

# FHWA/NYSDOT SAFETEA-LU Agreement

## I. Background and Introduction

Congress has charged the Federal Highway Administration (FHWA) with administering the Federal-Aid Highway Program (FAHP) under *Title 23*, and other associated laws. In addition, the FHWA's responsibility for administering the FAHP has been clearly outlined in the following legislation: the *Intermodal Surface Transportation Efficiency Act (ISTEA)* of 1991; the *Transportation Equity Act for the 21st Century (TEA-21)* of 1998; and, the *Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU)* of 2005. These laws allow States to assume certain delegated responsibilities for FHWA in certain *National Environmental Policy Act* approvals and in the design, construction, award and inspection of certain Federal-aid projects.

The FHWA, New York State Department of Transportation (NYSDOT), and other highway program funds recipients have jointly administered the FAHP in New York State for many years. All parties have been tasked with carrying out the FAHP through the efficient and effective use of federal funds to help accomplish national, mutual, or local goals – to maintain a national highway network, improve its operation and safety, and provide for national security while protecting and improving the environment. Stewardship efforts include oversight and approval actions, as well as many day-to-day actions that are routinely performed by the aforementioned parties to ensure that the FAHP is administered in regulatory compliance and in ways that enhance the value of the program funds authorized by Congress. The following Agreement formalizes the roles and responsibilities of the FHWA and NYSDOT to address how the FAHP will be administered in New York State.

## II. Intent and Purpose of Agreement

The Federal Highway Administration (FHWA) and the New York State Department of Transportation (NYSDOT) enter into this Agreement, effective as of December 19, 2006, and amended November 10, 2011, for the purpose of administering the FAHP in New York State. Although this Agreement replaces the former FHWA/NYSDOT TEA-21 Agreement, it incorporates many of the principles found therein. In addition to defining the Title 23 roles and responsibilities of the FHWA and NYSDOT, this Agreement defines methods of oversight, control documents, and performance indicators, which will be used to efficiently and effectively deliver the Federal-aid program in New York State.

This Agreement provides basic policy concepts and approaches rather than specific procedures. Specific procedures are provided in manuals, policy statements, bulletins, standards, rules and regulations, and other publications listed in Appendix A. The *Project Approval Matrix*, Appendix B, lists specific project actions and the basis of delegation that are not identified in the main portion of the SAFETEA-LU Agreement, or Appendix A.

The provisions of the Agreement do not modify the FHWA's non-*Title 23* program oversight and project approval responsibilities for activities required under the *Clean Air Act*; the *National Environmental Policy Act of 1969 (NEPA)* and other related environmental laws and statutes; the *Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970*; and the *Civil Rights Act of 1964* and related statutes.

Notwithstanding the Agreement, the FHWA retains overall responsibility for all aspects of the FAHP, does not preclude the FHWA's right to access and review Federal-aid projects at any time, and does not replace the provisions of Title 23, U.S.C.

### **III. Authority for Delegation**

The principal statutory and regulatory basis for development, administration, and oversight of Federal-aid projects are Title 23, United States Code (U.S.C.), Transportation and Appropriations Act, and the Code of Federal Regulations (CFR), in particular 23 and 49 CFRs. The specific statutory basis for the delegation of Title 23 duties addressed by this Agreement is found under 23 U.S.C. 106. Additionally, pursuant to New York State statutes and the delegation by the Governor of the State of New York, the Commissioner of NYSDOT is designated by the Governor to act on New York State's behalf for the following Federally aided highway programs:

- Congestion Mitigation and Air Quality Improvement (CMAQ),
- Interstate Maintenance (IM),
- National Highway System (NHS),
- Highway Bridge Program (HBP),
- Appalachian Development Highway System,
- Federal Lands Highways,
- National Corridor Planning and Development and Coordinated Border Infrastructure Program,
- Construction of Ferry Boats and Ferry Facilities,
- High Priority Projects Program (HPPP),
- Surface Transportation Program (STP),
- Transportation Enhancement Program (TEP),
- Emergency Relief (ER),
- National Scenic Byways Program,
- Highway Safety Improvement Program (HSIP),
  - Railway Highway Crossing,
  - High Risk Rural Roads (HRRR),
- Safe Routes to Schools (SRTS),
- Transportation, Community, and System Preservation Program (TCSP),
- State Planning and Research Program, and the
- Statewide and Metropolitan Planning Program.

