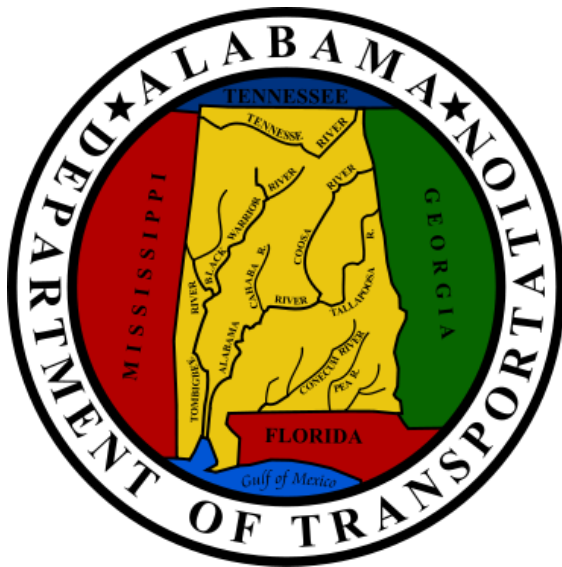


Stewardship and Oversight Agreement
on Project Assumption and Program Oversight
by and between
The Federal Highway Administration, Alabama Division
and
The State of Alabama Department of Transportation



U.S. Department
of Transportation

**Federal Highway
Administration**

March 2015

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Section I: Background and Introduction

The Federal-aid Highway Program (FAHP) is a federally-assisted program of State-selected projects. The Federal Highway Administration (FHWA) and the State Departments of Transportation have long worked as partners to deliver the FAHP in accordance with Federal requirements. In enacting 23 U.S.C. 106(c), as amended, Congress recognized the need to give the States more authority to carry out project responsibilities traditionally handled by FHWA. Congress also recognized the importance of a risk-based approach to FHWA oversight of the FAHP, establishing requirements in 23 U.S.C. 106(g). This Stewardship and Oversight (S&O) Agreement sets forth the agreement between the FHWA and the State of Alabama Department of Transportation (ALDOT) on the roles and responsibilities of the FHWA and the State DOT with respect to Title 23 project approvals and related responsibilities, and FAHP oversight activities.

The scope of FHWA responsibilities, and the legal authority for State DOT assumption of FHWA responsibilities, developed over time. The U.S. Secretary of Transportation delegated responsibility to the Administrator of the FHWA for the FAHP under Title 23 of the United States Code, and associated laws (49 CFR 1.84 and 1.85). The following legislation further outlines FHWA's responsibilities:

- Intermodal Surface Transportation Efficiency Act (ISTEA) of 1991;
- Transportation Equity Act for the 21st Century (TEA-21) of 1998;
- Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) of 2005; and
- Moving Ahead for Progress in the 21st Century Act (MAP-21) of 2012 (P.L. 112-141).

The FHWA may not assign or delegate its decision-making authority to a State Department of Transportation unless authorized by law. Section 106 of Title 23, United States Code (Section 106), authorizes the State to assume specific project approvals. For projects that receive funding under Title 23, U.S.C., and are on the National Highway System (NHS) including projects on the Interstate System, the State may assume the responsibilities of the Secretary of the U.S. Department of Transportation under Title 23 for design, plans, specifications, estimates, contract awards, and inspections with respect to these projects unless the Secretary determines that the assumption is not appropriate (23 U.S.C. 106(c)(1)). For projects under Title 23, U.S.C. that are not on the NHS, the State shall assume the responsibilities for design, plans, specifications, estimates, contract awards, and inspections unless the State determines that such assumption is not appropriate (23 U.S.C. 106(c)(2)).

All other project activities not contained within the specific project approvals listed in Section 106 or are not otherwise authorized by law, the FHWA may authorize ALDOT to perform work needed to reach the FHWA decision point, or to implement FHWA's decision. However such decisions themselves are reserved for FHWA.

The authority given to ALDOT under Section 106(c)(1) and (2) is limited to specific project approvals listed herein. Nothing listed herein is intended to include assumption of FHWA's decision-making authority regarding Title 23, U.S.C. eligibility or Federal-aid participation determinations. The FHWA always must make the final eligibility and participation decisions for the Federal-aid Highway Program. Section 106(c)(3) requires FHWA and ALDOT to enter into an agreement to establish the extent to which ALDOT assumes project responsibilities. This S&O Agreement provides information on specific project

approvals and related responsibilities and establishes the requirements for FHWA oversight of the FAHP (Oversight Program), as required by 23 U.S.C. 106(g).

Section II: Intent and Purpose of S&O Agreement

The intent and purpose of this S&O Agreement is to establish and document the roles and responsibilities of the FHWA's Alabama Division Office (Division) and ALDOT with respect to project approvals and related responsibilities, and to document the methods of oversight which will be used to efficiently and effectively deliver the FAHP.

The Project Action Responsibility Matrix, Attachment A to this S&O agreement and as further described in Section VIII of this S&O agreement, identifies FHWA FAHP project approvals and related responsibilities ALDOT assumes from FHWA on a program-wide basis pursuant to 23 U.S.C. 106(c) and other legal authorities. Upon execution of this agreement, Attachment A shall be controlling and except as specifically noted in Attachment A, no other agreements, attachments, or other documents shall have the effect of delegating or assigning FHWA approvals to ALDOT on a program-wide basis or have the effect of altering Attachment A.

Section III: Assumption of Responsibilities for Federal-aid Projects on the National Highway System

- A. ALDOT *may assume* the FHWA's Title 23 responsibilities for design; plans, specifications, and estimates (PS&E); contract awards; and inspections, with respect to *Federal-aid projects on the National Highway System (NHS)* if both the ALDOT and FHWA determine that assumption of responsibilities is appropriate.
- B. Approvals and related activities for which ALDOT assumes responsibilities as shown in Attachment A will apply program wide unless project-specific actions for which the Division will carry out the approval or related responsibilities are documented in accordance with the FHWA Project of Division Interest/Project of Corporate Interest Guide (FHWA PoDI/PoCI Guide) located at <http://www.fhwa.dot.gov/federalaid/stewardship>.
- C. ALDOT may not assume responsibilities for Interstate projects that are in high risk categories (23 U.S.C. 106(c)(1)).
- D. ALDOT is to exercise any and all assumptions of the Secretary responsibilities for Federal-aid projects on the NHS in accordance with Federal laws, regulations and policies.

Section IV: Assumption of Responsibilities for Federal-aid Projects off the National Highway System

- A. ALDOT *shall assume* the FHWA's Title 23 responsibilities for design, PS&Es, contract awards, and inspections, with respect to *Federal-aid projects off the NHS (non-NHS)* unless ALDOT determines that assumption of responsibilities is not appropriate. (23 U.S.C. 106(c)(2))

- B. Except as provided in 23 U.S.C.109(o), ALDOT shall exercise the Secretary’s approvals and related responsibilities on these projects in accordance with Federal laws.
- C. ALDOT, at its discretion, may request FHWA carry out one or more non-NHS approvals or related responsibilities listed as “State” in Attachment A on a program-wide basis. For a project specific request, the State may request FHWA carry out any approval or related responsibility listed in Attachment A off the NHS. Such project-specific requests shall be documented in accordance with the FHWA PoDI/PoCI Guide.
- D. Pursuant to 23 U.S.C. 109(o), non-NHS projects shall be designed and constructed in accordance with State laws, regulations, directives, safety standards, design standards, and construction standards.

Section V: Assumption of Responsibilities for Locally-Administered Projects

ALDOT may permit local public agencies (LPAs) to carry out ALDOT’s assumed responsibilities on locally-administered projects. ALDOT is responsible and accountable for LPA compliance with all applicable Federal laws and requirements.

Section VI: Permissible Areas of Assumption under 23 USC 106(c)

An assumption of responsibilities under 23 U.S.C. 106(c) may cover only activities in the following areas:

- A. Design, which includes preliminary engineering, engineering, and design-related services directly relating to the construction of a FAHP-funded project, including engineering, design, project development and management, construction project management and inspection, surveying, mapping (including the establishment of temporary and permanent geodetic control in accordance with specifications of the National Oceanic and Atmospheric Administration), and architectural-related services.
- B. PS&E, which represents the actions and approvals required before authorization of construction. The PS&E package includes geometric standards, drawings, specifications, project estimates, certifications relating to completion of right-of-way acquisition and relocation, utility work, and railroad work.
- C. Contract awards, which include procurement of professional and other consultant services and construction-related services to include advertising, evaluating, and awarding contracts.
- D. Inspections, which include general contract administration, materials testing and quality assurance, review, and inspections of Federal-aid contracts as well as final inspection/acceptance.
- E. Approvals and related responsibilities affecting real property as provided in 23 CFR 710.201(i) and any successor regulation in 23 CFR Part 710.

Section VII: Federal Approvals and Related Responsibilities that may not be Assumed by ALDOT

A. Any approval or related responsibility not listed in Attachment A cannot be assumed by ALDOT without prior concurrence by FHWA Headquarters. The following is a list of the most frequently-occurring approvals and related responsibilities that may not be assumed by ALDOT:

- Civil Rights Program approvals;
- Environmental approvals, except those specifically assumed under other agreements. (23 U.S.C. 326 and 327; programmatic categorical exclusion agreements);
- Federal air quality conformity determinations required by the Clean Air Act;
- Approval of current bill and final vouchers;
- Approval of state/federal federally funded early acquisitions, federally-funded hardship acquisition, protective buying, and 23 U.S.C. 108(d) early acquisition;
- Project agreements and modifications to project agreements and obligation of funds (including advance construction);
- Planning and programming pursuant to 23 U.S.C. 134 and 135;
- Special Experimental Projects (SEP-14 and SEP-15);
- Use of Interstate airspace for non-highway-related purposes;
- Any Federal agency approval or determination under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (Uniform Act), as amended, and implementing regulations in 49 CFR Part 24;
- Waivers to Buy America requirements;
- Approval of Federal participation under 23 CFR 1.9(b);
- Provide pre-approval for preventive maintenance project (until FHWA concurs with State DOT procedures);
- Requests for credits toward the non-Federal share of construction costs for early acquisitions, donations, or other contributions applied to a project;
- Functional replacement of property;
- Approval of a time extension for preliminary engineering projects beyond the 10-year limit, in the event that actual construction or acquisition of right-of-way for a highway project has not commenced;
- Approval of a time extension beyond the 20-year limit for right of way projects, in the event that actual construction of a road on the right-of-way is not undertaken;
- Determine need for Coast Guard Permit;
- Training Special Provision – Approval of New Project Training Programs; and
- Any other approval or activity not specifically identified in Attachment A unless otherwise approved by the FHWA, including the Office of Chief Counsel.

B. For all projects and programs, ALDOT will comply with Title 23 and all applicable non-Title 23, U.S.C. Federal-aid program requirements, such as metropolitan and statewide planning;

environment; procurement of engineering and design related service contracts (except as provided in 23 U.S.C. 109(o)); Civil Rights including Title VI of the *Civil Rights Act*, and participation by Disadvantaged Business Enterprises; prevailing wage rates; and acquisition of right-of-way, etc.

- C. This Agreement does not modify the FHWA's non-Title 23 program approval and related responsibilities, such as approvals required under the Clean Air Act; National Environmental Policy Act, Executive Order on Environmental Justice (E.O. 12898), and other related environmental laws and statutes; the Uniform Relocation Assistance and Real Property Acquisition Policies Act; and the Civil Rights Act of 1964 and related statutes.

