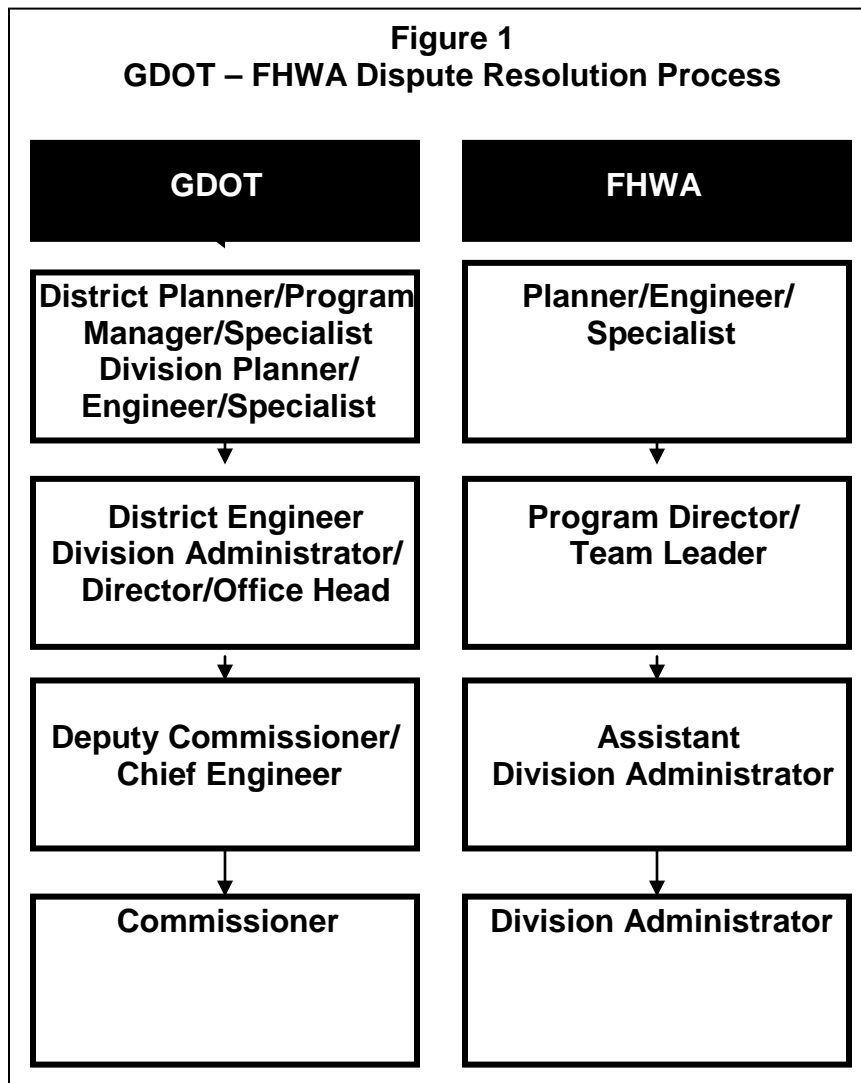
FHWA’s oversight will be satisfied by a risk management framework and process/program reviews. It is understood that FHWA’s approval of funds for these projects for either preconstruction or construction constitutes a determination that the project in question is eligible for Federal-aid and that the appropriate Federal requirements have been met to date. Notwithstanding this determination, FHWA retains overall responsibility for all aspects of Federal-aid programs and as such, has full access to and to the legal authority to review any aspect or record of a Federal-aid project at any time.

F. Dispute Resolution Process

While most requests by the GDOT for Federal approval result in a positive response within reasonable time-frames, there are occasions when the agencies will disagree. It is the intent of this section of the Stewardship and Oversight Agreement to provide a template for escalating issues that have reached an impasse at the normal operational level.

Overall Philosophy

It is expected that nearly all issues should be resolved at the lowest working level between FHWA and GDOT staff where the issue originated. For this to occur, effective communication is absolutely essential, as it is the foundation of a solid partnership. Generally, issues should not be elevated immediately before each party has exhausted available options within a reasonable timeframe. Depending on the urgency of the issue, for this Agreement, reasonable timeframes are defined between 1-3 days to resolve the issue before both parties agree to escalate an issue. Both parties are encouraged to contact each other via phone or written notification to solve any issues or clear up any misunderstandings. The notification will describe the issue and provide recommendations for resolving the issue.



Process Steps

When the FHWA Planner/Engineer/Specialist and the GDOT District Planner/Engineer/Specialist or Division Planner/Engineer/Specialist cannot reach agreement on an issue, it is expected that the issue will be elevated to the next level, as mutually agreed upon.

If the FHWA Program Manager/Team Leader and the GDOT Office Head, District Director or Division Administrator/Director cannot reach an agreement, then the issue will be escalated to the next level, as mutually agreed upon.

If these levels are unable to resolve the issue, FHWA's Assistant Division Administrator and GDOT's Deputy Commissioner/Chief Engineer will seek resolution.

Should none of the above negotiations result in a satisfactory resolution, the FHWA Division Administrator and the GDOT Commissioner will determine the final outcome.

Since time is nearly always an important factor, escalation to the next level should be accomplished by the respective units, as soon as it has been determined that the issue cannot be resolved at the level at which a question or issue is at impasse. Mediation and facilitation may also be used at any level to help expedite resolution. Figure 1 illustrates the dispute resolution process for the various working levels at both GDOT and FHWA.

Section 3 – STEWARDSHIP ROLES AND RESPONSIBILITIES FOR SPECIFIC FUNCTIONAL PROGRAM AREAS

A. Planning

Transportation planning activities are codified in **23 CFR Part 450**. FHWA Georgia Division Office and FTA Region 4 Office are jointly responsible for required approval actions such as: Certification of the metropolitan planning process in each Transportation Management Areas not less often than once every four years, review and approval of the Unified Planning Work Program (UPWP) and its amendments, and review and approval of the State Transportation Improvement Program (STIP) and its amendments and transportation conformity determinations.

Transportation Planning also includes data collection and reporting, which is included under **Section 420 of 23 CFR. Section 420.107(b) (2)** requires that "...State Transportation Agencies shall provide data that support FHWA's responsibilities to the Congress and to the public. These data include, but are not limited to, information required for: Preparing proposed legislation and reports to the Congress; evaluating the extent, performance, condition, and use of the Nation's transportation system; analyzing existing and proposed Federal-aid funding methods and levels and the assignment of user cost responsibility; maintaining a critical information base on fuel availability, use, and revenues generated; and calculating apportionment factors."

Management and Monitoring Systems are included under **Section 500 of 23 CFR. Section 500.105** states that "the metropolitan planning process (**23 U.S. C. 134 and 49 U.S.C. 5303-5005**) in transportation management areas shall include a congestion management system that meets the requirements of **Section 500.109**" and: "States shall develop, establish, and implement a Traffic Monitoring System that meets the requirements of **Subpart B (Section 500.201-204)**."

FHWA provides technical expertise and assistance through participation in committees and meetings set up by the MPOs and GDOT that address data collection and analysis issues as well as coordination on individual topics of interest. In addition, FHWA conducts reviews of planning processes and products such as Highway Performance Monitoring System (HPMS) data, Motor Fuel, Heavy Vehicle Use Tax Enforcement, etc.

Federal-Aid Highway Systems are included in **Part 470 of 23 CFR. Section 470.101** states that "this part sets forth policies and procedures relating to the identification of Federal-aid highways, the functional classification of roads and streets, the designation of urban area boundaries, and the designation of routes on the Federal-aid highway systems.

FHWA works in coordination with the GDOT's Office of Transportation Data and FHWA Headquarters, when applicable, to review and approve functional classification system revisions and NHS revisions to Georgia's highway system.

FHWA participates in statewide and MPO planning activities as necessary to develop a planning finding as part of the STIP approval. FHWA and GDOT work together in the project planning phase to ensure compliance with **NEPA** and other applicable laws before location approval. Project coordination is facilitated by frequent consultation and meetings.

When submitting transportation information, the GDOT agrees to follow the U.S. DOT Information Dissemination Quality Guidelines for complying with the requirements of the U.S. Office of Management and Budget’s Guidelines (for Ensuring and Maximizing the Quality, Objectivity, Utility, and Integrity of Information Disseminated by Federal Agencies) implementing **Section 515 of the Treasury and General Government Appropriations Act for Fiscal Year 2001 (P.L. 106-554)**.

Table 2
Planning Actions and Review Timeframes

WORK ACTIVITY	GDOT ACTION	FHWA ACTION	OUTCOME
Statewide 20 Year Long Range Transportation Plan	Prepare as outlined in 23 CFR 450.214 and forward to FHWA and FTA	Use as basis for STIP approval per 23 CFR 450.216	STIP development is based on this official plan
Metropolitan 20 Year Long Range Transportation Plans	Review the MPO approved plan (per 23 CFR 450.322) and forward to FHWA and FTA	Review and comment (30 days) Use as basis for STIP approval per 23 CFR 450.324	STIP/TIP development is based on this plan
Metropolitan Transportation Improvement Program	Work cooperatively with the MPO and any affected public transportation operators to develop for the metropolitan planning area (23 CFR 450.324).	In nonattainment and maintenance areas, FHWA and FTA, as well as the MPO, must make a conformity determination, in accordance with the Clean Air Act and the EPA’s transportation conformity regulations.	After approval by the MPO and Governor, the TIP is included by reference in the STIP. For nonattainment and maintenance areas, FHWA and FTA must issue a positive conformity finding before the TIP is amended to the STIP.
Statewide Transportation Improvement Program	Develop, in coordination with MPO’s and submit to FHWA and FTA for review and approval per 23 CFR 450.216 . Draft- August 1 Final- September 15	Coordinate review of STIP with FTA. After approved by the State Transportation Board, make joint approval within 15 days. (23 CFR 450.216).	GDOT is able to proceed with authorization of Federal-aid projects.
Planning Finding for STIP	Review and certify planning process in accordance with Federal requirements at time of STIP submittal	Review and make joint planning finding with FTA (initiated 75 days in advance of STIP expiration)as part of STIP approval per 23 U.S.C. 135 and 23 CFR 450 Subparts A,B,&C	GDOT is able to proceed with authorization of Federal-Aid projects.

WORK ACTIVITY	GDOT ACTION	FHWA ACTION	OUTCOME
STIP Amendments	Prepare and submit TIP/STIP amendments for inclusion in the monthly amendment package.	Joint approval with FTA, if needed. Amendment are processed and approved (14 days)	GDOT is able to proceed with authorization of Federal-Aid projects.
State Planning & Research (SPR) Work Program (Transportation Planning Work Program)	Prepare and Submit annual Program Draft- submitted 5/15 Final- submitted 6/15	Review and comment on draft work program. Approval of final work program within 15 days of receipt, no later than 6/30	Authorized and Funded Program
SPR Work Program Amendments	Submit to FHWA as needed	Review, comment, and approve within 10 days of receipt	Addition/reduction of contributions to existing projects and participation in new projects
Participation Plan	Review the MPO Participation Plan (23 CFR 450.316) and provide comments. Ensure that FHWA and FTA receive copies of the draft and final.	Review and provide comments on draft plan (30 days). Receive copies of the approved Participation Plan for informational purposes only.	Documented process that guides the input and coordination with the public and other interested parties as it relates to the transportation planning process.
Statewide Public Involvement Process	Develop a documented process that provides opportunities for public review and comment at key decision points (23 CFR 450.210). At least every 5 years (23 CFR 450.210(b) (1)), GDOT shall review and solicit comments, not less than 60 days, regarding effectiveness of the consultation process.	Receive copies of the approved public involvement process for informational purposes only.	Documented process that guides the input and coordination with the public and other interested parties as it relates to the transportation planning process.
HPMS Data Submittal/Process Review	Prepare and Submit highway data as per HPMS field manual; Conduct Annual Review; Data submittal by 6/15	Review apportionment data and make approval recommendation. FHWA annual review report by November 1.	Future year Federal fund apportionments and needs study input
500 Series Finance Reports/Process Review	Prepare and Submit per A Guide to Reporting Highway Statistics; Conduct Annual Review; Conduct 3-year review	Review and Forward information. Certification of fuel data annually	Annual <i>Highway Statistics</i> booklet and future apportionment factors
Transportation Enhancements	Oversee and administer the TE Program for the State of Georgia. Georgia does a call for applications every 2 years. Participate and provide information for process reviews every 3 years.	Review applications for eligibility purposes only.	Authorized and Funded Program.

