



U.S. Department
of Transportation

**Federal Highway
Administration**



2024 | Stewardship & Oversight Implementation Plan

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Overview

Purpose

The purpose of the Stewardship and Oversight (S&O) Agreement in Appendix E and the Implementation Manual is to formalize the roles and responsibilities of the Federal Highway Administration (FHWA) and the Connecticut Department of Transportation (CTDOT) for administering the Federal-Aid Highway Program. The Stewardship and Oversight Agreement/Implementation Manual is intended to result in the efficient and effective management of Federal funds and to ensure that the Federal-Aid Highway Program (FAHP) is delivered consistent with Federal laws, regulations, and policies.

The Stewardship and Oversight Agreement does not apply to direct recipients.

Background

Federal funding is historically provided to assist States in establishing, maintaining, and rehabilitating transportation infrastructure through the Federal-Aid Highway Program (FAHP). By law, these funds are in the form of Federal assistance for State-administered programs. Federal highway legislation has allowed delegating project level responsibilities to States for actions in nine areas; Financial Management, Environment, Preliminary Design, Final Design, Realty, PS&E and Advertising, Construction, and Construction Manager/General Contractor (CM/GC) and Indefinite Delivery/Indefinite Quantity (ID/IQ) Contracting have all increased the role of State transportation agencies in project approvals.

Section 106 of Title 23 United States Code (USC) requires, that the FHWA and the CTDOT enter into an agreement relating to the extent to which the State assumes the responsibilities. Title 23 is simply a codified compilation of laws pertaining to highways, passed over several bills, and contains most laws that the FHWA and the CTDOT must comply with in the FAHP. The Stewardship and Oversight Agreement specifies the project approvals subject to State assumption by the CTDOT, while the Implementation Manual defines the specific roles and actions necessary to be consistent with Federal laws and regulations in upholding these responsibilities and goes beyond Title 23. These documents form a collaborative approach to administer the FAHP.

Introduction

FHWA issued revised S&O guidance, dated March 28, 2014, that strongly urged the use of a template S&O agreement provided by the FHWA Headquarters across the 50 States. The intent of the template document is to facilitate a legal sufficiency review, and multiple other States have indicated that the template is generally adhered to. The template, however, does not provide the useful business practice functions to the CTDOT/FHWA Connecticut Division Office that the previous agreements contained. The CTDOTs Stewardship Committee consequently agreed to utilize an Implementation Manual that embodies the authorities of the actual signed S&O agreement but preserves the usefulness of the previous S&O format (mostly with more details.) The Implementation Manual is a user-friendly guide for the CTDOT and the FHWA staff on how the FHWA Connecticut Division Office and the State do business under the FAHP. The actual signed template agreement is contained in Appendix E. The authorities

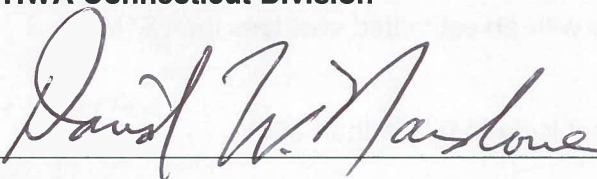
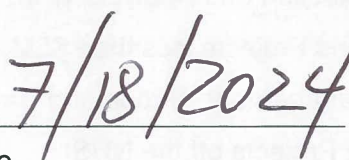
reflected in the Implementation Manual do not exceed those granted by the S&O agreement in Appendix E.

The Implementation Manual also includes, not only Title 23-assumed responsibilities, consistent with the signed Stewardship and Oversight Agreement at the end of this manual, but also other approvals as required under the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal (2 CFR 200) and other submittals and approvals generated by FHWA Guidance or Policy memos.

The structure of the Implementation Manual allows the FHWA Connecticut Division Office and the CTDOT, through the Stewardship Committee, to make changes locally within the framework of the S&O Agreement, and not need a legal review or endorsement from the FHWA Office of Infrastructure in Washington DC. Any proposed changes should be made in writing to the Stewardship Committee through the CTDOT Chief Engineer's Office. In 2008, the CTDOT established the DOT/FHWA Stewardship Standing Committee, whose primary responsibility is to modify the Stewardship and Oversight Agreement and Implementation Manual, as needed, and recommend its approval to the CTDOT Commissioner and FHWA Division Administrator. This Stewardship and Oversight Implementation Manual replaces the prior October 2021 Manual.

The undersigned have thoroughly reviewed the elements of this Implementation Manual and found them consistent with the signed Stewardship and Oversight Agreement (Appendix E) and included as the last appendix.

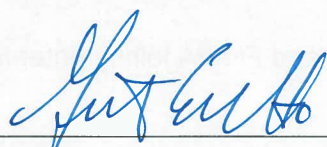
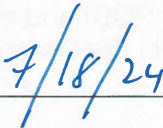
FHWA Connecticut Division

Signature Date

David Nardone, Acting Division Administrator, Federal Highway Administration

Connecticut Department of Transportation

Signature Date

Garrett Eucalitto, Commissioner, Connecticut Department of Transportation

Project of Division Involvement (PODI)

A Project of Division Involvement (PODI) is a project that has an elevated risk, contain elements of higher risk, or present a meaningful opportunity for FHWA involvement to enhance meeting program or project objectives. PODIs are an element of FHWA's risk-based project involvement. When a project has been determined to be a PODI, FHWA will be involved in various reviews and approvals as detailed later in this manual (Tables 2 to 8).