Section VIII: Project Action Responsibility Matrix

Attachment A, Project Action Responsibility Matrix, to this S&O Agreement identifies FAHP project approvals and related responsibilities. The Matrix specifies which approvals and related responsibilities are assumed by the State under 23 U.S.C. 106(c) or other statutory or regulatory authority, as well as approvals and related responsibilities reserved to FHWA.

Section IX: High Risk Categories

- A. In 23 U.S.C. 106(c), Congress directs that the Secretary shall not assign any approvals or related responsibilities for projects on the Interstate System if the Secretary determines the project to be in a high risk category. Under 23 U.S.C. 106(c)(4)(B), the Secretary may define high risk categories on a national basis, State-by-State basis, or national and State-by-State basis.
- B. The Division has determined there are no high risk categories.

Section X: FHWA Oversight Program under 23 USC 106(g)

- A. In 23 U.S.C. 106(g), Congress directs that the Secretary shall establish an oversight program to monitor the effective and efficient use of funds authorized to carry out the FAHP. This program includes FHWA oversight of ALDOT's processes and management practices, including those involved in carrying out the approvals and related responsibilities assumed by the State under 23 U.S.C. 106(c). Congress defines that, at a minimum, the oversight program shall be responsive to all areas relating to financial integrity and project delivery.
- B. The FHWA shall perform annual reviews that address elements of ALDOT's financial management system in accordance with 23 U.S.C. 106(g)(2)(A). FHWA will periodically review ALDOT's monitoring of sub-recipients pursuant to 23 U.S.C. 106(g)(4)(B).
- C. The FHWA shall perform annual reviews that address elements of the project delivery systems of ALDOT, which elements include one or more activities that are involved in the life cycle of a project from conception to completion of the project. The Division will also evaluate ALDOT practices for estimating project costs, awarding contracts, and reducing costs. 23 U.S.C.

106(g)(2) and (3).

- D. To carry out the requirements of 23 U.S.C. 106(g), the FHWA will employ a risk management framework to evaluate financial integrity and project delivery, and balance risk with staffing resources, available funding, and ALDOT's transportation needs. The FHWA will work collaboratively with ALDOT to assess the risks inherent with the FAHP and funds management, and how that assessment will be used to align resources to develop appropriate risk response strategies.

Techniques the Division and ALDOT will use to identify and analyze risks and develop response strategies include the following:

- Program Assessments – This evaluation technique may take many forms, including joint risk assessments and self-assessments. 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.
- FIRE Reviews – Annual reviews to assess the financial management and internal control reviews of the program and projects.
- Program Reviews – These reviews are a thorough analysis of key program components and the processes employed by ALDOT in managing the program. The reviews are conducted to: 1) ensure compliance with Federal requirements; 2) identify areas in need of improvement; 3) identify opportunities for greater efficiencies and cost improvement to the program, and/or 3) identify exemplary practices.
- Certification Reviews – A review that formalizes the continuing oversight and day-to-day evaluation of the planning process.
- Recurring Reviews – Reviews that the Division conducts annually or on a regular periodic basis. Examples include the Compliance Assessment Program (CAP), NBIS, HPMS, HVUT, etc.
- Project Inspections – The process of visual examination or physical measurement of an item for comparison against applicable requirements. Inspections may occur during project development or project delivery. Project inspections are a valuable tool for determining adherence to applicable laws, regulations, and policies.

These techniques will be carried out in a manner consistent with applicable Division Standard Operating Procedures or other control documents relating to program assessments, FIRE, program reviews, CAP, etc.

- E. Program Responsibility Matrix

Attachment C to this S&O Agreement is the Program Responsibility Matrix example that identifies all relevant FHWA program actions, and Division and ALDOT program contact offices.

F. Manuals and Operating Agreements

ALDOT manuals, agreements, and other control documents that have been approved for use on Federal-aid projects are listed in Attachment D to this S&O Agreement.

G. Stewardship and Oversight Indicators

The Division and ALDOT will jointly establish Stewardship and Oversight Indicators (Indicators). The Indicators track trends and assess when the data is moving toward or away from the desired outcomes. Indicators can assist in the verification that the ALDOT assumption of responsibilities is functioning appropriately. Indicators should be reviewed on a recurring basis. The Indicators are incorporated in Attachment E of this S&O Agreement.

Section XI: ALDOT Oversight and Reporting Requirements

A. State DOT Oversight and Reporting Requirements

ALDOT is responsible for demonstrating to the FHWA how it is meeting the responsibilities of this S&O Agreement. In order to accomplish this responsibility, ALDOT will follow all procedures contained in the documents included in Attachment D, ALDOT/FHWA Manuals & Operating Agreements.

B. State DOT Oversight of Locally Administered Projects

1. ALDOT is required to provide adequate oversight of subrecipients including oversight of any assumed responsibilities ALDOT delegates to a LPA.
2. Pursuant to 23 U.S.C. 106(g)(4), ALDOT shall be responsible for determining that sub-recipients of Federal funds have adequate project delivery systems for locally administered projects and sufficient accounting controls to properly manage such Federal-aid funds. ALDOT is also responsible for ensuring compliance with reporting and other requirements applicable to grantees making sub-awards, such as monthly reporting requirements under the Federal Funding Accountability and Transparency Act of 2006, PL 109-282 (as amended by PL 110-252).
3. ALDOT acknowledges that it is responsible for sub-recipient awareness of Federal grant requirements management of grant awards and sub-awards, and is familiar with and comprehends pass through entity responsibilities (2 C.F.R 200.331 Requirements for Pass-thru Entities). ALDOT shall carry out these responsibilities using the actions, programs, and processes contained in the documents included in Attachment D.
4. ALDOT shall assess whether a sub-recipient has adequate project delivery systems and sufficient accounting controls to properly manage projects, using the actions, programs, and processes contained in the documents included in Attachment D.
5. ALDOT shall assess whether a sub-recipient is staffed and equipped to perform work satisfactorily and cost effectively, and that adequate staffing and supervision exists to manage the Federal project(s), by using the actions, programs, and processes contained in the documents included in Attachment D.
6. ALDOT shall assess whether sub-recipient projects receive adequate inspection to ensure they are completed in conformance with approved plans and specifications, by

using the actions, programs, and processes contained in the documents included in Attachment D.

7. ALDOT shall ensure that when LPAs elect to use consultants for engineering services, the LPA, as provided under 23 CFR 635.105(b), shall provide a full-time employee of the agency to be in responsible charge of the project. ALDOT's process to ensure compliance with this requirement is documented by the actions, programs, and processes contained in the documents included in Attachment D.
8. ALDOT shall ensure that project actions will be administered in accordance with all applicable Federal laws and regulations. ALDOT will use the process on required approvals on sub-recipient projects in the ALDOT LPA Manual and approved on sub-recipient administered projects. The ALDOT LPA Manual identifies activities covering the following areas to assure compliance: (a) consultant selection and management, (b) environment, (c) design, (d) Civil Rights, (e) financial management including audits and indirect cost allocation plans, (f) right-of-way, (g) construction monitoring including quality assurance, and (h) contact administration including ALDOT's responsibility to approve a sub-recipient to pursue a contact procurement method other than competitive bidding.
9. ALDOT shall document its oversight activities for LPA-administered projects and findings, and how it will share this information with the FHWA as outlined in the ALDOT LPA Manual.

Section XII: Implementation and Amendments

- A. This S&O Agreement will take effect as of the effective date of the signature of the FHWA Alabama Division Administrator, who shall sign this S&O Agreement last.
- B. The Division and ALDOT agree that updates to this Agreement will be considered periodically on a case-by-case basis or when:
 - Significant new legislation, Executive orders, or other initiatives affecting the relationship or responsibilities of one or both parties to the S&O Agreement occurs;
 - Leadership, or leadership direction, changes at ALDOT or FHWA; or
 - Priorities shift as a result of audits, public perception, or changes in staffing at either the ALDOT or Division Office.
- C. The Division and ALDOT agree that changes may occur to the contents of the Attachments to this S&O Agreement and documents incorporated by reference into the S&O Agreement. Except as provided in paragraph XII.D and E, changes to the Attachments and documents incorporated by reference will not require the Division and ALDOT to amend this S&O Agreement. The effective date of any revisions to one of these documents shall be clearly visible in the header of the revised document. This Agreement and any revised document shall be posted on the Division's S&O Agreement internet site within five (5) business days of the effective date.
- D. Any changes to the high risk categories must be documented by an amendment to this S&O Agreement.

- E. Any changes to the Project Action Responsibility Matrix must be approved by the FHWA Office of Infrastructure in writing and documented by an amendment to this S&O Agreement.

EXECUTION BY THE FHWA ALABAMA DIVISION OFFICE

Executed this 26th day of March, 2015.



Mark Bartlett
Division Administrator

EXECUTION BY THE ALABAMA DEPARTMENT OF TRANSPORTATION

Executed this 30th day of Mar, 2015.



John Cooper
Director

Attachment A: Project Action Responsibility Matrix (as of January 30, 2015)

PROJECT ACTION RESPONSIBILITIES

The following matrix identifies Federal-aid highway program (FAHP) project approvals and related responsibilities on a program-wide basis. The matrix specifies which actions are assumed by the State under the provisions of 23 U.S.C. 106(c) or other statutory or regulatory authority, as well as those which are reserved to FHWA. Projects classified as PoDI projects are not covered by the matrix, as those projects will be governed by a separate PoDI plan that specifies FHWA and State responsibilities for the project.

The State DOT is responsible for ensuring all individual elements of the project are eligible for FAHP funding, but all final eligibility and participation determinations are retained by FHWA.

PROJECT ACTION RESPONSIBILITY MATRIX (as of January 30, 2015) Excluding PoDIs, which are subject to separate PoDI plans		
ACTION	AGENCY RESPONSIBLE	
	PROJECTS ON THE NHS	PROJECTS OFF THE NHS
Ensure project in Statewide Transportation Improvement Program (STIP)/Transportation Improvement Program (TIP)	ALDOT	ALDOT
Identify proposed funding category	ALDOT ⁽¹⁾	ALDOT ⁽¹⁾
Obligate funds/approve Federal-aid project agreement, modifications, and project closures (project authorizations) (Note: this action cannot be assumed by State)	FHWA	FHWA
Authorize current bill (Note: this action cannot be assumed by State)	FHWA	FHWA
Review and Accept Financial Plan and Annual Updates for Federal Major Projects over \$500 million [23 U.S.C. 106(h)] (Note: this action cannot be assumed by State)	FHWA	FHWA
Review Cost Estimates for Federal Major Projects over \$500 million [23 U.S.C. 106(h)] (Note: this action cannot be assumed by State)	FHWA	FHWA
Develop Financial Plan for Federal Projects between \$100 million and \$500 million. [23 U.S.C. 106(i)]	ALDOT	ALDOT
All EA/FONSI, EIS/ROD, 4(f), 106, 6(f) and other approval actions required by Federal laws and regulations. (note: this action cannot be assumed by ALDOT)	FHWA ⁽²⁾	FHWA ⁽²⁾
Categorical Exclusion approval actions (Note this action cannot be assumed by the State except through an assignment under 23 U.S.C. 326 or 327, or through a programmatic agreement pursuant to Section 1318(d) of MAP-21 and 23 CFR 771.117(g))	FHWA ⁽²⁾	FHWA ⁽²⁾
Consultant Contract Selection	ALDOT ⁽³⁾	ALDOT ⁽³⁾
Sole source Consultant Contract Selection	ALDOT ⁽³⁾	ALDOT ⁽³⁾
Approve hiring of consultant to serve in a "management" role [23 CFR 172.9] (note: this action cannot be assumed by ALDOT)	FHWA	FHWA
Approve consultant agreements (Federal non-Major Projects) [23 CFR 172.9]	ALDOT	ALDOT
Approve consultant agreements and agreement revisions on Federal Major Projects [23 CFR 172.9] (note: this action cannot be assumed by ALDOT)	FHWA	FHWA
Approve exceptions to design standards [23 CFR 625.3(f)]	ALDOT	ALDOT