The Commissioner of NYSDOT is also authorized under NYS Highway Law Section 80 to categorically use monies available under Federal-aid Highway Acts, in accordance with State appropriations thereof, for the broad variety of highway and other transportation purposes.

#### **IV. NYSDOT and FHWA Roles and Responsibilities**

##### ***A. General***

The FHWA, in cooperation with the NYSDOT and local recipients, will continue to provide stewardship and oversight of the FAHP through general actions and concurrences in its day-to-day activities, including improvements to program procedures, training, technical assistance, and development and deployment of new technologies, as well as routine program/project approval. Each of these activities contributes to the intent that the FAHP operates with integrity and for the public's maximum benefit. Additionally, the FHWA still places the utmost importance on the integrity of the National Highway System and the actions that occur therein.

NYSDOT will assume FHWA's Title 23 oversight role and approval responsibilities for design, plans, specifications, estimates, contract awards and inspection of projects consistent with statutes and regulations and as specified in Table I, Appendix A, Appendix B, Appendix D, and Appendix E of this Agreement. This includes responsibility for ensuring that projects are developed and constructed in full compliance with Federal requirements, and that necessary corrective action is taken when actions and approvals are found to be in non-compliance with applicable Federal requirements. FHWA is available for consultation in such matters or may unilaterally become involved in determining corrective action.

When eligibility for Federal participation in the programming, development, and construction of Federal-aid projects is in question, NYSDOT will consult with FHWA. FHWA and NYSDOT may also agree to unique or special procedures in Federal-aid programs on either a program or project basis.

##### ***B. Project Categories and Agency Roles***

Table I identifies the project types the FHWA retains oversight on and those that have been delegated to NYSDOT. A detailed list of delegated project approvals related to these project types is provided in Appendix B.

This Agreement assigns FHWA/NYSDOT approval roles for Federal-aid projects based on consideration of risk, environmental class, and scope of work. Through this approach, it is envisioned that the FHWA and NYSDOT will be able to better allocate their collective resources in delivering the FAHP in New York State. This approach will also provide the FHWA the opportunity to have full oversight responsibilities for projects with higher risk and cost regardless of highway system classification.

**Table I - Title 23 Project Approval Summary**

<b>Highway System Type</b>	<b>Project Type</b>	<b>FHWA Approval</b>	<b>NYSDOT Approval</b>
Interstate	≥ \$5 million <sup>1</sup>	X	
	< \$5 million <sup>1</sup>		X
Non-Interstate	≥ \$100 million <sup>2</sup>	X	
	Major and unusual structures <sup>3</sup>	X	
	Freeways on new location	X	
	EIS Projects	X	
	Appalachian Highways (Rt 15)	X	
	Route 17 segments to be designated as I-86	X	
	All others		X
ITS Projects	Interstate <sup>4</sup>	X	
	Non-Interstate <sup>4</sup>	X	

<sup>1</sup> Estimated construction cost based on current Engineer's Estimate. NYSDOT assumes oversight on all 1R, element specific, VPP, sign replacement, Type II (retrofit) noise abatement, rest area, pavement marking, and guardrail replacement contracts no matter what the contract amount is. For a full list of element specific work types, refer to Appendix 7 in NYSDOT's Project Development Manual.

<sup>2</sup> Based on cost to complete design, right-of-way, and construction stages.

<sup>3</sup> This project category includes tunnels and the following bridge types: segmental, cable-stayed, suspension, and movable. It also includes the four major East River Bridges and the East River Bridge Preventive Maintenance contracts in New York City.

<sup>4</sup> FHWA assumes oversight on all ITS projects and elements according to the FHWA NY Division Policy for Implementing ITS Projects. See Appendix D.

General agency responsibilities pertaining to the categories of Federal-aid projects are described below.