Most Planning, Rights-of-Way, Operations, and Research projects, and other term (see Implementation of Term and Work Projects section) projects are designated as the PODIs. Table 6 has project approval responsibilities defined for these types of projects. In addition, the Program Stewardship chapters of this document provide additional details for these special projects.

The following Work Plan projects are generally not PODIs and we will document them here to save paperwork and coordination:

- Bridge Inspections off the National Highway System (NHS)
- Culvert Inspections off the NHS
- Sign Support Inspections off the NHS
- Pavement Data Collection off the NHS
- Safety Work Plans with an estimated cost less than \$1M.
- Data Collection and Analysis Work Plans with an estimated cost less than \$1M.
- Operations Projects less than \$5M
- Asset Management (Bridge and Pavement included) less than \$5M.
- Planning Projects off the NHS
- Operations Projects including CHAMP funding with an estimated cost less than \$5M.
- Low risk stand-alone Planning Studies (excluding PELs) less than \$5M on the National Highway System.
- Low risk stand-alone Planning Studies less than \$2M off the NHS
- Transportation Demand Management projects administered by the Transit Bureau less than \$2M.
- Department of Revenue Services Projects

The ultimate selection of PODI and non-PODI will be when CTDOT and FHWA jointly enter into a federal-aid agreement in the Oversight Field.

Determination of FHWA Division Involvement (PODI Determination)

The PODI Designation for Preliminary Engineering (PE) and Construction (CN) Phases:

For each and every PE or CN Federal-aid project, the project oversight is determined to be either:

- A Project of FHWA Division Involvement (PODI), or
- Not a Project of FHWA Division Involvement (Non-PODI)

The CTDOT performs the first screen of projects as detailed below prior to Design Approval and which coincides with their Preliminary Design Review meeting or Rehabilitation Study Report (RSR) Meeting for Bridges; then the FHWA determines if the project is a PODI based on risk. The FHWA has an internal Standard Operating Procedure (SOP) detailing this determination.

The following subset of Federal-aid projects are formally submitted by the CTDOT to the FHWA for a determination of the FHWA interest prior to the Final Design and Construction phases:

1. All projects on the National Highway System (NHS) with an estimated cost of construction over \$40M, which includes the Interstate System;
2. All Intelligent Transportation System (ITS) projects determined Class C (see ITS/Operations Chapter) with a construction cost greater than \$10M;
3. Projects that use TIGER, BUILD, or RAISE Discretionary Funding (other future discretionary funding may be added by FHWA) with a construction cost greater than \$5M;
4. Any project involving unusual structural features, unusual hydraulic structures, movable structures, and tunnels. An unusual structure is one that is determined to have:
 - Difficult or unique foundation problems;
 - New or complex designs with unique operational or design features;
 - Bridges with exceptionally long spans; or
 - Bridges being designed with procedures that depart from currently recognized, acceptable practices. Examples of unusual bridges include cable-stayed, suspension, arch, segmental concrete, movable or truss bridges.
5. All projects that utilize alternative contracting (Construction Manager-General Contractor, Construction Manager at Risk, Job Order Contracting, Department of Administrative Services administered procurement, Indefinite Delivery-Indefinite Quantity, sole source procurement, force account work, or any other procurement not Design-Bid-Build and Design-Build.)
6. All projects that utilize Public-Private Partnerships

Design and Construction projects not meeting any of these criteria are typically not PODIs and don't need to be submitted to the FHWA for formal determination.

Batching of PODI Determinations:

In addition to the determination project-by-project before Design Approval, the FHWA may look at the program and batch these determinations. If we do this, we can list the projects that have not had a PODI determination in a single letter to CTDOT and before Design Approval. This will eliminate some requests from even needing to come to FHWA by letter. Likewise, CTDOT is free to batch PODI determinations to FHWA.

Table 1: Determination of FHWA Involvement

Work Activity	Projects Meeting Criteria 1-6 Above		Projects not meeting the Criteria Above
	CTDOT ACTION	FHWA ACTION	FHWA Action not needed
Project Determination of Interest	Prepare & Submit	Determine Involvement (PODI or Non-PODI)	
		Final Design and Construction Phases become PODI Follow left-most columns of Tables 2, 3, 6, 7, and 8	Final Design and Construction are not PODI Final Design and Construction Phases are not PODI

Notes:

The FHWA or the CTDOT may elect to have any project which is normally not a PODI, to be a PODI.

When a preliminary engineering project is determined to be a PODI for Final Design, that same oversight determination is generally applicable to the subsequent construction project(s), as well as, any other ‘break-out’ projects that result from the original preliminary engineering effort.

*FHWA processes allow PODIs to be designated non-PODIs for construction. This is generally the exception and not the rule. See FHWA SOP titled Determining Projects of Division Involvement for more guidance.

The final determination of interest occurs when the specific Federal-aid project is modified for Final Design in the FHWA’s Financial Management Information System. For construction (or a utility breakout or multiple construction phases), a final determination occurs when the Construction Phase is authorized. A formal Federal-aid agreement is normally signed for each individual phase: PE, ROW, and Construction.

Oversight Definitions

In FHWA’s FMIS system, the following oversight categories are used:

PoDI/State-Administered – Projects of Division Interest that are administered by the State DOT. These are projects where the FHWA defines its oversight activities in a Risk-based Project Involvement Plan and in Tables 2 and 3 of this manual.

PoDI/Locally-Administered – Projects of Division Interest that are locally administered. These are projects where the FHWA defines its oversight activities in a Risk-based Project Involvement Plan and in Tables 2 and 3 of this manual.