PROJECT ACTION RESPONSIBILITY MATRIX (as of January 30, 2015)
Excluding PoDIs, which are subject to separate PoDI plans

ACTION	AGENCY RESPONSIBLE	
	PROJECTS ON THE NHS	PROJECTS OFF THE NHS
Interstate System Access Change [23 USC 111] (note: this action cannot be assumed by ALDOT)	FHWA	N/A
Interstate System Access Justification Report [23 USC 111] (note: action may be assumed by ALDOT pursuant to 23 USC 111(e))	FHWA	N/A
Airport highway clearance coordination and respective public interest finding (if required) [23 CFR 620.104]	ALDOT	ALDOT
Approve Project Management Plan for Federal Major Projects over \$500 million [23 US C 106(h)] (note: this action cannot be assumed by ALDOT)	FHWA	FHWA
Approve innovative and Public-Private Partnership projects in accordance with SEP-14 and SEP-15 (except those Design-Build projects that conform with 23 CFR 636) (note: this action cannot be assumed by ALDOT)	FHWA	FHWA
Provide pre-approval for preventive maintenance project (until FHWA concurs with ALDOT procedures) (note: this action cannot be assumed by ALDOT)	FHWA	FHWA
Provide approval of preliminary plans for unusual/complex bridges or structures on the Interstate. [23 USC 109(a) and FHWA Policy]	FHWA ⁽⁴⁾	N/A
Provide approval of preliminary plans for unusual/complex bridges or structures (non-Interstate) [23 USC 109(a) and FHWA Policy]	FHWA ⁽⁴⁾	ALDOT
Approve retaining right-of-way encroachments [23 CFR 1.23 (b) & (c)]	ALDOT	ALDOT
Approve use of local force account agreements [23 CFR 635.104 & 204]	FHWA	ALDOT
Approve use of publicly owned equipment [23 CFR 635.106]	ALDOT	ALDOT
Approve the use of proprietary products, processes [23 CFR 635.411]	ALDOT	ALDOT
Concur in use of publicly furnished materials [23 CFR 635.407]	ALDOT	ALDOT
Make feasibility/practicability determination for allowing authorization of construction prior to completion of ROW clearance, utility and railroad work [23 CFR 635.309(b)]	ALDOT	ALDOT
Make public interest finding on whether ALDOT may proceed with bid advertisement even though ROW acquisition/relocation activities are not complete for some parcels [23 CFR 635.309(c)(3)]	FHWA	ALDOT
Ensure compliant ROW certificates 1 and 2 are in place [23 CFR 635.309(c)(1)&(2)]	ALDOT	ALDOT
Ensure compliant ROW certificate 3 is in place [23 CFR 635.309(c)(3)]	FHWA	FHWA
Approve Hardship and Protective Buying [23 CFR 710.503] (If a Federal-aid project) (Note: this action cannot be assumed by ALDOT)	FHWA	FHWA
Approve Interstate Real Property Interest Use Agreements [23 CFR 710.405] (note: this action cannot be assumed by ALDOT)	FHWA	N/A
Approve non-highway use and occupancy [23 CFR 1.23(c)]	FHWA	ALDOT ⁽³⁾
Approve disposal at less than fair market value of federally funded right-of-way, including disposals of access control [23 U.S.C. 156] (Note: this action cannot be assumed by State)	FHWA	FHWA
Approve disposal at fair market value of federally funded right-of-way, including disposals of access control [23 CFR 710.409] (note: 23 CFR 710.201(i) authorizes FHWA and ALDOT to agree to scope of oversight and approvals for all actions except those on the Interstate System)	FHWA	ALDOT ⁽³⁾

**PROJECT ACTION RESPONSIBILITY MATRIX (as of January 30, 2015)
Excluding PoDIs, which are subject to separate PoDI plans**

ACTION	AGENCY RESPONSIBLE	
	PROJECTS ON THE NHS	PROJECTS OFF THE NHS
Requests for credits toward the non-Federal share of construction costs for early acquisitions, donations or other contributions applied to a project (note: this action cannot be assumed by ALDOT)	FHWA	FHWA
Federal land transfers [23 CFR 710, Subpart F] (note: this action cannot be assumed by ALDOT)	FHWA	FHWA
Functional replacement of property [23 CFR 710.509] (note: this action cannot be assumed by ALDOT)	FHWA	FHWA
Accept Transportation Management Plans [23 CFR 630.1012(b)]	ALDOT	ALDOT
Approval of System Engineering Analysis (for ITS) [CFR 940.11]	ALDOT	ALDOT
Approve PS&E [23 CFR 630.20]	ALDOT	ALDOT
Authorize advance construction and conversions [23 CFR 630.703 & 709] (note: this action cannot be assumed by ALDOT)	FHWA	FHWA
Approve utility or railroad force account work [23 CFR 645.113 & 646.216]	ALDOT	ALDOT
Approve utility and railroad agreements [23 CFR 645.113 & 646.216]	ALDOT	ALDOT
Approve use of consultants by utility companies [23 CFR 645.109(b)]	ALDOT	ALDOT
Approve exceptions to maximum railroad protective insurance limits [23 CFR 646.111]	FHWA	ALDOT
Authorize (approve) advertising for bids [23 CFR 635.112, 309]	FHWA	ALDOT
Approve cost-effectiveness determinations for construction work performed by force account or by contract awarded by other than competitive bidding [23 CFR 635.104 & .204]	FHWA	ALDOT
Approve emergency determinations for contracts awarded by other than competitive bidding [23 CFR 635.104 & .204]	FHWA	ALDOT
Approve construction engineering by local agency [23 CFR 635.105]	ALDOT	ALDOT
Approve advertising period less than 3 weeks [23 CFR 635.112]	FHWA	FHWA
Approve addenda during advertising period [23 CFR 635.112]	ALDOT	ALDOT
Concur in award of contract [23 CFR 635.114]	ALDOT	ALDOT
Concur in rejection of all bids [23 CFR 635.114]	ALDOT	ALDOT
Approval of Design-Build Requests-for-Proposals and Addenda [23 CFR 635.112]	ALDOT	ALDOT
Approve changes and extra work [23 CFR 635.120]	ALDOT	ALDOT
Approve contract time extensions [23 CFR 635.120]	ALDOT	ALDOT
Concur in use of mandatory borrow/disposal sites [23 CFR 635.407]	ALDOT	ALDOT
Accept materials certification [23 CFR 637.207]	ALDOT	ALDOT
Concur in settlement of contract claims [23 CFR 635.124]	ALDOT	ALDOT
Concur in termination of construction contracts [23 CFR 635.125]	ALDOT	ALDOT
Waive Buy America provisions [23 CFR 635.410] (note: this action cannot be assumed by ALDOT)	FHWA	FHWA
Final inspection/acceptance of completed work [23 USC 114(a)]	ALDOT	ALDOT
Approval of Disadvantaged Business Enterprise (DBE) Project Contract Goal set by the DOT under 49 CFR 26.51(d). [49 CFR 26.51(e)(3)]	ALDOT	ALDOT
Acceptance of Bidder's Good Faith Efforts to Meet Contract Goal [49 CFR 26.53] or of Prime Contractor's Good Faith Efforts to Find Another DBE Subcontractor When a DBE Subcontractor is Terminated or Fails to Complete Its Work [49 CFR 26.53(g)] (Note: this action cannot be performed by the FHWA)	ALDOT	ALDOT
Equal Employment Opportunity (EEO) Contract Compliance Review Approval [23 CFR Part 230, Subpart D)].	FHWA	ALDOT

PROJECT ACTION RESPONSIBILITY MATRIX (as of January 30, 2015) Excluding PoDIs, which are subject to separate PoDI plans		
ACTION	AGENCY RESPONSIBLE	
	PROJECTS ON THE NHS	PROJECTS OFF THE NHS
Training Special Provision – Approval of Project Goal for training slots or hours [23 CFR Part 230, Subpart A]	ALDOT	ALDOT
Training Special Provision – Approval of New Project Training Programs (Note: this action cannot be assumed by ALDOT) [23 CFR 230.111(d), (e)]	FHWA	FHWA

Footnotes:

- (1) ALDOT is responsible for ensuring that all individual elements of the project are eligible. FHWA will check that the scope of the project as described in submitted project agreement is eligible for the category of funding sought. All final eligibility and participation determinations are retained by FHWA.
- (2) If there is a 23 U.S.C. 326 or 325 assignment or PCE agreement, decisions are handled in accordance with those assignments or agreements.
- (3) ALDOT's process and modifications to, or variation in process, require FHWA approval.
- (4) Unusual/Complex bridges and structures are those that the Division determines to have unique foundation problems, new or complex designs, exceptionally long spans, exceptionally large foundations, complex hydrologic (including climate change and extreme weather events) aspects, complex hydraulic elements or scour related elements, or that are designed with procedures that depart from currently recognized acceptable practices (i.e., cable-stay, suspension, arch, segmental concrete, moveable, truss, tunnels, or complex geotechnical walls or ground improvement systems).

Attachment B: FHWA Project of Division Interest/Project of Corporate Interest Guide

Projects of Division Interest (PoDI)

PoDIs are those projects that have an elevated risk, contain elements of higher risk, or present a meaningful opportunity for FHWA involvement to enhance meeting program or project objectives. The Division will identify those projects, within its limited resources, where FHWA should assert a positive leadership influence to help assure a high level of public confidence that projects and programs are administered with integrity, are in compliance with applicable requirements, and yield maximum value for the public. Project selection will be risk-based; stewardship and oversight activities will be directed toward addressing identified risks. This may include retaining certain project approvals or directing stewardship or oversight activities to a specific phase or element of the project.

PoDI Types

Section 106 of Title 23, United States Code, provides certain statutory requirements for project approval actions and oversight of the Federal-aid Highway Program. Within the context of these requirements, and in consideration of other priorities established by Congress, PoDIs will be generally categorized into one or more of the six (6) types described below:

1. Major Projects (>\$500M); 23 USC 106(h)

Major Projects (>\$500M) will always be identified as PoDIs since Congress has directed an increased involvement by FHWA in these projects.

2. Appalachian Development Highway System Projects; 23 USC 106 (q)(5)(B)

Appalachian Development Highway System (ADHS) projects will always be identified as PoDIs since Congress has directed an increased involvement by FHWA to retain project approval actions (design, plans, specifications, estimates, contract awards, inspections) listed in Section 106(c) for these projects. Only projects on the ADHS Cost-to-Compete list will be automatic PoDIs.

3. TIGER Discretionary Grant Projects

TIGER projects will always be identified as PoDIs since Congress has directed an increased involvement in these projects and the administration of these projects has been delegated to FHWA by the Secretary of Transportation.

