



**STEWARDSHIP AND OVERSIGHT AGREEMENT
ON PROJECT ASSUMPTION AND PROGRAM OVERSIGHT
BY AND BETWEEN
FEDERAL HIGHWAY ADMINISTRATION, INDIANA DIVISION
AND THE
STATE OF INDIANA DEPARTMENT OF TRANSPORTATION**



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 Indiana Department of Transportation (INDOT) on the roles and responsibilities of the FHWA and the INDOT with respect to Title 23 project approvals and related responsibilities, and FAHP oversight activities.

The scope of FHWA responsibilities, and the legal authority for INDOT assumption of FHWA responsibilities, have 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 the 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))

For all other project activities which do not fall within the specific project approvals listed in Section 106 or are not otherwise authorized by law, the FHWA may authorize a State DOT to perform work

needed to reach the FHWA decision point, or to implement FHWA's decision. However, such decisions themselves are reserved to FHWA.

The authority given to the State DOT 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 the State DOT to enter into an agreement relating to the extent to which the State DOT assumes project responsibilities. This Stewardship and Oversight Agreement (S&O Agreement), includes information on specific project approvals and related responsibilities, and provides 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 document the roles and responsibilities of the FHWA's Indiana Division Office (FHWA or Division) and INDOT 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 State DOT 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 State DOT on a program-wide basis under 23 U.S.C 106 or have the effect of altering Attachment A.

SECTION III. ASSUMPTION OF RESPONSIBILITIES FOR FEDERAL-AID PROJECTS ON THE NATIONAL HIGHWAY SYSTEM

- A. INDOT *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 *INDOT* and *FHWA* determine that assumption of responsibilities is appropriate.
- B. Approvals and related activities for which the INDOT has assumed responsibilities as shown in Attachment A (Project Action Responsibility Matrix) will apply program wide and regardless of funding source 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. INDOT may not assume responsibilities for Interstate projects that are in high risk categories. (23 U.S.C. 106(c)(1))
- D. INDOT 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. INDOT *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 INDOT 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), INDOT is to exercise the Secretary's approvals and related responsibilities on these projects in accordance with Federal laws.
- C. The INDOT, in its discretion, may request FHWA carry out one or more non-NHS approvals or related responsibilities listed as "State" in Attachment A (Project Action Responsibility Matrix) 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 (Project Action Responsibility Matrix) 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

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

SECTION VI. PERMISSIBLE AREAS OF ASSUMPTION UNDER 23 U.S.C. 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, material 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 INDOT

- A. Any approval or related responsibility not listed in Attachment A (Project Action Responsibility Matrix) cannot be assumed by the State 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 INDOT:
 - 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 federally-funded hardship acquisition, protective buying, and 23 U.S.C. 108(d) early acquisition;
 - In the Fiscal Management Information System, 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 INDOT 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;
 - Civil Rights On-the-Job Training Special Provision – Approval of New Project Training Programs; and

- Any other approval or activity not specifically identified in Attachment A (Project Action Responsibility Matrix) unless otherwise approved by the FHWA, including the Office of Chief Counsel.
- B. For all projects and programs, the INDOT 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 Act; and the Civil Rights Act of 1964 and related statutes.

SECTION VIII. PROJECT ACTION RESPONSIBILITY MATRIX

Attachment A (Project Action Responsibility Matrix) 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 U.S.C. 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 the State'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 INDOT's financial management system in accordance with 23 U.S.C. 106(g)(2)(A). FHWA will periodically review INDOT's monitoring of sub recipients pursuant to 23 U.S.C. 106(g)(4)(B).
- B.1. FIRE Reviews – FHWA performs annual reviews that address elements of INDOT's financial management system through the Financial Integrity Review and Evaluation Act (FIRE) requirements. Specifically, this is done through financial management (billing)

and Improper Payments Elimination and Recovery Act (IPERA) reviews by assuring INDOT's accounting system is correctly billing FHWA for the correct fund code, correct participation rate, an amount consistent with the contractor's billing, and that FHWA is billed only after the contractor has been paid. FIRE is a review and oversight program in support of the FHWA's annual certification of internal and financial controls. The annual certification satisfies the financial, accounting and reporting requirements of the Federal Managers' Financial Integrity Act (FMFIA) of 1982. Required FIRE reviews include a Financial Management Review, Improper Payments Review, Inactive Federal-aid Project Review, Administrative Reviews, and a Single Audit Review (selected from the risk assessment). The reviews are conducted to ensure financial integrity. See [FHWA Order 4560.1C](#) (Financial Integrity Review and Evaluation Program) for more information

- B.2. FHWA review of INDOT's sub recipient monitoring – FHWA and INDOT jointly conducts process and program reviews of all project phases to identify risk areas. The risk management processes is conducted by the INDOT LPA Staff, and supported by FHWA staff. Once identified INDOT updates or enhances their procedures to reduce risks. INDOT then updates all documents and manuals to reflect all updates. INDOT in partnership with FHWA jointly conducts a minimum of one and a maximum of three reviews annually. These reviews incorporate the process of random selection of projects to review as part of a risk based management approach.
- C. The FHWA shall perform annual reviews that address elements of the project delivery systems of INDOT, which elements include one or more activities that are involved in the life cycle of project from conception to completion of the project. The FHWA will also evaluate the practices of INDOT 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 the State's transportation needs. The FHWA may work collaboratively with INDOT 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.

Division Leadership presents FHWA's risks, program reviews and other initiatives for stewardship and oversight to INDOT Executive Leadership prior to the beginning of FHWA's Performance Year.

Techniques the Division in cooperation with INDOT may use to identify and analyze risks and develop response strategies, in conjunction with Generally Accepted Auditing Standards as defined by the American Institute of Certified Public Accountants, include the following:

- D.1. Program Assessments – Program assessments are conducted in accordance with FHWA's Program Assessment Guidance and are performed annually typically during the months of December and January. Program assessments provide an avenue to determine the performance of the FAHP by providing a strategic and cyclical review of each program area (Finance, Design, Construction, Bridge, Pavement, etc.). Each assessment focuses on one program area. The assessments include, the common concepts of identifying strengths, areas of concern, opportunities, and sharing "best" practices to continually improve the programs. The overall status of each program is also summarized.

Assessments include the results from joint risk assessments described below, including a prioritized list of risk responses.

Program assessments may be triggered by national or Division requirements/ initiatives to strive for continual improvement. Program Assessments are different than Program Reviews in that assessments document the health of the whole program and reviews will typically evaluate a component of a program. Also, reviews are conducted if issues are known or suspected to exist in a program in order to identify and correct any root causes.

- D.2. Risk Assessments – Risk assessments are conducted in accordance with FHWA’s Risk Management User Manual and are performed annually typically during the months of January and February. This manual is based on the [Standards for Internal Control in the Federal Government](#), published by the General Accounting Office (GAO) and provides the overall framework for Federal agencies in establishing and maintaining internal control and for identifying and addressing major performance and management challenges and areas at greatest risk of fraud, waste, abuse, and mismanagement. Risk assessments are based on program components for each Division and other national risks for FHWA. The program component is conducted jointly with INDOT every three years and updated by FHWA the other two years.

A risk assessment is based, in part, on the Performance Indicators/Measures for the identified program areas (Finance, Design, Construction, Bridge, Pavement, etc.), as well as results of previous program and project reviews. This will allow the FHWA and the INDOT to balance risk, efficiently allocate staffing resources, provide for adequate funding, and effectively and efficiently deliver the FAHP. Risks can be threats and opportunities, and are evaluated in terms of impact (how large the impact will be) and likelihood of the risk occurring. Risk responses are to avoid, enhance, mitigate, transfer or accept the identified risks. The results of the risk assessment and corresponding mitigation measures are summarized in the Program Assessments, used as input in identifying actions in the Indiana Division Unit Plan and are provided to INDOT for inclusion in their work plans.

- D.3. Program Reviews – The FHWA and the INDOT will manage each program (Finance, Design, Construction, Bridge, Pavement, etc.) through analysis of program components and processes to ensure compliance with Federal requirements.

These reviews may be referred to as program improvement reviews, process reviews, program/product evaluations, or continuous process improvement initiatives and are conducted on an annual basis. Program reviews are often triggered by risk assessments or indicators that suggest improvements are desirable. As described in Section X.C above, FHWA is required by law to conduct annual reviews. Program reviews go toward fulfilling this legislative requirement. These program reviews can be conducted by individuals or teams from FHWA and/or INDOT. Program reviews:

- Ensure compliance with Federal requirements
- Identify opportunities for greater efficiencies and improvements to the program
- Identify exemplary practices

These reviews may be referred to as program improvement reviews, process reviews, program/product evaluations, or continuous process improvement initiatives and are conducted on an annual basis. Performance measures may also be developed as a part of program reviews to help highlight and quantify successes and problem areas. Per FHWA policy memorandum dated September 30, 2009, program reviews led by FHWA must follow the Program Review Report Template. See Program Assessment for how program reviews differ from program assessments.

- D.4. Program Management – Program management refers to the daily stewardship of the FAHP including project and program oversight and program assistance. Program management ensures Federal program requirements are met while proactively seeking opportunities to add value by:
- Promoting new and innovative initiatives and concepts;
 - Continually assessing the program through routine involvement in program; monitoring and evaluating program performance measures;
 - Taking routine program approval actions, per this Stewardship and Oversight agreement;
 - Participating on joint task forces, joint committees, and joint quality improvement teams; and
 - Assisting the INDOT and other transportation stakeholders by answering questions related to the FAHP and project issues.
- D.5. Project Reviews – FHWA involvement in projects utilizes a Risk-Based Stewardship and Oversight (RBSO) framework and is documented with an [FHWA policy memorandum dated March 28, 2014](#) and provides FHWA with a more systematic process for managing FHWA’s Stewardship and Oversight responsibilities. The Compliance Assessment Program (CAP) and Projects of Division Interest (PODI) are two components of this RBSO framework.
- Compliance Assessment Program (CAP) – The Division conducts project reviews on a statistically valid sample of projects each year per FHWA’s CAP Guidance. The sample is provided to the Indiana Division annually by FHWA Headquarters. The sample is determined from all projects authorized for construction or advance construction in the Financial Management Information System (FMIS) in the last 12 months prior to April 1.
 - Projects of Division Interest (PODI) – On an annual basis the Division identifies projects to focus FHWA oversight, and for each project identifies focus areas for FHWA involvement. These PODIs and focus areas are based on factors such as the potential for public controversy and political interest, the use of innovative funding, and other risks. Other risks are typically identified from previous project inspections, process or program reviews, the PODI risk assessment or performance measurement data. FHWA involvement on PODIs is documented in a Project Plan for each PODI and typically involves reviews during project development, field inspections during construction, and/or various types of project milestone approvals.
- D.6. Required Reviews – Some reviews conducted annually by the Indiana Division are required, such as Financial Integrity Review and Evaluation (FIRE) Reviews and

Planning Certification Reviews in Transportation Management Areas (TMAs). FIRE reviews are described in Section X.B.1 above. Planning Certification Reviews in are required for metropolitan areas with a population of 200,000 or more and conducted every four years. Planning Certification Review requirements are further describes in [23 CFR 450.334\(b\)](#) and [23 USC 134\(k\)\(5\)](#).

Division Standard Operating Procedures (SOPs) and FHWA guidance describes how these strategies are implemented. See Attachment C (Manuals and Operating Agreements) for listing of key Division SOPs.

E. Program Responsibility Matrix

Attachment B (Program Responsibility Matrix) identifies all relevant FHWA program actions, and Division and INDOT program contact offices.

F. Manuals and Operating Agreements

INDOT manuals, agreements and other control documents that have been approved for use on Federal-aid projects are listed in Attachment C (Manuals and Operating Agreements). FHWA Indiana Division Administrator, or his designee, approval are required before revisions are published.

G. Stewardship and Oversight Indicators

The Indiana Division and INDOT have jointly established Stewardship and Oversight Indicators. See Attachment D (Stewardship and Oversight Indicators). INDOT will transmit the current indicators to FHWA on a semi-annual basis, or otherwise make the indicators available electronically. The FHWA Indiana Division Administrator and the INDOT Commissioner will then jointly review the indicators to identify any countermeasures to respond to results moving away from the desired target. Indicators and targets may be modified if jointly agreed to by signatories.