Assumed/State-Administered – Projects where responsibility most Section 106(c) items is assumed by the State DOT and the project is administered by the State DOT. These are projects where the State DOT has assumed responsibility for review and approval actions.

Assumed/Locally-Administered – Projects where responsibility for most Section 106(c) items is assumed by the State DOT and the project is administered by a local agency. These are projects where the State DOT has assumed responsibility for review and approval actions.

Other – There may be situations that do not fit the previous categories. In cases where the project is identified as “Other,” additional details should be provided in the project description and/or remarks fields. Examples could include non-State DOT direct recipients.

Project Responsibilities

Preliminary Engineering (Including Design & Contract Approval)

Background

Project Development is the process that takes a transportation improvement from concept through design. For the purposes of this stewardship plan, this chapter includes all project development up to and including the award of the construction contract.

Overview

The Project Development process typically begins with the authorization of a preliminary engineering project, through the Fiscal Management Information System (FMIS), based on an approved scope, cost estimate and schedule. The product of this authorization is most often an approved PS&E package; however, the scope may be limited to a specific interim product, such as Preliminary Design or an Engineering Report. Ultimately, the FHWA and the CTDOT must ensure that the agreed upon product is acceptably produced and approved. When the scope is to produce a PS&E package, the approval of the PS&E package by the CTDOT and/or the FHWA represents final acceptance of the Project Development effort and will be followed by the authorization of a Project Construction phase.

Operating Procedures

The FHWA and the CTDOT shall conduct their respective project oversight activities on Federal-aid projects to ensure consistent application of the approved policies and procedures, including this Agreement, throughout the Project Development process. The specific project oversight roles and assumed responsibilities are detailed in the Project Implementation Table 2 below and the FHWA's internal PODI plan. Below is a list of most operating procedures for FHWA and CTDOT for project development:

- FHWA SOPs
 - Determining Projects of Division Involvement
 - Project Authorization of Work; Review and Approval
 - Preliminary Engineering – Authorization Checklist
 - Preliminary Engineering (Waiver of Payback, Repayment, and Time Extensions)
 - Design Submission Reviews
 - Concurrence-in-Award
 - Addendum Approval
- CTDOT's Assignment of Responsibilities and Checklist Pursuant to the Stewardship Agreement for State Oversight Pre-Construction Project Activities, Office of Engineering dated December 2014.

References

- 23 USC 109
- 23 CFR 625 and 630
- A Policy on Geometric Design of Highways and Streets (the Green Book)
- A Policy on Design Standards – Interstate System
- CTDOT’s Highway Design Manual, 2003 Edition (including Revisions to February 2013)
- CTDOT’s 2017 Cost Estimating Guidelines
- FHWA Guidelines on Preparing Engineer’s Estimate, Bid Reviews and Evaluation dated 1/20/2004.
- FHWA White Paper – CT Division’s Understanding: Equipment Procurement Options Utilizing Federal-aid dated 10/13/2020.
- CTDOT’s Project Development Guide, October 2012 or later

Table 2: Project Implementation During Preliminary Engineering

Work Activity	Projects on the NHS				Projects off the NHS	
	Projects of FHWA Division Involvement (PODI)		Non-PODI		Non-PODI	
	CTDOT ACTION ¹	FHWA ACTION	CTDOT ACTION ¹	FHWA ACTION	CTDOT ACTION ¹	FHWA ACTION
Project Authorization for Preliminary Engineering (CTDOT informally calls this the obligation date)	Prepare & Submit	Review & Approve	Prepare & Submit	Review & Approve	Prepare & Submit	Review & Approve
Recommended Project Memorandum (RPM)	Prepare & Submit	File	Prepare & Approve	None	Prepare & Approve	None
Major Scope Revision	Prepare & Submit	Review & Modify the FMIS Agreement if Necessary	Prepare & Approve	Comment	Prepare & Approve	Comment
Use of Consultants in a Management Role	Prepare & Submit	Review & Approve	Prepare & Submit	Review & Approve	Prepare & Submit	Review & Approve
Consultant Contract Selection	Prepare & Approve	None	Prepare & Approve	None	Prepare & Approve	None
Consultant Scope of Services / Agreements	Prepare & Approve	None ⁴	Prepare & Approve	None	Prepare & Approve	None
Sole Source Consultant Contract Selection	Prepare & Submit	Review & Approve	Prepare & Submit	Review & Approve	Prepare & Submit	Review & Approve
Provide approval for complex and other unusual structures on the Interstate	Prepare & Submit	Review & Approve	Prepare & Submit	Review & Approve	NA	NA
Interstate Access Modification	Prepare & Submit	Review & Approve	Prepare & Submit	Review & Approve	NA	NA
Design Exceptions	Prepare & Approve	Comment at Design Exceptions meeting	Prepare & Approve	None	Prepare & Approve	None
All EA/FONSI, EIS/ROD, 4(f), 106, 6(f) and other approval	Prepare & Submit	Review & Approve	Prepare & Submit	Review & Approve	Prepare & Submit	Review & Approve