WORK ACTIVITY	GDOT ACTION	FHWA ACTION	OUTCOME
FHWA Discretionary Grant and Specialty Programs <ul style="list-style-type: none"> • Transportation Community System Preservation (TCSP) • Scenic Byways • Value Pricing • Federal Lands • Ferry Boat • Other Special Programs 	Apply for and administer funds.	Review and approve grant applications. Submit to GDOT identified lists of funded projects. Administer and authorize projects and obligate funds.	Approved discretionary grant and specialty program projects
Public Road Mileage Certification	Prepare and Submit certification as outlined in 23 CFR 460.3	Review and Recommend acceptance then forward to HQ by June 1.	Apportionment of funds under 23 U.S.C. 402(c)
Metropolitan Unified Planning Work Program	Cooperate with MPO in plan preparation, review adopted plan and forward to FHWA with effort made by 8/31 (per 23 CFR 450.314 and 23 CFR 450.334)	Review and approve UPWPs per 23 CFR 450.314 . Written response within 20 days of draft UPWP. Approval of Final document (10 days)	FHWA responds to GDOT's request for approval of PL funds and authorizes program
Unified Planning Work Program Amendments	Forward the MPO's amendment and recommendation for approval	Approval (10 days)	Amended UPWP budget or program scope can be authorized
Annual Self-Certification of Metropolitan Transportation Planning Process	Review and recommend approval when STIP/TIPs are submitted to FHWA	Concur with GDOT's recommendation for approval of self-certification. Approval of the STIP.	Certified MPO and planning finding
Certification of TMAs (200,000+ population)	Participate and provide information for joint FHWA/FTA review every four years	Jointly conduct with FTA a review every four years per 23 CFR 450.334 . Develop recommendations and report that details finding of certification status.	Certified MPO and planning finding
Transportation Air Quality (AQ) Conformity Determinations	Participate in interagency consultations. Review TIP and plan conformity analysis and provide comments (per 40 CFR 93.106) as needed.	Coordinate review of AQ conformity analysis with FTA and EPA. Make joint conformity determination with FTA within 30 days after MPO determination and EPA concurrence.	All nonattainment and/or maintenance areas in conformity.

WORK ACTIVITY	GDOT ACTION	FHWA ACTION	OUTCOME
Congestion Management Process (CMP) in TMA areas	Participate with TMA in the development and implementation of CMP per 23 CFR 450.320 .	Review for compliance during certification review, LRTP review and document development.	Full range of TDM and operational strategies are considered.
CMAQ Improvement Program Annual Report (Maintenance Areas)	Submit to FHWA (no later than 2/1) per CMAQ regulations. Federal Register 2/23/2000.	Approve Report. Forward to FHWA HQ	FHWA HQ receives CMAQ annual report as required
CMAQ Improvement Program Project Funds Eligibility Determination	Review and recommend eligibility to FHWA. Federal Register 2/23/200	Determine eligibility as part of STIP approval	Proposed CMAQ projects are determined to be eligible
Metropolitan Planning Area Boundary Changes	Prepare and submit per 23 CFR 450.312	Review and coordinate with MPO and GDOT to ensure that boundaries meet statutory requirements	Established boundaries for capital project funding
National Truck Network Modifications	Prepare and submit per 23 CFR 658.11	Review compliance and Approve	National Network for Trucks
Highway Systems (NHS) Functional Classification, and Urban Area Boundary Changes)	Prepare and Submit per 23 CFR 470	Review and Approve within 10 days of receipt submit to HQ (we only submit NHS revisions to HQ's)	Designation of routes on Federal-aid highway system
Traffic Monitoring System	Verify and Update System Components	Review and Recommend improvements	Continued Operations of this system
PL Distribution Formula and Update	Prepare and submit	Approve within 10 days of receipt	Approved Formula

Applicable Laws, Regulations, and Procedures

- Title 23 USC Section 134 and 135
- 23 CFR 450, Statewide Planning and Programming and Metropolitan Planning and Programming
- 23 CFR 420, Planning and Research Program Administration
- 49 CFR 18, Uniform Administrative Requirements for Grants and Cooperative Agreement to State and Local Governments
- 23 CFR 460.3, Public Road Mileage Certification
- 40 CFR 93, Transportation Air Quality Conformity Determination
- 23 CFR 658, National Truck Network

Performance/Compliance Indicators:

Although planning functions can not be delegated, the following performance indicators will be used to assess the health of the Planning program:

- Percentage of GDOT project phases authorized during the State FY compared to those projects originally programmed in the STIP for the same State FY.
- Number of days an MPO area is in transportation planning lapse or a transportation conformity lapse.

B. Environmental

The FHWA is the lead federal agency in integrating the full range of environmental requirements under a single, unified process that results in effective and sound transportation decisions. These laws and regulations include **NEPA** and implementing regulations of the Council on Environmental Quality (CEQ) (**40 CFR 1500 and FHWA 23 CFR 771**); **Section 4(f) of the Department of Transportation Act and implementing regulations (23 CFR 774)**; **Section 106 of the National Historic Preservation Act and implementing regulations (36 CFR 800)**; **Section 404 of the Clean Water Act and implementing regulations (40 CFR 232; 33 CFR 328)**; and **Section 7 of the Endangered Species Act and implementing regulations (50 CFR Ch. IV)**, as well as others.

For all projects that require an action be taken by FHWA, the Georgia Division and GDOT will work together to ensure compliance with NEPA and other applicable laws before an alternative is selected (location/design approval). The level of coordination is commensurate with the level of the environmental impacts or project complexity.

Table 3 summarizes GDOT and FHWA project actions related to the environmental process. The successful administration of the Federal-aid Highway Program is predicated upon GDOT’s commitment to the preparation and submittal of fully completed technical studies and environmental documents in accordance with established development guidelines, formats, and procedures and GDOT’s quality assurance reviews. Environmental documents prepared by local public agencies and consultants will first be reviewed for quality and clarity and accepted by GDOT prior to being forwarded to FHWA. FHWA’s goal is to respond to all submissions as soon as possible and within timeframes shown in the tables.

Table 3
Environmental Actions and Review Timeframes

WORK ACTIVITY	GDOT ACTION	FHWA ACTION	OUTCOME
PM 2.5 Project Level Coordination with Interagency Consultation Group (ICG) ⁽¹⁾	Submit list of exempt projects or PM 2.5 determination letter to FHWA	Review /request further information or forward to ICG for concurrence (15 days)	ICG Concurrence or Comments
Endangered Species Act Section 7 Compliance ⁽²⁾	Submit Ecology Report or Biological Assessment to FHWA; Request FHWA determination of effect and/or initiation of USFWS consultation	Notify USFWS of determination of effect and request consultation as appropriate to determination of effect (21days)	Section 7 Requirements met

WORK ACTIVITY	GDOT ACTION	FHWA ACTION	OUTCOME
FWCA Coordination ⁽²⁾	Submit Ecology Report to FHWA and request FHWA to initiate FWCA Coordination	Review submittal and initiate coordination as appropriate (21 days)	FWCA Requirements met
Essential Fisheries Habitat (EFH) Coordination	Submits EFH Assessment to FHWA and requests FHWA coordination with National Marine Fisheries Service (NMFS)	FHWA initiates consultation with NMFS (21 days)	Magnuson-Stevens Fishery Conservation and Management Act Requirements met
US Coast Guard Navigability Determination (Title 23)	Submits completed Bridge Questionnaire to FHWA	Send Title 23, Section 144(h) Determination to US Coast Guard (15days)	Title 23, Section 144(h) requirements met
Section 106: Resolution of Adverse Effects to Historic/Archeological Resources	Submits 106 Assessment of Effects (AOE) to FHWA	Invite Advisory Council for Historic Preservation to participate in resolution of adverse effects after Section 106 public involvement complete	Section 106 National Historic Preservation Act Requirements met
Section 106 Memorandum of Agreement	Submits MOA to FHWA for signature	Execute MOA when all Section 106 requirements met	Section 106 National Historic Preservation Act Requirements met
Programmatic Categorical Exclusion (PCE) ⁽³⁾	Prepare and approve per approved PCE Agreement requirements	Periodic PR/PE	Approved CE
Categorical Exclusion (CE)	Prepare and submit for FHWA review and approval	Review and approve or provide review comments (21 days)	Review comments provided or CE Concurrence
Environmental Assessment (EA)	Prepare and submit to FHWA for review and approval	Review and approve to make EA available to public and/or provide review Comments (30 days)	Review comments and/or approval to make EA available to public
Revised EA and Request for FONSI	Prepare and ; submit to FHWA for issuance of FONSI	Review/comment or issue FONSI (30 days)	Review comments provided or FONSI determination
Preliminary, Supplemental, or Draft Environmental Impact Statement	Prepare and submit to FHWA for review. Meet with FHWA if this is first submittal.	Review/comment or approve for public hearing (60 days) ⁽⁴⁾	Review comments provided or DEIS approved
Final Environmental Impact Statement	Prepare and submit to FHWA for approval	Review/comment or approve (60 days) ⁽⁴⁾	Review comments provided or FEIS
Record of Decision (ROD)	Prepare Draft ROD and Forward to FHWA	Coordinate with Chief Counsel's office to review, revise, and issue ROD (30 days) ⁽⁴⁾	ROD
Programmatic Section 4(f) Evaluation	Prepare and submit to FHWA for approval	Review/comment or approve Programmatic Section 4 (f) Evaluation (concurrent with NEPA document review) (21 days [CE]; 30 days [EA]; 60 days [EIS])	Section 4(f) requirements met

WORK ACTIVITY	GDOT ACTION	FHWA ACTION	OUTCOME
Draft Section 4(f) Evaluation	Prepare and submit to FHWA for review and circulation	Review/comment or distribute to officials with jurisdiction over Section 4(f) property and DOI (30 days).	Review comments and/or distribution of Draft Section 4(f) Evaluation to agencies with jurisdiction and DOI for review
Final Section 4(f) Evaluation	Prepare and submit to FHWA for approval	Legal sufficiency, including <i>de minimis</i> determination (30 days); Provide to agencies with jurisdiction over Section 4(f) property and DOI	Section 4(f) requirements met
Determination of Logical Termini	Prepare and submit to FHWA for approval	Review/comment or approve (21 days)	Logical Termini identified
Re-evaluation of Categorical Exclusions ⁽⁵⁾	Prepare and Submit to FHWA for approval	Review/comment or approve Re-evaluation (15 days)	Review comments or approved Re-evaluation
Re-evaluation of Final EIS/ROD, or FONSI ⁽⁵⁾	Prepare and Submit to FHWA for approval	Review/comment or Approve Re-evaluation (30 days)	Review comments or approved Re-evaluation

Notes:

- ⁽¹⁾ Per Project Level PM 2.5 Procedures Memorandum of Agreement, dated October 1, 2006.
- ⁽²⁾ Per Joint Coordination Procedures, April 2, 2007.
- ⁽³⁾ Per Programmatic Categorical Exclusion Approval Agreement between FHWA and GDOT.
- ⁽⁴⁾ Response times may be amended depending on the complexity of the project and as a result of early project coordination and scoping discussions. (For example, concurrent reviews may streamline the overall process but result in longer review times for the collective agencies. Conversely, with effective coordination throughout the project, the project team may be able to agree upon reduced document review times).
- ⁽⁵⁾ A re-evaluation of an approved environmental document is required to proceed with a major Federal Action if six (6) months has elapsed since the environmental document approval or latest document re-evaluation, as per a January 6, 1999 GDOT re-evaluation procedure letter. If more than a year has elapsed since the latest NEPA approval, FHWA approval is required on all project reevaluations.

Applicable Laws, Regulations, and Procedures

- NEPA – 42 USC 4321-4335
 - 23 CFR 771
 - 40 CFR 1500-1508
 - DOT Order 5610.1c
- Section 4(f) – 23 USC 138, 49 USC 303 and 23 CFR 774
- Standards – 23 CFR 109(h)
- Public Hearings – 23 CFR 771.111(h), 23 USC 128
- Rules, regulations & Recommendations – 23 USC 315
- Delegation of Authority – 49 CFR 1.48(b)
- Farmland Protection – 7 USC 4201
- Archaeological & Historic – 16 USC 461 and 23 USC 305
- National Historic Preservation – 16 USC 470(f), Sections 106, 110(d), and 110(f)

- Fish and Wildlife Coordination – 16 USC 662, Section 2
- Coastal Zone Management – 16 USC 1452, Sections 303 & 307, 15 CFR 930
- Wild & Scenic Rivers – 16 USC 1271
- Endangered Species – 16 USC 1536, Section 7
- Clean Water Act – 33 USC 1251
- Resource Conservation & Recovery Act – 33 USC 1241 and 42 USC 6901 – 6992(k)
- Safe Drinking Water – 42 USC 300(f)
- Noise – 23 CFR 772
- Comprehensive Environmental Response, Compensation, and Liability – 42 USC 9601
- Clean Air Act – 42 USC 7401
- Title VI – 42 USC 2000(d)-(d4)
- Coastal Barriers Resources Act – 16 USC 3501 et seq. and 43 USC, Subtitle A
- Protection & Enhancement of Environment Quality – Executive Order 11991
- Protection & Enhancement of Cultural Environment – Executive Order 11593 and DOT Order 5650.1
- Floodplain Management – Executive Order 11988
- Wetland Protection – Executive Order 11990
- Environmental Justice – Executive Order 12898 and DOT Order 5660.1A
- Conformity Rule – 40 CFR 51
- Interagency Consultation – 40 CFR 51.402
- Uniform Relocation Regulation – 49 CFR 24

Performance/Compliance Indicators:

- The time to complete an EA from the date of the approval of the concept report through the FONSI date or the time to complete an EIS from Notice of Intent (NOI) to the Record of Decision (ROD).
- Percent of environmental documents that are initially approved following GDOT's submission to the FHWA Division Office.