SECTION XI. INDOT OVERSIGHT AND REPORTING REQUIREMENTS

A. INDOT Oversight and Reporting Requirements

INDOT's mission is to plan, build, maintain and operate a superior transportation system enhancing safety, mobility and economic growth. INDOT is responsible for demonstrating to the FHWA how it is carrying out its responsibilities in accordance with this S&O Agreement. In order to fulfill this responsibility, INDOT addresses its assumed responsibilities through the narrative in the S&O agreement, as well as the manuals and operating agreements listed in Attachment C (Manuals and Operating Agreements). INDOT ensures accomplishment of delegated project responsibilities described in Attachment A (Project Action Responsibility Matrix) are documented in project files and are subject to review by FHWA. Additionally, INDOT will utilize Attachment B (Program Responsibility Matrix) of this Agreement to track compliance of individual INDOT divisions or business units regarding all applicable federal requirements. Each program manager will be required to certify to the INDOT Commissioner that all program actions have been done in accordance with Federal requirements. INDOT will

maintain such certifications and ensure that all certifications are completed within timeframes appropriate to each program area. Certifications may be made available to FHWA for review. The development of the control documents in Attachment C (Manuals and Operating Agreements) meet the requirements set forth in Sections III and IV above. FHWA Division Administrator, or his designee, approval are required before revisions are published. INDOT will provide FHWA a synopsis of the certifications along with program related risks identified on an annual basis.

Per 23 USC 302(a), State DOTs “shall have adequate powers, and be suitably equipped and organized to discharge to the satisfaction of the Secretary the duties required by this title.”

B. INDOT Oversight of Locally Administered Projects

The Mission of the INDOT LPA Program is to provide stewardship and technical assistance through excellent education and collaborative relationships, to plan, build and maintain a superior transportation system that promotes economic growth, ensures safety, and complies with all local, state, and federal regulations. Within the Indiana LPA Program, INDOT grants the LPA the ability to perform tasks related to project development such as PS&E development, NEPA development, and ROW tasks. Areas related to contract administration such as advertisement, letting, and contract award for LPA projects are performed by INDOT. All narrative below is related to how Indiana handles its LPA Program.

- B.1. INDOT is required to provide adequate oversight of sub recipients including oversight of any assumed responsibilities INDOT delegates to a LPA. These actions and responsibilities are reflected in the LPA Guidance Document and the LPA Standard Operating Procedures as referenced in Attachment C (Manuals and Operating Agreements).
- B.2. Pursuant to 23 U.S.C. 106(g)(4), INDOT 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. The State DOT 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).
- B.3. INDOT acknowledges that it is responsible for sub-recipient awareness of Federal grant requirements management of grants awards and sub-awards (49 CFR 18.40), and is familiar with and comprehends pass through entity responsibilities (2 C.F.R 200.331 Requirements for Pass-thru Entities INDOT shall carry out these responsibilities using the actions, programs, and processes as indicated in the LPA Guidance document as referenced in Attachment C (Manuals and Operating Agreements).
- B.4. INDOT shall assess whether a sub recipient has adequate project delivery systems and sufficient accounting controls to properly manage projects, using the following actions, programs, and processes as indicated in the LPA Guidance document as referenced in Attachment C (Manuals and Operating Agreements).

- B.5. INDOT 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 following actions, programs, and processes as indicated in the LPA Guidance document as referenced in Attachment C (Manuals and Operating Agreements).

LPA's in Indiana primarily perform their work through consultant staff. INDOT provides stewardship and technical assistance to LPA's to negotiate review and enter into contractual services with consultants for engineering services for design services, NEPA documentation, permitting, ROW, and construction management through the use of a Project Engineer/Project Supervisor (PE/PS). INDOT assigns an Area Engineer to oversee the work of the PE/PS. INDOT retains all approvals, and reviews LPA work at various intervals as described in the LPA Guidance documents as referenced in Attachment C (Manuals and Operating Agreements). LPA's may use their own staff if they have the qualified persons to do so, and they are subject to the same oversight by INDOT staff as consultant staff.

- B.6. INDOT 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 indicated in the LPA Guidance document as referenced in Attachment C (Manuals and Operating Agreements).
- B.7. INDOT shall ensure that when LPA's 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. INDOT's process to ensure compliance with this requirement is documented by the actions, programs, and processes indicated in the LPA Guidance document as referenced in Attachment C (Manuals and Operating Agreements).
- B.8. INDOT shall ensure that project actions will be administered in accordance with all applicable Federal laws and regulations. The INDOT will use the process reflected in the LPA Guidance document, referenced in Attachment C (Manuals and Operating Agreements), for required approvals on sub recipient projects. The LPA Guidance document details the process LPA's are required to follow regarding consultant selection and management, environment, design, financial management including audits and indirect cost allocation plans, right-of-way, construction monitoring including quality control/quality assurance (QC/QA) and contract administration.
- B.9. INDOT shall document its oversight activities for LPA-administered projects and findings, and how it will share this information with the FHWA, as indicated in the LPA Guidance document as referenced in Attachment C (Manuals and Operating Agreements).

SECTION XII. IMPLEMENTATION AND AMENDMENTS

- A. This S&O Agreement will take effect as of the effective date of the signature of the FHWA Indiana Division Administrator, who shall sign this S&O Agreement last.

- B. The Division and INDOT agree that updates to this Agreement will be considered periodically on a case-by-case basis for below scenarios or at a minimum of every 4 years:
- B.1 Significant new legislation, Executive orders, or other initiatives affecting the relationship or responsibilities of one or both parties to the S&O Agreement occurs;
 - B.2 Leadership, or leadership direction, changes at INDOT or FHWA; or
 - B.3 Priorities shift as a result of audits, public perception, or changes in staffing at either INDOT or Division Office.
- C. The Division and INDOT 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 INDOT 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.

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EXECUTION BY THE FHWA INDIANA DIVISION OFFICE

Executed this _____ day of _____, 201__.

Signature

Richard J. Marquis
Division Administrator

EXECUTION BY THE INDIANA DEPARTMENT OF TRANSPORTATION

Executed this _____ day of _____, 201__.

Signature

Karl B. Browning
Commissioner

ATTACHMENT A
PROJECT ACTION RESPONSIBILITY MATRIX
Effective: [enter date]

The following matrix identifies Federal-aid highway program (FAHP) project approvals and related responsibilities. The matrix specifies which ones are subject to State assumption 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.

For projects on the NHS, the FHWA Division has retained any approval or related action in any box as deemed appropriate by the Division. If the FHWA Division retained any approval or related action which could have been assumed by the State, then any project involving this action will be a PoDI, and will require a PoDI plan. (Actions with Endnote 4 those approval or related actions that can be delegated to the State.)

For the column marked “Projects off the NHS”, the State must assume all items marked “State” unless the State determines the assumption of a particular item by the State is not appropriate. Those actions retained by FHWA per INDOT’s determination are noted with Endnote 6. INDOT’s determination that FHWA should retain these actions is in Attachment E (INDOT determination for FHWA to retain certain actions).

Except as expressly stated in notes to the matrix below, the State cannot assume any approval marked only as “FHWA” (without an endnote). Any item marked only “FHWA” is reserved for FHWA because it is outside the scope of 23 U.S.C. 106(c), or otherwise is reserved for FHWA by law. 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. While FHWA may not delegate decision-making authority to a State unless authorized by law, FHWA may authorize a State DOT to perform work needed to reach the decision point, or to implement the decision.

PROJECT ACTION RESPONSIBILITY MATRIX (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)	STATE	STATE
Identify proposed funding category	STATE (1)	STATE (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)]	STATE	STATE
All EA/FONSI, EIS/ROD, 4(f), 106, 6(f) and other approval actions required by Federal environmental laws and regulations. (Note: this action cannot be assumed by STATE except under 23 U.S.C. 327)	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	STATE (3, 4)	STATE (3)
Sole source Consultant Contract Selection	STATE (3, 4)	STATE (3)
Approve hiring of consultant to serve in a “management” role (Note: this action cannot be assumed by State) [23 CFR 172.9]	FHWA	FHWA

PROJECT ACTION RESPONSIBILITY MATRIX (Excluding PoDIs, which are subject to separate PoDI Plans)		
ACTION	AGENCY RESPONSIBLE	
	PROJECTS ON THE NHS	PROJECTS OFF THE NHS
Approve consultant agreements and agreement revisions (Federal non-Major Projects) [23 CFR 172.9]	STATE (4)	STATE
Approve consultant agreements and agreement revisions on Federal Major Projects [23 CFR 172.9] (Note: this action cannot be assumed by State)	FHWA	FHWA
Approve exceptions to design standards [23 CFR 625.3(f)] “Freeway”, as defined by AASHTO Greenbook	STATE for non-freeways FHWA for freeways (4,8)	STATE
Interstate System Access Change [23 USC 111] (Note: this action cannot be assumed by State)	FHWA	N/A
Interstate System Access Justification Report [23 USC 111] (Note: action may be assumed by State pursuant to 23 USC 111 (e))	FHWA (4, 8)	N/A
Airport highway clearance coordination and respective public interest finding (if required) [23 CFR 620.104]	STATE (4)	STATE
Approve Project Management Plan for Federal Major Projects over \$500 million [23 USC 106(h)] (Note: this action cannot be assumed by State)	FHWA	FHWA
Approve innovative and Public-Private Partnership projects in accordance with SEP-14 and SEP-15 (Note: this action cannot be assumed by State)	FHWA	FHWA
Provide pre-approval for preventive maintenance project (until FHWA concurs with STATE procedures) (Note: this action cannot be assumed by State)	FHWA	FHWA
Provide approval of preliminary plans for unusual/complex bridges or structures on the Interstate. [23 USC 109(a) and FHWA Policy]	FHWA (9)	N/A
Approve retaining right-of-way encroachments [23 CFR 1.23 (b) & (c)]	STATE (4)	STATE
Approve use of local force account agreements [23 CFR 635.104 & 204]	FHWA (4, 8)	FHWA (7)
Approve use of publicly owned equipment [23 CFR 635.106]	FHWA (4, 8)	FHWA (7)

PROJECT ACTION RESPONSIBILITY MATRIX (Excluding PoDIs, which are subject to separate PoDI Plans)		
ACTION	AGENCY RESPONSIBLE	
	PROJECTS ON THE NHS	PROJECTS OFF THE NHS
Approve the use of proprietary products, processes [23 CFR 635.411]	FHWA (4, 8)	STATE
Concur in use of publicly furnished materials [23 CFR 635.407]	STATE (4)	FHWA (7)
Make feasibility/practicability determination for allowing authorization of construction prior to completion of ROW clearance, utility and railroad work [23 CFR 635.309(b)]	FHWA for Interstate STATE for Non-Interstate (5)	STATE
Make public interest finding on whether State may proceed with bid advertisement even though ROW acquisition/relocation activities are not complete for some parcels [23 CFR 635.309(c)(3)]	FHWA for Interstate STATE for Non-Interstate (5)	STATE
Ensure compliant ROW certificate is in place [23 CFR 635.309(c)]	STATE (4)	STATE
Approve Hardship and Protective Buying [23 CFR 710.503] (If a Federal-aid project) (Note: this action cannot be assumed by State)	FHWA	FHWA
Approve Interstate Real Property Interest Use Agreements [23 CFR 710.405] (Note: this action cannot be assumed by State)	FHWA	N/A
Approve non-highway use and occupancy [23 CFR 1.23(c)]	FHWA for Interstate STATE for Non-Interstate (3, 5)	STATE (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 authorizes FHWA and STATE to agree to scope of property-related oversight and approvals for all actions except those on the Interstate System)	FHWA for Interstate STATE for Non-Interstate (3, 5)	STATE (3)

PROJECT ACTION RESPONSIBILITY MATRIX (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 State)	FHWA	FHWA
Federal land transfers [23 CFR 710, Subpart F] (Note: this action cannot be assumed by State)	FHWA	FHWA
Functional replacement of property [23 CFR 710.509] (Note: this action cannot be assumed by State)	FHWA	FHWA
Approve Work Zone Significant Project Determination [23 CFR 630.1010]	STATE	STATE
Accept Transportation Management Plans [23 CFR 630.1012(b)]	STATE (4)	STATE
Approval of System Engineering Analysis (for ITS) [23 CFR 940.11]	FHWA (4, 8)	FHWA (7)
Approve PS&E [23 CFR 630.201]	STATE (4)	STATE
Authorize advance construction and conversions [23 CFR 630.703 & 709] (Note: this action cannot be assumed by State)	FHWA	FHWA
Approve utility or railroad force account work [23 CFR 645.113 & 646.216]	STATE (4)	STATE
Approve utility and railroad agreements [23 CFR 645.113 & 646.216]	STATE (4)	STATE
Approve use of consultants by utility companies [23 CFR 645.109(b)]	STATE (4)	STATE
Approve exceptions to maximum railroad protective insurance limits [23 CFR 646.111]	STATE (4)	STATE
Authorize (approve) advertising for bids (FHWA authorization done via construction authorization) [23 CFR 635.112, 309]	STATE (4)	STATE
Approve cost-effectiveness determinations for construction work performed by force account or by contract awarded by other than competitive bidding	FHWA (4, 6, 8)	FHWA (6, 7)