Work Activity	Projects on the NHS				Projects off the NHS	
	Projects of FHWA Division Involvement (PODI)		Non-PODI		Non-PODI	
	CTDOT ACTION ¹	FHWA ACTION	CTDOT ACTION ¹	FHWA ACTION	CTDOT ACTION ¹	FHWA ACTION
actions required by Federal environmental laws and regulations ⁶						
Categorical Exclusion Approval ⁶	Prepare & Submit	Review & Approve	Prepare & Submit	Review & Approve	Prepare & Submit	Review & Approve
Design Approval and Authorize Final Design Activities	Prepare & Submit	Review & Approve	Prepare & Approve	None	Prepare & Approve	None
Project Authorization for Right-of-Way (CTDOT informally calls this the obligation date)	Prepare & Submit	Review & Approve	Prepare & Submit	Review & Approve	Prepare & Submit	Review & Approve
Value Engineering ³	Prepare, Approve, and Submit	Review & Comment	Prepare & Approve	Review & Comment	NA	NA
Design Plan/Package Submittals (PE, PD, SLD, SF, FPR, etc.)	Prepare & Submit & Resolve FHWA Comments	Review & Comment	Prepare & Comment	None	Prepare & Comment	None
Buy America Waiver	Prepare & Submit	Review & Approve	Prepare & Submit	Review & Approve	Prepare & Submit	Review & Approve
Cost Effectiveness Determinations: Non-Competitive Bidding; Use of State Force Account; Use of Publicly owned equipment	Prepare & Submit	Review & Approve	Prepare & Submit	Review & Approve	Prepare & Submit	Review & Approve
Public Interest Findings: Use of State-furnished materials; Mandatory use of borrow/disposal sites; Salvaging items	Prepare & Submit	Review & Approve	Prepare & Approve	None	Prepare & Approve	None
PS&E Approval	Prepare & Submit	Review & Approve	Prepare & Approve	None	Prepare & Approve	None
Project Authorization for Construction (CTDOT informally calls this the obligation date)	Prepare & Submit	Review & Approve	Prepare & Submit	Review & Approve	Prepare & Submit	Review & Approve
Approval of Advertisement Period of less than 3 weeks	Prepare & Submit	Review & Approve	Prepare & Submit	Review & Approve	Prepare & Submit	Review & Approve
Addenda	Prepare & Approve	None	Prepare & Approve	None	Prepare & Approve	None
Concurrence in Contract Award (Apparent low bidder)	Prepare & Approve	None	Prepare & Approve	None	Prepare & Approve	None
Concurrence in Contract Award (Second low bidder)	Prepare and Submit	Review and Approve	Prepare & Approve	None	Prepare & Approve	None
Rejection of Low Bidder and/or All Bidders	Prepare & Submit	Review & Approve	Prepare & Submit	Review & Approve	Prepare & Submit	Review & Approve
Transportation Management Plans ⁵	Prepare & Approve	None ⁴	Prepare & Approve	None	Prepare and Approve	None
Utility and Railroad Agreements	Prepare & Approve	None ⁴	Prepare & Approve	None	Prepare & Approve	None

Work Activity	Projects on the NHS				Projects off the NHS	
	Projects of FHWA Division Involvement (PODI)		Non-PODI		Non-PODI	
	CTDOT ACTION ¹	FHWA ACTION	CTDOT ACTION ¹	FHWA ACTION	CTDOT ACTION ¹	FHWA ACTION
Approve exceptions to maximum railroad protective insurance limits	Prepare & Approve	None	Prepare & Approve	None	Prepare & Approve	None
Approve the use of Consultants by a Utility	Prepare & Approve	None	Prepare & Approve	None	Prepare & Approve	None
State Police MOAs	Prepare & Approve	None ⁴	Prepare & Approve	None	Prepare & Approve	None
Preliminary Engineering (Determination of Payback, Repayment or Time Extensions)	Prepare & Submit	Review & Approve	Prepare & Submit	Review & Approve	Prepare & Submit	Review & Approve
Airport highway clearance coordination and respective public interest finding (if required)	Prepare & Submit	Review & Approve	Prepare & Approve	None	Prepare & Approve	None
Project Labor Agreement (PLA)	Prepare & Submit	Review & Approve	Prepare & Submit	Review & Approve	Prepare & Submit	Review & Approve

Notes:

- ¹ All of the CTDOT 'Action' items which indicate that the CTDOT shall 'Submit' to the FHWA, shall be Approved or otherwise endorsed by the CTDOT prior to submission to the FHWA, as applicable.
- ² See *Major Projects Chapter*; this requirement is in accordance with 23 CFR 172.9. Major projects are projects whose cost for all phases exceed \$500M
- ³ Value Engineering is required for projects over \$50M and structures over \$40M (the cost estimate is for all phases.) However, CTDOT's thresholds are lower per ECD-2021-2. Only VE's meeting the federal minimum (\$50M/\$40M) need to be submitted to FHWA.
- ⁴ Available to FHWA upon request
- ⁵ Transportation Management Plans as required specific to meet 23 CFR 630 Part 630, Subpart J, Engineering and Construction Policy #46
- ⁶ If there is a 23 U.S.C. 326 or 325 assignment or Programmatic Categorical Exclusion agreement, decisions are handled in accordance with those assignments or agreements.

Construction

Background

The overall purpose of the Construction Monitoring Program is to establish procedures for assuring that projects are constructed in accordance with the plans, specifications, and approved changes. The United State Code calls for the construction to be subject to the inspection and approval of the Secretary. FHWA performs that function on behalf of the Secretary.

The specific project oversight roles and assumed responsibilities are detailed in the Project Implementation Table 3 below, the FHWA's internal PODI plan, and Construction Monitoring Program. Together, these make up the required Project Oversight Agreement.