4. NHS Projects with Retained FHWA Project Approval; 23 USC 106(c)(1)

NHS projects where FHWA has retained responsibility for one or more of the project approval actions (design, plans, specifications, estimates, contract awards, inspections) listed in Section 106(c) will always be identified as a PoDI. The identification of these types of PoDIs will be consistent with Attachment A of this Agreement and reflect the risk-based need for FHWA to

retain responsibilities for certain project approval actions, either on a programmatic basis or project-level basis.

5. Non-NHS Projects with Retained FHWA Project Approval; 23 USC 106(c)(2)

Non-NHS projects where, as determined by ALDOT, FHWA has retained responsibility for one or more of the project approval actions listed in Section 106(c) will always be identified as a PoDI. The identification of these types of PoDIs will be consistent with this FHWA/ALDOT Stewardship and Oversight Agreement.

6. Projects Selected for Risk-based Stewardship & Oversight; 23 USC 106(g)

Regardless of retained project approval actions, any Federal-aid Highway Project either on or off the NHS that the Division identifies as having an elevated level of risk can be selected for risk-based stewardship and oversight and would then be identified as a PoDI. Identification of these Section 106(g) PoDIs will be done using a risk-based process that considers consistent risk criteria.

Projects of Corporate Interest (PoCI)

PoCIs are a subset of PoDIs. These are projects deemed to be so significant that FHWA is willing to commit additional resources beyond those available at the Division Office to help ensure successful delivery of the project. All Major Projects are included in the short list of potential PoCIs. The FHWA Director of Field Services (DFS) concurs in the final selection of PoCIs after consultation with key Headquarters offices.

Scope of Involvement in PoDI & PoCI Projects

Project selection is risk-based and the stewardship and oversight activities will be directed toward addressing the identified risks. This may include retaining certain project approvals or directing stewardship or oversight activities to a specific phase or element of the project. For PoDIs, the scope of the Division's stewardship and oversight activities, beyond any project approval actions retained by FHWA, will be tailored to the level of risk ascertained by the Division. For PoCIs, the scope of involvement will include the dedication of corporate resources to ensure the successful delivery of the project.

PoDI & PoCI Stewardship & Oversight Plans

The Division will prepare a specific PoDI Stewardship & Oversight (S&O) Plan for each PoDI or group of PoDIs. Areas of elevated risk will be reported in the plan along with the project specific actions to be taken by Division Office staff to address the risk(s). A single plan may be developed for a group of projects in cases where the risks and stewardship and oversight strategies are similar. For example, if a project's approval action has been retained on a programmatic basis for a group of projects, a single PoDI S&O Plan may be developed that references the programmatic risk and the affected projects. Since PoCIs are a subset of PoDIs, a plan will be prepared for all PoCIs as well. The Division Office will indicate within the plan what additional corporate resources have been committed to the PoCI project.

Attachment C: Program Action Responsibility Matrix

PROGRAM ACTION RESPONSIBILITY

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	FHWA Division Responsible Program Office	ALDOT Responsible Program Office	Remarks
Appropriations, Allotments, Obligations	31 USC 1341(a)(1)(A)& (B); 31 USC 1517(a); 23 USC 118(b), 23 USC 121	As needed	Not Applicable	Office of Chief Financial Officer	Finance Team	Finance & Audits Bureau	ALDOT will monitor appropriations, allotments and obligations to ensure that all funding is used efficiently within each quarter and use all Obligation Authority (OA) by the end of the year.
Approval of Indirect Cost Allocation Plans (ICAPs)	2 CFR Part 200, Subpart E; ASMBC-10	As needed	Not Applicable	Office of Chief Financial Officer	Finance Team	Finance & Audits Bureau	ALDOT will certify that the ICAP was prepared in accordance with 2 CFR 200 Subpart E.
FIRE Program Activities	FHWA Order 4560.1C (or as superseded)	Ongoing		Office of Chief Financial Officer	Finance Team	Finance & Audits Bureau	ALDOT will continue to provide oversight and conduct reviews to ensure Federal-aid compliance. FHWA will review and monitor. ALDOT responsibilities include multiple tasks in support of risk assessments, conducting reviews and implementation of recommendations.
Audit Coordination/ FHWA Financial Statement Audit/State External Audit Reviews/State Internal Audit Reviews	FMFIA, 2 CFR Part 200, Subpart F; GAAP, CFO Act of 1990; DOT Order 8000.1C	As needed	Not Applicable	Office of Chief Financial Officer	Finance Team	Finance & Audits Bureau	ALDOT assures corrective action is taken to resolve audit findings and FHWA will monitor activities to ensure implementation.
Improper Payments Review	Improper Payments Information Act of 2002, PL 107-300, Improper Payments Elimination and Recovery Act of 2010, PL 111-204, Improper Payments Elimination and Recovery Improvement Act of 2012, PL 112-248	Annually		Office of Chief Financial Officer	Finance Team	Finance & Audits Bureau	ALDOT will provide all information necessary to document sampled payments and FHWA offices will review and complete appropriate data submittal forms.

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	FHWA Division Responsible Program Office	ALDOT Responsible Program Office	Remarks
Transfer of Funds between programs or to other FHWA offices or agencies as requested by ALDOT	23 USC 126, 23 USC 132, and FHWA Order 4551.1	As needed	Not Applicable	Office of Chief Financial Officer	Finance Team	Office Engineer	ALDOT will submit requests for transfer and FHWA approves and processes the funding transfers between programs, to other States, to other agencies, and to FHWA HQ, Federal Lands, or Research offices.
Reviews of State Transportation Departments Financial Management Systems - Financial Integrity	23 USC 106(g)(2)(A)	Annually	Not Applicable	Office of Chief Financial Officer	Finance Team	Finance & Audits Bureau	23 USC 106(g)(2)(A) states that the Secretary shall perform annual reviews that address elements of the State transportation departments' financial management systems that affect projects approved under subsection (a).
Review Adequacy of Sub-recipient Project Delivery Systems and Sufficient Accounting Controls to Manage Federal Funds	23 USC 106(g)(4)(A)(i)	As needed	Not Applicable	Office of Chief Financial Officer	Finance Team	Finance & Audits Bureau	
Periodic Reviews of States Monitoring of sub-recipients	23 USC 106(g)(4)(B)	As needed	Not Applicable	Office of Infrastructure	Finance Team	Finance & Audits Bureau	
Approval of Increased Federal Share Agreement (Sliding Scale)	23 USC 120(b)(2)	As determined by the Federal Share Agreement	Not Applicable	Office of Chief Financial Officer	Finance Team	Finance & Audits Bureau	ALDOT must enter into an agreement with FHWA for use of the increased Federal share allowable under this section, which must be reviewed and updated periodically as agreed to in the agreement. ALDOT must demonstrate that they are in compliance with the statute and the agreement.
Prepare / Review Title VI Plan Accomplishments and Next Year's Goals	23 CFR 200.9(b)(10)	Annually	October 1 st	Office of Civil Rights	Civil Rights Specialist	Compliance & Business Opportunities Bureau	Division office reviews and comments.
Prepare / EEO Contractor Compliance Plan accomplishments and next year's goals	23 CFR 230, Subpart C, Appendix A, Part I, III	Annually	October 1 st	Office of Civil Rights	Civil Rights Specialist	Compliance & Business Opportunities Bureau	Division office reviews and comments.

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	FHWA Division Responsible Program Office	ALDOT Responsible Program Office	Remarks
Prepare / Review ALDOT Internal EEO Affirmative Action Plan (Title VII) Accomplishments and Goals	23 CFR 230.311	Annually	October 1 st	Office of Civil Rights	Civil Rights Specialist	Compliance & Business Opportunities Bureau	Courtesy copy to HQ.
Review DBE Program Revisions	49 CFR 26.21(b)(2)	As needed	Not Applicable	Office of Civil Rights	Civil Rights Specialist	Compliance & Business Opportunities Bureau	Division sends to HCR for review and approval
Prepare / DBE Uniform Awards and Commitment Report	49 CFR 26, Appendix B	Semi-Annual	June 1 st , December 1 st	Office of Civil Rights	Civil Rights Specialist	Compliance & Business Opportunities Bureau	Division Office reviews and sends to HCR
Prepare / Annual Analysis and Corrective Action Plan (if necessary)	49 CFR 26.47(c)	Annual (as necessary)	December 31 st	Office of Civil Rights	Civil Rights Specialist	Compliance & Business Opportunities Bureau	Division Office approves sends copy to HCR
Prepare / State DBE Program Goals	49 CFR 26.45(f)(1)	Triennial	August 1 st	Office of Civil Rights	Civil Rights Specialist	Compliance & Business Opportunities Bureau	Division reviews and approves; HCC provides legal sufficiency review and approval sends copy to HCR
Prepare / Review On-the-Job-Training (OJT) goals & accomplishments	23 CFR 230.111(b)	Annually	TBA	Office of Civil Rights	Civil Rights Specialist	Compliance & Business Opportunities Bureau	Division office reviews and comments.
Approval of OJT and DBE Supportive Services fund requests	23 CFR 230.113 & 23 CFR 230.204	Annual	TBA	Office of Civil Rights	Civil Rights Specialist	Compliance & Business Opportunities Bureau	Division recommends approval submits to HCR for final approval
Return of any unused discretionary grant program funding	23 CFR 230.117(2)	Annual	TBA	Office of Civil Rights	Civil Rights Specialist	Compliance & Business Opportunities Bureau	Division works with HCR and CFO
Prepare / Review of Report on Supportive Services (OJT & DBE)	23 CFR 230.113(g), 230.121(e), 230.204(g)(6)	Quarterly		Office of Civil Rights	Civil Rights Specialist	Compliance & Business Opportunities Bureau	Division office reviews and comments.
Prepare / Review Annual Contractor Employment Report (Construction Summary of Employment Data (Form PR-1392)	23 CFR 230.121(a); Appendix D to Subpart A, Part 230, General Information and Instructions	Annually	December 1 st	Office of Civil Rights	Civil Rights Specialist	Compliance & Business Opportunities Bureau	Recommendation sent to HQ for approval.
Prepare / Review State DOT Employment Statistical Data (EEO-4)	23 CFR, Subpart C, Appendix A	Biannual	December 1 st	Office of Civil Rights	Civil Rights Specialist	Compliance & Business Opportunities Bureau	Report sent to HQ quarterly for informational purposes and recommendation sent to HQ annually for approval.

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	FHWA Division Responsible Program Office	ALDOT Responsible Program Office	Remarks
Prepare / Review Annual Federal Projected Awards Reports - Historically Black Colleges & Universities/Tribal Colleges & Universities/Hispanic Serving Institutes, American Indian Alaskan Native, Asian Pacific & American Islander.	Presidential Executive Orders: 13230, 13256, 13270, 13361, 13515	Annual	TBA	Office of Civil Rights	Civil Rights Specialist	Compliance & Business Opportunities Bureau	Divisions submit data to HCR who prepares report for DOCR
Prepare / Review ADA Complaint Reports of Investigation	28 CFR 35.190	As needed	Not Applicable	Office of Civil Rights	Civil Rights Specialist	Compliance & Business Opportunities Bureau	Division office reviews, FHWA HQ approves and issues finding.
Review Americans with Disabilities Act (ADA) /Sec. 504 Program Plan accomplishments and next year's goals	49 CFR 27.11(c), EO 12250	Annually	October 1 st	Office of Civil Rights	Civil Rights Specialist	Compliance & Business Opportunities Bureau	Division office reviews and comments.
Return of unexpended funds used for Summer Transportation Institutes	23 CFR 230.117(2)	Annual	August 30 th ; however, ALDOT procurement rules may govern	Office of Civil Rights	Civil Rights Specialist	Compliance & Business Opportunities Bureau	Divisions work with HCR and CFO
Prepare / Review Request for National Summer Transportation Institute (NSTI) Proposals (SOWs)	23 USC 140(b)	Annual	TBA	Office of Civil Rights	Civil Rights Specialist	Compliance & Business Opportunities Bureau	Divisions recommend approval. HCR gives final approval
Prepare / Review NSTI Report (questionnaire)	23 USC 140(b)	Annual	October 15 th	Office of Civil Rights	Civil Rights Specialist	Compliance & Business Opportunities Bureau	Divisions provide to HCR
Receipt of State Consultation Process with Tribal Governments	23 CFR 450.210(c)	As needed	Not Applicable	Office of Federal Lands Highway	Environment	Design Bureau, Environmental Technical Section	Informational Purposes.
Approval of Contracting Procedures for Consultant Selection	23 CFR 172.5 & 172.9	As needed	Not Applicable	Office of Infrastructure	Project Delivery Team	Design Bureau	FHWA Division Office Approval.