PROJECT ACTION RESPONSIBILITY MATRIX (Excluding PoDIs, which are subject to separate PoDI Plans)		
ACTION	AGENCY RESPONSIBLE	
	PROJECTS ON THE NHS	PROJECTS OFF THE NHS
[23 CFR 635.104 &.204]		
Approve emergency determinations for contracts awarded by other than competitive bidding [23 CFR 635.104 &.204]	FHWA (4, 8)	FHWA (7)
Approve construction engineering by local agency [23 CFR 635.105]	STATE (4)	STATE
Approve advertising period less than 3 weeks [23 CFR 635.112]	FHWA (4, 8)	FHWA (7)
Approve addenda during advertising period [23 CFR 635.112]	STATE (4, 6)	STATE (6)
Concur in award of contract [23 CFR 635.114]	STATE (4)	STATE
Concur in rejection of all bids [23 CFR 635.114]	STATE (4)	STATE
Approval of Design-Build Requests-for-Proposals and Addenda [23 CFR 635.112]	STATE (4)	STATE
Approve changes and extra work [23 CFR 635.120]	STATE (4)	STATE
Approve contract time extensions [23 CFR 635.120]	STATE (4)	STATE
Concur in use of mandatory borrow/disposal sites [23 CFR 635.407]	STATE (4)	STATE
Accept materials certification [23 CFR 637.207]	STATE (4)	STATE
Concur in settlement of contract claims [23 CFR 635.124]	STATE (4)	STATE
Concur in termination of construction contracts [23 CFR 635.125]	FHWA (4, 8)	FHWA (7)
Waive Buy America provisions [23 CFR 635.410] (Note: this action cannot be assumed by State)	FHWA	FHWA
Final inspection/acceptance of completed work [23 USC 114(a)]	STATE (4)	STATE
Approval of temporary closures [23CFR658.11]	FHWA for Interstate STATE for Non-Interstate	STATE
Approval of Disadvantaged Business Enterprise (DBE) Project Contract Goal	STATE (4)	STATE

PROJECT ACTION RESPONSIBILITY MATRIX (Excluding PoDIs, which are subject to separate PoDI Plans)		
ACTION	AGENCY RESPONSIBLE	
	PROJECTS ON THE NHS	PROJECTS OFF THE NHS
set by the State DOT under 49 CFR 26.51(d). [49 CFR 26.51(e)(3)]		
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)	STATE	STATE
Equal Employment Opportunity (EEO) Contract Compliance Review Approval [23 CFR Part 230, Subpart D].	STATE (4)	STATE
Training Special Provision – Approval of Project Goal for training slots or hours [23 CFR Part 230, Subpart A]	STATE (4)	STATE
Training Special Provision – Approval of New Project Training Programs (Note: this action cannot be assumed by State) [23 CFR 230.111(d), (e)]	FHWA	FHWA

ENDNOTES:

- (1) State 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) State’s process and modifications to, or variation in process, require FHWA approval.
- (4) Options are ‘FHWA or STATE’.
- (5) Options are ‘FHWA or State for Non-Interstate’.
- (6) A programmatic approval for projects with total costs below \$25,000 has been approved by FHWA.
- (7) INDOT has determined FHWA retain this action until internal INDOT procedures are established. See Attachment E (INDOT request for FHWA to retain certain actions).
- (8) If there is Programmatic agreement or other FHWA-approved established procedures, decisions are handled in accordance with those assignments or agreements. Those project actions may then thereafter be officially delegated to INDOT.
- (9) 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 hydraulic 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
PROGRAM RESPONSIBILITY MATRIX
Effective: [enter date]

PROGRAM ACTION RESPONSIBILITY

The following matrix is a list of program actions. The Division should refer to [\(link removed\)](#) for the latest updated version which can be incorporated into the agreement or referenced as a control document.

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	FHWA Division Program Manager	State DOT Responsible Program Office	Remarks
States and sub-recipient failure to maintain projects - Notice and withholding Federal-aid Funds	23 USC 116(d)	Project Specific	Project Specific	Office of Infrastructure	Division Administrator	Director of LPA, reporting to Deputy Commissioner for Innovative Project Delivery	
Review of State Public Involvement Procedures	23 CFR 450.210(a)	Every 3 years	Begin review 4th quarter of CY	Office of Planning, Environment & Realty	Planning	Chief of Staff	FHWA Division Office Review to Assure Compliance.
Approval of Public Involvement Program Procedures	23 CFR 771.111(h), 23 USC 128	Every 3 years	6 months after review commences	Office of Planning, Environment & Realty	Planning	Chief of Staff	
Transportation Bond Referendums	A Guide to Reporting Highway Statistics, Chapter 9	Annually	January 1st for prior fiscal year	Office of Highway Policy information	Finance	Chief Financial Officer and Deputy Commissioner	
Highway Finance and Tax Legislation	A Guide to Reporting Highway Statistics, Chapter 13	Annually	Beginning of State FY	Office of Highway Policy information	Finance	Chief of Staff	
Approval of State Standard Specifications	23 CFR 625.3	As needed INDOT meets monthly to review	As needed INDOT meets monthly	Office of Infrastructure	Pavement & Materials	Construction Management Director, reporting to Deputy Commissioner for Capital Program Management	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	Annually at time of report	Annually at time of report	Office of Infrastructure	Design	Statewide Capital Management Director, reporting to Deputy Commissioner for Capital Program Management	FHWA Division Office Review.

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	FHWA Division Program Manager	State DOT Responsible Program Office	Remarks
Review of Value Engineering Annual Report	23 CFR 627.7, FHWA Order 1311.1B	Annual	Annually based on FHWA FY	Office of Infrastructure	Design	Statewide Capital Management Director, reporting to Deputy Commissioner for Capital Program Management	FHWA Division Office collects, reviews, and submits to HQ for review and reporting.
Approval of Liquidated Damages Rate	23 CFR 635.127	Every 2 years	End of FHWA FY	Office of Infrastructure	Construction	Deputy Commissioner for Capital Program Management	FHWA Division Office Approval.
Approval of Utility Agreement / Alternate Procedure	23 CFR 645.119	Annually based on FHWA FY	Annually based on FHWA FY	Office of Infrastructure	Design	Utility and Railroad Manager, Reporting to Deputy Commissioner for Capital Program Management	FHWA Division Office Approval
Approval of Utility Accommodation Policy	23 CFR 645.215, 23 USC 109(l), 23 USC 123	Annually based on FHWA FY	End of FHWA FY	Office of Infrastructure	Design	Utility and Railroad Manager, Reporting to Deputy Commissioner for Capital Program Management	FHWA Division Office Approval
Project Management Plan (Major Projects)	23 U.S.C. 106(h)(2)	Prior to first federal authorization of construction funds for a Major Project	Annually as noted in the approved Initial Financial Plan	Office of Innovative Program Delivery	Innovation	Deputy Commissioner for Innovative Project Delivery and/or Deputy Commissioner for Capital Program Management	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	Innovation	Deputy Commissioner for Innovative Project Delivery and/or Deputy Commissioner for Capital Program Management	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	Innovation	Statewide Capital Program Management Director, reporting to Deputy Commissioner for Capital Program Management	Other Projects are defined as projects with an estimated total cost of \$100 million or more that have not been designated as Major Projects.

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	FHWA Division Program Manager	State DOT Responsible Program Office	Remarks
Approval of Exceptions to Work Zone Procedures for Interstate Projects	23 CFR 630.1010	Required before letting	Required before letting	Office of Operations	Safety	Deputy Commissioner for Capital Program Management	
EIS Status Updates	FHWA Strategic Goal - EIS Timeliness	Quarterly	(Fiscal Year - Oct, Jan, Apr, Jul)	Office of Planning, Environment & Realty	Environmental	Director of Environmental Services Division, reporting to Deputy Commissioner for Engineering and Asset Management, Deputy Commissioner for Innovative Project Delivery and/or Deputy Commissioner for Capital Program Management	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.
Approval of Railroad Agreement Alternate Procedure	23 CFR 646.220	Annually based on FHWA FY	Annually based on FHWA FY	Office of Planning, Environment & Realty	Design	Utility and Railroad Manager, Reporting to Deputy Commissioner for Capital Program Management	
Receipt of State Consultation Process with Tribal Governments	23 CFR 450.210(c)	As needed	Not Applicable	Office of Federal Lands Highway	Environmental	Environmental Services Division, Engineering and Asset Management	Informational Purposes.
Determination of High Risk Categories - Limitation on Interstate Projects	23 USC 106(c)(4)(B)	NA for Indiana	NA for Indiana	Office of Infrastructure	Division Administrator	Chief of Staff / Director of Traffic Engineering, reporting to Deputy Commissioner for Engineering and Asset Management	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)	Annually	December 31st	Office of Infrastructure	Design	Bridges Director and Highway Design & Technical Support Director, reporting to Deputy Commissioner for Engineering and Asset Management	FHWA Division Office Approval.

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	FHWA Division Program Manager	State DOT Responsible Program Office	Remarks
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)	Monthly	30 days following standards committee action	Office of Infrastructure	Design	Bridges Director and Highway Design & Technical Support Director, reporting to Deputy Commissioner for Engineering and Asset Management	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 developed	45 days after receipt of preliminary plans	Office of Infrastructure	Bridge	Bridges Director, reporting to Deputy Commissioner for Engineering and Asset Management	Director of HIBT has approval of preliminary plans of Major and Unusual Bridges on the Interstate Highway System (M1100.A)
Verify State Design Exception Policy complies with FHWA Policy	23 CFR 625.3	Annually	December 31st	Office of Infrastructure	Design	Bridges Director and Highway Design & Technical Support Director, reporting to Deputy Commissioner for Engineering and Asset Management	FHWA Division Office Approval.
Approval of State Standard Detail Plans	23 CFR 625.3	Monthly	30 days following standards committee action	Office of Infrastructure	Design	Bridges Director and Highway Design & Technical Support Director, reporting to Deputy Commissioner for Engineering and Asset Management	FHWA Division Office Approval.
Approval of Pavement Design Policy (i.e., Chap 304)	23 CFR 626.3	Annually or as document is modified	Annual approval by 31 Aug or NLT 30-days after modification	Office of Infrastructure	Pavements & Materials	Pavement Director, reporting to Deputy Commissioner for Engineering and Asset Management	FHWA Division Office Approval.
Review and Approval of Interstate Access Requests	23 USC 111, 23 CFR 710, 74 FR 43743-43746 (Aug. 27, 2009)	When INDOT action requires such, typically 2 to 4 times per year	See left	Office of Infrastructure	Safety	Director of Highway Design & Technical Support and Director of Traffic Engineering, reporting to Deputy Commissioner for Engineering and Asset Management	FHWA Division Office approval with concurrence from HQ on more complex access requests.