### **1. All Projects**

FHWA will retain approval authority for all project actions required under non-Title 23 provisions (NEPA, Civil Rights, Buy America, etc.), except as provided by the Programmatic CE Agreement that was approved in July 1996 (see Appendix E).

### **2. Interstate Projects**

FHWA will retain approval authority for all Interstate projects  $\geq$  \$5 Million except for project types listed in Table I and for approval actions identified in Appendix B.

### **3. Non-Interstate Projects**

The FHWA delegates to and NYSDOT assumes the approval authority for design, plans, specifications, estimates, contract awards and inspections under Title 23 for Federal-aid projects as permitted by 23 U.S.C. 106, as listed in Table I, and as identified in Appendix B.

### **4. Local Projects**

Pursuant to 23 CFR 635.105 and 23 U.S.C. 106, NYSDOT may delegate to project sponsors the approval authority for design, acquisition of right-of-way, bid advertisement, opening and award, construction and administration of contracts for projects eligible for Federal-aid funding in accordance with its "Procedures for Locally Administered Federal-Aid Projects". A project sponsor is defined as a county, city, town, village or other public agency, public authority or nonprofit organization that is authorized and designated under an agreement with NYSDOT to design, acquire right-of-way, advertise, open bids, award, and administer contracts for federal-aid projects.

Upon delegating these duties, the NYSDOT shall provide the necessary review and approval to assure that sub-recipients of Federal funds have adequate supervision, project delivery systems, and sufficient accounting control to comply with Federal requirements. Delegation of specific approval responsibilities to project sponsors will not relieve NYSDOT of its overall stewardship responsibilities of the FAHP.

## **V. Methods of Stewardship/Oversight**

The FHWA and NYSDOT may individually or jointly initiate process/program reviews and evaluations of the FAHP. The reviews can be conducted by individuals or teams and can be performed using FHWA Division Office staff, NYSDOT staff, using combinations of peers from other FHWA or State agencies, other stakeholder groups, or organizations. FHWA and NYSDOT management will jointly develop an annual work plan to identify specific stewardship and oversight techniques, which will be used to evaluate the FAHP in New York State. This plan, which will also include specific performance indicators (see Section VII, Performance Indicators), will be adopted by the beginning of each federal fiscal year and will include the following techniques:

- a. Program Assessments – This technique may take many forms including joint risk assessments, self-assessments and program assessments. All of these tools are based on the common concepts of identifying strengths, weaknesses and opportunities and the identification and sharing of “best” practices to continually improve the program.
- b. Program Reviews – These reviews are a thorough analysis of key program components and the processes employed by the NYSDOT in managing the program. The reviews are conducted to 1) ensure compliance with Federal requirements; 2) identify opportunities for greater efficiencies and improvements to the program; and/or 3) identify exemplary practices. They can be referred to, or known as, program improvement reviews, program assessments, process reviews, program/product evaluations, or continuous process improvement initiatives.
- c. Program Management – This includes the daily stewardship of Federal-aid programs, including project and program oversight and program assistance. Program management ensures Federal program requirements are met while proactively seeking opportunities to add value in the course of routine program approval actions, participating on joint task forces, joint committees and joint quality improvement teams, and aiding and assisting the State and other transportation stakeholders in answering questions on program issues. FHWA division offices manage programs by completing required program level activities, promoting new program initiatives and concepts and continually assessing the program through routine involvement in program activities.

## **VI. Control Standards**

NYSDOT will comply with the provisions of 23 U.S.C., 23 CFR, and 49 CFR, as appropriate, through the administration of State laws, regulations, standards, and directives. NYSDOT will develop Federal-aid projects in accordance with the standards and guides identified in 23 CFR part 625, as well as other FHWA policies identified in the Federal Register, and/or NYSDOT policies, procedures and standards approved by the FHWA (where necessary). NYSDOT policies, procedures and standards are provided in manuals and guidance as identified in



## **APPENDIX A**

### **NYSDOT Policies, Procedures and Standards**

This appendix lists, by topic, specific procedures, manuals, policy statements, bulletins, standards, rules, regulations and other publications used to administer the Federal-aid Highway Program in New York State. Additions to this Appendix will occur as additional policies and guidance are developed in consultation with FHWA, approved by the FHWA (where necessary), and implemented by NYSDOT. FHWA and NYSDOT may also agree to unique or special procedures in Federal-aid programs on either a program or project basis.