C. Right-of-Way

All Federal, State, and local public agencies (and others receiving Federal financial assistance for public programs and projects requiring the acquisition of real property) must comply with the policies and provisions set forth in the **Uniform Act** and its amendments. The current regulations implementing the **Uniform Act** were first published in the *Federal Register* of March 2, 1989, and are codified in the **Code of Federal Regulations, Title 49, Part 24**. These regulations contain the standards and procedures that acquiring agencies must follow in their appraisal, acquisition, and relocation assistance programs.

Additionally, state and local public agencies using federal funds for transportation programs administered under **Title 23 U.S.C.** must adhere to the regulations contained in **Title 23 U.S.C. 710** in the administration of their Right-of-Way (ROW) programs.

The following oversight functional areas involving the Federal-aid ROW program are covered under **49 CFR (24)**, which has no provision for exemptions under **Title 23 U.S.C.:**

- Appraisal
- Acquisition
- Relocation

The work activities listed below are covered under **23 CFR (parts are listed in parenthesis)** and require specific approval and/or oversight by FHWA:

- State ROW operations manual and revisions and changes (**710.201**)
- ROW authorization (**710.307**)
- Air rights on the interstate (**710.405**) & NHS (**710.201**)
- Airspace leases/joint use agreements (**710.407**)
- Sale/transfer of excess ROW (**710.409**)
- Early acquisition, protective buying, and hardship (**710.501 & 503**)
- Functional replacement (**710.509**)
- Federal land transfers (**710.601**)
- Highway beautification (**750**)
- Indirect costs (**part 710.203 (d) subpart B**)

The work activities listed below are covered in **23 CFR** and do not require specific program or project approvals, but are not exempted from FHWA oversight under **Title 23 U.S.C.:**

- Direct eligible costs including administrative, legal and court settlements (**710.203 (b)**)
- Real property donations (**710.505**)

In addition, adherence to Georgia State Code must be taken into consideration. Even though there are no exemptions under the law for any functions covered in **49 CFR 24**, for practical purposes there are two levels of review of those elements. One level depends on whether the project involves ROW acquisition and has Federal-aid in other phases of work but none in ROW. The second level depends on whether there is Federal-aid in the ROW project phases. The primary concerns with these projects are to protect the rights of property owners and displaced persons.

For the second level of projects, there is a dual concern for the rights of property owners and displaced persons and the stewardship of the federal dollars. Continuous review of the State's activities has proven to be an effective means of assuring that the rights of owners and displaced persons are protected as well as monitoring the expenditure of federal funds. This will be continued under this stewardship plan. Process reviews and program evaluations will be conducted when needs or trends are identified at either of the above project levels. The reviews will be conducted jointly with GDOT personnel whenever possible.

Local Public Agencies (LPAs), i.e., cities and counties, are required to comply with the **Uniform Act** and its governing regulations found in **49 CFR 24** in the same manner as GDOT. As stipulated in **23**

CFR 710.201(b), GDOT is responsible for assuring that ROW acquisitions by local public agencies are made in compliance with Federal and State laws and regulations.

Certain ROW activities are not covered specifically by either **49 or 23 CFR** but are a combination of sound business practice and the occasional national emphasis areas, which affect the ROW program. Joint reviews of these topics and their application will be conducted as needed.

Table 4
Right-of-Way Actions and Review Timeframes

WORK ACTIVITY	GDOT ACTION	FHWA ACTION	OUTCOME
ROW Authorizations and Agreements (23 CFR 635.309)	Requests authorization and submit cost estimates	Electronic Signature – All Projects (7 days after right of way officer receives)	Authorization & Agreements
ROW Certification (23 CFR 710.311)	Certification Status on All Projects included with “Request for Authorization to Advertise” GDOT approval on non full oversight projects / interstate	Review and approve full oversight / interstate projects (7 days) from the date received allowing time for project review if necessary)	Certificates-need to change GDOT form on Full Oversight / Interstate Projects
Air Rights (23 CFR 710.405)	NHS – Request to FHWA non NHS – Approval	Review and Approve NHS or full oversight (14 days)	Airspace Agreement
Leases/joint use agreements (23 CFR 407)	NHS – Request to FHWA non NHS - Approval	Review and Approve – NHS (14 days) Area engineer input	Lease/Agreements
Disposal of Excess ROW (23 CFR 710.409)	NHS & Less than fair market value – Request to FHWA Non-NHS - Approval	Review and Approve – NHS & Less Than Fair Market Value (14 days)	Property Sale and Revenue to Transportation Fund
Access Control – Disposal and Changes Transfer (23 CFR 710.401)	Request (Interstate) Approve (Non-Interstate)	Review and Approve - Interstate (14 days) area engineer coordination	Disposition/Change
Federal Land Transfer (23 CFR 710.601)	Prepare Request and all documentation (deed)	Review and Approve (30 days for FHWA, 120 days for Federal Agency)	Transfer Deeds
Early Acquisition, Hardship, Protective Buying (23 CFR 710.501, (23 CFR 710.503))	Prepare Submission	Review, Approve, and Authorize (14 days)	Property Ownership
ROW Operations Manual (23 CFR 710.201)	Prepare Manual for official FHWA approval every 5 years	Review and Approve (30days)	Manual approval
Highway Beautification Manual changes (23 CFR 750.304)	Prepare Request	Review and Approve (14 days)	Manual changes
ROW Manual Changes	Prepare Change	Review and Approve (14 days)	Manual Change
ROW plan approval	GDOT prepares plans on all projects Approve non interstate plans	Review and approve Interstate ROW plans (14 days)	Approval of plans

WORK ACTIVITY	GDOT ACTION	FHWA ACTION	OUTCOME
Approval of Federal Project Authorization/ Agreement	Completion of Federal Project Authorization/ Agreement	Approval of Federal Project Authorization/Agreement (3 days for Non-Oversight projects; 7 days for Oversight projects)	Authorized Project
Modified Agreement	Submit modified Project Authorization due to changes in cost and/or scope-of-work	Review and Comment or Approve modification (5 days)	Modified authorization

Applicable Laws, Regulations, and Procedures:

- 42 USC 61, Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended
- 23 USC 108, Advance Acquisition of Real Property
- 23 USC 109(I), Accommodations of utilities on the right-of-way of Federal-aid highways
- 23 USC 111, Agreements relating to use of and access to rights-of-way – Interstate System
- 23 USC 123, Reimbursement for the relocation of utility facilities necessitated by the construction of a project on any Federal-aid highway
- 23 USC 156, Proceeds from the Sale or Lease of Real Property
- 23 USC 323, Donations and Credits
- 23 USC 131, Control of Outdoor Advertising
- 49 CFR 24, Uniform Relocation Assistance and Real Property Acquisition for Federal and Federally-Assisted Programs
- 49 CFR 18, Uniform Administration Requirement for Grants and Cooperative Agreements to State and Local Governments
- 23 CFR 620, Subpart B, Relinquishment of Highway Facilities
- 23 CFR 635.309, Right-of-Way Certification
- 23 CFR 710, Right-of-Way and Real Estate
- 23 CFR 750, Highway Beautification

Performance/Compliance Indicators:

The following performance indicators will be used to assess the health of the ROW program:

- Percent of condemnations not exceeding 25 percent of the parcels acquired.
- Number of Federal-aid projects with conditional ROW Certifications.
- Percent of action items from Quality Assurance Review findings and annually selected statewide process review are implemented.
- Percent parcels acquired versus planned

D. Design

On the program level, FHWA approves design standards for new construction, reconstruction, resurfacing, restoration, or rehabilitation of the Interstate System and other highways on the National

Highway System (NHS). FHWA provides guidance to GDOT and other public agencies on the implementation of and conformance to federal laws, regulations, and policies pertaining to preliminary and detailed design activities.

Through full oversight on a limited number of projects, FHWA formally reviews and approves various engineering-related submissions, participates in project development decisions through routine review of design plans, ensure the design parameters and environmental commitments imposed on projects through the **NEPA** decision remain satisfied and determine the eligibility of Federal-aid participation in the cost for items of work. Included in this effort, as necessary, FHWA will process and formally evaluate proposed exceptions to minimum design criteria (Design Exceptions) or Interchange Justification/Modification Reports (IJR/IMR).

Design Standards

For all new construction, reconstruction, and resurfacing, restoration, and rehabilitation (3R) projects on the NHS, GDOT design standards, approved by FHWA as meeting or exceeding AASHTO apply. For standards not specifically listed, AASHTO design standards, approved by FHWA Headquarters Office, will apply. These standards apply to all NHS projects regardless of funding sources. FHWA Division Office approval is required for all standard plans, amendments, specifications, and general special provisions, intended for use on Federal-aid construction projects on the NHS.

Design Monitoring

The purpose of a design monitoring program is to establish procedures for assuring that Federal-aid projects are constructed in accordance with **23 CFR Part 625 Design Standards for Highways, 626 Pavement Policy, 627 Value Engineering, 630 Pre-construction Procedures, 633 Required Contract Provisions, 645 Utilities, 646 Railroads, 650 Bridges, 652 Pedestrian and Bicycle Accommodations and Projects, 655 Traffic Operations, 771 Environmental Impact and Related Procedure, 772 Noise, and 774 Parks, Recreational Areas, Wildlife and Waterfowl Refuges, and Historic Sites (Section 4(f))**. It is FHWA policy that FHWA personnel make sufficient reviews of Federal-aid projects to assure they are designed in accordance with applicable standards and in consideration of appropriate cost-effectiveness strategies.

All projects on the NHS, regardless of funding source, must follow FHWA approved AASHTO design standards except for non-freeway 3R projects where GDOT may request FHWA approval to use state developed standards.

For Federal-aid projects on the NHS, including the Interstate System, the primary objectives of the design monitoring program are:

- To promote improved safety and operations through appropriate use of design standards and guidelines.
- To make value added input at appropriate points in the project development process, with emphasis on early involvement in the project decision making process.
- To maintain an effective working relationship between FHWA and GDOT project development personnel.

- To ensure the integrity of the Interstate system through the review and approval of Interstate access point additions or modifications.
- To promote context sensitive solutions concepts
- To ensure that environmental commitments are incorporated into projects.

The types of design reviews that will be undertaken by FHWA include:

Early Planning Reviews: Early involvement maximizes FHWA’s opportunity to participate in design decisions with the goals of promoting safety, reducing congestion, improving operations, and preserving human and natural environment. FHWA’s participation in developing possible transportation solutions or concept development meetings, prior to any public meetings, should be included on Federal-aid projects of a scope that is likely to require an Environmental Assessment, Environmental Impact Statement, an IMR/IJR, or a FHWA full oversight project. This also includes work developed by a third-party (i.e. consultant) to aid in this early review.

Intermediate Reviews (Preliminary Plans, ROW Plans and Construction Plans): These reviews are appropriate during the time the design concepts and major design features are being developed and finalized. The purposes of intermediate reviews are to assure that appropriate design considerations are used during layout development, to assure that environmental commitments are observed, to assure cost-effective design alternates are considered – including such presented in value engineering studies, to maintain communication with the highway agency, and to evaluate the quality of the product. On federal oversight projects an onsite plan-in-hand review should be conducted and a review team approach considered. FHWA will participate in intermediate reviews on full-oversight projects. GDOT staff, as much as possible, should coordinate with FHWA staff to determine mutually convenient dates for these intermediate reviews.

Plans, Specifications and Estimate (PS&E) Reviews: These are the last reviews in the preparation of project documents, allowing project authorization to take place. The reviews may utilize a checklist approach. These reviews are required on all FHWA oversight projects to assure that the project is ready for authorization.