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	FHWA Division Program Manager	State DOT Responsible Program Office	Remarks
Review Bridge Construction, Geotechnical, and Hydraulics	23 CFR 650	When submitted	25 days	Office of Infrastructure	Bridge	Deputy Commissioner for Engineering and Asset Management	This is the review of all bridge plans that takes place during project development.
Review Plans of Corrective Action established to address NBIS compliance issues	23 CFR 650, 23 USC 144	Annually	45 days after notification of the deficiency	Office of Infrastructure	Bridge	Bridges Director, reporting to Deputy Commissioner for Engineering and Asset Management	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	1-Apr	Office of Infrastructure	Bridge	Bridges Director, reporting to Deputy Commissioner for Engineering and Asset Management	Division resolve errors with States; States submit to HQ.
Review structurally deficient bridge construction Unit Cost submittal	23 USC 144	Annually	1-Apr	Office of Infrastructure	Bridge	Bridges Director, reporting to Deputy Commissioner for Engineering and Asset Management	Submit to HQ.
Review Section 9 of the Rivers and Harbors Act Submittals (Bridge Permits)	23 CFR 650 Subpart H; 33 CFR 114 & 115	When applicable projects are developed.	45 days after receipt of plans	Office of Infrastructure	Bridge	Bridges Director, reporting to Deputy Commissioner for Engineering and Asset Management	This is not a common activity
Approval for reduction of expenditures for off-system bridges	23 USC 133(g)(2)(B)	If requested	45 days receipt of request.	Office of Infrastructure	Bridge	Bridges Director, reporting to Deputy Commissioner for Engineering and Asset Management	The FHWA Administrator may reduce the requirement for expenditures for off-system bridges if the FHWA Administrator determines that the State has inadequate needs to justify the expenditure. To date INDOT has not received a request to do this.
Determination on Adequacy of State's Asset Management Plan	23 USC 119(5)	Annually beginning second fiscal year after establishment of the process	State FY	Office of Infrastructure	Transportation Performance Management and Asset Management	Director of Asset Management and Planning, reporting to Deputy Commissioner for Engineering and Asset Management	

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	FHWA Division Program Manager	State DOT Responsible Program Office	Remarks
Certification and Recertification of States Process for Development of State Asset Management Plan	23 USC 119(6)	Recertification every four years after establishment of the process	1-Apr	Office of Infrastructure	Transportation Performance Management and Asset Management	Director of Asset Management and Planning reporting to Deputy Commissioner for Engineering and Asset Management	
Review National Highway System Performance Achievement Plan for Actions to achieve the targets (when State does not achieve or make significant progress toward achieving)	23 USC 119(7)	Required if State does not achieve targets (or significant progress) for 2 consecutive reports	Within 45 days of receipt	Office of Infrastructure	Transportation Performance Management and Asset Management	Directors of Bridges, Pavement, Traffic Engineering reporting to Deputy Commissioner for Engineering and Asset Management	
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	Within 60 days every ten years after enactment.	Office of Operations	Freight	Office of Freight Mobility reporting to the Deputy Commissioner for Engineering and Asset Management	Under development, initial PFN designation scheduled for Spring 2014 completion.
Review Development and Update of National Freight Strategic Plan	23 USC 167(f)	Three years after enactment of MAP-21 and every five years thereafter	Within 60 days every five years after enactment.	Office of Operations	Freight	Director of Asset Management and Planning, reporting to Deputy Commissioner for Engineering and Asset Management	OST lead
Review Freight Transportation Conditions and Performance Report	23 USC 167(g)	Two years after enactment of MAP-21 and every two years thereafter	Within 60 days every two years after enactment.	Office of Operations	Freight	Multimodal Division Director and Director of Asset Management, Program Engineering & Road Inventory, Deputy Commissioner for Engineering and Asset Management	OST lead
Congestion Partnerships Assessment	Annual Memo from HQ	NA for Indiana (not required since 2007)	NA for Indiana (not required since 2007)	Office of Operations	Operations	Deputy Commissioner for Engineering and Asset Management	Complete with partners and forward to HQ.

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	FHWA Division Program Manager	State DOT Responsible Program Office	Remarks
Approval of State-Prepared Manual on Uniform Traffic Control Devices - State Traffic Control Manuals	23 CFR 655.603, 23 USC 109(d)	As needed. This is an ad-hoc activity.	Within 30 days of an action or review request.	Office of Operations	Operations	Traffic Engineering Director, reporting to Deputy Commissioner for Engineering and Asset Management	
Review Vehicle Size & Weight Enforcement Plan	23 CFR 657.11, 23 USC 127	Annually	1-Oct	Office of Operations	Operations	Office of Freight Mobility, Deputy Commissioner for Engineering and Asset Management	The plan must be submitted through the VSW portal. An evaluation report is due to FHWA-HQ and a letter must be issued to the state with the approval finding.
Review Vehicle Size & Weight Enforcement Certification	23 CFR 657.13, 23 USC 141	Annually	1-Jan	Office of Operations	Operations	Office of Freight Mobility, Deputy Commissioner for Engineering and Asset Management	
Approval of National Network Modifications	23 CFR 658.11	As needed. This is an ad-hoc activity.	Within 30 days of an action or review request.	Office of Operations	Freight	Office of Freight Mobility, Deputy Commissioner for Engineering and Asset Management	
Approval of Acknowledgement and Sponsorship Signs along an Interstate	23 CFR 655; FHWA Order 5160.1A	When INDOT action requires such, typically every 2 to 4 years	See left	Office of Operations	Operations	Deputy Commissioner of Operations/Deputy Commissioner for Engineering and Asset Management	
Approval of State Planning Work Program and Revisions (Part 1)	23 CFR 420.111, 23 CFR 420.115, and 23 CFR 420.209	Annually	1-Jun	Office of Planning, Environment & Realty	Planning	Director of Asset Management and Planning, reporting to Deputy Commissioner for Engineering and Asset Management	FHWA Division Office Approval.
Review of Long-range Statewide Transportation Plan	23 CFR 450.214	Every 3 years or as needed	1-April every 3-years	Office of Planning, Environment & Realty	Planning	Director of Asset Management & Planning reporting to Deputy Commissioner for Engineering and Asset Management	FHWA Division Office Review to Assure Compliance.

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	FHWA Division Program Manager	State DOT Responsible Program Office	Remarks
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	1-Apr	Office of Planning, Environment & Realty	Planning	Director of Asset Management & Planning Deputy Commissioner for Engineering and Asset Management	FHWA and FTA issue a joint finding concurrent with STIP approval.
Review of State Self-certification that Planning Process is in Accordance with Applicable Requirements	23 CFR 450.218(a)	Submitted with proposed STIP (every 2-years) or STIP amendments (monthly)	By April 1 or the end of each month.	Office of Planning, Environment & Realty	Planning	Director of Asset Management & Planning reporting to Deputy Commissioner for Engineering and Asset Management	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	1-month prior to the program end.	Office of Planning, Environment & Realty	Planning	Director of Asset Management & Planning reporting to Deputy Commissioner for Engineering and Asset Management	Joint FHWA and FTA approval. May use simplified work statement. This activity may be transferred to the LPA Team under Kathy-Eaton McKalip or a joint activity
Approval of Non-TMA UPWA	23 CFR 450.308(b) and 23 CFR 420 (Subpart A)	Prior to Program End	1-month prior to the program end.	Office of Planning, Environment & Realty	Planning	Director of Asset Management & Planning reporting to Deputy Commissioner for Engineering and Asset Management	Joint FHWA and FTA approval. May use simplified work statement.
Approval of UPWP Revisions and Amendments (All MPO's)	23 CFR 420.115	As needed. This is an ad-hoc activity.	Within 1-month of the request	Office of Planning, Environment & Realty	Planning	Director of Asset Management & Planning reporting to Deputy Commissioner for Engineering and Asset Management	Joint FHWA and FTA approval. This activity may be transferred to the LPA Team under Kathy-Eaton McKalip or a joint activity.
Review of UPWP Performance and Expenditure Reports (All MPO's)	23 CFR 420.117(b)	Not more frequently than quarterly	Within 30 days of an action or review request.	Office of Planning, Environment & Realty	Planning	Director of Asset Management & Planning reporting to Deputy Commissioner for Engineering and Asset Management	This activity may be transferred to the LPA Team under Kathy-Eaton McKalip or a joint activity.

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	FHWA Division Program Manager	State DOT Responsible Program Office	Remarks
Review of UPWP Performance and Expenditure Reports (All MPO's)	23 CFR 420.117(b)	Not more frequently than quarterly	Within 30 days of an action or review request.	Office of Planning, Environment & Realty	Planning	Director of Asset Management & Planning reporting to Deputy Commissioner for Engineering and Asset Management	This activity may be transferred to the LPA Team under Kathy-Eaton McKalip or a joint activity.
Approval to use Planning Funds outside Urbanized Areas for States Receiving Minimum Apportionment	23 USC 104(d)(1)(A)(ii)	As needed	Within 30 days of an action or review request.	Office of Planning, Environment & Realty	Planning	Director of Asset Management & Planning reporting to Deputy Commissioner for Engineering and Asset Management	This activity may be transferred to the LPA Team under Kathy-Eaton McKalip or a joint activity.
Review of Metropolitan Planning Area Boundary (Establishment and Changes)	23 CFR 450.312	As needed. This is a very rare activity	Within 2-weeks after the request	Office of Planning, Environment & Realty	Planning	Director of Asset Management & Planning reporting to Deputy Commissioner for Engineering and Asset Management	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. This is a very rare activity	Within 2-weeks after the request	Office of Planning, Environment & Realty	Planning	Director of Asset Management & Planning reporting to Deputy Commissioner for Engineering and Asset Management	Require agreement between Governor and local governments.
Review of Metropolitan Planning Agreements (MPA) for Attainment or Entire Nonattainment Area	23 CFR 450.314(a)	Every 2-years or as needed	1-Apr	Office of Planning, Environment & Realty	Planning	Director of Asset Management & Planning reporting to Deputy Commissioner for Engineering and Asset Management	Between MPO/State DOT/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)	Every 2-years or as needed	1-Apr	Office of Planning, Environment & Realty	Planning	Director of Asset Management & Planning reporting to Deputy Commissioner for Engineering and Asset Management	Between MPO/State DOT/State AQ Agency.

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	FHWA Division Program Manager	State DOT Responsible Program Office	Remarks
Review of MPO Public Participation Procedures	23 CFR 450.316(a)	As needed	Within 1-month of the request	Office of Planning, Environment & Realty	Planning	Director of Asset Management & Planning reporting to Deputy Commissioner for Engineering and Asset Management	Must be developed and published.
Review of Metropolitan Transportation Plan (MTP) in Attainment Areas (and Updates)	23 CFR 450.322	Every 2-5 years	Within 2-weeks after the request	Office of Planning, Environment & Realty	Planning	Director of Asset Management & Planning reporting to Deputy Commissioner for Engineering and Asset Management	
Review of MTP in Non-Attainment and Maintenance Areas (and Updates)	23 CFR 450.322	Every 2-4 years	Within 2-weeks after the request	Office of Planning, Environment & Realty	Planning	Director of Asset Management & Planning reporting to Deputy Commissioner for Engineering and Asset Management	
Review of MTP Amendments	23 CFR 450.322(c)	As Needed	Within 2-weeks after the request	Office of Planning, Environment & Realty	Planning	Director of Asset Management & Planning reporting to Deputy Commissioner for Engineering and Asset Management	
Air Quality Conformity Determination on MTP in Non-attainment and Maintenance Areas	23 CFR 450.322(d)	Concurrent with MTP updates at least every 4 years and as needed on amendments	Within 1-month of MTP draft completion and review request.	Office of Planning, Environment & Realty	Air Quality	Deputy Commissioner for Engineering and Asset Management	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)	Every 4 years	At the end of the 4 years. Not all MPOs on the same 4 year cycle.	Office of Planning, Environment & Realty	Planning	Director of LPA, reporting to Deputy Commissioner for Innovative Project Delivery	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 Program Manager	State DOT 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)	Within 3-weeks of receipt of document for review	Office of Planning, Environment & Realty	Planning	Deputy Commissioner for Engineering and Asset Management	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	A month prior to the STIP submittal	Office of Planning, Environment & Realty	Planning	Deputy Commissioner for Engineering and Asset Management	At least every four years, joint finding by FHWA and 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	Within 1-month of completion	Office of Planning, Environment & Realty	Planning	Deputy Commissioner for Engineering and Asset Management	Required for all MPO's. Will be included in the STIP and TIP, 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	Within 2-months of the request	Office of Planning, Environment & Realty	Planning	Director of Asset Management, Program Engineering & Road Inventory, reporting to Deputy Commissioner for Engineering and Asset Management	Joint FHWA and FTA Certification.
Approval of Federal-Aid Urban Area Boundaries	23 CFR 470.105 (a), 23 USC 101(a)(33)	As needed. Based on when locals submit UAB changes which can occur throughout the year.	Within 2-months of the request	Office of Planning, Environment & Realty	Planning	Director of Asset Management, Program Engineering & Road Inventory reporting to Deputy Commissioner for Engineering and Asset Management	FHWA approves with signature on map.
Approval of Revision of Functional Classification	23 CFR 470.105 (b)	As needed. This is not a routine activity	Within 1- month of the request.	Office of Planning, Environment & Realty	Planning	Director of Asset Management, Program Engineering & Road Inventory reporting to Deputy Commissioner for Engineering and Asset Management	FHWA approves.