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	FHWA Division Responsible Program Office	ALDOT Responsible Program Office	Remarks
Determination of High Risk Categories - Limitation on Interstate Projects	23 USC 106(c)(4)(B)	As needed	Not Applicable	Office of Infrastructure	Project Delivery Team	Design Bureau	Office of Program Administration determines national categories and must concur on any State designations.
Approval of State 3R Program	23 CFR 625.4(a)(3), 23 USC 109(n)	As needed	Not Applicable	Office of Infrastructure	Project Delivery Team	Chief Engineer	FHWA Division Office Approval.
Verify adoption of Design Standards (National Highway System, including Interstate)	23 CFR 625, 23 USC 109(b), 23 USC 109(c)(2), 23 USC 109(o)	As needed	Not Applicable	Office of Infrastructure	Project Delivery Team	Design Bureau	FHWA HQ regulatory action to adopt NHS standards.
Approval of preliminary plans of Major and Unusual Bridges on the Interstate Highway System	(M1100.A)	As needed	Not Applicable	Office of Infrastructure	Bridge Engineer	Bridge Bureau	Director of HIBT has approval of preliminary plans of Major and Unusual Bridges on the Interstate Highway System (M1100.A)
Approval of State Standard Specifications	23 CFR 625.3	As needed	Not Applicable	Office of Infrastructure	Project Delivery Team	Construction Bureau	FHWA Division Office Approval.
Verify State Design Exception Policy complies with FHWA Policy	23 CFR 625.3	As needed	Not Applicable	Office of Infrastructure	Project Delivery Team	Design Bureau	FHWA Division Office Approval.
Approval of State Standard Detail Plans	23 CFR 625.3	As needed	Not Applicable	Office of Infrastructure	Project Delivery Team	Design Bureau	FHWA Division Office Approval.
Approval of Pavement Design Policy	23 CFR 626.3	As needed	Not Applicable	Office of Infrastructure	Pavements Engineer	Materials and Test Bureau	FHWA Division Office Approval.
Review of Value Engineering Policy and Procedures	23 CFR 627.1(b)&(c), 23 CFR 627.7 FHWA Order 1311.1B	As needed	Not Applicable	Office of Infrastructure	Project Delivery Team	Construction Bureau	FHWA Division Office Review.
Review of Value Engineering Annual Report	23 CFR 627.7, FHWA Order 1311.1B	Annual	Not Applicable	Office of Infrastructure	Project Delivery Team	Construction Bureau	FHWA Division Office collects, reviews, and submits to HQ for review and reporting.
Review and Approval of Interstate Access Requests	23 USC 111, 23 CFR 710, 74 FR 43743-43746 (Aug. 27, 2009)	As needed	Not Applicable	Office of Infrastructure	Project Delivery Team	Design Bureau	FHWA Division Office approval with concurrence from HQ on more complex access requests.
Approval of Liquidated Damages Rate	23 CFR 635.127	Every 2 years	Not Applicable	Office of Infrastructure	Project Delivery Team	Construction Bureau	FHWA Division Office Approval.

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	FHWA Division Responsible Program Office	ALDOT Responsible Program Office	Remarks
Approval of Quality Assurance Program	23 CFR 637.205	As needed	Not Applicable	Office of Infrastructure	Pavement & Materials Engineer	Construction Bureau	State administers, with programmatic agreement by the Division Office, as part of their materials testing and construction quality assurance/acceptance program.
Assure Central Laboratory accredited by AASHTO Accreditation Program or FHWA approved comparable program	23 CFR 637.209	As needed	Not Applicable	Office of Infrastructure	Pavement & Materials Engineer	Materials and Tests Bureau	State administers, with programmatic agreement by the Division Office, as part of their materials testing and construction quality assurance/acceptance program.
Assure Non-ALDOT designated lab performing Independent Assurance sampling and testing accredited by AASHTO Accreditation Program or FHWA approved comparable program	23 CFR 637.209	As needed	Not Applicable	Office of Infrastructure	Pavement & Materials Engineer	Materials and Tests Bureau	State administers, with programmatic agreement by the Division Office, as part of their materials testing and construction quality assurance/acceptance program.
Assure Non-ALDOT designated lab used in dispute resolution accredited by AASHTO Accreditation Program or FHWA approved comparable program	23 CFR 637.209	As needed	Not Applicable	Office of Infrastructure	Pavement & Materials Engineer	Materials and Tests Bureau	State administers, with programmatic agreement by the Division Office, as part of their materials testing and construction quality assurance/acceptance program.
Review Independent Assurance Annual Report	23 CFR 637.207	Annually	March 1 st	Office of Infrastructure	Pavement & Materials Engineer	Materials and Tests Bureau	State administers, with programmatic agreement by the Division Office, as part of their materials testing and construction quality assurance/acceptance program.
Assure Labor Compliance - Prevailing Wage Rate	23 USC 113	As needed	Not Applicable	Office of Infrastructure	Civil Rights Specialist	Construction Bureau	FHWA Division Office Review and Approval
Determination of Eligible Preventive Maintenance Activity - Cost-Effective Means of Extending Useful Life Determination	23 USC 116(e)	As needed	Not Applicable	Office of Infrastructure	Project Delivery Team	Maintenance Bureau	FHWA Division Office Approval
Approval of Utility Agreement / Alternate Procedure	23 CFR 645.119	As needed	Not Applicable	Office of Infrastructure	Project Delivery Team	Right-of-Way Bureau	FHWA Division Office Approval

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	FHWA Division Responsible Program Office	ALDOT Responsible Program Office	Remarks
Approval of Utility Accommodation Policy	23 CFR 645.215, 23 USC 109(l), 23 USC 123	As needed	Not Applicable	Office of Infrastructure	Project Delivery Team	Right-of-Way Bureau	FHWA Division Office Approval
Review Bridge Construction, Geotechnical, and Hydraulics	23 CFR 650	As needed	Not Applicable	Office of Infrastructure	Bridge Engineer	Bridge Bureau	
Review Plans of Corrective Action established to address NBIS compliance issues	23 CFR 650, 23 USC 144	Annually		Office of Infrastructure	Bridge Engineer	Bridge Bureau	Division office performs annual compliance review and reports results to HQ.
Review NBI Data Submittal	23 CFR 650 Subpart C, Annual Memo from HQ, 23 USC 144	Annually	April 1 st	Office of Infrastructure	Bridge Engineer	Bridge Bureau	Division resolve errors with States; States submit to HQ.
Review structurally deficient bridge construction Unit Cost submittal	23 USC 144	Annually	April 1 st	Office of Infrastructure	Bridge Engineer	Bridge Bureau	Submit to HQ.
Review Section 9 of the Rivers and Harbors Act Submittals (Bridge Permits)	23 CFR 650 Subpart H; 33 CFR 114 & 115	As needed	Not Applicable	Office of Infrastructure	Bridge Engineer	Bridge Bureau	
Approval for reduction of expenditures for off-system bridges	23 USC 133(g)(2)(B)	As needed	Not Applicable	Office of Infrastructure	Bridge Engineer	Bridge Bureau	The FHWA Administrator may reduce the requirement for expenditures for off-system bridges if the FHWA Administrator determines that ALDOT has inadequate needs to justify the expenditure.
Determination on Adequacy of ALDOT's Asset Management Plan	23 USC 119(5)	Annually beginning second fiscal year after establishment of the process		Office of Infrastructure	Pavement & Materials Engineer	Maintenance Bureau	
Certification and Recertification of States Process for Development of ALDOT Asset Management Plan	23 USC 119(6)	Recertification every four years after establishment of the process		Office of Infrastructure	Pavement & Materials Engineer	Maintenance Bureau	

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	FHWA Division Responsible Program Office	ALDOT Responsible Program Office	Remarks
Review Reporting on Performance Targets	23 USC 150(e)	Beginning four years after enactment of MAP-21 and biennially thereafter		Office of Infrastructure	Assistant Division Administrator	Chief Engineer	
Review National Highway System Performance Achievement Plan for Actions to achieve the targets (when ALDOT does not achieve or make significant progress toward achieving)	23 USC 119(7)	Required if ALDOT does not achieve targets (or significant progress) for 2 consecutive reports		Office of Infrastructure	Assistant Division Administrator	Chief Engineer	
States and sub-recipient failure to maintain projects - Notice and withholding Federal-aid Funds	23 USC 116(d)	As needed	Not Applicable	Office of Infrastructure	Project Delivery Team	Construction Bureau	
Emergency Relief (ER) Damage Assessments and Reports	23 CFR 668 23 USC 120 and 125	As needed	Not Applicable	Office of Infrastructure	Project Delivery Team	Maintenance Bureau	Perform with ALDOT.
Toll Credit and Maintenance of Effort (MOE) Calculation and Agreement	23 USC 120(i)	Annually		Office of Infrastructure	Finance Team	Finance & Audits Bureau	ALDOT will calculate the amount of eligible toll credit and submit for approval. FHWA will review and approve the request.
Local Public Agency (LPA) Oversight	2 CFR 200.331; 23 USC 106(g)(4)	As needed	Not Applicable	Office of Infrastructure	Project Delivery Team	County Transportation Bureau	ALDOT is responsible to ensure that LPAs are aware of all the applicable Federal-aid Program requirements; ALDOT is responsible to ensure monitoring and oversight to assure compliance with Federal requirements. 23 USC further reinforces stressing accountability on "project delivery systems" and "accounting controls."