#### **1. Public Involvement in the Development of Projects (including Title VI requirements related to minority group participation)**

Procedures for public involvement and public hearings are included in the following:

- a. NYSDOT Project Development Manual (PDM)
- b. NYSDOT Environmental Procedures Manual
- c. Adopted NYSDOT Public Involvement Procedures for Transportation Planning and Programming

#### **2. Project Development Process and Design Procedures**

The NYSDOT project development process and design procedures contained in the documents listed below are to be used to administer Federal-aid projects in New York State.

- a. NYSDOT Project Development Manual (PDM)
- b. NYSDOT Procedures for Locally Administered Federal Aid Projects
- c. NYSDOT Environmental Procedures Manual
- d. NYSDOT Bridge Manual
- e. NYSDOT Real Estate Forms Instruction Manual
- f. NYSDOT Engineering Instructions
- g. NYSDOT Engineering Bulletins
- h. NYSDOT Engineering Directives
- i. NYSDOT Real Estate Right of Way Manual
- j. FHWA Right of Way Project Development Guide
- k. FHWA Emergency Relief Manual
- l. NYSDOT Materials Bureau Materials Methods
- m. NYSDOT Geotechnical Engineering Bureau Manuals and Procedures
- n. NYSDOT Base Scope of Services Manual
- o. Transportation Research Board Special Report 209, Highway Capacity Manual
- p. AASHTO's Model Drainage Manual

#### **3. Application of Appropriate Design and Construction Standards**

Appropriate design and construction standards are provided by the application of the following:

- a. A Policy on Geometric Design of Highways and Streets, American Association of State Highway and Transportation Officials, (AASHTO)
- b. Transportation Research Board Special Report 209, Highway Capacity Manual
- c. NYSDOT Highway Design Manual
- d. NYSDOT Standard Sheets
- e. NYSDOT Policy and Standards for the Design of Entrances to State Highways (HDM Appendix 5A)
- f. NYSDOT Comprehensive Pavement Design Manual (CPDM)
- g. NYSDOT Standard Specifications for Highway Bridges
- h. NYSDOT Bridge Manual
- i. NYSDOT Bridge Detail Sheets
- j. NYSDOT Engineering Instructions
- k. NYSDOT Engineering Bulletins
- l. NYSDOT Engineering Directives
- m. NYSDOT Standard Specifications for Construction and Materials
- n. NYSDOT Manual of Uniform Traffic Control Devices
- o. National Manual on Uniform Traffic Control Devices
- p. NYSDOT Surveying Standards and Procedures Manual
- q. NYSDOT Materials Bureau Materials Methods
- r. NYSDOT MURK\* 1B (Construction Inspection Manual)
- s. NYSDOT MURK\* 2 (Materials Inspection Manual)
- t. NYSDOT Geotechnical Engineering Bureau Manuals and Procedures
- u. NYSDOT Special Specifications contained in PS&Es which have been approved in accordance with Appendix B
- v. NYSDOT CADD Standards and Procedure Manual
- w. AASHTO's Guide for Development of Rest Areas on Major Arterials and Freeways

\* MURK - Manual of Uniform Record Keeping

The Department will apply design and construction standards for new construction, reconstruction, resurfacing (selected maintenance resurfacing), restoration, or rehabilitation of highways on the NHS in accordance with 23 CFR Part 625.

#### **4. NYSDOT's Highway Safety Improvement Program**

The Department will administer a Highway Safety Improvement Program on a continuing basis according to 23 CFR Part 924, 23 CFR Part 1204, 23 USC and the following:

- a. NYSDOT Highway Safety Improvement Program: Procedures & Techniques
- b. NYSDOT Safety Investigation Procedures Manual
- c. NYSDOT Safety Program Manual

#### **5. Intelligent Transportation Systems**

The Department (and sub-recipients) will comply with the requirements of 23 CFR Part 940. The FHWA New York Division Policy for Implementing ITS Projects provides further guidance on these requirements (see Appendix D).