Operating Procedures

- FHWA Internal Project Involvement Guide
- FHWA SOPs
 - Inspection Report Distribution
 - Construction Contract Time Extension
 - Contract Claims
 - Final Acceptance
 - Project Closeout and Record Disposition
- Municipal Manual
- Site Manager
- AASHTOWare

References

- 23 USC 114
- 23 CFR 635
- CTDOT Construction Manual, Version 3.3 January 2022
- CTDOT Standard Specifications for Roads, Bridges, and Incidental Construction – Form 818 or later
- CTDOT Construction Engineering and Inspection, Information Pamphlet for Consulting Engineers, May 2022
- CTDOT Pamphlet for Monitoring Consultant Performance and Payment Requests for Construction Engineering and Inspection Services 2014
- FHWA Contract Administration Core Curriculum Manual and Reference Guide

Table 3: Project Implementation During Construction

Work Activity	Projects on the NHS				Projects off the NHS	
	Projects of FHWA Division Involvement (PODI)		Non-PODI		Non-PODI	
	CTDOT ACTION	FHWA ACTION	CTDOT ACTION	FHWA ACTION	CTDOT ACTION	FHWA ACTION
Notification of Pre-construction Meeting	Submit	Information	None	None	None	None
Record of Prior Approval for Major Contract Change Order	Prepare & Approve ²	None	Approve ²	None	NA	NA
Change Orders	Prepare & Approve ²	Review during construction inspections	Prepare & Approve ²	None	Prepare & Approve ²	None
Value Engineering Change Proposals	Review & Approve	Information (See Change Orders above)	Review & Approve	Information	Review & Approve	None
Claims	Prepare & Approve	Approve for eligibility	Prepare & Approve	Approve for eligibility	Prepare & Approve	Approve for eligibility
Time Extensions	Prepare & Approve	Review during construction inspections or FMIS modification	Prepare & Approve	None	Prepare & Approve	None
Suspension of Work	Prepare & Approve	None	Prepare & Approve	None	Prepare & Approve	None
Termination	Prepare & Approve	Concurrence	Approve	Information	Approve	None
FHWA Construction Inspection Reports	Information & Action (if required)	Conduct & Prepare Report, Distribute to CTDOT	Information & Action (if required)	Conduct if Spot Checking	Information & Action (if required)	Conduct if Spot Checking
FHWA Final Construction Inspection	Information	Conduct & Prepare Report	Conduct & Prepare Report	None	Conduct & Prepare Report	None
Final Acceptance (CON-501)	Prepare, Approve & Submit	Review (FHWA generates a final acceptance without notification back to CTDOT)	Prepare & Approve	Information	Prepare & Approve	Information
Final Materials Certification	Prepare & Approve	Information (normally submitted with final acceptance package above)	Prepare & Approve	None	Prepare & Approve	None
Buy America Waiver ¹	Prepare	Approve	Prepare	Approve	Prepare	Approve

Work Activity	Projects on the NHS				Projects off the NHS	
	Projects of FHWA Division Involvement (PODI)		Non-PODI		Non-PODI	
	CTDOT ACTION	FHWA ACTION	CTDOT ACTION	FHWA ACTION	CTDOT ACTION	FHWA ACTION
Acceptance of Bidder's Good Faith Efforts to Meet Contract Goal or of Prime Contractor's Good Faith Efforts to Find Another DBE Subcontractor when DBE Subcontractor is Terminated or Fails to Complete its Work	Prepare & Approve	None	Prepare & Approve.	None	Prepare & Approve	None
Construction Issues Form	Prepare & Submit	Information	Prepare	None	Prepare	None
Direct Purchase of Construction or Safety Equipment by CTDOT ³	Prepare & Submit	Review and Approve	Prepare and Submit	Review and Approve	Prepare and Submit	Review and Approve
Federal-aid agreement (modifications, Close-outs, Withdrawals) ⁴	Prepare & Submit	Approve	Prepare & Submit	Approve	Prepare & Submit	Approve

Notes:

- ¹ Value of Permanent and material in excess of 0.1% of the contract value or \$2500 whichever is greater.
- ² All change orders are delegated even if a change order is changing the scope of the contract. The Non-Competitive approval row in Table 2 does not apply in terms of the FHWA approval. The CTDOT still must assess that it is in the public interest to perform the work via a change order and not by advertising a separate contract. In some cases, the description in the Federal-aid agreement may need to be changed also, prior to the work being performed. See the last row of the above table.
- ³ See FHWA memorandum dated 12/14/2018, on Eligibility of Construction and Highway Safety Equipment Acquisition Costs as a Direct Charge.
- ⁴ CTDOT's Finance and Administration Section generates these actions.

Local Public Agency (Municipal) Administered

Background

The CTDOT has been given the authority by legislation to provide Federal-aid Highway Program funds to local public agencies (LPAs or municipalities) to perform the work. The Federal funds for local aid projects are provided through the CTDOT. As a direct recipient of Federal funds, the CTDOT remains responsible for the sub-recipients' compliance with Federal requirements. This section assumes Municipalities are not direct recipients.

Connecticut General Statute Section 13a-165 authorizes the Commissioner of the CTDOT to accept Federal funds on behalf of municipalities for transportation projects.

The following two tables highlight key project work activities and the actions required by municipalities, the CTDOT and the FHWA.

Applicability

This chapter specifically applies to situations where the municipality holds and administers the construction contract or the consultant agreements.

If a Municipality holds the consultant design agreement or does its own design and the CTDOT administers the construction contract, then this chapter is only valid through the final design package submittal. From the PS&E forward, the assumed responsibilities as outlined in Tables 2 and 3 apply. Also, if a Municipal Project is a PODI, Tables 2 and 3 apply (the left column labelled PODI), not Tables 4 and 5.