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	FHWA Division Responsible Program Office	ALDOT Responsible Program Office	Remarks
Approval to Sell, Lease or Otherwise Dispose of a Ferry Purchased with Federal-aid Funds	23 USC 129 (c)(6)	As needed	Not Applicable	Office of Infrastructure	Project Delivery Team	Chief Engineer	Division Office reviews and submits for Office of Program Administration for Administrator Approval
Territorial Highway Program - Approval of Territory Agreement	23 USC 165(c)(5)	Reviewed and Revised as needed every two years		Office of Infrastructure	Project Delivery Team	Chief Engineer	Division Office works with Office of Program Administration and HCC
TIFIA Credit Program	23 USC 601-609	As needed	Not Applicable	Office of Innovative Program Delivery	Finance Team	Finance & Audits Bureau	Project sponsors submit requests for credit assistance to the TIFIA JPO for review; approval by the Secretary
GARVEEs	23 USC 122; GARVEE Guidance 3/14	As needed	Not Applicable	Office of Innovative Program Delivery	Finance Team	Finance & Audits Bureau	MOUs strongly suggested for each GARVEE issue. FM contacts OIPD for review/concurrence before final approval
State Infrastructure Banks	NHS Act Section 308; 23 USC 610; SIB Guidance 3/14	Annual Report	Not Applicable	Office of Innovative Program Delivery	Finance Team	Finance & Audits Bureau	Division sends copy of report to OIPD. SIB submits annual report to Division Office.
Section 129 Tolling Authority Requests	23 USC 129(a)	As needed	Not Applicable	Office of Innovative Program Delivery	Finance Team	Finance & Audits Bureau	At the option of the project sponsor, may execute a Tolling Eligibility MOU with the Division Office; HIN coordinates FHWA HQ review
Section 166 HOV/HOT Lanes Tolling Authority Requests	23 USC 166(d)	As needed	Not Applicable	Office of Innovative Program Delivery	ITS Engineer	Maintenance Bureau	At the option of the project sponsor, may execute a Tolling Eligibility MOU with the Division Office; HIN coordinates FHWA HQ review
Value Pricing Pilot Program Tolling Authority Requests	ISTEA Section 1012(b)	As needed	Not Applicable	Office of Innovative Program Delivery	ITS Engineer	Maintenance Bureau	Requests submitted to HIN to coordinate review; approval by the Administrator
Interstate System Reconstruction and Rehabilitation Pilot Program Tolling Authority Requests	TEA-21 Section 1216(b)	As needed	Not Applicable	Office of Innovative Program Delivery	ITS Engineer	Maintenance Bureau	Applications submitted to HIN to coordinate review; approval by the Administrator

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	FHWA Division Responsible Program Office	ALDOT Responsible Program Office	Remarks
Annual Audit of Toll Facility Records and Certification of Adequate Maintenance - Report Submittal	23 USC 129(a)(3)(B); TEA-21 Section 1216(b)(5)(B); SAFETEA-LU Section 1604(b)(3)(A); ISTEPA Section 1012(b)(3)	Annually		Office of Innovative Program Delivery	ITS Engineer	Maintenance Bureau	Division Office to receive the reports.
Project Management Plan (Major Projects)	23 U.S.C. 106(h)(2)	Prior to first federal authorization of construction funds for a Major Project	Not Applicable	Office of Innovative Program Delivery	Division Office will conduct concurrent review with HQ Office of Innovative Program Delivery.	ALDOT or Project Sponsor will prepare and submit Project Management Plan.	Division Office will provide approval after receiving concurrence from HQ Office of Innovative Program Delivery.
Financial Plan (Major Projects)	23 U.S.C. 106(h)(3)	Prior to first federal authorization of construction funds for a Major Project and then annually.	Annually as noted in the approved Initial Financial Plan	Office of Innovative Program Delivery	Division Office will conduct concurrent review with HQ Office of Innovative Program Delivery.	ALDOT or Project Sponsor will prepare and submit annual Financial Plans.	Division Office will provide approval after receiving concurrence from HQ Office of Innovative Program Delivery.
Financial Plan (Other Projects)	23 U.S.C. 106(i)	Prior to first federal authorization of construction funds for an Other Project and then annually.	Annually as noted in the approved Initial Financial Plan	Office of Innovative Program Delivery	Division Office will review and approve Financial Plans for Other Projects in accordance with its stewardship and oversight agreement with the ALDOT or Project Sponsor.	ALDOT or Project Sponsor will prepare and submit annual Financial Plans to the Division Office, only upon request.	Other Projects are defined as projects with an estimated total cost of \$100 million or more that have not been designated as Major Projects.
Review Designation and Re-designation of Primary Freight Network	23 USC 167(d)	One year after enactment of MAP-21 and every ten years thereafter		Office of Operations	Planning	Transportation Planning Bureau	Under development, initial PFN designation scheduled for Spring 2014 completion.
Review Development and Update of National Freight Strategic Plan	23 USC 167(f)	3 years after enactment of MAP-21 and every 5 years thereafter		Office of Operations	Planning	Transportation Planning Bureau	OST lead

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	FHWA Division Responsible Program Office	ALDOT Responsible Program Office	Remarks
Review Freight Transportation Conditions and Performance Report	23 USC 167(g)	2 years after enactment of MAP-21 and every 2 years thereafter		Office of Operations	Planning	Transportation Planning Bureau	OST lead
Review HOV Operations Report for Tolloed Use and Low-Emission and Energy-Efficient Vehicle Use	23 USC 166(d)	Annually		Office of Operations	ITS Engineer	Maintenance Bureau	
Congestion Partnerships Assessment	Annual Memo from HQ	Annually	July 1 st	Office of Operations	ITS Engineer	Maintenance Bureau	Complete with partners and forward to HQ.
Traffic Incident Management Self-Assessment	Annual Memo from HQ	Annually	July 1 st	Office of Operations	ITS Engineer	Maintenance Bureau	Complete with partners and forward to HQ.
Work Zone Self-Assessment	Annual Memo from HQ	Annually	7/1/2013	Office of Operations	Project Delivery Team	Construction Bureau	Complete with partners and forward to HQ. This project is currently on hiatus and has not been determined whether it will be reestablished or not
Approval of State-Prepared Manual on Uniform Traffic Control Devices - State Traffic Control Manuals	23 CFR 655.603, 23 USC 109(d)	As needed	Not Applicable	Office of Operations	Project Delivery Team	Design Bureau	
Review Vehicle Size & Weight Enforcement Plan	23 CFR 657.11, 23 USC 127	Annually	October 1 st	Office of Operations	Planning	Maintenance Bureau, Permits & Operations Section	
Review Vehicle Size & Weight Enforcement Certification	23 CFR 657.13, 23 USC 141	Annually	January 1 st	Office of Operations	Planning	Maintenance Bureau, Permits & Operations Section	
Approval of National Network Modifications	23 CFR 658.11	As needed	Not Applicable	Office of Operations	Planning	Transportation Planning Bureau	
Intelligent Transportation System Architecture & Standards	23 CFR Part 940	As needed	Not Applicable	Office of Operations	ITS Engineer	Maintenance Bureau	
Approval of Work Zone Significant Project Determination	23 CFR 630.1010	As needed		Office of Operations	Project Delivery Team	Construction Bureau	
Approval of Exceptions to Work Zone Procedures for Interstate Projects	23 CFR 630.1010	As needed		Office of Operations	Project Delivery Team	Construction Bureau	

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	FHWA Division Responsible Program Office	ALDOT Responsible Program Office	Remarks
Approval of Work Zone Policy and Procedures Conformance Review	23 CFR 630.1014	At appropriate intervals		Office of Operations	Project Delivery Team	Construction Bureau	
Process Review of Work Zone Safety and Mobility Procedures	23 CFR 630.1008, 23 USC 109(e)(2), 23 USC 112(g)	Every 2 years		Office of Operations	Safety	Construction Bureau	
Approval of State Planning Work Program and Revisions (Part 1)	23 CFR 420.111, 23 CFR 420.115, and 23 CFR 420.209	Annually	Prior to Program Period	Office of Planning, Environment & Realty	Planning	Transportation Planning Bureau	FHWA Division Office Approval.
Approval of State Research and Development Work Program (Part 2)	23 CFR 420.111, 23 CFR 420.115, and 23 CFR 420.209	Annually	Prior to Program Period	Office of Planning, Environment & Realty	Planning	Transportation Planning Bureau	FHWA Division Office Approval.
Approval of State's Distribution of Planning Funds Formula - Allocation Formulas for PL Funds	23 CFR 420.109, 23 USC 104(d)(2)(A)(i)	When Revised	Not Applicable	Office of Planning, Environment & Realty	Planning	Transportation Planning Bureau	FHWA Division Office Approval.
Review of State Public Involvement Procedures	23 CFR 450.210(a)	As needed	Not Applicable	Office of Planning, Environment & Realty	Planning	Transportation Planning Bureau	FHWA Division Office Review to Assure Compliance.
Receipt of State Consultation Process for Non- metropolitan Local Officials	23 CFR 450.210(b)	As needed	Not Applicable	Office of Planning, Environment & Realty	Planning	Transportation Planning Bureau	Informational Purposes.
Review of Long-range Statewide Transportation Plan	23 CFR 450.214	As needed	Not Applicable	Office of Planning, Environment & Realty	Planning	Transportation Planning Bureau	FHWA Division Office Review to Assure Compliance.
Approval of Statewide Transportation Improvement Program (STIP)	23 CFR 450.216, 23 CFR 450.218(a) & (c), 23 USC 135(g)(7)	At least every 4 years	Not Applicable	Office of Planning, Environment & Realty	Planning	Transportation Planning Bureau	Joint FHWA and FTA approval.
Approval of STIP Amendments	23 CFR 450.218(a) & (c)	As needed	Not Applicable	Office of Planning, Environment & Realty	Planning	Bureau of Office Engineer	Joint FHWA and FTA approval.
Finding of Consistency of Planning Process with Section 134 and 135	23 USC 135(g)(8), 23 CFR 450.218(b)	Concurrent with STIP approval	Not Applicable	Office of Planning, Environment & Realty	Planning	Transportation Planning Bureau	FHWA and FTA issue a joint finding concurrent with STIP approval.

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	FHWA Division Responsible Program Office	ALDOT Responsible Program Office	Remarks
Review of State Self-certification that Planning Process is in Accordance with Applicable Requirements	23 CFR 450.218(a)	Submitted with proposed STIP or STIP amendments	Not Applicable	Office of Planning, Environment & Realty	Planning	Transportation Planning Bureau	Received with STIP.
Approval of Transportation Management Area (TMA) MPO Unified Planning Work Programs (UPWP)	23 CFR 450.308(b) and 23 CFR 420 (Subpart A)	Prior to Program End	Not Applicable	Office of Planning, Environment & Realty	Planning	Transportation Planning Bureau	
Approval of Non-TMA UPWA	23 CFR 450.308(b) and 23 CFR 420 (Subpart A)	Prior to Program End	Not Applicable	Office of Planning, Environment & Realty	Planning	Transportation Planning Bureau	May use simplified work statement.
Approval of UPWP Revisions and Amendments (All MPO's)	23 CFR 420.115	As needed	Not Applicable	Office of Planning, Environment & Realty	Planning	Transportation Planning Bureau	
Review of UPWP Performance and Expenditure Reports (All MPO's)	23 CFR 420.117(b)	Not more frequently than quarterly	Not Applicable	Office of Planning, Environment & Realty	Planning	Transportation Planning Bureau	
Approval of Report Before Publication (All MPO's)	23 CFR 420.117(e)	As needed	Not Applicable	Office of Planning, Environment & Realty	Planning	Transportation Planning Bureau	Waiver may be granted.
Approval to use Planning Funds outside Urbanized Areas for States Receiving Minimum Apportionment	23 USC 104(d)(1)(A)(ii)	As needed	Not Applicable	Office of Planning, Environment & Realty	Planning	Transportation Planning Bureau	
Review of Metropolitan Planning Area Boundary (Establishment and Changes)	23 CFR 450.312	As needed	Not Applicable	Office of Planning, Environment & Realty	Planning	Transportation Planning Bureau	Approval by MPO and the Governor, shape files forwarded to HQ. (Comment: No action is required by FHWA/FTA).
Review of Metropolitan Transportation Planning Organizations (MPO) Designation and Re-designation	23 CFR 450.310	As needed	Not Applicable	Office of Planning, Environment & Realty	Planning	Transportation Planning Bureau	Require agreement between Governor and local governments.