#### **6. Quality Control/Quality Assurance of Construction and Materials**

The quality of construction is assured through the application of the following:

- a. NYSDOT Standard Specifications for Construction and Materials
- b. NYSDOT Standard Sheets
- c. NYSDOT Bridge Detail (BD) Sheets
- d. NYSDOT Steel Construction Manual
- e. NYSDOT Prestressed Concrete Construction Manual
- f. NYSDOT MURK 1A (Contract Administration Manual)
- g. NYSDOT MURK 1C (Safety and Health Manual)
- h. NYSDOT MURK 2A (Materials Inspection Manual)
- i. NYSDOT MURK1B (Construction Inspection Manual)
- j. Environmental Commitments and Obligations Package for Construction (ECOPAC)
- k. NYSDOT Materials Bureau Materials Methods
- l. NYSDOT Geotechnical Engineering Bureau Manuals and Procedures

The economy of construction is assured through the Department's competitive bidding procedures and through value engineering policies.

#### **7. Roadway Signing, Pavement Marking and Other Traffic Control Devices**

Provisions for conforming signing, pavement marking, ITS and traffic control devices are provided through application of the following:

- a. NYSDOT Manual of Uniform Traffic Control Devices (NYCRR Title 17, Vol. B)
- b. National Manual on Uniform Traffic Control Devices
- c. NYSDOT Highway Design Manual
- d. NYSDOT Project Development Manual – Appendix 6
- e. NYSDOT Engineering Instructions

- f. NYSDOT Office of Operations Management Instructions
- g. NYSDOT Engineering Bulletins
- h. Transportation Research Board Special Report 209, Highway Capacity Manual
- i. NYSDOT Right-of-Way Mapping Procedure Manual
- j. ITS Regional Architecture Plans (as established in conjunction with FHWA)
- k. ITS Systems Engineering Procedures (as established in conjunction with FHWA)
- l. NYSDOT Standard Sheets

**8. Economic, Social and Environmental Impacts**

Minimization of adverse economic, social, and environmental impacts is accomplished through adherence to the following:

- a. NYSDOT Project Development Manual (PDM)
- b. NYSDOT Environmental Procedures Manual
- c. NYSDOT Economic Development Policy
- d. The Clean Air Act, Section 176C, 309
- e. Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 and as amended
- f. NYS Eminent Domain Procedure Law
- g. New York State Environmental Quality Review Act (SEQRA)
- h. NYSDOT Highway Design Manual
- i. NYSDOT MURK 1A (Contract Administration Manual)
- j. NYSDOT MURK 1B (Construction Inspection Manual)

**9. Equal Employment Opportunity**

The Department's policy with respect to equal employment opportunity and non-discrimination is as provided in the following:

- a. NYSDOT Standard Specifications for Construction and Materials
- b. Federal-aid Contract Provisions
- c. Federal Equal Employment Opportunity Provision
- d. NYSDOT MURK 1A (Contract Administration Manual)

Disadvantaged Business Enterprise (DBE) Program is administered in accordance with 49 CFR Part 26.

**10. Competitive Bidding and Payment of Prevailing Wage Rates on Construction Contracts**

- a. NYSDOT Manual of Administrative Procedure
- b. NYSDOT Supplemental Bulletins
- c. NYSDOT MURK 1A (Contract Administration Manual)
- d. NYSDOT Standard Specifications

## **11. Design and Construction Claim Settlements**

Design and Construction claim settlements on State construction contracts will be processed in accordance with:

- a. NYSDOT Manual of Administrative Procedure
- b. NYSDOT Standard Specifications for Construction and Materials
- c. NYSDOT MURK 1A (Contract Administration Manual)

## **12. Federal-aid Contract Provisions**

- a. Negotiated Contracts - The Department provides the required Federal-aid contract provisions as prescribed in 23 CFR, Part 172 Subpart A - Administration of Engineering and Design Related Contracts and in the NYSDOT Manual of Administrative Procedures (7.1) Consultant Acquisition Procedures and, for local projects, through Project Agreement requirements.
- b. Construction Contracts - The Department provides the required Federal-aid contract provisions as prescribed in 23 CFR, Part 633, Subparts A and B - Required Contract Provisions. Also, NYSDOT Standard Specifications for Construction and Materials and addendums. In addition, Form FHWA 1273 containing those provisions is included in each proposal with Federal-aid.