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	FHWA Division Program Manager	State DOT Responsible Program Office	Remarks
Approval by Administrator of Interstate Additions & Revisions	23 USC 103(c)(1)(D), 23 CFR 470.111, 23CFR 470.115 (a)	As needed. This is not a routine activity	Within 2-months of the request	Office of Planning, Environment & Realty	Planning	Director of Asset Management, Program Engineering & Road Inventory reporting to Deputy Commissioner for Engineering and Asset Management	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. This is not a routine activity	Within 1- month of the request.	Office of Planning, Environment & Realty	Planning	Office of Road Inventory & Tracking reporting to Deputy Commissioner for Engineering and Asset Management	Approved by HQ - Office Director.
Review of CMAQ Annual Report	CMAQ Guidance Memo October 31, 2006	Annually	1-Mar	Office of Planning, Environment & Realty	Air Quality	Director of Asset Management, Program Engineering & Road Inventory, reporting to Deputy Commissioner for Engineering and Asset Management	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.
Approval of NEPA Procedures, including Section 4(f)	23 CFR 771; 23 CFR 774; SAFETEA-LU 6007 & 6009, 23 USC 109(h)	Updated when needed	Last updated March 2011	Office of Planning, Environment & Realty	Environmental	Director of Environmental Services Division, reporting to Deputy Commissioner for Engineering and Asset Management	
Endangered Species Act Cost Report		Annually	1-Mar	Office of Planning, Environment & Realty	Environmental	Director of Environmental Services Division, reporting to Deputy Commissioner for Engineering and Asset Management	
Exemplary Ecosystem Initiatives Applications		Annually	1-Apr	Office of Planning, Environment & Realty	Environmental	Director of Environmental Services Division, reporting to Deputy Commissioner for Engineering and Asset Management	

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	FHWA Division Program Manager	State DOT Responsible Program Office	Remarks
Approval of Acquisitions, Appraisals, and Relocations Program and Procedures	49 CFR Part 24, The UA	Parcel Specific	Parcel Specific	Office of Planning, Environment & Realty	ROW	Real Estate Division Director, reporting to Deputy Commissioner for Engineering and Asset Management	
Early Acquisitions	23 CFR 710.501	Project Specific	Follows typical acquisition timelines	Office of Planning, Environment & Realty	ROW	Real Estate Division Director, reporting to Deputy Commissioner for Engineering and Asset Management	
Local Public Agency Oversight	49 CFR 24.4(b); 23 CFR 710.201	Project Specific	Follows typical acquisition timelines	Office of Planning, Environment & Realty	ROW	Director of LPAs and Grant Administration, reporting to Deputy Commissioner for Engineering and Asset Management	
Approval of ROW Disposal Authorization Request	23 CFR 710.409	Parcel Specific	Follows disposition process as governed by IC 4-20.5-7-6	Office of Planning, Environment & Realty	ROW	Real Estate Division Director, reporting to Deputy Commissioner for Engineering and Asset Management	
Approval of ROW Operations Manual (Organization, Policies and Procedures), Updates, and Certification	23 CFR 710.201	January 1, 2001 and every 5 years thereafter or as required by changes in State law or Federal regulation or law	Not Applicable	Office of Planning, Environment & Realty	ROW	Real Estate Division Director, reporting to Deputy Commissioner for Engineering and Asset Management	
Approval of Exception to Charging Fair Market Value	23 CFR 710.403 and 23 CFR 710.409	Parcel Specific	Follows typical acquisition timelines	Office of Planning, Environment & Realty	ROW	Real Estate Division Director, reporting to Deputy Commissioner for Engineering and Asset Management	
Approval of Interstate Real Property Use Agreements	23 CFR 710.405	Parcel Specific	Follows typical timelines	Office of Planning, Environment & Realty	ROW	Real Estate Division Director, reporting to Deputy Commissioner for Engineering and Asset Management	

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	FHWA Division Program Manager	State DOT Responsible Program Office	Remarks
Approval of Request for Federal Land Transfer	23 CFR 710.601	Project Specific	Follows typical acquisition timelines	Office of Planning, Environment & Realty	ROW	Real Estate Division Director, reporting to Deputy Commissioner for Engineering and Asset Management	
Approval of Request for Direct Federal Acquisition	23 CFR 710.603	Project Specific	Follows typical acquisition timelines	Office of Planning, Environment & Realty	ROW	Real Estate Division Director, reporting to Deputy Commissioner for Engineering and Asset Management	
Approval of Uniform Act Waivers and Waivers from Availability of Comparable Replacement Dwelling before Displacement	49 CFR 24.7, 49 CFR 24.204(b)	Parcel Specific	Follows typical acquisition timelines	Office of Planning, Environment & Realty	ROW	Real Estate Division Director, reporting to Deputy Commissioner for Engineering and Asset Management	Requests reviewed and approved by HEPR Office Director.
Approval of Uniform Act Waivers and Waivers from Availability of Comparable Replacement Dwelling before Displacement	49 CFR 24.7, 49 CFR 24.204(b)	Parcel Specific	Follows typical acquisition timelines	Office of Planning, Environment & Realty	ROW	Real Estate Division Director, reporting to Deputy Commissioner for Engineering and Asset Management	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	15-Nov	Office of Planning, Environment & Realty	ROW	Real Estate Division Director, reporting to Deputy Commissioner for Engineering and Asset Management	Submitted to FHWA Headquarters (HQ).
Review of Real Property Acquisition Statistical Report	FHWA Order 6540.1	Annually	15-Nov	Office of Planning, Environment & Realty	ROW	Real Estate Division Director, reporting to Deputy Commissioner for Engineering and Asset Management	
Approval of Management Process and Project Selection Procedures and Certification for Research, Development &	23 CFR 420.115 and 23 CFR 420.209	Annually	1-Jul	Office of Planning, Environment & Realty	Research	Director of Research and Development, reporting to Deputy Commissioner for Engineering and Asset Management	FHWA Division Office Approval.

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	FHWA Division Program Manager	State DOT Responsible Program Office	Remarks
Technology Transfer Program and Revisions to Process							
Periodic Review of States Management Process of the Research, Development & Technology Transfer Program	23 CFR 420.209	Annually	1-Jul	Office of Planning, Environment & Realty	Research	Director of Research and Development, reporting to Deputy Commissioner for Engineering and Asset Management	FHWA Division Office Periodic Review.
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	Research	Director of Research and Development, reporting to Deputy Commissioner for Engineering and Asset Management	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	Research	Director of Research and Development, reporting to Deputy Commissioner for Engineering and Asset Management	FHWA Division Office Approval unless waived.
Annual Traffic Reports	Traffic Monitoring Analysis System and Traffic Monitoring Guide reporting	Annually	1-Mar	Office of Highway Policy information	Transportation Performance Management and Asset Management	Director of Asset Management & Planning reporting to Deputy Commissioner for Engineering and Asset Management	When Published
Approval of Annual Field Review Report	HPMS Field Review Guidelines (June 2001) Continuous Process Improvement Model for HPMS(February 2003)	Annually	1-Nov	Office of Highway Policy information	Transportation Performance Management and Asset Management	Director of Asset Management & Planning reporting to Deputy Commissioner for Engineering and Asset Management	Review memo to HQ.

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	FHWA Division Program Manager	State DOT Responsible Program Office	Remarks
Approval of Certified Public Road Mileage	23 CFR 460.3(b)	Annually	1-Jun	Office of Highway Policy information	Transportation Performance Management and Asset Management	Director of Asset Management & Planning reporting to Deputy Commissioner for Engineering and Asset Management	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 Apportionment of Safety Funds.
Approval of HPMS Data Submittal	23 CFR 420.105(b), HPMS Field Manual	Annually	15-Jun	Office of Highway Policy information	Transportation Performance Management and Asset Management	Director of Asset Management & Planning reporting to Deputy Commissioner for Engineering and Asset Management	State DOT sends directly to Division Office and HQ.
Highway Statistics Reports	Guide to Reporting Highway Statistics	Annually	15-Jun	Office of Highway Policy information	Finance	Director of Asset Management & Planning reporting to Deputy Commissioner for Engineering and Asset Management	State DOT of Division Office sends directly to HQ.
Vehicle Classification Data	MAP-21, HPMS Field Manual, Traffic Monitoring Guide	15-Jun	15-Jun	Office of Highway Policy information	Transportation Performance Management and Asset Management	Director of Asset Management & Planning reporting to Deputy Commissioner for Engineering and Asset Management	Part of Annual HPMS submittal.
Permanent ATR Data	Heavy Vehicle Travel Information System Field Manual	Monthly	Monthly	Office of Highway Policy information	Transportation Performance Management and Asset Management	Director of Asset Management & Planning reporting to Deputy Commissioner for Engineering and Asset Management	Submit monthly, within 20 days after the close of the month for which the data were collected.

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	FHWA Division Program Manager	State DOT Responsible Program Office	Remarks
Continuous Automatic Vehicle Classifier Data	Heavy Vehicle Travel Information System Field Manual	Monthly	By the 23rd of each month	Office of Highway Policy information	Transportation Performance Management and Asset Management	Director of Asset Management & Planning reporting to Deputy Commissioner for Engineering and Asset Management	Send up to one week of data per quarter
Weight and Vehicle Classification Data Collected at Weigh-in-motion sites	Heavy Vehicle Travel Information System Field Manual	Annually	15-Jun	Office of Highway Policy information	Transportation Performance Management and Asset Management	Traffic Statistics Section reporting to Deputy Commissioner for Engineering and Asset Management	WIM data collected at non-continuous sites during a year should be submitted by June 15 of the following year. If continuous WIM data are available, then up to one week of data per quarter.
Strategic Highway Safety Plan (SHSP): FHWA approval of process of update	23 U.S.C. 148 (d)(2)(B)	Non Recurring	By Aug. 1 of the fiscal year after the HSIP final rule is established	Office of Safety	Safety	Traffic Statistics Section reporting to Deputy Commissioner for Engineering and Asset Management	FHWA Division Offices provide copy of SHSP process approval letter to HQ.
Highway Safety Improvement Program (HSIP) and Railway-Highway Crossing Program (RHCP) Reports	23 USC 148(h), 23 CFR 924.15	Annually	31-Aug	Office of Safety	Safety	Rail Office, Multimodal Division, Office of Traffic Safety reporting to Deputy Commissioner for Engineering and Asset Management	As per MAP-21 guidance, reports are due to FHWA Division Office by August 31st and to the Office of Safety by September 30.
Transportation Performance Management (TPM) for Safety: target setting	23 USC 150, 23 USC 134, 23 USC 135, 23 USC 148(i)	Annually	31-Aug	Office of Safety	Safety	Office of Traffic Safety reporting to Deputy Commissioner for Engineering and Asset Management	Per MAP-21, States and MPOs must set targets for established measures. Targets must be assessed for achievement
Review Drug Offender Driver's License Suspension Law & Enforcement Certification (Section 159) State shall certify it meets requirements	23 USC 159 23, CFR 192.5	Annually	1-Jan	Office of Safety	Safety	Office of Traffic Safety reporting to Deputy Commissioner for Engineering and Asset Management	Certifications due to the Division Office by January 1.

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	FHWA Division Program Manager	State DOT Responsible Program Office	Remarks
Review Safety Belt Compliance Status: NHTSA and FHWA annual review of State law compliance	23 USC 153, 23 CFR 1215.6	Annually	1-Oct	Office of Safety	Safety	Office of Traffic Safety reporting to Deputy Commissioner for Engineering and Asset Management	NHTSA
High Risk Rural Roads (HRRR) Special Rule: If conditions warrant, State shall obligate in next federal FY additional funds as prescribed	23 USC 148(g)(1)	Annually	1-Oct	Office of Safety	Safety	Office of Traffic Safety reporting to Deputy Commissioner for Engineering and Asset Management	After the final FARS and HPMS data are available, FHWA HQ will inform the States if the HRRR Special Rule applies for the following FY.
Older Drivers and Pedestrians Special Rule: If conditions warrant, State shall include in subsequent Strategic Highway Safety Plan strategies to address the increases in those rates	23 USC 148 (g)(2)	Annually	31-Aug	Office of Safety	Safety	Office of Traffic Safety reporting to Deputy Commissioner for Engineering and Asset Management	States should include in their annual HSIP reports (due August 31st) the calculations performed, verifying whether the Older Driver Special Rule applies in the State. If the Special Rule applies to a State in a given year, the State must include in its subsequent SHSP strategies to address the increases in the fatality and serious injury rates for drivers and pedestrians over the age of 65.
Appropriations, Allotments, Obligations are given to States either annually or periodically when there is no Transportation Act but instead a Continuing Resolution (CR). Indiana will utilize said appropriations, allotments, and obligations by selecting the most	31 USC 1341(a)(1)(A)& (B); 31 USC 1517(a); 23 USC 118(b), 23 USC 121	Annually - FFY	If a Transportation Act – October of each year. If a Continuing Resolution – first portion October of each year, following portions are dependent upon length of first notice. FY2015 is a 8 month CR; therefore the next notice is expected June 2015. Allotments are	Office of Chief Financial Officer	Finance	Project Finance Division, reporting to Chief Financial Officer and Deputy Commissioner	State 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.