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	FHWA Division Responsible Program Office	ALDOT Responsible Program Office	Remarks
Review of Metropolitan Planning Agreements (MPA) for Attainment or Entire Nonattainment Area	23 CFR 450.314(a)	When Completed	Not Applicable	Office of Planning, Environment & Realty	Planning	Transportation Planning Bureau	Between MPO/ALDOT/Transit Operator. Included in UPWP or Prospectus (23 CFR 450.314(d)).
Review of MPA - for MPA that do not include the entire nonattainment or maintenance area	23 CFR 450.314(b), 23 USC 109(j)	When Completed	Not Applicable	Office of Planning, Environment & Realty	Planning	Transportation Planning Bureau	Between MPO/ALDOT/State AQ Agency.
Review of MPO Public Participation Procedures	23 CFR 450.316(a)	As needed	Not Applicable	Office of Planning, Environment & Realty	Planning	Transportation Planning Bureau	Must be developed and published.
Review of Metropolitan Transportation Plan (MTP) in Attainment Areas (and Updates)	23 CFR 450.322	Every 4 years	Not Applicable	Office of Planning, Environment & Realty	Planning	Transportation Planning Bureau	
Review of MTP in Non-Attainment and Maintenance Areas (and Updates)	23 CFR 450.322	Every 5 years	Not Applicable	Office of Planning, Environment & Realty	Planning	Transportation Planning Bureau	
Review of MTP Amendments	23 CFR 450.322(c)	As Needed	Not Applicable	Office of Planning, Environment & Realty	Planning	Transportation Planning Bureau	
Air Quality Conformity Determination on LRTP in Non-attainment and Maintenance Areas	23 CFR 450.322(d)	Concurrent with LRTP updates at least every 4 years and as needed on amendments	Not Applicable	Office of Planning, Environment & Realty	Planning	Transportation Planning Bureau	After receipt of MPO determination; Joint FHWA and FTA determination; In consultation with the Environmental Protection Agency (EPA).
Review of Transportation Improvement Program (TIP)	23 CFR 450.300(a); 23 CFR 450.324(b); 23 CFR 450.328(a), 23 USC 134(j)(1)(D)	Prior to Program Period	Not Applicable	Office of Planning, Environment & Realty	Planning	Transportation Planning Bureau	No succinct Federal approval action is required for the TIP. FHWA/FTA approval of the TIP is through the STIP approval process.
Review of TIP Amendments	23 CFR 450.324(a); 23 CFR 450.328(b)	As needed	Not Applicable	Office of Planning, Environment & Realty	Planning	Transportation Planning Bureau	No succinct Federal approval action is required for the TIP. FHWA/FTA approval of the TIP is through the STIP approval process.

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	FHWA Division Responsible Program Office	ALDOT Responsible Program Office	Remarks
Approval of Air Quality Conformity Determination on TIP	23 CFR 450.326; 23 CFR 450.328	At least every 4 years, or when the TIP has been modified (unless exempt projects)	Not Applicable	Office of Planning, Environment & Realty	Planning	Transportation Planning Bureau	Applies to non-attainment and maintenance areas only. After receipt of MPO determination, joint determination with FTA (in cooperation with EPA).
Federal Finding of Consistency of Planning Process with Section 134 and 135	23 CFR 450.218(b); 23 CFR 450.334(a)	Concurrent with (S)TIP submittal	Not Applicable	Office of Planning, Environment & Realty	Planning	Transportation Planning Bureau	At least every four years, joint finding with FTA when TIP is submitted.
In Metropolitan Planning Areas, Review of State and MPO Self-certification that Planning Process is in Accordance with Applicable Requirements	23 CFR 450.334 (a), 23 CFR 218(a)	Annually or concurrent with the STIP/TIP cycle	Not Applicable	Office of Planning, Environment & Realty	Planning	Transportation Planning Bureau	Required for all MPO's. May be included in the STIP, TIP, or UPWP, at least every 4 years.
In TMA's, Certification that Planning Process is in Accordance with Applicable Requirements	23 CFR 450.334(b), 23 USC 134(k)(5)	Every 4 years		Office of Planning, Environment & Realty	Planning	Transportation Planning Bureau	Joint FHWA and FTA Certification.
Approval of Federal-Aid Urban Area Boundaries	23 CFR 470.105 (a), 23 USC 101(a)(33)	As needed	Not Applicable	Office of Planning, Environment & Realty	Planning	Transportation Planning Bureau	
Approval of Revision of Functional Classification	23 CFR 470.105 (b)	As needed	Not Applicable	Office of Planning, Environment & Realty	Planning	Transportation Planning Bureau	
Approval by Administrator of Interstate Additions & Revisions	23 USC 103(c)(1)(D), 23 CFR 470.111, 23CFR 470.115 (a)	As needed	Not Applicable	Office of Planning, Environment & Realty	Planning	Transportation Planning Bureau	Approval by HQ – Administrator.
Approval by Office Director of National Highway System (NHS) Additions and Revisions	23 USC 103(b)(3), 23 CFR 470.113 and 470.115(a)	As needed	Not Applicable	Office of Planning, Environment & Realty	Planning	Transportation Planning Bureau	Approved by HQ - Office Director.

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	FHWA Division Responsible Program Office	ALDOT Responsible Program Office	Remarks
Review of CMAQ Annual Report	CMAQ Guidance Memo October 31, 2006	Annually	March 1 st	Office of Planning, Environment & Realty	Planning	Transportation Planning Bureau	Division provides information on CMAQ projects including: amount of obligation, project description and location, and air quality benefits. The report must be submitted via the web-based CMAQ Tracking System.
Transportation Planning Excellence Awards		Annually	February 1 st	Office of Planning, Environment & Realty	Planning	Transportation Planning Bureau	Call for entries for the FHWA/FTA Transportation Planning and Excellence Awards.
Approval of Local Technical Assistance Program (LTAP) Centers Work Plan and Budget	FHWA LTAP Field Manual	Annually	March 31 st	Office of Planning, Environment & Realty	Planning	Transportation Planning & Modal Programs Bureau	FHWA HQ approval.
Approval of Public Involvement Program Procedures	23 CFR 771.111(h), 23 USC 128	As needed	Not Applicable	Office of Planning, Environment & Realty	Environment	Design Bureau, Environmental Technical Section	
Approval of NEPA Procedures, including Section 4(f)	23 CFR 771; 23 CFR 774; SAFETEA-LU 6007 & 6009, 23 USC 109(h)	As needed	Not Applicable	Office of Planning, Environment & Realty	Environment	Design Bureau, Environmental Technical Section	
Approval of Noise Policies	23 CFR 772.7, 772.9, and 772.13, 23 USC 109(i)	As needed	Not Applicable	Office of Planning, Environment & Realty	Environment	Design Bureau, Environmental Technical Section	FHWA approves ALDOT's noise abatement policy.
EIS Status Updates	FHWA Strategic Goal - EIS Timeliness	Quarterly	(Fiscal Year - Oct, Jan, Apr, Jul)	Office of Planning, Environment & Realty	Environment	Design Bureau, Environmental Technical Section	Monitor time required to complete EIS's. Determine projects which have exceeded recommended timeline (3 years). Identify projects which should be listed as dormant. Submit to HEPE.
Endangered Species Act Cost Report		Annually	March 1 st	Office of Planning, Environment & Realty	Environment	Design Bureau, Environmental Technical Section	
Exemplary Ecosystem Initiatives Applications		Annually	April 1 st	Office of Planning, Environment & Realty	Environment	Design Bureau, Environmental Technical Section	
Approval of Acquisitions, Appraisals, and Relocations Program and	49 CFR Part 24, The UA	As needed	Not Applicable	Office of Planning, Environment &	Realty Officer	Right-of-Way Bureau	

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	FHWA Division Responsible Program Office	ALDOT Responsible Program Office	Remarks
Procedures				Realty			
Early Acquisitions	23 CFR 710.501	As needed	Not Applicable	Office of Planning, Environment & Realty	Realty Officer	Right-of-Way Bureau	
Local Public Agency Oversight	49 CFR 24.4(b); 23 CFR 710.201	As needed	Not Applicable	Office of Planning, Environment & Realty	Realty Officer	Right-of-Way Bureau	
Approval of Highway Facility Relinquishment	23 CFR 620.203	As needed	Not Applicable	Office of Planning, Environment & Realty	Realty Officer	Right-of-Way Bureau	
Approval of ROW Disposal Authorization Request	23 CFR 710.409	As needed	Not Applicable	Office of Planning, Environment & Realty	Realty Officer	Right-of-Way Bureau	
Approval of ROW Operations Manual (Organization, Policies and Procedures), Updates, and Certification	23 CFR 710.201	January 1, 2001 and every 3 years thereafter or as required by changes in State law or Federal regulation/law	Not Applicable	Office of Planning, Environment & Realty	Realty Officer	Right-of-Way Bureau	
Approval of Exception to Charging Fair Market Value	23 CFR 710.403 and 23 CFR 710.409	As needed	Not Applicable	Office of Planning, Environment & Realty	Realty Officer	Right-of-Way Bureau	
Approval of Interstate Real Property Use Agreements	23 CFR 710.405	As needed	Not Applicable	Office of Planning, Environment & Realty	Realty Officer	Right-of-Way Bureau	
Approval of Request for Federal Land Transfer	23 CFR 710.601	As needed	Not Applicable	Office of Planning, Environment & Realty	Realty Officer	Right-of-Way Bureau	
Approval of Request for Direct Federal Acquisition	23 CFR 710.603	As needed	Not Applicable	Office of Planning, Environment & Realty	Realty Officer	Right-of-Way Bureau	

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	FHWA Division Responsible Program Office	ALDOT Responsible Program Office	Remarks
Approval of Outdoor Advertising Policies and Procedures, and Regulation and Procedure Approval	23 CFR 750.304, 23 CFR 750.705, 23 USC 131	As needed	Not Applicable	Office of Planning, Environment & Realty	Realty Officer	Maintenance Bureau, Permits & Operations Section	
Approval of Requests to Exempt Certain Nonconforming Signs, Displays, and Devices	23 CFR 750.503	As needed	Not Applicable	Office of Planning, Environment & Realty	Realty Officer	Maintenance Bureau, Permits & Operations Section	
Approval of Railroad Agreement Alternate Procedure	23 CFR 646.220	As needed	Not Applicable	Office of Planning, Environment & Realty	Project Delivery Team	Transportation Planning Bureau	
Approval of Uniform Act Waivers and Waivers from Availability of Comparable Replacement Dwelling before Displacement	49 CFR 24.7, 49 CFR 24.204(b)	As needed	Not Applicable	Office of Planning, Environment & Realty	Realty Officer	Right-of-Way Bureau	Requests reviewed and approved by HEPR Office Director.
Review of Uniform Relocation Assistance & Real Property Acquisition Report -(OMB Form 2125-0030)	49 CFR 24.9c & Appendix B 49 CFR 24.603	Annually	November 15 th	Office of Planning, Environment & Realty	Realty Officer	Right-of-Way Bureau	Submitted to FHWA Headquarters (HQ).
Review of Real Property Acquisition Statistical Report	FHWA Order 6540.1	Annually	November 15 th	Office of Planning, Environment & Realty	Realty Officer	Right-of-Way Bureau	
Approval of Management Process and Project Selection Procedures and Certification for Research, Development & Technology Transfer Program and Revisions to Process	23 CFR 420.115 and 23 CFR 420.209	As needed	Not Applicable	Office of Planning, Environment & Realty	Planning	Research and Development Bureau	FHWA Division Office Approval.
Periodic Review of States Management Process of the Research, Development & Technology Transfer Program	23 CFR 420.209	Periodic	Not Applicable	Office of Planning, Environment & Realty	Planning	Research and Development Bureau	FHWA Division Office Periodic Review.