## **13. Locally Administered Federally Funded Projects**

Locally administered Federal-aid projects are administered in accordance with NYSDOT's "Procedures for Locally Administered Federal-Aid Projects".

## **14. Federal-Aid Financial Procedures**

Project Authorization/Agreement:

A signed NYSDOT Request for Federal-aid Authorization/Agreement will be submitted to FHWA for all Federal-aid projects.

NYSDOT will electronically verify that the fiscal authorization has occurred by reviewing the Financial Management Information System (FMIS) transaction and Electronic Data System (EDS) status logs.

NYSDOT will comply with the provisions contained in 23 CFR 630.307. The project specific data submitted with the Request for Authorization/Agreement is sufficient for FHWA to obligate all projects in the FMIS at the time of approval; no further FHWA Project Agreement or NYSDOT Agreement Estimate is required.

When project funding adjustments are required due to bid adjustments or cost overruns/underruns, NYSDOT will submit a signed Request for an Amended Project Authorization/modified agreement which cites the reason for the change.

**15. National Bridge Inspection Standards(NBIS)**

The Department shall inspect and inventory bridges in accordance with the following:

- a. NYS Code of Rules and Regulations, Part 165, Uniform Code of Bridge Inspection
- b. NYSDOT Bridge Inspection Manual
- c. NYSDOT Bridge Inventory Manual
- d. National Bridge Inspection Standards (23 CFR 650)
- e. Recording and Coding Guide for Structure Inventory and Appraisal of the Nation's Bridges (FHWA-PD-96-001)
- f. NYSDOT Bridge Diving Inspection Manual
- g. FHWA's Bridge Inspector's Reference Manual (BIRM)

**16. State Planning and Research Program**

The Department will comply with the following in carrying out the research, development, and technology transfer portion of the State Planning and Research Program:

- a. NYSDOT State Planning and Research Management Process: Policies and Procedures for Research, Development, and Technology Transfer

**Appendix B- SAFETEA-LU Project Approval Matrix**

Funding	Highway System	Project Type	Environmental Actions								Design and R/W Actions							
			NEPA								SEQR	Approve Consultant Agreements (9)	Design Exceptions	Design Approval	New/Revised Access Points (10)	Approve Air Space Agreements	Approv Non-Highwa Use an Occupar	
			CEs (7)	EAs (8)	EISs (8)	Endangered Species Act Effect Determination	E.O. 11990 Wetland Finding	Section 106	Section 4(f)									
Fed-aid	Interstate	Projects ≥ \$5 million (1,2)	NYSDOT/ FHWA	FHWA	FHWA	FHWA	FHWA	FHWA	FHWA	FHWA	NYSDOT	NYSDOT/ FHWA	FHWA	FHWA	FHWA	FHWA	FHWA	
		Projects < \$5 million (1)											NYSDOT	NYSDOT				
	Non-Interstate (5)	≥ \$100 million (2,3)																
		Major and unusual structures (4)														NYSDOT	NYSDOT	NYSDOT
		Freeways on New Location																
		EIS Projects	NYSDOT/ FHWA	FHWA	FHWA	FHWA	FHWA	FHWA	FHWA	FHWA	NYSDOT	NYSDOT/ FHWA	FHWA	FHWA				
		Appalachian Highways (Rt 15)														FHWA	FHWA	FHWA
		Rt 17 segments to be designated as I-86																
	All Others												NYSDOT	NYSDOT	NYSDOT	NYSDOT	NYSDOT	
	ITS	Interstate (6)	NYSDOT/ FHWA	FHWA	FHWA	FHWA	FHWA	FHWA	FHWA	FHWA	NYSDOT	NYSDOT/ FHWA	FHWA	FHWA	FHWA	FHWA	FHWA	FHWA
Non-Interstate (6)															NYSDOT	NYSDOT	NYSDOT	

**APPENDIX C**  
**Performance Indicators**

This appendix includes a set of performance indicators to track the health of the Federal-aid highway program, as described under Section VII, Performance Indicators, in the main text of the agreement.