References

- 23 U.S.C. 106(c)(2)
- 23 U.S.C. 109(o)
- 23 CFR 1.11
- 23 CFR 635

Table 4: Municipally Administered Project Implementation Table During Preliminary Engineering

Work Activity	Projects off the NHS		
	Not Projects of FHWA Division Involvement (non-PODI)		
	LPA (Municipal) ACTION	CTDOT ACTION ¹	FHWA ACTION
Project Scope/Concept	Prepare & Submit	Review & Approve	None, opportunity to comment
Project Authorization for Preliminary Engineering (CTDOT informally calls this the obligation date) ⁴	None	Review & Submit	Approve
Major Scope Revision	Prepare & Submit	Review & Approve	None

Work Activity	Projects off the NHS		
	Not Projects of FHWA Division Involvement (non-PODI)		
	LPA (Municipal) ACTION	CTDOT ACTION ¹	FHWA ACTION
Consultant Contract Selection	Prepare & Submit	Review & Approve	None
Sole Source Consultant Selection	Prepare & Submit	Review & Endorse	Approve
Consultant Scope of Services/Agreements	Prepare & Submit	Review & Approve	None
Interstate Access Modification ²	Prepare & Submit	Review & Endorse	Approve
Design Exceptions	Prepare & Submit	Review & Approve	None
All EA/FONSI, EIS/ROD, 4(f), 106, 6(f) and other approval actions required by Federal environmental laws and regulations	Prepare Studies	Prepare & Submit	Review & Approve
Categorical Exclusion Approval	Prepare Studies	Prepare & Submit	Review & Approve
Design Approval and Authorize Final Design Activities	None	Prepare & Approve	None
Project Authorization for Right-of-Way (CTDOT informally calls this the obligation date) ⁴	None	Review & Submit	Approve
Value Engineering ³	Prepare, Approve & Submit	Review & Comment	None
Design Plan/Package Submittals (PE, PD, SLD, SF, FPR)	Prepare & Submit	Review & Approve	None
Public Interest Findings: Local-Furnished/ Designated Materials, Force Account work done by municipal forces, Salvaging Items	Prepare & Submit	Review & Approve	None
Buy America Waiver	Prepare & Submit	Review & Endorse	Review & Approve
Public Interest Findings (Cost Effectiveness): Non- competitive Bidding	Prepare & Submit	Review & Endorse	Review & Approve
PS&E Approval	Prepare & Submit	Review & Approve	None
Project Authorization for Construction (CTDOT informally calls this the obligation date) ⁴	None	Prepare & Submit	Approve
Project Labor Agreement (PLA)	Prepare & Submit	Prepare & Submit	Approve
Concurrence in Contract Award (Apparent low bidder)	Prepare & Submit	Review & Approve	None
Concurrence in Contract Award (Second low bidder)	Prepare & Submit	Review & Approve	None
Rejection of Low Bidder and/or All Bidders	Prepare & Submit	Review & Approve	None

Notes:

- ¹ All of the CTDOT Action items which indicate that the CTDOT shall be submitted to the FHWA, must be endorsed by the CTDOT prior to submission to the FHWA, as applicable.
- ² A municipal project requiring Interstate Access Modification would be rare but could also include developer's projects.
- ³ Value Engineering is required for projects over \$50M and structures over \$40M (the cost estimate is for all phases.) The CTDOT will submit the Final VE Summary Letter to FHWA for informational purposes.
- ⁴ This is in the Fiscal Management Information System and is submitted by the CTDOT Finance and Administration.

Table 5: Municipality Administered Project Implementation Table During Construction

Work Activity	Projects off the NHS		
	Not Projects of FHWA Division Involvement (non-PODI)		
	LPA (Municipality) ACTION	CTDOT ACTION	FHWA ACTION
Notification of Pre-construction Meeting	Prepare & Submit	Review & Attend	None
Change Orders ¹	Prepare & Submit	Review & Approve	None
Public Interest Finding ¹	Prepare & Submit	Review & Approve	None
Claims ²	Prepare & Submit	Review & Approve	None
Value Engineering Change Proposals	Prepare, Approve & Submit	Review & Comment	None
Time Extensions	Prepare & Submit	Review & Approve	None
Suspension of Work	Prepare & Submit	Review & Approve	None
Termination	Prepare & Submit	Review & Approve	Information
Certificate of Compliance	Prepare & Submit	Review & Approve	None
Certificate of Final Acceptance	Prepare & Submit	Review & Approve	None
Materials Certification	Submit	Prepare & Approve	None
Buy America Waiver ³	Prepare & Submit	Review & Concur	Approve
Direct Purchase of Construction or Safety Equipment by a Municipality ⁴	Prepare and Submit	Review and Endorse	Approve
Federal-aid agreement (modifications, Final External Audit, Withdrawals) ⁵	None	Prepare and Submit	Approve

Notes:

- ¹ All change orders are delegated even if a change order is changing the scope of the contract. The Non-Competitive approval row in Table 4 does not apply in terms of the FHWA's approval. The CTDOT still must assess that it is in the public interest to perform the work via a change order and not by advertising a separate contract. In some cases, the description in the Federal-aid agreement may need to be changed also, prior to the work being performed. See the last row of the above table.
- ² Claims that may set legal precedence should be coordinated with the FHWA.
- ³ Not needed when minimal use of foreign steel and iron materials does not exceed 0.1 percent of the total contract amount or \$2,500 (the total amount of iron and steel products as delivered to the project), whichever is greater.
- ⁴ See FHWA memorandum dated 12/14/2018, on Eligibility of Construction and Highway Safety Equipment Acquisition Costs as a Direct Charge
- ⁵ The CTDOT Finance and Administration staff acts on these.