Design Process Reviews/Product Evaluations (PR/PE): These are reviews that evaluate the adequacy of the processes and procedures used by GDOT on design activities. Their purpose is to provide oversight and control of design methods, techniques, procedures and policies on a statewide or area wide basis. Process reviews can be broad in scope, covering a major design activity such as conceptual studies, preliminary plan development, or PS&E preparation, or they can be more specific, covering such elements as geometrics, pavement design, safety, constructability, structures, etc. All process reviews should include a sufficient sampling of actual products and/or projects to assure that the process is producing the intended results. As appropriate, non-full federal oversight projects will be included in the sample of projects inspected as a part of process reviews.

Design and Operation Reviews: These reviews are undertaken for recently completed projects to evaluate the effectiveness of current design policy and detect design features that

can be improved. The reviews should be conducted using a team approach with representatives from various functional areas. Projects should be open to traffic before being considered as candidates for a design and operation review.

On Federal-aid projects where GDOT has the delegated authority to act for FHWA in design monitoring, a similar type of program of independent reviews will be conducted. GDOT administered projects are subject to joint FHWA-GDOT process reviews and inspections and must comply with applicable Federal requirements. For Federal-aid projects off the NHS, the objective of the design monitoring program is to ensure that non- Title 23 U.S.C. requirements are met.

Table 5
Design Actions and Review Timeframes

WORK ACTIVITY	FULL FEDERAL OVERSIGHT PROJECTS		STATE ADMINISTERED PROJECTS ON THE NHS		STATE ADMINISTERED PROJECTS OFF THE NHS	
	GDOT ACTION	FHWA ACTION	GDOT ACTION	FHWA ACTION	GDOT ACTION	FHWA ACTION
Preliminary and intermediate design plans	Prepare	Review and Comment (21 Days)	Prepare and Comment	None	Prepare and Comment	None
Design Exceptions ¹	Prepare	Review and Comment or Approve (15 Days)	Approve	None	Prepare and Approve	None
Engineering and Operations Analysis (Necessary for Interstate Access Modification)	Prepare	Review and Comment or Approve (30 Days to Approve or forward to HQ for Approval)	Prepare	Review and Comment or Approve (30 Days to Approve or forward to HQ for Approval)	N/A	N/A
Value Engineering Annual Summary	Prepare	Review and Comment or Approve and forward to HQ (15 days)	Complete	Review and Comment or Approve and forward to HQ (15 days)	Not Required	None
Public Interest Finding (Special Products, Sole Source Specs, Proprietary Items, etc.)	Prepare	Review and Comment or Approve (30 Days)	Prepare	Review and Comment or Approve (30 Days)	Prepare and Approve	None
Bridge Preliminary Plan Review & foundation review	Prepare	Review and Comment or Approve (21 days)	Prepare	Provide Technical Assistance	Prepare	Provide Technical Assistance ²

Final Bridge Plan Review	Prepare	Review and Comment or Approve (10 days)	Prepare	Provide Technical Assistance	Prepare	Provide Technical Assistance ²
Design Consultant services contracts	Prepare	Review and approve (10 days)	Prepare and Approve	None	Prepare and Approve	None
PS&E	Prepare	Review and Comment or Approve (14 Days)	Prepare and Approve	None	Prepare and Approve	None
New/revised Standard Drawings/Design and Policy Manuals	Minor Revision: Prepare and approve. Major Revision: Prepare	Minor Revision: None Major Revision: Review and Comment or Approve ² (10 days)	Prepare	Review and Comment or Approve ² (10 days)	Prepare	None ³
3R Standards on the NHS	Prepare	Review and Comment or Approve (10 days)	Prepare	Review and Comment or Approve (10 days)	Prepare	None

¹ FHWA approves design exceptions for all interstate and full oversight and Appalachian Development projects. This includes both full oversight and non-full oversight projects. State Design Engineer approves all other design exceptions.

² FHWA must approve New/Revised Standard Drawings for use on NHS projects

Applicable Laws, Regulations, and Procedures:

- AASHTO “A Policy on Geometric Design on Highways and Streets” – required standard for multi-lane limited access NHS facilities
- AASHTO “A Policy on Design Standards for the Interstate System” – required standard for Interstate facilities
- AASHTO “LRFD Bridge Design Specifications” – required standard for all bridges
- 23 USC 101-104, 106, 109-116, 123, 127-130, 137, 138, 144, 215, 306, 308, 311, 315, 319, 320
- 23 CFR 172, Administration of Engineering and Design Related Service Contracts
- 23 CFR 625, Design Standards for Highways
- 23 CFR 626, Pavement Policy
- 23 CFR 627, Value Engineering
- 23 CFR 630, Pre-construction Procedures
- 23 CFR 636, Design-Build
- 23 CFR, Certification Acceptance
- 23 CFR 645, Utilities
- 23 CFR 646, Railroads
- 23 CFR 650, Bridges

- 23 CFR 652, Pedestrian and Bicycle Accommodations and Projects
- 23 CFR 655, Manual on Uniform Traffic Control Devices (MUTCD)
- 23 CFR 658, Truck Size and Weight, Route Restrictions
- 23 CFR 750, Highway Beautification
- 23 CFR 752, Landscape and Roadside Development
- 33 CFR 401, Construction of Bridges, Causeways, Dams or Dikes Generally; Exceptions
- 33 CFR 403, Obstruction of Navigable Waters Generally
- 33 CFR 511-524, Alteration of Bridges

Performance/Compliance Indicators

- Number of PS&E's that have the necessary documentation prior to authorization (reported monthly)
- Value engineering annual cost savings
- Awarded amount compared to official estimate
- Percent of projects with one or more Supplemental Agreements for design errors or omissions

E. Construction

In general GDOT has responsibility for the construction of all Federal-aid projects and for ensuring that such projects receive adequate supervision and inspection to ensure that Projects are completed in conformance with approved plans & specifications. The primary objectives of the FHWA construction-monitoring program are:

- To evaluate GDOT 's control of the projects and the quality and progress of work
- To maintain an effective working relationship with GDOT construction staff
- To promote quality improvements
- To promote work zone safety
- To assure that projects are completed in reasonably close conformance with the approved plans and specifications and approved changes
- To ensure incorporation of environmental commitments

FHWA will use the following types of inspections to obtain these objectives:

Process Review/Product Evaluation (PR/PE) – comprehensive reviews to evaluate GDOT's procedures and controls. The purpose of a PR/PE is to provide oversight of GDOT construction and materials management activities and to determine compliance with Federal-aid requirements on a statewide or Region wide basis.

Inspection-In-Depth – a thorough on-site review to evaluate a specific contract item, combination of items, or major phase of a project. Inspections-in-depth may be accomplished on an individual project basis or on several projects with the findings summarized as a district wide or statewide review.

Project Inspection – an on-site review to evaluate GDOT’s activities, the quality and progress of the work, incorporation of environmental commitments, and if appropriate, to follow up on findings from previous inspections. At a minimum, FHWA will conduct project inspections on a quarterly basis. Frequency of inspections may increase depending on type and complexity of project.

Final Inspection - A review to determine the extent to which GDOT has exercised its control to assure that the project has been completed in reasonably close conformance with the plans, specifications, and authorized changes, including implementation of environmental commitments.

Operational Review – The intent of these inspections is to observe a recently completed project with a multi-disciplinary team to identify opportunities for improvement that may be incorporated in future projects. These reviews also provide the opportunity to identify items that worked very well in addition to noting deficiencies.

Title 23 requirements apply to all projects on the NHS regardless of oversight process. Non-Title 23 requirements apply to all projects and are subject to review regardless of oversight process.

Table 6
Construction Summary

ACTIVITY	FULL FEDERAL OVERSIGHT PROJECTS		STATE ADMINISTERED PROJECTS ON THE NHS		STATE ADMINISTERED PROJECTS OFF THE NHS	
	GDOT ACTION	FHWA ACTION	GDOT ACTION	FHWA ACTION	GDOT ACTION	FHWA ACTION
Concurrence in Contract Award	Prepare and Recommend	Review and Comment/ Concur (5 days)	Approve	None	Approve	None
Rejection of bids	Recommend	Review and Concur (5 days)	Approve	None	Approve	None
Supplemental Agreements	Prepare and Approve	Review & Comment/ Approve (5 days)	Approve	None	Approve	None
Claims Settlements	Coordinate with the AG’s office.	Comment/ Approve (10 days)	Coordinate with the AG’s office	None	Coordinate with the AG’s office	None
Time Extensions & Suspension of work	Approve	Comment/ Approve (10 days)	Approve	None	Approve	None
Executed Contract	Prepare and Approve	Information	Approve	None	Approve	None

Initial Construction Inspections	Participation	Conduct and Prepare Report (14 days)	N/A	None	Conduct	None
Intermediate Construction Inspection	Participation and/or action	Conduct and Prepare Report (14 days)	N/A	None	Conduct	None
In-depth Construction Inspection	Participation and/or action	Conduct and Prepare Report (14 days)	N/A	None	Conduct	None
Final Construction Inspection	Participation and/or action	Conduct and Prepare Report (14 days)	Conduct and Prepare Report	None	Conduct	None
State Construction Engineer's Certificate of Final Acceptance	Prepare, Approve, and Submit to FHWA	Accept (Form 1446B)	Prepare and Approve	Information	Approve	None
Materials Certification	Prepare	Review and Comment or Approve (included as part of final acceptance)	Prepare and Approve	Information	Prepare and Approve	None
Labor Compliance	Check payrolls weekly	Review as needed	Check payrolls weekly	None	Check payrolls weekly	None
Buy America Waiver	Prepare	HQ Approval (14 days)	Prepare	HQ Approval	Prepare	HQ Approval

Applicable Laws, Regulations, and Procedures:

- 23 USC 106, 114, 121 – apply to all Federally funded NHS projects
- 23 CFR 635, 637, 640 – apply to all Federally funded NHS projects
- 23 CFR – certain provisions apply to Federally funded non-NHS projects
- FHWA Technical Advisory 5080.4 (TA 5080.4) – Preparing Engineer's Estimate and Reviewing Bids
- FHWA Form 1273 provisions
- FHWA Form 1446B provisions

Performance/Compliance Indicators

- Percent total construction contracts dollar increase due to supplemental agreements compared to total original low bid award amount.
- Percent of contracts (completed) with less than 10 percent cost increase.
- Percent of contracts (completed) with less than 10 percent time increase.
- Percent projects open to traffic on time

F. Operations

GDOT works cooperatively with FHWA in development and implementation of operation initiatives in Georgia. Such initiatives target core areas such as traveler information, managed lanes, transportation demand management, road weather management, work zone management, traffic incident management, and Intelligent Transportation Systems (ITS), to name a few. Both GDOT and FHWA work cooperatively with the Metropolitan Planning Organizations (MPOs) to promote appropriate strategies for core operational areas to assure a safe and reliable highway system in Georgia’s urban areas.

Intelligent Transportation Systems (ITS)

Intelligent Transportation Systems (ITS) projects and programs are funded through regular Federal-aid funding. Previous Federal legislation clarified the use of Federal-Aid categories for ITS. NHS and STP Funds may be spent on infrastructure-based ITS capital improvements while Congestion Mitigation Air Quality (CMAQ) Funding may be spent on programs and projects that implement ITS strategies.

The applicable legislation for ITS projects is **23 CFR 940** Intelligent Transportation System Architecture and Standards. This section of **23 CFR** describes the regulations that must be followed for projects that contain ITS components.

- ITS Regional Architecture - **23 CFR 940.9** An ITS regional architecture shall be developed to guide the development of specific projects and programs.
- Systems Engineering Analysis - **23 CFR 940.11** All ITS projects shall be based on a systems engineering analysis. The applicable regional ITS architecture shall be used in the development of ITS projects. The analysis should be on a scale commensurate with the project scope.
- Project Administration - **23 CFR 940.13** Prior to authorization of Federal-aid funds for construction or implementation, the project sponsors shall demonstrate that ITS projects conform to the system engineering and conformity requirements provided in **23 CFR 940.11** and that there is a commitment to the operations, management and maintenance of the overall system.