Measure	Description	Source of Data/Reporting Time Period
<b>Program Delivery</b>		
Percent of Federal-aid project dollars subject to full oversight	This percentage is obtained by dividing the total \$ amount of all full oversight projects authorized for construction during the FY by the total \$ amount of all Federal-aid projects authorized for construction this FY.	FMIS, October 30 for prior Federal Fiscal Year
Percent of Federal-aid projects subject to full oversight	This percentage is obtained by dividing the total number of all full oversight projects authorized for construction during the FY by the total number of all Federal-aid projects authorized for construction during the FY.	FMIS, October 30 for prior Federal Fiscal Year
Percent of Federal-aid program dollars authorized on Locally-Administered Projects	This percentage is obtained by dividing the total \$ amount of all locally-administered projects authorized for construction during the FY by the total \$ amount of all Federal-aid projects authorized for construction this FY.	FMIS, October 30 for prior Federal Fiscal Year
Percent of number of Federal-aid projects authorized on Locally-Administered Projects	This percentage is obtained by dividing the total number of all locally-administered projects authorized for construction during the FY by the total number of all Federal-aid projects authorized for construction this FY.	FMIS, October 30 for prior Federal Fiscal Year
<b>Project Delivery</b>		
Percent of projects (50% target) w/low bid w/in 85% - 105% of engineers estimate. Remaining contracts should be equally distributed above (25%) and below this range (25%).	This percentage is calculated by NYSDOT by dividing the low bid by the engineer's estimate, for all projects with any FHWA Federal-aid that are awarded that State Fiscal Year (SFY).	NYSDOT, October 30 for prior Federal Fiscal year
Average percent increase in project cost from low bid to final construction cost	This percentage is calculated by NYSDOT by dividing the total final construction cost by the low bid for each project, and then averaging the cost increase, for all projects with any FHWA Federal-aid with a status of construction completed in NYSDOT's PSS system for that FY.	NYSDOT, October 30 for prior Federal Fiscal year
<b>Safety</b>		
Number of Fatalities	Number of fatalities per year.	FARS, October 30 for most recent FARS data available
Fatalities /100 Million VMT	Fatality rate per year.	FARS, October 30 for most recent FARS data available
<b>Pavement</b>		