Term & Work Plan Projects

Background

Work Plan and Term Projects have continued to be a source of confusion when administering Federal-aid projects. Examples of Term and Work Plan projects include the funding the Newington Operations Center, a research project, a project to fund National Bridge Inspections, a project to fund the administration of the Safe Routes to Schools Program, or a project to develop and implement an Asset Management System.

In 2009, the FHWA performed a process review for work plan projects relating to the procurement under the then called Common Rule (now called Supercircular.) The conclusions of the process review resulted in clarifications of the FHWA approvals, especially FHWA approval of equipment and resulted in development of the implementation table below, and a CTDOT internal memorandum on purchasing of equipment dated 2/14/2013 (which replaced an earlier memo from 2010.) It also resulted in the FHWA writing appendix C to this manual entitled Procurements.

Applicability

This section applies to most projects that are not preliminary engineering (where the product is a PS&E), right-of-way (whose product is to acquire interest in property to construct, operation, or maintain the project as defined in the PS&E), or construction (where the scope is dictated by the approved PS&E).

Operating Procedures

- FHWA SOP entitled Project Authorization of Work: Review and Approval
- FHWA SOP entitled Work Plan Approvals (and Management of Work Plan Projects)
- FHWA SOP entitled Project Closeout and Record Disposition

References

- 23 CFR 630.106
- 23 CFR 420.115 and 23 CFR 420.117 (Planning)
- 23 CFR 420.205 and 23 CFR 420.207 (Research)
- 2 CFR 200.210 (Information to be included in a Federal award)
- 2 CFR 200.313 (Equipment)
- 2 CFR 200.343 (Close-out)
- FHWA White Paper – CT Division’s Understanding: Equipment Procurement Options Utilizing Federal-aid dated 10/13/2020

Table 6: Project Implementation Table for Term and Work Plan Projects

Work Activity	Projects of FHWA Division Involvement (PODI)		Projects off the NHS Or Non-PODI		Documents/Products
	CTDOT ACTION	FHWA ACTION	CTDOT ACTION	FHWA ACTION	
Work Plan ¹	Prepare & Submit	Approve	Prepare and Approve	None	Scope, Schedule, Budget, and Expected Product
Equipment ¹	Request Equipment is necessary for the successful completion of the project	Approve	Determine Equipment is necessary for the successful completion of the project & Approve	None ²	Documentation to the CTDOT approving the equipment which includes both Federal-aid number and State project number
Federal-aid authorization	Prepare & Submit	Review & Approve	Prepare & Submit	Review & Approve	Authorization to Proceed and Effective Date to Incur costs
Progress Meetings (as needed, typically quarterly)	Coordinate and Invite	Participate & Document Progress of Project	Hold meeting	None	Meeting Notes
Performance and Expenditure Reports	Prepare & Submit	Use to Monitor the Grant	Prepare and Use to Monitor the Grant	None	Required at least annually, but no more than quarterly as agreed by FHWA (2 CFR 200.328 and 23 CFR 420.117b)
Final Product or Report ³	Prepare & Submit	Review and Approve as Required	Prepare & Approve	None	Final Product
Final Voucher including Reconciliation	Prepare & Approve	None	Prepare and Approve	None	Final Acceptance
Federal-aid agreement (modifications, Close-outs, Withdrawals)	Prepare & Submit	Approve	Prepare & Submit	Approve	Modified Federal-aid agreement or Closed Federal-aid agreement

Notes:

- ¹ If Supercircular procurement is not covered in the work plan itself, a separate approval is needed as per the CTDOT's 2/14/2013 memorandum signed by Robert Card. If specific equipment is already listed in the approved work plan, a separate equipment approval is not needed.
- ² Approval only needed for Construction or Highway Safety Equipment if under the FHWA memorandum dated 12/14/2018, on Eligibility of Construction and Highway Safety Equipment Acquisition Costs as a Direct Charge
- ³ This could be a final report documenting a summary of products such as listing the number of bridge inspections performed, a MAIN-17 documenting that the Traffic Operations Center is still open, a Research Study, a Planning Study, a Recreational Trail map, a report on the Rideshare Program, a MPO Quarterly Report, Results of the Pavement Management Program, or any other documentation of the above referenced "Expected Product"

Design-Build

Background

The State of Connecticut recently passed legislation allowing the CTDOT to utilize design-build procurement. Their first design-build project resulted in the FHWA and the CTDOT signing a specific project oversight agreement for that project. That oversight agreement formed the basis for development of the implementation table below.

Applicability

This table applies to any Design-Build project proposed to be funded through the Federal-aid Highway Program. Oversight determination should be made at the letter of intent.

References

- 23 CFR 635.112
- 23 CFR 636
- FHWA Connecticut Division Standard Operating Procedure entitled: *Design-Build, Project Requirements and Administration* currently dated 5/20/2013.