Table 7
Operations/Intelligent Transportation System Summary

ACTIVITY	GDOT ACTION	FHWA ACTION	OUTCOME
Systems Engineering Analysis Report	Full Federal Oversight: Prepare/review and Submit State Administered: Prepare and Approve	Full Federal Oversight: Review and Comment or Approve (10 days) State Administered: None	Analysis Report
Regional ITS Architectures (All)	Prepare and Approve Ready for use	Concurrence as Ready for Use (45 days)	Regional ITS Architecture

Update of Regional Architecture (All)	Prepare and Approve Ready for Use	Concurrence(15 days)	Updated Regional Architecture
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Note: The FHWA will retain full oversight for ITS projects on the Interstate System with an estimated construction cost of greater than \$1 million. All other ITS projects are to be state administered, where as, GDOT is to act on behalf of FHWA in ensuring that all **23 U.S.C.** or **23 C.F.R.** requirements are met. In addition, FHWA reserves the right to conduct reviews, as appropriate, to confirm that the Federal-aid program is being administered in accordance with the applicable laws and regulations and may request full oversight of any ITS project funded through Federal-aid funding. For ITS Congressional Earmarks, FHWA will monitor pre-award activities to ensure that the project being pursued meets program purposes, non-Federal match, and other requirements. Once the project is approved and a project agreement executed, Federal oversight will be conducted as identified in the above Table 7.

Applicable Laws, Regulations, and Procedures:

- 23 CFR 940, ITS Architecture & Standards
- 23 CFR 655, Traffic Operations is applicable to Federal-aid traffic operation improvement projects and the uniform application of traffic control devices to all streets and highways

Performance/Compliance Indicators:

- Freeway incident duration
- Freeway reliability
- List of ITS project(s), year programmed, amount funded and location of the project.

G. Safety

Section 1401 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) includes the program and policy language for implementing the new “core” Highway Safety Improvement Program (HSIP), which is codified as the new **Section 148 of Title 23 of the United States Code (23USC148)**.

GDOT has the responsibility for carrying out the State’s Highway Safety Improvement Program in accordance with **Section 148 of Title 23 of the United States Code (23USC148)**. The FHWA Georgia Division exercises its oversight responsibilities through review of the annual programs, review of program processes, and review of annual reports. The FHWA and the GDOT will work together on safety issues related to geometric design, roadside safety, safety appurtenances, the highway safety improvement program, work zone safety and traffic control, pedestrian safety and bicycle safety, safe routes to school program, and the Georgia Strategic Highway Safety Plan. In each instance, sharing of knowledge occurs through discussions, meeting/committee/task force participation, and by performing periodic reviews.

Appendix C describes further the new “core” Highway Safety Improvement Program (HSIP) as codified in **23 USC 148** along with other highway safety related activities that the FHWA have oversight responsibilities.

Table 8
Safety Summary

WORK ACTIVITY	GDOT ACTION	FHWA ACTION	OUTCOME
HSIP Report (including HRRP) Rail-Highway Crossing Report 5 Percent Report	Prepare annual program and report, and Submit to FHWA (no later than by 8/31) Annually	Review and comment on the program and annual report. Submit to HQ by Sept. 30	HSIP Program Approval and Report
Georgia Strategic Highway Safety Plan (SHSP)	Evaluate and update every two years submit report to FHWA no later than Dec. 31 beginning in 2006.	Review and comment by Jan. 15.	Updated SHSP ensuring accuracy of data and priority of proposed improvements
159 Certification (Drug Offender's License Suspension Certification)	Prepare annual certification and Send to FHWA (no later than 1/1)	Review certification, and Forward to FHWA HQ.	Law enacted, opposition stated, or funds withheld
Work Zone Safety and Mobility Process Review	Conduct Process Review every two years	Conduct review for conformance of 23 CFR 630 Subpart J Final Rule	Assessment of work zone procedures
NCHRP 350 (NCHRP 350 Testing Criteria)	Comply with NCHRP 350 and AASHTO/FHWA agreement	Actions and Process reviews ongoing	Crashworthy devices
MUTCD (Traffic Control Devices on all public roads)	GDOT practices comply with MUTCD	Actions and Review of MUTCD issues ongoing	Uniformity of Traffic Control Devices

Applicable Laws, Regulations, and Procedures:

- 23 USC 130, Railroad/Highway Crossing Program
- 23 USC 152, Hazard Elimination Program
- 23 CFR 924 and 23 USC 148, Highway Safety Improvement Program
- 23 CFR 630, Traffic Safety in Highway and Street Work Zones – requirements apply to all Federal-aid highway construction projects
- 23 CFR 625, Design Standards for Highways
- 23 CFR 655, Manual on Uniform Traffic Control Devices (MUTCD)
- 23 USC 402 and 23 CFR 1200 and 1204 – apply to the Highway Safety Program which may contain NHTSA and non-construction FHWA activities. Funding is administered by NHTSA.

Performance/Compliance Indicators:

- Statewide number of highway fatalities
- Statewide highway fatality rate
- Percent of annual safety funds obligated

H. Civil Rights

The FHWA Division Office is committed to effectively implement and enforce civil rights programs within GDOT in its design, planning, construction, and management of the multimodal transportation system. GDOT is obligated to ensure nondiscrimination in all programs and activities, and in the provisions of all services and benefits, as a basis for continued receipt of FHWA funds according to **Titles VI and VII of the Civil Rights Act** and the codified Federal regulations that outline these acts.

The FHWA Division Office Civil Rights Specialist reviews all civil rights program work plans and program documents and provides comments and recommendations to GDOT. The FHWA Division Office Civil Rights Specialist may participate in committees and teams set up by GDOT that address civil rights concerns about equal access, goal setting and affirmative action in employment and contracting opportunities.

The purpose of FHWA oversight is to monitor the implementation and effectiveness of GDOT’s Civil Rights Office program areas that include Affirmative Action/Equal Employment Opportunity, Disadvantaged Business Enterprise (DBE), **Americans with Disabilities Act (ADA) and the Title VI** compliance programs. FHWA will be an advocate of the civil rights program and provide training, technical assistance, and active participation in GDOT initiated civil rights meetings and review activities. FHWA will review and approve GDOT’s programs on an ongoing basis through process and program reviews, and through active participation in continuous program evaluation and improvement. Appropriate FHWA representatives will actively participate in GDOT initiated reviews, task forces, and other civil rights initiatives upon request and to the extent feasible. Finally, FHWA will analyze civil rights reports submitted by GDOT to help identify trends and provide feedback and recommendations for improvement to GDOT.

**Table 9
Civil Rights Summary**

WORK ACTIVITY	GDOT ACTION	FHWA ACTION	OUTCOME
DBE Semi-annual Report Awards/Commitment	Prepare and Submit by the following dates: November 20 (for the period of April 1 – Sep 30) and June 1 (for the period of Oct 1 – May 31)	Review and Approve. Submit to FHWA HQ (10 days)	DBE reports accurate, complete and timely; DBE commitment is based on accurate data assessment.
Annual Contractor Employment Report – PR 1392	Prepare and Submit (no later than September 15)	Review and File. Submit to FHWA HQ (when requested)	Annual report is accurate, complete and timely.
State Internal EEO and Contract Compliance External Program Reports (Title VII Plans)	Prepare and Submit (no later than August 15. External reports based on FFY. Internal reports based on State FY)	Review and Approve. (10 days)	Plan is accurate, complete and timely.
State Internal Employment Practice EEO-4 Report	Prepare and Submit (no later than August 1)	Review and File. Submit to FHWA HQ (10 days)	Report is accurate, complete and timely.
Title VI Program Update	Prepare and Submit (no later than August 31)	Review and Approve. (10 days)	Updates accurately reflect GDOT’s Title VI Program.

DBE Program Plan	Prepare and Submit (Upon program changes)	Review and Approve. Submit to FHWA HQ (20 days)	Updates accurately reflect appropriate program changes.
DBE Program Goals and Methodology	Prepare and Submit (No later than August 1)	Review and Approve. Submit to FHWA HQ (20 days)	Goals incorporate appropriate statistical analysis and are based on complete, accurate data.
Historically Black College/Minority Institution of Higher Education Plan/Report	Collaborate with FHWA. Prepare and Submit (No later than October 1)	Review, Augment, and Submit to FHWA HQ (10 days)	Report reflects positive relationships with educational institutions.
Contractor Compliance Review Schedule and Reports	Prepare and Submit (within 15 days of completion)	Review, Respond as necessary, and File	Schedule and reports timely and accurate
DBE, and OJT Supportive Service Work Requests/Reports	Prepare and Submit (in response to request from FHWA)	Review and Approve. Submit to FHWA HQ for funding approval. Advise GDOT of funding decision.	Requests are adequately supported by data and appropriately submitted.
On-the Job Training Goals	Prepare and Submit (no later than March 1 for upcoming construction season)	Review and Approve (10 days)	OJT goal is based on appropriate projection of construction program and is timely submitted.
ADA self-evaluation	Prepare and submit annually.		
ADA Transition Plan	Prepare and submit annually.		

Applicable Laws, Regulations, and Procedures

- Titles VI and VII of the Civil Rights Act
- 23 CFR 200, 230 (Subpart C, Appendix A (Part I and II))
- 49 CFR Parts 21 (Title VI), 23, 26, 27
- 23 USC 140 (a-c), 109(h), 144
- Executive Orders 12898, 11246, 13296, 13256, 13166, 13216
- USDOT Orders 5610.2, 4710.8, 4720.7, 1000.12
- Section 504 of the Vocational Rehabilitation Act of 1973
- Americans with Disabilities Act Accessibility Guidelines (ADAAG)/ADA
- FHWA Contract Provision 1273
- Federal Aid Highway Acts of 1968 (Section 22), 1970 (Section 110) and 1973.
- 23 CFR 1.9 and 1.36
- Civil Rights Restoration Act of 1987
- 42 USC 2000(d)
- SAFETEA-LU Sections 6004 and 6005

Performance/Compliance Indicators:

- Percent of minority representation in GDOT's workforce.
- Percentage of Federal dollars used for transportation related contract awards and commitments performed by Disadvantaged Business Enterprises (DBE's).
- Number of discrimination Complaints
- Number of formal complaints filed in all sections of Civil Rights.
- Number of people, staff and sub recipients trained.

I. Financial Management

The correctness and propriety of all Federal-aid claims are the primary responsibility of GDOT whether the primary cost documentation originates within GDOT or with some third party. This responsibility is fulfilled by GDOT maintaining adequate operating policies and procedures and a sound accounting system with proper internal controls together with suitable audit activities. It is FHWA's responsibility to assure such processes are in place and providing desired results as well as to provide technical assistance and advice in funding and financial areas. FHWA provides assistance and maintenance to GDOT for the electronic data sharing and electronic signature environment.

Office of Management and Budget (OMB) Circular A-133 was issued pursuant to the **Single Audit Act of 1984 (P.L. 98-502) and Amendments of 1996 (P.L. 104-156)** for the purpose of setting forth standards for obtaining consistency and uniformity among Federal agencies for the audit of States, local governments, and non-profit organizations expending Federal awards. The U.S. DOT Office of Inspector General is the cognizant agency for audit responsibilities of the GDOT.

The GDOT Office of Audit and Financial Reporting is responsible for auditing GDOT's operations. FHWA may provide technical advice and assistance to GDOT and auditors as appropriate and advise GDOT of requirements imposed by Federal laws, regulations or provisions of contracts. Audits and reviews include but are not limited to Pre-Award Reviews; Accounting Systems Reviews; Overhead Audits; Final Filing Audits; Final Billing Reviews; **A-133** CPA Audit Reviews; Heavy Vehicle Use Tax Review; and force account billings reviews from railroads and public and private utilities.

Federal-aid reimbursement to GDOT for costs incurred is found in **23 U.S.C. 121**. In accordance with **23 CFR 1.9(a)**, Federal-aid funds shall not participate in any cost which is not incurred in conformity with applicable Federal and State Law, the regulations in **23 CFR**, and policies and procedures prescribed by FHWA. The FHWA Georgia Division provides oversight of Cost Reimbursable Contracts, pursuant to **23 CFR Part 140, 49 CFR Part 18, and OMB Circular A-87 (Cost Principles for State, Local, and Indian Tribal Governments)**. Likewise, FHWA must comply with the requirements of the Federal Managers' **Financial Integrity Act of 1982 (FMFIA)**. Reimbursement to GDOT is made through an electronic signature Federal-aid Rapid Approval and State Payment System (RASPS). The **Single Audit Act** does not preclude FHWA from performing program reviews and these activities are undertaken by FHWA to facilitate oversight of the current billing process. Per **OMB Circular A-127**, Financial Management Systems, allows that these routine financial management reviews may be conducted on GDOT's accounting systems and records to

assure conformance with applicable laws, regulations, and government-wide accounting principles and standards. Also, to maintain an adequate system of management control and to promote effective program delivery and efficiency, FHWA promotes the conduct of joint FHWA-GDOT Quality Financial Management Initiatives (QFMI). The employment of these mechanisms will provide reasonable assurance that only allowable costs are reimbursed, thus ensuring the integrity of the Federal-aid program. Further these joint cooperative efforts between FHWA and GDOT will help to establish opportunities for continuous improvements specifically in areas with any potential compliance weaknesses.