Percent travel on the NHS and non-NHS with good ride quality	Percent Travel on NHS and non-NHS with IRI Less Than 95.	NYSDOT, October 30 for most recent FY data available
Percent travel on the NHS and non-NHS with acceptable ride quality	Percent Travel on NHS with IRI Less Than 171.	NYSDOT , October 30 for most recent FY data available
<b>Structures</b>		
Percent of Bridge Deck Area Rated Structurally Deficient (NHS and non-NHS)	Percent of bridge deck area that is rated deficient on the NHS and non-NHS, do not include functionally obsolete.	FHWA Office of Infrastructure ( <a href="http://staffnet.fhwa.dot.gov/bridge/bmpmmsf.htm">http://staffnet.fhwa.dot.gov/bridge/bmpmmsf.htm</a> ), October 30 for most recent NBIP data posted
Percent of Number of Bridges Rated Structurally Deficient (NHS and non-NHS)	Percent of the number of bridges that are rated deficient on the NHS and non-NHS, do not include functionally obsolete.	FHWA Office of Infrastructure ( <a href="http://staffnet.fhwa.dot.gov/bridge/bmpmmsf.htm">http://staffnet.fhwa.dot.gov/bridge/bmpmmsf.htm</a> ), October 30 for most recent NBIP data posted
Percent of bridge inspections completed within the established bridge inspection cycle	This measures how many inspections were completed within the established inspection cycle.	NYSDOT Graber Report, October 30 for most recent time period available
Number of Bridge Corrective Actions (Red Flags)	Number of Prompt Bridge Corrective Actions (red flags) taken per year	NYSDOT Graber Report, October 30 for most recent time period available
Number of Bridges Closed and/or Posted (Weight Restrictions)	Number of bridges with weight restrictions (posted); number of bridges closed	NYSDOT Graber Report, October 30 for most recent time period available
<b>Operations</b>		
511 Program	Number of calls a month; number of web site hits a month; number of TransAlert subscribers a month	NYSDOT, October 30 for prior Federal Fiscal Year
HELP Program	Number of vehicles assisted per year	NYSDOT, October 30 for prior Federal Fiscal Year
<b>Environment</b>		
Median number of months to complete an Environmental Impact Statement.	The EIS processing time is tracked from the Notice of Intent (NOI) to the Record of Decision (ROD).	FHWA EDTS system, October 30 for prior Federal Fiscal Year
Sustainability/Livability	Number of projects rated certified and above (silver, gold, evergreen) for NYSDOTs Green Lites program by state fiscal year.	NYSDOT, October 30 for prior Federal Fiscal year

<b>Planning</b>		
Percent of Current Year Projects in STIP Advanced to construction.	This percentage is obtained by dividing the number of FHWA Federal-aid projects authorized for construction during the FY by the number of FHWA Federal-aid projects programmed in the STIP (at the beginning of the fiscal year) for construction for that fiscal year.	ESTIP for project universe, and FMIS for actual projects authorized, October 30 for prior Federal Fiscal Year
<b>Civil Rights</b>		
DBE participation rate achieved this FY	What DBE participation rate has been achieved this FY as compared to the goal.	NYSDOT DBE utilization report, October 30 for most recent time period available
<b>Finance</b>		
State's Total Inactive Obligation Balance as a Percent of the State's Annual Apportioned Amount	Using the definitions for Tier 1, 2, & 3 projects, provide the % of inactive Federal Aid dollars.	FMIS, October 30 for prior Federal Fiscal Year

## Appendix D - Attachment D

New York State ITS Regional Architectures		
Region	Status	Where to Access
New York Statewide	Ready for Use	<a href="http://www.dot.state.ny.us/traffic/itsarch/Regions/Central/central.htm">http://www.dot.state.ny.us/traffic/itsarch/Regions/Central/central.htm</a>
Albany-Schenectady-Troy	Ready for Use	<a href="http://www.consystem.com/newyork/capitaldistrict/capital/capitalintro.html">http://www.consystem.com/newyork/capitaldistrict/capital/capitalintro.html</a>
Binghamton	Ready for Use	Refer to Region 9 ITS coordinator.
Buffalo-So. Ontario	Ready for Use	<a href="http://www.dot.state.ny.us/traffic/itsarch/Regions/NITTEC/nittec.htm">http://www.dot.state.ny.us/traffic/itsarch/Regions/NITTEC/nittec.htm</a>
Elmira	Ready for Use	Refer to Region 6 ITS coordinator
Ithaca	Ready for Use	Refer to Region 3 ITS coordinator.
Long Island	Ready for Use	<a href="http://www.informny.com/its/Region10-ITS-Architecture.pdf">http://www.informny.com/its/Region10-ITS-Architecture.pdf</a>
Lower Hudson Valley	Ready for Use	Refer to Region 8 ITS coordinator.
New York City	Ready for Use	<a href="http://www.consystem.com/">http://www.consystem.com/</a> (password required)
Rochester	Ready for Use	Refer to Region 4 ITS coordinator.
Syracuse	Ready for Use	Refer to Region 3 ITS coordinator.
NYSDOT Region 6	Under Development	Refer to Region 6 ITS coordinator.
I-81 Border area	Pending development	Refer to Region 7 ITS coordinator.
I-87 Border area	Under development	Refer to Region 7 ITS coordinator.