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	FHWA Division Program Manager	State DOT Responsible Program Office	Remarks
restrictive federal codes that apply to the funding of a project.			varied in nature with most appearing by February of each year. Obligations are dependent upon an ACT whereby the notice would be posted in October. FY2015 had a 2.5 month notice from October 1 through December 11, 2014. We have yet to see another Obligation Notice for any portion of 2015.				
Approval of Indirect Cost Allocation Plans (ICAPs)	49 CFR Part 18; 2 CFR 200 Subpart E (previously 2 CFR 225); ASMB-10	Annually	31-Dec	Office of Chief Financial Officer	Finance	Director of Asset Management & Planning reporting to Deputy Commissioner for Engineering and Asset Management	The State will certify that the ICAP was prepared in accordance with 2 CFR 200 Subpart E.
Financial Integrity Review & Evaluation FIRE Program Activities	FHWA Order 4560.1B (or as superseded)	Although it is an annual review, FHWA has been conducting reviews Quarterly	Each Quarter, FHWA requests documentation and information on 10-15 projects for review to ensure that there is source documentation, the federal % requested is correct, and that payment was made in accordance with the CMIA act.	Office of Chief Financial Officer	Finance	Chief Financial Officer and Deputy Commissioner	State will continue to provide oversight and conduct reviews to ensure Federal-aid compliance. FHWA will review and monitor. State responsibilities include multiple tasks in support of risk assessments, conducting reviews and implementation of recommendations.

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	FHWA Division Program Manager	State DOT Responsible Program Office	Remarks
Audit Coordination/FHWA Financial Statement Audit/State External Audit Reviews/State Internal Audit Reviews	FMFIA, 49 CFR 18.26; OMB Circular A-123, 133; GAAP, CFO Act of 1990; DOT Order 8000.1C	Annually	SBOA has been conducting an audit of the A-133 (Federal Assistance Reporting) every 3 years; however, they are planning on ramping up their audits and plan to do them every 2 years, unless there is a finding which will require every year until there isn't a finding.	Office of Chief Financial Officer	Finance	Director of External Audit, reporting to Chief Financial Officer and Deputy Commissioner	State 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/Quarterly	This is reviewed during both the FIRE and A-133 reviews	Office of Chief Financial Officer	Finance	Chief Financial Officer and Deputy Commissioner	State 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 Program Manager	State DOT Responsible Program Office	Remarks
<p>Transfer Federal Program Funds: 50% of certain federal program funds may be transferred between programs to better serve the needs of the state. For instance funds from NHPP which is restrictive to National Highways, principal arterials, and interstates may be transferred to STP which is a more flexible program thereby increasing the ability to apply the funds to more projects. Funds may also be transferred to other FHWA offices for nationwide activities or other federal agencies such as Federal Transit for additional transit needs such as buses. Transit transfers are requested by MPOs and handled through the state.</p>	<p>23 USC 126</p>	<p>State Transfer Requests Annually – SFY; MPO Transit Requests – Quarterly</p>	<p>State Transfers - September 15; MPO Transit transfers – August 15.</p>	<p>Office of Chief Financial Officer</p>	<p>Finance</p>	<p>Project Finance Division, Chief Financial Officer and Deputy Commissioner</p>	<p>State 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.</p>
<p>Reviews of State Transportation Departments Financial Management Systems - Financial Integrity</p>	<p>23 USC 106(g)(2)(A)</p>	<p>Annually</p>	<p>The State of Indiana Auditor's office and IOT dept. are responsible for the State's financial system. Updates are made annually in April and the entire State performs testing prior to updates.</p>	<p>Office of Chief Financial Officer</p>	<p>Finance</p>	<p>Chief Financial Officer and Deputy Commissioner</p>	<p>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).</p>

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	FHWA Division Program Manager	State DOT Responsible Program Office	Remarks
Determine thorough Review of Sub-recipient Project Delivery Systems and Sufficient Accounting Controls to Manage Federal Funds granted through the life cycle of project(s).	23 USC 106(g)(4)(A)(i)	Project Specific	Project Specific	Office of Chief Financial Officer	Finance	Chief Financial Officer and Deputy Commissioner	(Note this requirement is for the states assurance of the sub recipient processes. It is not a Project Finance function but rather a function by the granting division.)
Periodic Reviews of States Monitoring of sub-recipients	23 USC 106(g)(4)(B)	Annual	Prior to allowing additional project funds for sub-recipient	Office of Infrastructure	LPA	Chief Financial Officer and Deputy Commissioner	
Approval of request for Increased Federal Share Agreement (Sliding Scale) based upon preset determinations by FHWA for Safety projects, freight provision projects, interstate maintenance projects and other projects when FHWA has identified as regionally significant or given special funding. Safety activities as applied in 23 USC 120(c)(1) are eligible for a sliding scale percentage up to 100% but not to exceed 10% of the State's total apportionments. Freight provision projects receive an additional 5% of federal participation upon approval from Washington DC.	23 USC 120(b)(2)	Daily	Upon request for federal funding determination is made through review of possible safety items, freight provision approvals, or special funding received from FHWA. Daily reviews of all requests are performed.	Office of Chief Financial Officer	Finance	Chief Financial Officer and Deputy Commissioner	A State 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. States must demonstrate that they are in compliance with the statute and the agreement.

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	FHWA Division Program Manager	State DOT Responsible Program Office	Remarks
Review Reporting on Performance Targets	23 USC 150(e)	Beginning four years after enactment of MAP-21 and biennially thereafter	State FY	Office of Infrastructure	Transportation Performance Management and Asset Management	Director Audit, Agency Results & Revenue Forecasting, reporting to Chief Financial Officer and Deputy Commissioner	
Toll Credit and Maintenance of Effort (MOE) Calculation and Agreement	23 USC 120(i)	Annually	The MOE is calculated monthly, but reported to FHWA annually.	Office of Infrastructure	Finance	Director of External Audit, Chief Financial Officer and Deputy Commissioner	State will calculate the amount of eligible toll credit and submit for approval. FHWA will review and approve the request.
State Infrastructure Banks	NHS Act Section 308; 23 USC 610; SIB Guidance 3/14	Annual Report	90 days after Federal FY close	Office of Innovative Program Delivery	Finance	Director Of External Audit, Reports to Chief Financial Officer	Division sends copy of report to OIPD. SIB submits annual report to Division Office.
Approval of Report Before Publication (All MPO's)	23 CFR 420.117(e)	As needed	Not Applicable	Office of Planning, Environment & Realty	Planning	Director of Asset Management & Planning reporting to Deputy Commissioner for Engineering and Asset Management	Waiver may be granted.
The Motor Fuels Report (FHWA-551) is produced monthly by the Department of Revenue and sent directly to FHWA. It is not an INDOT administered report.	A Guide to Reporting Highway Statistics, Chapter 2	Due 60 days after end of each reporting month	Monthly report is due within 60 days of the end of each monthly reporting period.	Office of Highway Policy information	Department of Revenue	Department of Revenue	
The Vehicles and Drivers Reports (561, 562, 566, and 571) are produced annually by the Bureau of Motor Vehicles and are funneled to FHWA through INDOT once BMV completes the reports.	A Guide to Reporting Highway Statistics, Chapters 3, 4, 5, and 6	1-Apr	1-Apr	Office of Highway Policy information	Bureau of Motor Vehicles	Bureau of Motor Vehicles	

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	FHWA Division Program Manager	State DOT Responsible Program Office	Remarks
INDOT prepares 531, 532, 541, 542, and 543 (optional) reports itemizing revenues and expenses for both highway and multimodal activity.	A Guide to Reporting Highway Statistics, Chapters 8 and 9	Annual State FY	31-Dec	Office of Highway Policy information	Finance	Chief Financial Officer and Deputy Commissioner	
State DOT / 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	Finance	Innovative Project Delivery Deputy Commissioner	Annually, Due as soon as available.
Finance (536)	A Guide to Reporting Highway Statistics, Chapter 11	Mar-16	The last report that INDOT submitted was for FY2013 ended June 30, 2013. Thus the next report due is FY2015 due by March 2016	Office of Highway Policy information	Finance	Chief Financial Officer and Deputy Commissioner	Biennially for odd-numbered years. Due nine months after end of reporting year
Finance (534)	A Guide to Reporting Highway Statistics, Chapter 12	Jan-15	The report is due at the end of each FY	Office of Highway Policy information	Finance	Chief Financial Officer and Deputy Commissioner	Annually for State, Biennially for local
State DOT Budgets and Published Annual Reports	A Guide to Reporting Highway Statistics, Chapter 13	The state of Indiana publishes it bi-annual as passed document outlining the states biennium budget http://in.gov/sba/2611.htm	The document is released after the budget bill is passed by the Indiana General Assembly. The next biennium budget passage will happen in 2015. The publication typically is available in June of that year and every other year moving forward	Office of Highway Policy information	Finance	Chief Financial Officer and Deputy Commissioner	
Motor Fuel Oversight Review	July 24, 2001 HQ Memo	Initial baseline reports no later than December 31, 2003	Indiana Dept. of Revenue completes monthly fuel consumption reports - the 551 report – one for special fuels, and one for gasoline. FHWA then sends out a letter asking us to confirm what has been reported.	Office of Highway Policy information	Finance	Indiana Department of Revenue	Annual progress reports and statement of verification by June 30. Submitted via UPACS.

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	FHWA Division Program Manager	State DOT Responsible Program Office	Remarks
Review of Biennial - Toll Facilities in the United States	23 CFR 450.105(b) HPMS Field Manual	Biennially - Odd Years	June 15 (Odd Years)	Office of Highway Policy information	Finance	Innovative Project Delivery Deputy Commissioner	Division Office sends to HQ.
Highway Use Tax Evasion Grant Awards	23 USC 143	Annual	All grants have been closed with FHWA	Office of Highway Policy information	Finance	Director of Economic and Contract Audit reporting to Chief Financial Officer and Deputy Commissioner	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.
Section 154/164 Compliance Status - Funds Reservation	23 USC 154 and 23 USC 164	Annually	30-Oct	Office of Safety	Safety	Director of Project Accounting, Budget, & Procurement reporting to Chief Financial Officer and Deputy Commissioner	States must submit a Shift letter to the Division Office by Oct. 30 indicating how to apply the penalty. New penalty states have additional time. The Office of Safety processes the compilation of information in a memo to the CFO.
Prepare / Review State Internal EEO Affirmative Action Plan (Title VII) Accomplishments and Goals	23 CFR 230.311	Annually	1-Oct	Office of Civil Rights	Civil Rights	INDOT Human Resources reporting to the Deputy Commissioner of Human Resources/ Indiana State Personnel Department	Courtesy copy to HQ.
Prepare / Review State DOT Employment Statistical Data (EEO-4)	23 CFR, Subpart C, Appendix A	Biannual	1-Dec	Office of Civil Rights	Civil Rights	INDOT Human Resources reporting to the Deputy Commissioner of Human Resources/ Indiana State Personnel Department	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 Program Manager	State DOT Responsible Program Office	Remarks
Approval of Quality Assurance Program	23 CFR 637.205	Annual	Beginning of State FY	Office of Infrastructure	Pavements & Materials	Deputy Commissioner for Innovative Project Delivery	State administrators, 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	Annual	Beginning of State FY	Office of Infrastructure	Pavements & Materials	Deputy Commissioner for Innovative Project Delivery	State administrators, with programmatic agreement by the Division Office, as part of their materials testing and construction quality assurance/ acceptance program.
Assure Non-STD designated lab performing Independent Assurance sampling and testing accredited by AASHTO Accreditation Program or FHWA approved comparable program	23 CFR 637.209	Performed each year on every Technician that conducts an acceptance test for payment	When each acceptance test is performed by each Technician at the frequency designated	Office of Infrastructure	Pavements & Materials	Deputy Commissioner for Innovative Project Delivery	State administrators, with programmatic agreement by the Division Office, as part of their materials testing and construction quality assurance/ acceptance program.
Assure Non-STD designated lab used in dispute resolution accredited by AASHTO Accreditation Program or FHWA approved comparable program	23 CFR 637.209	Dispute resolutions are resolved by the Office of Materials Management which is an AASHTO accredited laboratory. These resolutions are initiated when there is a failed material appeal.	Dispute resolutions are resolved upon completion of the additional testing. This testing may take 1-2 weeks depending on the number of additional samples obtained.	Office of Infrastructure	Pavements & Materials	Deputy Commissioner for Innovative Project Delivery	State administrators, with programmatic agreement by the Division Office, as part of their materials testing and construction quality assurance/ acceptance program.