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	FHWA Division Responsible Program Office	ALDOT Responsible Program Office	Remarks
Approval of Performance and Expenditure Reports for SPR Research Work Programs	23 CFR 420.117	No less frequently than annual and no more frequently than quarterly	90 Days After End Of Period	Office of Planning, Environment & Realty	Planning Team	Transportation Planning Bureau	FHWA Division Office Approval.
Approval of SPR research reports	23 CFR 420.117	Prior to publication unless prior approval is waved	Not Applicable	Office of Planning, Environment & Realty	Waived – Planning and Pavements & Materials	Research and Development Bureau	FHWA Division Office Approval unless waived.
Annual Traffic Reports	Traffic Monitoring Analysis System and Traffic Monitoring Guide reporting	When Published	As needed	Office of Highway Policy information	Planning	Transportation Planning Bureau	When Published
Approval of Annual Field Review Report	HPMS Field Review Guidelines (June 2001) Continuous Process Improvement Model for HPMS(February 2003)	Annually	November 1 st	Office of Highway Policy information	Planning	Transportation Planning Bureau	Review memo to HQ.
Approval of Certified Public Road Mileage	23 CFR 460.3(b)	Annually	June 1 st	Office of Highway Policy information	Planning	Transportation Planning Bureau	Each year, the Governor of each State and territory or a designee must certify Public Road Mileage. FHWA division reviews the Mileage and sends to HQ with division review/concurrence. This is reported to NHTSA for Apportionment of Safety Funds.
Approval of Data Submittal	23 CFR 420.105(b), HPMS Field Manual	Annually	June 15 th	Office of Highway Policy information	Planning	Transportation Planning Bureau	ALDOT sends directly to Division Office and HQ.
Highway Statistics Reports	Guide to Reporting Highway Statistics			Office of Highway Policy information	Planning	Transportation Planning Bureau	ALDOT of Division Office sends directly to HQ.
Motor Fuels Report	A Guide to Reporting Highway Statistics, Chapter 2	Due 60 days after end of each reporting month		Office of Highway Policy information	Planning	Transportation Planning Bureau	
Vehicles and Drivers (561, 562, 566, and 571)	A Guide to Reporting Highway Statistics, Chapters 3, 4, 5, and 6	Annually	April 1 st	Office of Highway Policy information	Planning	Transportation Planning Bureau	

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	FHWA Division Responsible Program Office	ALDOT Responsible Program Office	Remarks
Finance (531, 532, 541, 542, and 543 (optional))	A Guide to Reporting Highway Statistics, Chapters 8 and 9	Annually	April 1 st	Office of Highway Policy information	Planning	Transportation Planning Bureau	
Transportation Bond Referendums	A Guide to Reporting Highway Statistics, Chapter 9	When Published	When Published	Office of Highway Policy information	Planning	Transportation Planning Bureau	
ALDOT / Toll Authority Audits and Published Annual Reports and Form 539 (optional)	A Guide to Reporting Highway Statistics, Chapter 10	When Published	When Published	Office of Highway Policy information	Planning	Transportation Planning Bureau	Annually, Due as soon as available.
Finance (536)	A Guide to Reporting Highway Statistics, Chapter 11	Annually	September 30 th	Office of Highway Policy information	Planning	Transportation Planning Bureau	Biennially for odd-numbered years. Due nine months after end of reporting year
Finance (534)	A Guide to Reporting Highway Statistics, Chapter 12	Annually	June 15 th	Office of Highway Policy information	Planning	Transportation Planning Bureau	Annually for State, Biennially for local
Highway Finance and Tax Legislation	A Guide to Reporting Highway Statistics, Chapter 13	When Published	When Published	Office of Highway Policy information	Planning	Transportation Planning Bureau	
ALDOT Budgets and Published Annual Reports	A Guide to Reporting Highway Statistics, Chapter 13	When Published	When Published	Office of Highway Policy information	Planning	Transportation Planning Bureau	
Motor Fuel Oversight Review	July 24, 2001 HQ Memo	Initial baseline reports no later than December 31, 2003		Office of Highway Policy information	Planning	Transportation Planning Bureau	Annual progress reports and statement of verification by June 30. Submitted via UPACS.
Review of Biennial - Toll Facilities in the United States	23 CFR 450.105(b) HPMS Field Manual	Biennially - Odd Years	June 15 th (Odd Years)	Office of Highway Policy information	Planning	Transportation Planning Bureau	Division Office sends to HQ.
State Highway Maps (Tourist)		When Published	When Published	Office of Highway Policy information	Planning	Transportation Planning Bureau	Two copies to each Division Office and 100 copies to HQ.
Traffic Flow Maps		When Published		Office of Highway Policy information	Planning	Transportation Planning Bureau	When Published.
Vehicle Classification Data	MAP-21, HPMS Field Manual, Traffic Monitoring Guide	Annually	June 15 th	Office of Highway Policy information	Planning	Transportation Planning Bureau	Part of Annual HPMS submittal.

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	FHWA Division Responsible Program Office	ALDOT Responsible Program Office	Remarks
Highway Use Tax Evasion Grant Awards	23 USC 143	Annually	Not Applicable	Office of Highway Policy information	Planning	Transportation Planning Bureau	FHWA along with the Internal Revenue Service will review applications and select awardees for projects designed to reduce or eliminate fuel tax evasion. FHWA will also review annual progress reports on projects.
Heavy Vehicle Use Tax (HVUT) – Certification of verifying proof-of-payment of HVUT	23 CFR 669.7	Annually	July 1 st	Office of Highway Policy information	Planning	Transportation Planning Bureau	Each year, the Governor of each State, or a designee must certify that the State is verifying that the HVUT has been paid before they issue or renew registrations on vehicles over 55,000 lbs. The HVUT program is administered by the Internal Revenue Service.
Heavy Vehicle Use Tax (HVUT) – Certification of verifying proof-of-payment of HVUT	23 CFR 669	Annual	January 1 st	Office of Highway Policy information	Planning	Transportation Planning Bureau	Each year, the Governor of each State or a designee must certify that the State is verifying that the HVUT has been paid before they issue or renew registrations on vehicles over 55,000 lbs. The HVUT program is administered by the Internal Revenue Service.
Heavy Vehicle Use Tax (HVUT) – Triennial review of State program	23 CFR 669.21	Triennial	Not Applicable	Office of Highway Policy information	Planning	Transportation Planning Bureau	Every 3 years, the local Division Office will perform a review of the State process for verifying that the HVUT has been paid before a registration can be issued or renewed for vehicles over 55,000 lbs. The HVUT program is administered by the Internal Revenue Service.
Permanent ATR Data	Heavy Vehicle Travel Information System Field Manual	Monthly	Monthly	Office of Highway Policy information	Planning	Transportation Planning Bureau	Submit monthly, within 20 days after the close of the month for which the data were collected.
Continuous Automatic Vehicle Classifier Data	Heavy Vehicle Travel Information System Field Manual	Monthly	Monthly	Office of Highway Policy information	Planning	Transportation Planning Bureau	Send up to one week of data per quarter

All actions taken on or after December 26, 2014, shall be governed by the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards in 2 CFR Part 200. Part 200 of 2 CFR supersedes 49 CFR Parts 18 and 19, and requirements from OMB Circulars A-21, A-87, A-110, and A-122 (which have been placed in OMB guidances); Circulars A-89, A-102, and A-133; and the guidance in Circular A-50 on Single Audit Act follow-up.

Attachment D: ALDOT Manuals & Operating Agreements

ALDOT Manuals (approved by FHWA for use on Federal-aid projects)

- ALDOT Testing Manual
- ALDOT Procedure for Selection of Architect and/or Engineering Services
- ALDOT Utilities Manual
- ALDOT Standard Specifications for Highway Construction
- ALDOT General Application Special Provisions
- ALDOT Standard Highway Drawings
- ALDOT Special Drawings
- ALDOT 3R Standards
- ALDOT Bridge Bureau Structures Design and Detail Manual
- ALDOT Right-of-Way Operations Manual
- ALDOT Title VI Plan
- ALDOT Affirmative Action Plan
- ALDOT DBE Program
- ALDOT Public Involvement Policy for the Environmental Process
- ALDOT Highway Traffic Noise Analysis and Abatement Policy and Guidance
- ALDOT Miscellaneous Guide Sign Manual
- ALDOT Guidelines for Operations – Maintaining Minimum Sign Retroreflectivity
- ALDOT LPA Manual

The following documents provide guidance for the development of Federal-aid projects.

- ALDOT Construction Manual
- ALDOT policies related to Federal-aid project delivery
- Alabama Strategic Highway Safety Plan – current edition
- ALDOT Highway Safety Improvement Program Guidelines – under development
- ALDOT Access Management Manual
- ALDOT Guidelines for Operations – FHWA approved sections are noted above
- ALDOT Guidelines for Developing Construction Projects (GDGP)

Attachment E: Stewardship & Oversight Indicators

Program	Measure	Compiled by	Measure Type
Right-of-Way	Number of legal settlements and percent above initial offer	ALDOT	Performance
Right-of-Way	ROW programmed amount vs. actual cost	ALDOT	Performance
Right-of-Way	Number of illegal signs	ALDOT	Compliance
Right-of-Way	Number of outdoor advertising signs by type and status	ALDOT	Compliance
Environment	Median time (months) to complete Environmental Impact Statements	FHWA	Performance
Environment	Median time (months) to complete Environmental Assessments	FHWA	Performance
Planning	Percent of STIP advanced per urbanized area	ALDOT	Performance
Planning	Percent of projects from original STIP obligated	ALDOT	Performance
Safety	Number of fatalities	ALDOT	Performance
Safety	Fatality rate	ALDOT	Performance
Safety	Number of serious injuries	ALDOT	Performance
Safety	Serious injury rate	ALDOT	Performance
Safety	Percent of HSIP funds obligated	FHWA	Performance
Safety	Rural Road fatalities	ALDOT	Performance
Safety	Rural Road serious injuries	ALDOT	Performance
Civil Rights	Percent of actual payment vs. DBE project goal	ALDOT	Performance
Civil Rights	EEO compliance reviews completed	ALDOT	Compliance
Construction	Percent of Federal-aid projects completed within 10% of the award amount	ALDOT	Performance
Construction	Construction Engineering & Inspection cost as a percent of construction cost	FHWA	Performance
Contract Administration	Percent of projects with low bid within +/- 10% of Engineer's Estimate	ALDOT	Performance
Contract Administration	Percent of projects awarded within four weeks of bid opening	ALDOT	Performance
Design	Percent of Value Engineering recommendations adopted into project design	ALDOT	Performance
Design	Design cost as a percent of construction cost	ALDOT	Performance
Operations/ITS	Percent of Metro Area Interstates employing video surveillance	ALDOT	Performance
Operations/ITS	Freeway incident clearance times in Alabama Service and Assistance Patrol (ASAP) areas	ALDOT	Performance
Finance	Inactive project obligations	ALDOT	Compliance
Finance	Number of improper payments	ALDOT	Compliance