The **Cash Management Improvement Act of 1990 (31 CFR Part 205)** prescribes rules and procedures for the transfer of funds between the federal government and the states for federal grant and other programs. The U.S. Treasury and the State of Georgia have entered into an agreement to describe its funds transfer procedures. FHWA's involvement is to provide assistance and guidance to GDOT to facilitate compliance and to assist in the implementation of cash management improvements.

The **Financial Integrity Review and Evaluation (FIRE) Program (FHWA Order 45601a)** requires each Federal-aid Division office to establish an effective oversight program to ensure that Federal funds are properly managed and effectively used in accordance with Federal policies. Under This program, each Federal-aid division office is required to perform in support of the Federal Highway Administration's annual certification of internal and financial controls to support the financial statements, a grant financial management process review in response to the performance of a annual risk assessment (the purpose of the grant financial management process review is to assess one key State process to determine that (1) the process complies with Federal requirements, (2) the process complies with generally accepted accounting principles and standards and internal controls, and (3) areas of opportunity are identified for process improvement). The Federal-aid Division Office is also responsible to conduct a review of a local administered project annually. The **FIRE** includes a review of randomly selected billing transactions provided by FHWA Headquarters that verifies the eligibility and accuracy of costs billed to FHWA, verify costs were incurred after FHWA approval, verify costs were charged to the correct project, verify costs were approved by the appropriate State/local official, and verify that GDOT has sufficient supporting documentation to substantiate the billing.

The Fiscal Management Information System (FMIS) is FHWA's major financial information system. It contains data related to all highway projects financed with Federal-aid highway funds. FHWA uses this information for planning and executing program activities, evaluating program performance, and depicting financial trends and requirements related to current and future funding. Electronic data sharing allows GDOT to transact FMIS data electronically and FHWA to review and approve the data. This process provides faster approvals and better control of funds. Both GDOT and FHWA have the ability to access FMIS information to obtain current funding and project related reports.

GDOT is responsible for funds management, which includes monitoring un-obligated balances of the various funds to ensure funds are being used effectively and lapsable funds are limited. This would also include a review of older projects that have had no activity for possible release of funds for use on other eligible federal projects. FHWA will evaluate the effectiveness of this program annually.

GDOT maintains the official records for Federal projects. Supporting documentation will be retained by GDOT for three years after the final voucher and will include (but not limited to): the final contractor pay estimate, material certification, projects’ agreement/modification, statement of overruns and under runs, and final Right of Way certificate in accordance with current requirements. Supporting documentation retained by GDOT will be available upon request to FHWA.

Improper Payments Review - reviews of randomly selected billing transactions provided by FHWA Headquarters that verifies the eligibility and accuracy of costs billed to FHWA, verify costs were incurred after FHWA approval, verify costs were charged to the correct project, verify costs were approved by the appropriate State/local official, and verify that GDOT has sufficient supporting documentation to substantiate the billing.

Table 10
Financial Management Summary

WORK ACTIVITY	GDOT ACTION	FHWA ACTION	OUTCOME
Current Billing (RASP)	Submits electronically to FHWA as often as desired.	Financial Manager approves electronically within 2 business days of receipt	Electronic Financial Transfer (EFT) payment posted to GDOT’s account
Amended Project Authorization/ Agreement	Submits approved request using electronic signature. Amended Projects require justification in FMIS (State comment field)	Amended agreements approved by Financial Manager ¹ . (5 days)	Electronic signed project amended agreement
Transfer of Funds between categories and between agencies.	Review and recommend approval of transfer request to FHWA/FTA or other agency using FHWA Transfer Form 1565 (a) or (b) MOA is required for transfer of funds to another agency.	FHWA review/approves funds transfers and MOA, prepares second half of FHWA Transfer for 1565 and sends to HQ Finance to adjust funding records. (5 days)	Funds transferred as requested
GARVEE Annual Report	Prepare annual report within 90 days from the end of the Federal FY	Review and forward to Finance Office in Washington D.C.	Annual Report
TIFIA Annual Report (after approval for use of TIFIA)	Prepare annual report within 90 days from the end of the Federal FY	Review and forward to Finance Office in Washington D.C.	Annual Report
Project Funds Management/Monitoring of Inactive Obligations	Compliance with Final Rule, 23 CFR Part 630 . Review inactive projects for potential release of funds	Review monthly balance of unexpended obligations and inactive projects.	Balance of unexpended obligations at or below 5% of annual apportionments
Audit Findings	Assure that audit findings relating to Transportation are resolved. Notify FHWA within 30 days of finding that require state	Monitor activities to ensure that corrective actions are taken.	Audit findings are resolved timely.

	corrective actions, resolutions or a response.		
Projects >=\$100 million	Submit annual Financial Plans for projects (\$100,000,000 or more) to FHWA.	Review Financial Plans	Information is retained by FHWA.
Major Projects >\$500 million	Submit annual Financial Plans for major projects (\$500,000,000 or more) to FHWA.	Review Financial Plans.	Plan approved by FHWA.
Improper Payments	Assure that adequate controls are in place to detect improper payments	Conduct review of randomly selected billing transactions.	Improper payments detected. Only allowable costs billed.
Financial Management Review based on Risk Assessment	Assure that adequate controls are in place to administer the program.	Conduct a review of a key process or system employed by the State in managing Federal-aid funds.	Improper procedures used. Only allowable costs billed.
Local Administered Project Review	Assure that adequate controls are in place to administer the program.	Conduct a review of a local administered project.	Improper procedures used. Only allowable costs billed.

¹For changes in scope, the Financial Manager will discuss with the Transportation Engineer before approving.

Applicable Laws, Regulations, and Procedures:

- Title 23 – USC, Highways
- Title 23 – CFR
- OMB Circular A-133, Single Audit Act of 1984
- OMB Circular A-87, Cost Principles for State, Local, and Indian Tribal Governments
- OMB Circular A-102, Grants and Cooperative Agreements with State and Local Governments
- 49 CFR 18, Uniform Administration Requirements for Grants and Cooperative Agreements to State and Local Governments, commonly referred as the “Common Rule”
- Cash Management Improvement Act of 1990
- FHWA Order 4560.1a, Financial Integrity Review and Evaluation (FIRE)
- OMB Circular A-123, Management Accountability and Control
- DOT Order 8000.1C, Office of Inspector General Audit and Investigation Report Findings, Recommendations, and Follow-up Action, dated July 20, 1989
- Improper Payments Information Act of 2002
- Fiscal Management Information System (FMIS) Interface Connection Security Agreement, dated February 7, 2003
- Rapid Approval and State Payment System (RASPS) Interface Connection Security Agreement, dated January 29, 2003
- Cash Management Improvement Act Agreement

Performance/Compliance Indicators:

- Zero number of findings identified in the annual Single Audit Report regarding federal awards.
- Ratio and dollar balance of unexpended obligation on inactive projects (Target: less than five (5) percent of annual apportionments).
- Total dollars subject to end of the year lapse (Target: zero).

J. System Preservation

The transportation environment both on and off the highway system is characterized by high user demand, stretched budgets, declining staff resources, and a transportation system that is showing the signs of age. With significant investments made in construction, maintenance, and operations, the public expects Federal, State, and local government agencies will maintain and manage the highway system at its maximum level. To cost-effectively extend the service life and continual operation of the infrastructure, coordinated system preservation techniques and activities are extremely essential.

Historically, identifying the needs and funding to preserve and maintain the infrastructure is challenging. Promoting activities and program areas like pavement management, bridge monitoring, materials acceptance, maintenance monitoring, emergency relief, and research, development, and technology is an essential way to systematically support asset management principles and system preservation objectives.

Title 23 supports the preservation of the entire highway to assure its safe and efficient use and pass this responsibility for projects constructed with Federal-aid funds to the State Highway Agency. The FHWA's role is to see that these system preservation activities are successfully being implemented and on-going.

Pavement Management

The FHWA Georgia Division provides ongoing support in development and implementation of the Pavement Management System (PMS). FHWA participates in various meetings to ensure that pavement related activities, including new and rehabilitated pavement design and construction, pavement management, research, technology transfer, HPMS, vehicle weight enforcement program, etc., are well coordinated among the functional administrative areas of the division office.

FHWA will review GDOT's pavement design/rehabilitation procedures, policy and guidelines on an ongoing basis. Additionally, by being a member of the individual task forces, teams, and committees, FHWA will have an ongoing involvement in the development, update and implementation of pavement design procedures.

In general, FHWA will monitor the implementation, operation and effectiveness of the PMS and GDOT's pavement design through process reviews and on-going involvement. The FHWA Division Office Pavement and Materials Engineer will conduct oversight of the PMS and Design of pavements.

Table 11
System Preservation/Pavement Management Summary

WORK ACTIVITY	GDOT ACTION	FHWA ACTION	OUTCOME
Pavement Management System (PMS)	Develop and Implement	Review, Comment, and Make recommendations for consideration	PMS best practices are used and quality data collected and used
Develop Budget Allocation Plan for System Preservation	Develop Plan	Review, Comment, and Make recommendations for consideration	Rehabilitation Plan Implementation
Project Selection for Annual System (all federal-aid) Preservation Program	Select Projects	Participate, Make recommendations for consideration	List of Projects
Selection of Preferred Rehabilitation Alternatives	Prepare Alternatives and Make Selection	Review, Assist, and Make recommendations for consideration	Report
Annual Audits of District Paving Projects. Conduct joint review of design and recommendations	Prepare Report	Review, Comment, and Make recommendations for consideration. Conduct process reviews.	Report
Pavement Design Guide, Policy and Procedures	Develop	Review, Comment, Make recommendations for consideration, and Approve. Conduct process reviews.	Pavement Manual

Applicable Laws, Regulations, and Procedures:

- 23 USC 106, 109, 114
- 23 CFR 625.4, Standards, Policies, and Standard Specifications
- 23 CFR 626, Pavement Policy
- 23 CFR 635, Construction and Maintenance

Performance/Compliance Indicators:

- Percent of Georgia’s NHS with pavements measuring less than 95 inches per mile.

Bridge Monitoring

Part 650, Subpart C of 23 CFR established the National Bridge Inspection Standards (NBIS) that apply to all bridges carrying vehicular traffic that are greater than 20 feet in length and are located on a public road. **Subpart D** establishes the procedures for administering the Highway Bridge Program (HBP). The program was established to replace and rehabilitate deficient bridges. The HBP also funds systematic preventive maintenance to structures.

A NBIS compliance review will be conducted at least once each year. The review includes a random sampling and evaluation of bridge inspection reports, records, and field reviews of selected bridges. It will address at a minimum: (1) qualifications of personnel and adequacy of equipment, (2) inspection procedures and frequency, (3) quality of inspection reports, (4) load ratings and postings, (5) bridge closings, (6) accuracy of inventory data, (7) fracture critical members, (8) underwater inspection, (9) scour evaluation, (10) quality control and quality assurance, and (11) follow-up on critical deficiencies. It will also cover the adequacy of the maintenance activities, including personnel, equipment and activities. The review will include field verification in at least three GDOT inspection Areas and two GDOT Districts coinciding with the inspection areas.

A report will be sent to GDOT with detailed findings and recommendations that are to be addressed. A separate summary report will be forwarded to the FHWA Office of Bridge Technology. The Division Bridge Engineer may also perform in-depth process reviews identified through techniques such as risk assessments of those procedures described above.

Eligibility for the HBP program is based on bridge inspection and inventory data submitted annually to FHWA Office of Bridge Technology by GDOT. A selection list of eligible structures is furnished by FHWA to GDOT. The distribution of HBP funds to each State is based on unit cost data for bridges, which is prepared annually by GDOT and reviewed by FHWA, and the area of deficient bridges contained in the bridge inventory. Not less than 15 percent of the apportioned funds shall be expended for projects located off the Federal-aid system. GDOT and the local governments may select any bridge on the selection list for replacement or rehabilitation under this program. Additionally, GDOT may also use these apportioned funds for bridge preservation type projects.

Other Bridge related design activities, such as Bridge Preliminary Plan/Foundation Review and Final Bridge Plan Review, are outlined in Table 5. “Design Monitoring Actions and Review Timeframes.”