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	FHWA Division Program Manager	State DOT Responsible Program Office	Remarks
Review Independent Assurance Annual Report	23 CFR 637.207	Annually	1-Mar	Office of Infrastructure	Pavements & Materials	Deputy Commissioner for Innovative Project Delivery	State administrators, with programmatic agreement by the Division Office, as part of their materials testing and construction quality assurance/ acceptance program.
Emergency Relief (ER) Damage Assessments and Reports	23 CFR 668 23 USC 120 and 125	Incident Specific	Initial assessment within 1 month	Office of Infrastructure	Emergency Relief Coordinator	Director of Emergency Planning & Response reporting to Deputy Commissioner of Operations	INDOT is responsible for administration of emergency relief (ER) funds through the FHWA on all federal aid highways, both state and local.
Local Public Agency (LPA) Oversight	49 CFR Part 18 – 18.37 and 18.40; OMB Circular A-133; 23 USC 106(g)(4)	Monthly	Quarterly	Office of Infrastructure	LPA	Director of LPA & Grant Administration, reporting to Deputy Commissioner for Innovative Project Delivery	States are responsible to ensure that LPAs are aware of all the applicable Federal-aid Program requirements; States are 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.”
TIFIA Credit Program	23 USC 601-609	Project Specific	Project Specific	Office of Innovative Program Delivery	Finance	Deputy Commissioner for Innovative Project Delivery	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	Project Specific	Project Specific	Office of Innovative Program Delivery	Finance	Deputy Commissioner for Innovative Project Delivery	MOUs strongly suggested for each GARVEE issue. FM contacts OIPD for review/concurrence before final approval

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	FHWA Division Program Manager	State DOT Responsible Program Office	Remarks
Section 129 Tolling Authority Requests	23 USC 129(a)	no longer required	no longer required	Office of Innovative Program Delivery	Finance	Deputy Commissioner for Innovative Project Delivery	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)	Project Specific	Project Specific	Office of Innovative Program Delivery	Finance	N/A, but would be Deputy Commissioner for Innovative Project Delivery	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)	Project Specific	Project Specific	Office of Innovative Program Delivery	Finance	N/A, but would be Deputy Commissioner for Innovative Project Delivery	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)	Project Specific	Project Specific	Office of Innovative Program Delivery	Finance	Deputy Commissioner for Innovative Project Delivery	Applications submitted to HIN to coordinate review; approval by the Administrator
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); SAFET EA-LU Section 1604(b)(3)(A); ISTEA Section 1012(b)(3)	Annually	Beginning of State FY	Office of Innovative Program Delivery	Finance	Chief Financial Officer and Deputy Commissioner/ Deputy Commissioner for Innovative Project Delivery	Division Office to receive the reports.
Review HOV Operations Report for Tolled Use and Low-Emission and Energy-Efficient Vehicle Use	23 USC 166(d)	Every 2 years	Beginning of State FY	Office of Operations	Operations	Deputy Commissioner for Innovative Project Delivery	
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)	Annual	1-Jan	Office of Planning, Environment & Realty	Planning	Director of LPA and Grant Administration and Director of Asset Management, Program Engineering & Road Inventory, reporting to Deputy Commissioner for Innovative Project Delivery	FHWA Division Office Approval.

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	FHWA Division Program Manager	State DOT Responsible Program Office	Remarks
Receipt of State Consultation Process for Non- metropolitan Local Officials	23 CFR 450.210(b)	At least every 4 years	Commence at beginning of State FY	Office of Planning, Environment & Realty	Planning	Director of LPA, Deputy Commissioner for Innovative Project Delivery	Informational Purposes.
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	Commence at beginning of State FY	Office of Planning, Environment & Realty	Planning	Director of LPA and Grant Administration and Director of Asset Management, Program Engineering & Road Inventory, reporting to Deputy Commissioner for Innovative Project Delivery	Joint FHWA and FTA approval.
Approval of STIP Amendments	23 CFR 450.218(a) & (c)	Monthly	Monthly, per INDOT posted schedule	Office of Planning, Environment & Realty	Planning	Deputy Commissioner for Innovative Project Delivery	Joint FHWA and FTA approval.
Review of TIP Amendments	23 CFR 450.324(a); 23 CFR 450.328(b)	MPO directed	Monthly	Office of Planning, Environment & Realty	Planning	Deputy Commissioner for Innovative Project Delivery	No succinct Federal approval action is required for the TIP. FHWA/FTA approval of the TIP is through the STIP approval process.
Approval of Local Technical Assistance Program (LTAP) Centers Work Plan and Budget	FHWA LTAP Field Manual	Annually	31-Mar	Office of Planning, Environment & Realty	LPA	Director of LPA and Grant Administration, reporting to Deputy Commissioner for Innovative Project Delivery	FHWA HQ approval.
Prepare / Review Title VI Plan Accomplishments and Next Year's Goals	23 CFR 200.9(b)(10)	Annually	1-Oct	Office of Civil Rights	Civil Rights	Economic Opportunity Division, reporting to Chief Legal Counsel and Deputy Commissioner	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	1-Oct	Office of Civil Rights	Civil Rights	Economic Opportunity Division, reporting to Chief Legal Counsel and Deputy Commissioner	Division office reviews and comments.

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	FHWA Division Program Manager	State DOT Responsible Program Office	Remarks
Review DBE Program Revisions	49 CFR 26.21(b)(2)	Annual	1-Oct	Office of Civil Rights	Civil Rights	Economic Opportunity Division, reporting to Chief Legal Counsel and Deputy Commissioner	Division sends to HCR for review and approval as
Prepare DBE Uniform Awards and Commitment Report	49 CFR 26, Appendix B	Semi-Annual	June 1st December 1st	Office of Civil Rights	Civil Rights	Economic Opportunity Division, reporting to Chief Legal Counsel and Deputy Commissioner	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 31st	Office of Civil Rights	Civil Rights	Economic Opportunity Division, reporting to Chief Legal Counsel and Deputy Commissioner	Division Office approves sends copy to HCR
Prepare / State DBE Program Goals	49 CFR 26.45(f)(1)	Triennial	August 1st	Office of Civil Rights	Civil Rights	Economic Opportunity Division, reporting to Chief Legal Counsel and Deputy Commissioner	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	31-Jan	Office of Civil Rights	Civil Rights	Economic Opportunity Division, reporting to Chief Legal Counsel and Deputy Commissioner	Division office reviews and comments.
Approval of OJT and DBE Supportive Services fund requests	23 CFR 230.113 & 23 CFR 230.204	Annual	15-Feb or as required by FHWA	Office of Civil Rights	Civil Rights	Economic Opportunity Division, reporting to Chief Legal Counsel and Deputy Commissioner	Division recommends approval submits to HCR for final approval
Return unused discretionary grant program funding	23 CFR 230.117(2)	Annual	30-Sept or as required by FHWA	Office of Civil Rights	Civil Rights	Economic Opportunity Division, reporting to Chief Legal Counsel and Deputy Commissioner	Division works with HCR and CFO
Prepare Report on Supportive Services (OJT & DBE)	23 CFR 230.113(g), 230.121(e), 230.204(g)(6)	Quarterly	15-Jan, 15-April, 15-July, 15-Oct	Office of Civil Rights	Civil Rights	Economic Opportunity Division, reporting to Chief Legal Counsel and Deputy Commissioner	Division office reviews and comments.

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	FHWA Division Program Manager	State DOT Responsible Program Office	Remarks
Prepare 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	1-Dec	Office of Civil Rights	Civil Rights	Economic Opportunity Division, reporting to Chief Legal Counsel and Deputy Commissioner	Recommendation sent to HQ for approval.
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	30-Sep	Office of Civil Rights	Civil Rights	Economic Opportunity Division, reporting to Chief Legal Counsel and Deputy Commissioner	Divisions submit data to HCR who prepares report for DOCR
Prepare ADA Complaint Reports of Investigation	28 CFR 35.190	Quarterly	15-Jan, 15-April, 15-July, 15-Oct (if needed)	Office of Civil Rights	Civil Rights	Economic Opportunity Division, reporting to Chief Legal Counsel and Deputy Commissioner	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	1-Oct	Office of Civil Rights	Civil Rights	Economic Opportunity Division, reporting to Chief Legal Counsel and Deputy Commissioner	Division office reviews and comments.
Return of unexpended funds used for Summer Transportation Institutes	23 CFR 230.117(2)	Annual	August 30; however, State procurement rules may govern	Office of Civil Rights	Civil Rights	Economic Opportunity Division, reporting to Chief Legal Counsel and Deputy Commissioner	Divisions work with HCR and CFO
Approval of Contracting Procedures for Consultant Selection	23 CFR 172.5 & 172.9	Annual	30-Jun	Office of Infrastructure	Contract Administration	Contracts Administration, reporting to Chief Legal Counsel and Deputy Commissioner Legal	FHWA Division Office Approval.

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	FHWA Division Program Manager	State DOT Responsible Program Office	Remarks
Assure Labor Compliance - Prevailing Wage Rate	23 USC 113	Monthly	1st of each month	Office of Infrastructure	Construction	Economic Opportunity Division, reporting to Chief Legal Counsel and Deputy Commissioner	FHWA Division Office Review and Approval
Determination of Eligibility for Federal Funds reimbursement for preventive maintenance work done by in-house forces.	23 USC 116(d)	At present, INDOT does not claim federal reimbursement for in-house preservation work.	Not Applicable	Office of Infrastructure	Bridge or Pavements & Materials	Deputy Commissioner for Operations	FHWA Division Office Approval
Approval of Federally Funded Preventive Maintenance Program	Annual Memo from HQ	Annually	1-Jul	Office of Operations	Operations	Pavement/Bridge Divisions, reporting to Deputy Commissioner for Engineering and Asset Management	Eligibility determination made by HQ. July 1 date for approval to issue funding for current FY.
Traffic Incident Management Self-Assessment	Annual Memo from HQ	Annually	1-Jul	Office of Operations	Operations	Traffic Management Division, reporting to Deputy Commissioner for Operations	Complete with partners and submit to HQ.
Intelligent Transportation System Architecture & Standards	23 CFR Part 940	As needed with major changes to System Architecture	Notification to FHWA upon change	Office of Operations	Operations	Director of Traffic Management, Deputy Commissioner for Operations	
Approval of Work Zone Policy and Procedures Conformance Review	23 CFR 630.1014	At appropriate intervals when major changes made to policy or procedure	Notification to FHWA upon change	Office of Operations	Safety	Office of Work Zone Safety, Deputy Commissioner for Operations	
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	Closeout meeting on odd years by 31-DEC	Office of Operations	Safety	Office of Work Zone Safety, Deputy Commissioner for Operations	

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	FHWA Division Program Manager	State DOT Responsible Program Office	Remarks
Approval of Highway Facility Relinquishment	23 CFR 620.203	Project/Funding Related. Determined on an individual basis	FHWA approval is only required on road transfers when it results from an Interstate project. This approval between 30-40% design complete timeline and before we negotiate the road transfer with the LPA.	Office of Planning, Environment & Realty	ROW	Deputy Commissioner for Operations / District Deputy Commissioners, Reporting to Deputy Commissioner for Operations	Each District identifies lead for handling of relinquishments. This person coordinates with Central Office to finalize.
Approval of Outdoor Advertising Policies and Procedures, and Regulation and Procedure Approval	23 CFR 750.304, 23 CFR 750.705, 23 USC 131	2 year Review	31-May	Office of Planning, Environment & Realty	ROW	Statewide Permits Supervisor, under the Deputy Commissioner for Operations	
Approval of Requests to Exempt Certain Nonconforming Signs, Displays, and Devices	23 CFR 750.503	2 year Review	31-May	Office of Planning, Environment & Realty	ROW	Statewide Permits Supervisor, under the Deputy Commissioner for Operations	Related to enforcement of the Highway Beautification Act.
Actions/responsibilities to comply with Emergency Preparedness Program	Executive Order 12656 and FHWA Order 1910.2C; FHWA Order 5181.1A	As needed	Notification to FHWA within 1 hour	Office of Operations	Emergency Coordinator	Director of Emergency Planning & Response reporting to Deputy Commissioner of Operations	This encompasses COOP, Emergency Reporting, and Emergency Response.
Maintenance of Continuity of Operations and Emergency Capabilities	23 CFR 470.107	As agency organization structure changes	Ongoing	Office of the Federal Highway Administrator	Emergency Coordinator	Director of Emergency Planning & Response reporting to Deputy Commissioner of Operations	States should prepare for response and recovery from a disaster or emergency to maintain continuity and emergency capabilities for the movement of personnel, materials, and equipment.
Prepare / Review Request for National Summer Transportation Institute (NSTI) Proposals (SOWs)	23 USC 140(b)	Annual	TBA	Office of Civil Rights	Civil Rights	N/A	Divisions recommend approval. HCR gives final approval
Prepare / Review NSTI Report (questionnaire)	23 USC 140(b)	Annual	October 15th	Office of Civil Rights	Civil Rights	N/A	Divisions provide to HCR

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	FHWA Division Program Manager	State DOT 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	Finance	N/A – INDOT has no ferries and no plans to acquire ferries.	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	Does Not Apply to Indiana	Does Not Apply to Indiana	Division Office works with Office of Program Administration and HCC
Heavy Vehicle Use Tax (HVUT) – Certification of verifying proof-of-payment of HVUT	23 CFR 669	Annual	1-Jan	Office of Highway Policy information	Finance	Indiana Department of Motor Vehicles	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	Finance	Indiana Department of Revenue	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.

ATTACHMENT C
MANUALS AND OPERATING AGREEMENTS
Effective: [enter date]

The following are INDOT manuals and operating agreements for use on Federal-aid projects. Unless otherwise noted, FHWA Division Administrator, or his designee, approval are required before revisions are published. Also, the non-LPA manuals are also used for LPA program.

Bridge/Geotechnical

- [Geotechnical Investigation Manual](#)

Construction

- [General Instructions to Field Employees](#)
- [Supplemental and Standard Specifications](#)

Design

- [Design Manual](#)
- [Standard Drawings](#)

Disadvantaged Business Enterprise (DBE)

- [Disadvantaged Business Enterprise \(DBE\) Manual](#)
- [Title VI Plan](#)

Engineering Services

- [Professional Services Contract Administration Manual](#)

Environment

- [Environmental Process Manual](#)
- [INDOT Cultural Resource Manual](#)
- [INDOT Procedure for Environmental Studies](#)
 - [Appendices](#)
- [INDOT CE Preparation Manual](#)
- [INDOT Waterway Permit Manual](#)
- [INDOT Historic Bridge Programmatic Agreement](#)
- [Categorical Exclusion Programmatic Agreement between INDOT and FHWA](#)
- [Programmatic CE-1 for Minor Projects](#)
- [INDOT Minor Highway Projects Programmatic Agreement \(Cultural Resources\)](#)

Planning

- [INDOT-MPO Roles & Responsibilities Manual](#)
- [Program Development Process Manual](#)
- [Local/Tribal Technical Assistance Program \(LTAP\)](#)
- [Transportation Management Area/Metropolitan Planning Organization \(TMA/MPO\)](#)
- [Statewide Long-Range Transportation Plan](#)
- [Statewide Transportation Improvement Plan](#)
- MPO Transportation Improvement Plans
 - [Madison County Council of Governments \(MCCOG\)](#)

- [Bloomington/Monroe County Metropolitan Planning Organization \(BMCMPPO\)](#)
- [Ohio-Kentucky-Indiana Regional Council of Governments \(OKI\)](#)
- [Columbus Area Metropolitan Planning Organization \(CAMPO\)](#)
- [Evansville Metropolitan Planning Organization \(EMPO\)](#)
- [Northeastern Indiana Regional Coordinating Council \(NIRCC\)](#)
- [Indiana Metropolitan Planning Organization \(IMPO\)](#)
- [Kokomo-Howard County Governmental Coordinating Council \(KHCGCC\)](#)
- [Tippecanoe County Area Plan Commission \(TCAPC\)](#)
- [Kentuckiana Regional Planning and Development Agency \(KIPDA\)](#)
- [Delaware-Muncie Metropolitan Plan Commission \(DMMPC\)](#)
- [Northwestern Indiana Regional Planning Commission \(NIRPC\)](#)
- [Michiana Area Council of Governments \(MACOG\)](#)
- [West Central Indiana Economic Development District \(WCIEDD\)](#)

Rights-of-Way

- [Appraisal Manual](#)
- [Buying Manual](#)
- [Property Management Manual](#)
 - [Addendum 1, Surplus retained by INDOT or State](#)
 - [Addendum 2](#)
- [Relocation Manual](#)
 - [Relocation Assembly Manual](#)

Safety

- [Strategic Highway Safety Plan](#)

Materials

- [Materials Manual](#)

Operations

- [Indiana Manual On Uniform Traffic Control Devices \(INMUTCD\)](#)
 - Lighting
 - ✓ Deactivation of overhead sign lighting & sign sheeting requirements
 - Maintenance
 - ✓ Longitudinal paint marking replacement cycle
 - ✓ Public art & landscaping within INDOT right-of-way
 - ✓ Seal coat operational guidelines
 - ✓ Vegetation management
 - ✓ Maintenance quality assurance manual
 - Miscellaneous
 - ✓ Responsibilities at public roads and private drives
 - ✓ Marking drains and pipes
 - ✓ Use of worksite speed limit assembly signs
 - Official Actions
 - ✓ Signature authority for official actions
 - Pavement Markings
 - ✓ Snowplowable raised pavement markers - maintain
 - Signals

- ✓ Right Turn on Red (RTOR) reduction & warrant analysis
- ✓ Non-warranted traffic signal & flashing beacon procedure for removal
- ✓ Flashing beacon agreements (Schools, fire station)
- ✓ School speed limit flashing beacons
- ✓ Aerial inspection and maintenance/LED signals and flasher install
- ✓ Malfunctioning/blackout signal policy
- ✓ Use of simulations and alternate flash
- ✓ Flashing yellow arrow signal indications for left-turns
- ✓ Accessible pedestrian signal (APS) studies
- Signs
 - ✓ Placement of hidden drive signs or plaques
 - ✓ Indiana guide sign (GS) program policy
 - ✓ Recycling collection center signing procedure
 - ✓ Maintenance of road reference markers
 - ✓ Tourist oriented directional signs (TODs) – Program policy
 - ✓ Policy – Placement of political boundary signs
 - ✓ Emergency Medical Services
 - ✓ Marking the end of “No Passing Zones”
 - ✓ Watch for ice on bridges sign (placement – year round)
 - ✓ Well head protection signs
 - ✓ No parking on interstate highways
 - ✓ Sign design exception
 - ✓ Signs for State parks and other DNR properties
 - ✓ Directional signage for post-secondary education facilities
 - ✓ Directional signage for school facilities
 - ✓ Internally illuminated overhead street name signs (IIOS)
 - ✓ Academic achievement school recognition signs
 - ✓ Government facility signs
 - ✓ Compression release brake use signage & noise ordinance signage
 - ✓ Sheet & panel signage replacement cycle
 - ✓ Target enforcement area signing
 - ✓ Use of fluorescent yellow sign sheeting
 - ✓ Signing for multi-modal transportation facilities
 - ✓ Supplemental guide sign (SGS) requests for the Indiana Toll Road
 - ✓ Adopt a Highway guidelines
 - ✓ Sponsor a Highway policy
- [Traffic Data Collection Field Technician Guidebook](#)

Additional guidance and manuals for Local Public Agency (LPA) program

- [2008 Procedural Manual for Environmental Studies](#)
- [Categorical Exclusion \(CE\) Preparation Manual](#)
- [CE – Local Public Agency Guidance](#)
- [LPA Consultant Selection](#)
- [INDOT LPA Contract](#)
- [LPA Subconsultant Acknowledgement Form](#)
- [LPA Guidance Document](#)
- [LPA Consultant Boilerplate Contract](#)
- [Spreadsheet to Track the Federal Funds Cap on a Project](#)

- [LPA Local Projects Letting Prep Schedule 2013-2020](#)
- [Urban Community Context Audit](#)
- [LPA Consultant Bridge Inspection Boilerplate Contract 2-25-14](#)

FHWA Indiana Division Standard Operating Procedures (excluding strictly internal SOPs)

- NEPA and Section 4(f) Review and Approval
- STIP Review and Approval
- Right of Way Operations Manual Review and Approval
- Project Authorization
- Construction Contract Change Orders and Claims
- Project Closeout
- Consultant Selection-Management
- Interstate Access Approval
- Local Public Agency Oversight Policies and Procedures
- Emergency Communications and Continuity of Operations
- FHWA Billing Review-Improper Payment Review Process
- Inactive Obligations Management Process
- Buy America
- Highway Performance Monitoring System – HPMS
- Major Project Management Planning and Tracking
- Design Exception Approval
- Concurrence in Award
- Proprietary Material Approval
- Design Monitoring
- PS&E Approval
- Transportation Management Plan – TAMP
- UAB FC and Route Name Change Approvals
- PoDI Management
- CAP Compliance Assessment Program

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ATTACHMENT D
PERFORMANCE INDICATORS
Effective: [enter date]

Program	Indicator	Description	Target	Remarks
Bridges	Bridges in good or fair condition	% of bridges with an NBI rating of 5 or more. (State, Local, Total)	90%	
Civil Rights	Funds paid to DBEs	% of funds paid to DBEs on Federally Funded Contracts (State, Local, Total)	11%	
Construction	Construction contracts closed on Budget	% of construction contracts closed that are within 105% of the award amount, by final payment date, cumulative by State FY, reported monthly (State, Local, Total)	90%	State = INDOT KPI #3
Construction	Construction contracts completed on time	% of projects that are substantially completed (road open to traffic) within 30 days of original completion date, cumulative by CY, reported monthly (30 days in arrears). (State, Local, Total)	90%	State = INDOT KPI #4
Environment	Time to complete EA's and EIS's	Total number of months to complete each EA and EIS, reported monthly.	EISs 48 months, EAs 24 months	
Finance	Inactive Obligations	% of unexpended obligated balance for Federal-aid projects with no expenditures in last 12 months compared to total annual apportionments, cumulative by Federal FY, reported monthly. (State, Local, Total)	2%	
Operations	Interstate Hours of Congestion	% of hours during which Statewide rollup of Interstate segments has an average speed of less than 45mph.	<5%	See Interstate Mobility Report
Pavements	Roads in Fair or Better Condition	% of State-controlled roads in fair condition or better, based on International Roughness Index (IRI), which measures the roughness of pavements in inches per mile. Reported annually by calendar year.	92.5%	INDOT KPI #1 Local roads not reported.

Program	Indicator	Description	Target	Remarks
Planning	STIP Projects Advanced	% of projects listed in original STIP advanced to construction in year planned in original STIP, cumulative for year, reported monthly. (State, Local, Total)	>30%	
Right-of-Way	Clear ROW Certifications	% of construction contracts with ROW that is advertised without ROW exceptions (ROW Level 1 Certification). (State, Local, Total)	85%	
Safety	Severe crashes	Cumulative by CY, reported monthly. (State, Local, Total)	< previous CY	State = INDOT KPI #5
Design	Violations of 13 Controlling Criteria	# of projects without an approved design exception by Stage 3 of design, cumulative by CY, reported monthly. (State, Local, Total)	Zero (0)	

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INDIANA DEPARTMENT OF TRANSPORTATION

100 North Senate Avenue
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Indianapolis, Indiana 46204

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Michael R. Pence, Governor
Karl B. Browning, Commissioner

March 30, 2015

Richard Marquis
Division Administrator
Federal Highway Administration, Indiana Division
575 North Pennsylvania Street, Room 254
Indianapolis, Indiana 46204

RE: Stewardship & Oversight Agreement Attachment A - Federal Actions on non-NHS projects that INDOT wants FHWA to retain

Dear Mr. Marquis:

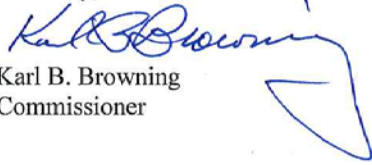
23 USC 106(c)(2) states, "For projects under this title that are not on the National Highway System, the State shall assume the responsibilities of the Secretary under this title for design, plans, specifications, estimates, contract awards, and inspection of projects, unless the State determines that such assumption is not appropriate." There are a few project actions that the Indiana Department of Transportation (INDOT) does not have written procedures to guide INDOT on taking those Federal actions. Therefore, INDOT has determined that until such time that INDOT develops these procedures FHWA should retain approval authority for those actions.

When a procedure is developed for one or more of these actions, then this letter will be updated and resubmitted to FHWA at which point they will concur with the procedures established by INDOT. FHWA would then take the appropriate steps to modify Attachment A (Project Action Responsibility Matrix).

Federal Actions on non-NHS projects that INDOT wants FHWA to retain:

1. Approve use of local force account agreements [23 CFR 635.104 & 204]
2. Approve use of publicly owned equipment [23 CFR 635.106]
3. Concur in use of publicly furnished materials [23 CFR 635.407]
4. Approval of System Engineering Analysis (for ITS) [23 CFR 940.11]
5. 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]
6. Approve emergency determinations for contracts awarded by other than competitive bidding [23 CFR 635.104 &.204]
7. Approve advertising period less than 3 weeks [23 CFR 635.112]
8. Concur in termination of construction contracts [23 CFR 635.125]

Sincerely,


Karl B. Browning
Commissioner

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