Table 12
System Preservation/Bridge Monitoring Summary

WORK ACTIVITY	GDOT ACTION	FHWA ACTION	OUTCOME
Bridge Inspection Program (State, County and Cities)	Conduct inspections. Update inventory and send data to FHWA annually by April 1. Prioritize and make repairs.	Process data and furnish error listing. Review error listing and resolve differences. Conduct review annually.	Annual report prepared.
Monthly Posting and Closing Non-Compliance List	Prepare and distribute posting and closing non-compliance listing monthly	Review and assist in resolving compliance issues.	Improve posting and closing compliance.
Critical Bridge Deficiencies	Quarterly notify FHWA of all critical bridge deficiencies and actions taken.	Review actions taken and assist in resolving issues.	Ensure critical bridge deficiencies are appropriately addressed

			and corrected.
Highway Bridge Program (HBP)	Select, design and construct projects. Furnish unit cost data annually to FHWA by April 1. Request eligibility approval for candidates not on FHWA Selection list	Provide list of eligible projects, review full federal oversight projects, and resolve questions concerning eligibility. Review unit cost data.	GDOT receives their share of HBP funds based on cost and area of deficient bridges. Bridges are replaced, rehabilitated or receive preventative maintenance applications.
Revisions to Bridge, Hydraulic, and Geotechnical Design Manuals	Prepare	Approve ¹ (10 days)	Revised design policies and procedures

¹ Approval is not required for changes that are only editorial. GDOT, if necessary, will hold a meeting to discuss and approve changes on the spot. Formal approval is not required when FHWA is part of decision making process. Approval is only required for deviation from AASHTO or FHWA policy.

Plan of Actions (POAs) for all scour critical bridges are required by Federal regulations to provide clear and detailed directions for each scour critical bridge. All bridges, new and existing as well as state maintained and non-state maintained, will be evaluated for scour potential and, if determined to be scour-critical, shall have a POA developed. GDOT will provide report showing completion of required POA's annually.

Applicable Laws, Regulations, and Procedures:

- 23 USC 144, Highway Bridge Replacement and Rehabilitation Program
- 23 USC 151, National Bridge Inspection Program
- 23 CFR 650, Bridges, Structures, and Hydraulics
- FHWA Order 5520.1, Preliminary Plan review & approval

Performance/Compliance Indicators:

- Percent of deficient bridges on both on and off-NHS on deck area classified as deficient.

Research, Development and Technology Transfer

The purpose of the program is to implement the provisions of **23 U.S.C. 502** for research, development, technology transfer, programs, and studies undertaken with FHWA planning and research funds. The main requirements under **23 CFR 420** are to create a SPR Work Program, monitor planning and research activities, submit performance and expenditure reports, conduct peer reviews, develop and maintain an FHWA approved research and development manual, and maintain program certification.

The FHWA Georgia Division exercises its oversight responsibilities through review of the annual program prior to approval actions, review of individual proposals, and review of annual reports. Division participates in ongoing program activities such as routine technical and policy meetings, participation in peer exchanges, and participation in technology transfer events, etc. The GDOT

has considerable flexibility in the use of funds and determination of eligible activities that meet the requirements of **Section 420 of the CFR**.

Table 13
System Preservation/Research, Development and Technology Transfer Summary

WORK ACTIVITY	GDOT ACTION	FHWA ACTION	OUTCOME
SPR Work Program	See Table 2		
SPR Work Program Amendments	See Table 2		
GDOT Research Manual	Prepares in coordination with FHWA as noted in 23 CFR 420.209	Review, Comment (if appropriate), and Approve (20 days)	Documentation that describes the management, process, and procedures for selecting and implementing RD&T activities
Certification of SPR Research Program	Prepare certification statement with SPR Work Plan submittal (by 8/31)	Review, Comment, and Approve with SPR Work Plan (by 10/1) (20 days)	Certified compliance with 23 CFR 420.209
Local Technical Assistance Program (LTAP) Work Program	Submits to FHWA by December 15	Review, Comment (if appropriate), and Approve (10 days)	Final version of LTAP Work Program
Projects Using Experimental Features	Collects and disseminates information about projects	Disseminate information and encourage implementation of successful features	Evaluation and implementation of new technologies

Applicable Laws, Regulations, and Procedures:

- 23 USC 502, applies to all research, development, technology transfer, programs, and studies undertaken with Federal-aid funds
- 23 CFR 420, Statewide Planning and Research Administration

Performance/Compliance Indicators:

- Number of LTAP sponsored training courses
- Number of registered participants (Federal, State, and Local) attended an LTAP sponsored training course

Materials Acceptance

The Materials Acceptance Program (MAP) is structured around **23 CFR 637**. The overall purpose of the MAP is to assure the quality of materials and construction in all Federal-aid highway projects on the National Highway System. The MAP is comprised of a quality control program for the supplier and the quality assurance program for the agency.

For Federal-aid projects on the NHS, the primary objectives of the MAP are as follows:

- To maintain a close working relationship with GDOT materials and construction staff.
- To promote improvements when new approaches or technologies are developed and where deficiencies are identified.
- To assure that materials incorporated in projects and the construction operations controlled by sampling and testing are in conformity with the approved plans and specifications.
- To provide oversight of construction materials, and compliance with federal requirements on a statewide basis.
- To assure adequate and qualified staff to maintain GDOT’s quality assurance responsibility as part of its Quality Control/Quality Assurance (QC/QA) program.

FHWA will monitor GDOT’s MAP for construction of full federal oversight projects. For state administered projects, GDOT will monitor the MAP for construction as if FHWA were fully involved except GDOT does not need to send materials certification to FHWA.

FHWA will review and approve GDOT’s MAP on an as needed basis. The MAP includes the Quality Control (QC) program, the Quality Assurance (QA) program, the Independent Assurance Program, Materials Certification, the Qualified Laboratory Program, the Technical Certification Program, and the Schedule of Materials Control. Additionally, by being a member of the individual task forces, teams, committees, FHWA will have an ongoing involvement in the development and implementation of the MAP. In general, FHWA will monitor the implementation and effectiveness of the MAP through process reviews. Individual process reviews will be identified in the FHWA Division Office’s annual Performance Plan.

Table 14
System Preservation/Materials Acceptance Summary

WORK ACTIVITY	ALL FEDERAL-AID PROJECTS	
	GDOT ACTION	FHWA ACTION
Schedule of Materials Control (SOP 1-1)	Prepare and revise	Review and Comment or Approve
Qualified Technician Program (SOP 1-3)	Prepare and revise	Review and Comment or Approve
Qualified Laboratory Program (SOP 1-4)	Prepare and revise	Review and Comment or Approve
AASHTO accreditation inspection reports, use of outside testing facility	Maintain accreditation, Submit inspection report, Approve outside testing facility	Review for acceptable results and file comments as necessary
Independent Assurance Program (SOP 1-2)	Prepare and revise	Review and Comment or Approve

Applicable Laws, Regulations, and Procedures:

- 23 USC 106, 109, 114
- 23 CFR 625.4, Standards, Policies, and Standard Specifications
- 23 CFR 635, Construction and Maintenance
- 23 CFR 637, Construction Inspection and Approval

Performance/Compliance Indicators:

- Percent of materials in place meeting the specifications according to GDOT's QA/QC.

Maintenance Monitoring

In accordance with **23 U.S.C. 116** (applicable to all Federal-aid highways), States are required to maintain, or cause to be maintained any project constructed as part of a Federal-aid system. FHWA is responsible for maintenance monitoring of all Federal-aid projects.

[Note: requirement of **CFR 635, Subpart E**, requiring State's annual certification that Interstate was being maintained in accordance with Interstate maintenance guidelines was eliminated under **TEA-21 Section 1306(a)**]

A Preventive Maintenance (PM) activity shall be eligible for Federal assistance if the State demonstrates to FHWA that the activity is a cost-effective means of extending the useful life of Federal-aid bridges and highways. FHWA staff will assist GDOT in developing PM programs, identify and approve eligible activities, and provide information on best practices, procedures, and technologies.

FHWA staff will observe highway conditions during their routine travel activities. They may also perform in-depth maintenance reviews, as appropriate. Any significant findings will be discussed with appropriate GDOT officials. The oversight activities of the State's routine maintenance program will apply to NHS and non-NHS routes. FHWA maintenance monitoring activities will be a continuous process. Maintenance deficiencies observed during official travel will be reported to the appropriate GDOT personnel. Follow-up activities, if necessary, will be performed by FHWA representatives.

Additionally, FHWA may occasionally participate in post construction reviews with GDOT personnel. These reviews will focus on identifying and correcting any design features that would require abnormally heavy maintenance.

Regarding bridge structures, the FHWA Bridge Engineer will monitor the GDOT's NBIS program. Table 12 further defines the responsibilities and requirements for both FHWA and GDOT.

The Preventive Maintenance (PM) program may include all eligible maintenance activities within Federal-aid Highway Right of Way. If Federal funds are planned on being used statewide for maintenance activities, the State will develop statewide PM programs for eligible activities for FHWA approval. In the absence of a statewide program, GDOT will seek FHWA approvals on a project or by activity basis when Federal funding is proposed. FHWA would review the activities and provide its determination on effectiveness. The oversight activities of GDOT's PM program will apply equally to NHS and non-NHS routes. FHWA will review and monitor GDOT's PM program and projects for Federal-eligibility. FHWA PM monitoring activities will be done mostly on a programmatic basis. Process reviews may be developed and conducted. The items for process reviews will be influenced by either FHWA or GDOT's observations of perceived strengths and/or

weaknesses in PM program or activities. Deficiencies observed will be reported to the appropriate GDOT personnel. Follow-up activities, if necessary, will be performed by FHWA.

Table 15
System Preservation/Maintenance Monitoring Summary

WORK ACTIVITY	GDOT ACTION	FHWA ACTION	OUTCOME
Routine Maintenance Of Federal-aid highways	Adequately maintain highways	Conduct windshield and PR/PE reviews and in-depth inspections	Division will provide all findings to appropriate GDOT personnel
Federally funded PM (individual activities)	Identify individual PM activities or projects for Federal eligibility	Review and Approve (10 days)	List of Approved Activities
Federally funded PM (program)	Develop annual PM program of eligible projects.	Review and Approve Program as needed. Assist GDOT in developing and implementing PM	Approved and Implemented Annual PM Program
Monitor Federally funded PM accomplishments	Prepare Accomplishment Report	Review and Recommend changes to Plan, Information	Annual Report and Improved Program
PM Technology Transfer	Identify and Propose technology transfer activities	Assist GDOT in identification, marketing, and implementation	Improved PM program

Applicable Laws, Regulations, and Procedures:

- 23 USC 116, requires the State to maintain, or cause to be maintained any project constructed with Federal-aid funds whether on or off the NHS
- 23 USC 129, Certification Statement for roads with toll agreements
- 23 CFR 635, State’s annual certification that the Interstate was being maintained

Performance/Compliance Indicators:

- All preventive maintenance activities are in compliance with FHWA memo 10-8-04 (which can be found at www.fhwa.dot.gov/preservation/100804.cfm).

Emergency Relief (ER)

Emergency Relief (ER) is a special program that uses non-formula funds for the repair or reconstruction of Federal-aid highways that have suffered serious damage as a result of (1) natural disasters or (2) catastrophic failures from an external cause. This program supplements the resources of States, their political subdivisions, or other Federal agencies to help pay for unusually high expenses resulting from extraordinary conditions.

ER funds are not intended to cover all damage repair costs nor interim emergency repair costs that will necessarily restore the facility to pre-disaster conditions. Disasters must be of such magnitude as to be considered extraordinary to be considered for ER funding. To be considered extraordinary, the estimated Federal portion of the damage must exceed a threshold of \$700,000

The FHWA will respond to a GDOT request to seek ER funds with 10 working days. Both the FHWA and GDOT will complete a reasonable survey of the damage within 4 to 8 weeks of the event. This may vary depending on the area of impact of the disaster and will be extended if another event occurs within this same period. FHWA will respond to GDOT within 10 days to provide ER eligibility determination. GDOT will execute emergency and permanent contracts to repair ER eligible sites in compliance with federal regulations.

FHWA will conduct periodic and final inspections of all ER projects requiring federal oversight. For final inspection on other ER projects (non-oversight), FHWA will select using a sampling method.

Table 16
System Preservation/Emergency Relief Program Summary

WORK ACTIVITY	GDOT ACTION	FHWA ACTION	OUTCOME
Identify need for emergency relief funds in the event of a natural disaster or catastrophic event.	Document intent to apply for federal emergency relief funds by submitting written request to FHWA.	Acknowledge GDOT application letter and notify FHWA HQ of initial damage estimate.	GDOT request will register on FHWA HQ list of states requiring federal emergency relief funds.
Document damage via formal damage survey report.	Perform damage survey of affected sites to prepare final estimate for funding request.	Perform damage survey and review GDOT request; determine ER eligibility of sites.	Send final estimate needed for emergency repairs to FHWA HQ; list of emergency eligible and permanent repair projects generated.
Reimbursement of emergency repair work projects.	Ensure federal regulation compliance and provision of supporting documentation for ER project invoices.	Review of reimbursement invoices and supporting documentation for compliance with federal regulations.	Timely and complete reimbursement payments to GDOT.

Applicable Laws, Regulations, and Procedures

- 23 CFR Section 668
- Title 23 U.S.C. Section 125

Performance/Compliance Indicators:

- Average number of days to authorize ER projects
- Unexpended dollar balance of ER projects previously authorized

Appendix A: ACRONYMS

3R	Resurfacing, Restoration, and Rehabilitation
AASHTO	American Association of State Highway and Transportation Officials
CEI	Construction Engineering and Inspection
CEQ	Council on Environmental Quality
CFR	Code of Federal Regulations
CMAQ	Congestion Mitigation and Air Quality
CPI	Continuous Process Improvement
DBE	Disadvantaged Business Enterprise
EA	Environmental Assessment
EEO	Equal Employment Opportunity
EIS	Environmental Impact Statement
FHWA	Federal Highway Administration
FIRE	Financial Integrity Review and Evaluation
FMCSA	Federal Motor Carrier Safety Administration
FONSI	Finding of No Significant Impact
FTA	Federal Transit Administration
GDOT	Georgia Department of Transportation
HPR	Highway Planning and Research
HPMS	Highway Performance Monitoring System
HSIP	Highway Safety Improvement Program
HSP	Highway Safety Program
IJR	Interchange Justification Report
IMR	Interchange Modification Report
ISTEA	Intermodal Surface Transportation Efficiency Act
ITS	Intelligent Transportation Systems
MBE	Minority Business Enterprise
MPO	Metropolitan Planning Organization
NBIS	National Bridge Inspection Standards
NEPA	National Environmental Policy Act
NHS	National Highway System
NHSD	National Highway System Designation Act of 1995
NHTSA	National Highway Traffic Safety Administration
PE	Preliminary Engineering
PR/PE	Process Review/Program Evaluation
PS&E	Plans, Specifications, and Estimate
ROD	Record of Decision
ROW	Right-of-Way
SAFETEA-LU	Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users
SOP	Standard Operating Procedure
STIP	State Transportation Improvement Program
STP	Surface Transportation Program
TEA-21	Transportation Equity Act for the 21st Century
TIFIA	Transportation Infrastructure Finance and Innovation Act of 1998
TIP	Transportation Improvement Program
USC	United States Code

Appendix B: GLOSSARY

Control Document – Applicable standards, policies, and standard specifications that are acceptable to FHWA for application in the geometric and structural design of highways.

Core Functions – Activities that make up the main elements of the Division’s Federal-aid oversight responsibilities based on regulations and national policies. Core functions in the Division Office are Planning, Environment, Right-of-Way, Design, Construction, Finance, Operations, System Preservation, Safety, and Civil Rights.

Delegated Projects – Projects that do not require FHWA to review and approve actions pertaining to design, plans, specifications, estimates, right-of-way certification statements, contract awards, inspections, and final acceptance of Federal-aid projects on a project by project basis.

Full Oversight Projects – Projects that require FHWA to review and approve actions pertaining to design, plans, specifications, estimates, right-of-way certification statements, contract awards, inspections, and final acceptance of Federal-aid projects on a project by project basis.

Major Projects – Projects (Preliminary Engineering, Environment, Right-of-Way, and Construction) with an estimated total cost greater than \$500 million, including all TIFIA funded projects, or projects approaching \$500 million with a high level of interest by the public, Congress, or the Administration.

Oversight – The act of ensuring that the Federal highway program is delivered consistent with laws, regulations and policies.

Performance/Compliance Indicators – These indicators track performance trends, health of the Federal-aid Highway Program, and compliance with Federal requirements.

Risk Management – The systematic identification, assessment, planning, and management of threats and opportunities faced by FHWA projects and programs.

Stewardship – The efficient and effective management of the public funds that have been entrusted to the FHWA.

(NOTE: All “number of days” contained in this document are expressed in calendar days)

Appendix C: Highway Safety Program Requirements

Given the emphasis on the safety program through SAFETEA-LU, it is important that FHWA be able to demonstrate that the program is being effectively carried out, and that the projects being implemented are achieving results. The ultimate measure of the success of this program is a significant statewide decline, in real terms, in the number of fatalities and serious injuries. To ensure that the program is being implemented as intended and that it is achieving its purpose, GDOT will provide: annual progress reports on the HSIP implementation and effectiveness in accordance with and as required by 23 U.S.C. §148(g). Since the HRRR Program is a component of the HSIP, information on the HRRR Program will be provided through this provision. The report should provide information on the HRRR Program in three parts: basic program implementation information, methods used to select HRRR, and detailed information assessing the HRRR Program. While 23 U.S.C. §148(g) also includes a requirement to address railway-highway crossings, this information should be collected in a separate report required under 23 U.S.C. § 130(g). At the option of the State, the three reports required under Section 148 (the HSIP report including High Risk Rural Roads, the railway-highway crossing report and the “5% Report” (Section 148 (C) (1) (D)) may be submitted separately, or combined into one report with three distinct sections. GDOT will prepare these reports in conformance with FHWA guidance and submit to the FHWA Division by August 31, beginning in 2006. The first report will cover the period from July 1, 2005 to June 30, 2006. The Division Office will forward these reports to the FHWA Office of Safety (HSA) by September 30 of each year. The "5 percent reports" will then be made available to the public via posting on the USDOT web site as required by Section 148 (g) (3). These reports will be submitted to the FHWA Division electronically.

The following is a general description of the new “core” Highway Safety Improvement Program (HSIP) codified in 23 USC 148 that identify program requirements.

Highway Safety Improvement Program (HSIP): The purpose of the HSIP shall be to achieve a significant reduction in traffic fatalities and serious injuries on public roads. To obligate “core” safety funds GDOT must have in effect an HSIP under which the State: 1) develops and implements a Strategic Highway Safety Plan (SHSP) that identifies and analyzes highway safety problems and opportunities to reduce fatalities and serious injuries, 2) produces a program of projects or strategies to reduce identified safety problems, 3) evaluates the plan on a regular basis to ensure the accuracy of the data and priority of proposed improvements, 4) submits an annual report to the FHWA Division.

In accordance with 23 USC 148, the SHSP means a plan developed by GDOT that:

- analyzes and make effective use of state, regional or local crash data
- addresses engineering, management, operation, education, enforcement, and emergency medical services in evaluating highway projects
- considers safety needs, and high fatality segments of public roads in the State
- considers results of State, regional or local transportation and highway safety planning processes
- describes a program of projects or strategies to reduce or eliminate hazards
- is approved by the Governor or responsible State agency

- is consistent with the requirements of the Statewide planning process, sec. 135(g)

As part of the SHSP, the State shall:

- have in place a crash data system with the ability to perform safety problem identification and countermeasure analysis
- identify hazardous locations sections or elements that constitute a danger to motorists, bicyclists, and pedestrians
- establish the relative severity of these locations
- adopt strategic and performance-based goals
- advance the capabilities of the State for traffic records data collection, analysis, and integration
- determine priorities for the correction of hazardous road locations, sections, and elements as identified through crash data analysis
- establish an evaluation process to assess results achieved by improvement projects

As a condition for obligating HSIP funds, under Section 148(c) (I) (D), GDOT will prepare an annual report, in addition to the HSIP and rail-highway crossing safety report, which describes not less than 5 percent of their public road locations exhibiting the most severe safety needs. The legislation requires that the 5 percent reports include an assessment of potential remedies at the locations identified, the estimated costs of the remedies, and impediments to their implementation other than costs

High Risk Rural Roads Program (HRRP): SAFETEA-LU introduced a new set-aside provision known as the High Risk Rural Roads Program (HRRRP), codified as 23 U.S.C. §148 (f). This program is a component of the HSIP and is set-aside after HSIP funds have been apportioned to the States. Projects may be selected on any public HRRR to correct or improve hazardous road locations or features. The State's HSIP, including the HRRR element, shall consider the safety needs on all public roads, whether state or locally owned. GDOT is required to identify HRRR roadways (and expend the HRRR funds) according to the following definition:

"...any roadway functionally classified as a rural major or minor collector or a rural local road

- on which the accident rate for fatalities and incapacitating injuries exceeds the statewide average for those functional classes of roadway; or
- that will likely have increases in traffic volume that are likely to create an accident rate for fatalities and incapacitating injuries that exceeds the statewide average for those functional classes of roadway."

Rail-Highway Crossing Safety: Under SAFETEA-LU, rail-highway crossing safety (elimination of hazards and the installation of protective devices at railway-highway crossings) has also been established as a component of the HSIP and is set-aside after HSIP funds have been apportioned to the States. The purpose of this program is to reduce the number of fatalities and injuries at public highway-rail grade crossings through the elimination of hazards and/or the installation/upgrade of protective devices at crossings. Most requirements of the program remain unchanged, including the State is required to conduct and systematically

maintain a survey of all highways to identify those railroad crossings that may require separation, relocation, or protective devices, and establish and implement a schedule of projects for this purpose. At a minimum this schedule is to provide signs for all railway-highway crossings. [23 USC 130(d)].

Additionally, FHWA has oversight responsibility for the following Highway Safety-related activities:

159 Certification (Drug Offender's Driver's License Suspension) [Authority: 23 U.S.C. 159 and 315, 23 CFR 192]. Encourages States to enact and enforce drug offender's driver's license suspensions. States must comply with 23 U.S.C. 159 in order to avoid the withholding of Federal-aid highway funds. By January 1 of each year, the Governor shall submit written notification to FHWA Division Administrator whether the State has enacted and is enforcing a law or whether the State opposes such a law as per 23 U.S.C. 159.

Work Zone Review of Conformance (Work Zone Safety and Mobility) [Authority: 23 U.S.C. 105, 106, 109, 115, 315, 320, 402(a) / Source 43 FR 47140, 10/12/78, 23 CFR 630 Subpart J Final Rule, 09/09/2004]. Provides guidance and establishes requirements for systematically addressing the safety and mobility impacts of work zones, and developing strategies to help manage these impacts on all Federal-aid highway projects. The GDOT shall work in partnership with the FHWA in the implementation of its policies and procedures to improve work zone safety and mobility. FHWA and GDOT will review the State's policies and procedures for conformance with 23 CFR 630 Subpart J Final Rule. The State shall comply with all provisions of the 23 CFR 630 Subpart J Final Rule no later than October 12, 2007.

MUTCD (Manual on Uniform Traffic Control Devices) [Authority: 23 U.S.C. 101(a), 104, 105, 109(d), 114(a), 135, 217, 307, 315, and 402(a); Source: 48 FR 46776, 10/14/83; 23 CFR 655 Subpart F]. The MUTCD, approved by FHWA, is the national standard for all traffic control devices installed on any street, highway, or bicycle trail open to public travel in accordance with 23 U.S.C. 109(d) and 402(a). Where state or other Federal agency MUTCD's or supplements are required, they shall be in substantial conformance with the national MUTCD.

The following activities do not involve an FHWA oversight role with the State. Rather, this is a specific list of activities that FHWA Georgia Division and GDOT needs to be aware of, either for funding purposes or for general information.

154 Certification (Open Container Laws) [Authority: 23 U.S.C. 154, 23 CFR 1270, 3/31/00 NHTSA/FHWA Guidance Memo] States must comply with 23 U.S.C. 154 in order to avoid transfer of Federal-aid highway funds. Currently Georgia does not comply with law.

164 Certification (Repeat Intoxicated Driver Laws) [Authority: 23 U.S.C. 164, 23 CFR 1275, 3/31/00 NHTSA/FHWA Guidance Memo]. States must comply with 23 U.S.C. 164 in order to avoid transfer of Federal-aid highway funds. Reporting requirement is to NHTSA.

Section 163: 0.08 Blood Alcohol Concentration (BAC) Incentives/Penalties. TEA-21 instituted an incentive program to encourage States to establish 0.08 percent BAC as the legal limit for drunk driving offenses. States may use these grant funds for any project eligible under Title 23. Beginning in FY 2004, States not having passed a 0.08 BAC law will be subject to a penalty equal to 2.0% of their Federal-aid apportionments. The penalty increases by an additional 2.0% in each subsequent year to a maximum of 8.0%.

Section 406: Seat Belt Use Incentives. TEA-21 instituted an incentive program to encourage States to increase seat belt use rates. States must establish their seat belt use rates in accordance with guidelines issued by the Secretary of Transportation. States may use these grant funds for any safety project eligible under Title 23.