Table 7: Project Implementation Table for Design-Build

Work Activity	Projects of FHWA Division Involvement (PODI)		Projects off the NHS or Non-PODI		Documents/ Products
	CTDOT ACTION ¹	FHWA ACTION	CTDOT ACTION ¹	FHWA ACTION	
Design Submissions	Follow Table 2 of this Plan except for items in that table expressly Design-Bid-Build				
Environmental Approvals	Follow the Environmental Chapter of this Plan				
Letter of Intent (if utilized)	Approve and Issue to Contracting Community	None	Issue to Contracting Community	None	Approved Letter of Intent
Request for Statements of Qualifications	Issue, Approve & Submit to FHWA	Review & Comment	Issue	None	Approved RFQ Document
Short List of Firms	Review, Invite FHWA to participate; Determine if Firms meet the RFQ	None	Review & Approve	None	Shortlist of Qualified Firms
Draft Request for Proposals	Prepare, Approve & Submit	Review & Comment,	Prepare & Approve	None	Request for Proposals

Work Activity	Projects of FHWA Division Involvement (PODI)		Projects off the NHS or Non-PODI		Documents/ Products
	CTDOT ACTION ¹	FHWA ACTION	CTDOT ACTION ¹	FHWA ACTION	
Final Request for Proposals	Review & Submit	Review & Approve	Review, Approve	None	Approved Contract Documents for Design-Build Project
Project Authorization for Design-Build (a Combined Authorization for Final Design and Construction) (CTDOT informally calls this the obligation date)	Prepare & Submit	Review & Approve	Prepare & Submit	Review & Approve	Authorization to Proceed with Design-Build Phase of the Project
Technical Review of Proposals	Review, Invite FHWA to participate in Review & Make recommendation to Commissioner	None	Review & Make Recommendation	None	Technical Score
Contract Award	Submit	Approve	Approve	None	Fully executed Design-Build Contract
Quality Assurance Program	Review and Approve	None	Review & Approve	None	Approved Quality Assurance Program
Early Release for Construction	Review and Approve	None	Review & Approve	None	
Design Packages	Review and Approve	None	Review & Approve	None	
Final Design Package	Review and Approve	None	Review & Approve	None	
Change Orders	Follow Table 3 of this Manual				
Construction Approvals	Follow Table 3 of this Manual				
Project Close-out	Follow Table 3 of this Manual				

Notes:

In general, Tables 2 and 3 apply.

This table applies to Best Value Design-Build. Parts of the table may apply to other variations of the Design-Build project delivery method. The evaluation of applicable parts will be based on the procurement manual developed by the CTDOT and approved by the FHWA.

¹ All of the CTDOT 'Action' items which indicate that the CTDOT shall 'Submit' to the FHWA, shall be Approved or otherwise endorsed by the CTDOT prior to submission to the FHWA, as applicable.

Operational Improvements

Background

CTDOT and FHWA implemented this table for the first time in March of 2021 on a pilot project on the Berlin Turnpike under project number 0007-0264.

Applicability

This table applies to operational improvement projects usually administered by CTDOT’s Bureau of Operations.

References

- 23 USC 101(a)(18) for the definition of Operational Improvement
- FHWA Memo dated 9/25/2019 with the subject: Procurement and Authorization of Federal-Aid Operational Improvements (Non-Construction Projects)

Table 8: Project Implementation Table for Operational Improvements

Work Activity	Projects of FHWA Division Involvement (PODI)		Projects off the NHS or Non-PODI		Documents/ Products
	CTDOT ACTION ¹	FHWA ACTION	CTDOT ACTION ¹	FHWA ACTION	
Project Authorization/ Obligation of Funds (via FMIS for Operational Improvement project)	Prepare and Approve	Review and Approve	Prepare and Approve	Review and Approve	An executed Federal-aid agreement with an effective authorization date
Recommended Project Memorandum/ Work Plan	Prepare and Submit	Review and Approve	Prepare and Approve	None	Scope, Schedule, Budget, and Expected Product
Categorical Exclusion Approval	Prepare and Approve	Review and Approve	Prepare and Approve	Review and Approve	
System Engineering/Project Management Plan	Prepare and Submit	Review and Approve	Prepare and Approve	None	
Quarterly Progress Reports on Operational Improvement Project	Prepare and Submit	Review	Prepare and File	None	Quarterly Report
Development of procurement documents (to obtain consultant services and/or ITS materials, equipment, licenses, etc.)	Prepare and Approve	None	Prepare and Approve	None	Procurement Documents
Procurement – Consultant Services for Operational Improvement ²	Prepare and Approve	None	Prepare and Approve	None	Executed Consultant Contract
Procurement – ITS Materials, Equipment, Licenses, etc. for Operational Improvement ²	Prepare and Approve	None	Prepare and Approve	None	Purchase Order
Concurrence-in-Award	Prepare and Approve	None	Prepare and Approve	None	Executed Contract

Work Activity	Projects of FHWA Division Involvement (PODI)		Projects off the NHS or Non-PODI		Documents/ Products
	CTDOT ACTION ¹	FHWA ACTION	CTDOT ACTION ¹	FHWA ACTION	
Claims	Review and Approve	Approve for Eligibility	Review and Approve	None	
Final Acceptance (Project)	Prepare and Submit CTDOT's Final Acceptance (e.g. Maint-17 or CON-501)	Review and Approve	Prepare and Approve	None	FHWA's Inspection Report using Form 1446B
Acceptance of Bidder's Good Faith Efforts to Meet Contract Goal or of Prime Contractor's Good Faith Efforts to Find Another DBE Subcontractor when DBE Subcontractor is Terminated or Fails to Complete its Work	Prepare and Approve	None	Prepare and Approve	None	
Federal-aid Agreement Modifications and Close-out (via FMIS) for Operational Project	Prepare and Approve	Review and Approve	Prepare and Approve	Review and Approve	

Notes:

- ¹ All of the CTDOT 'Action' items which indicate that the CTDOT shall 'Submit' to the FHWA, shall be Approved or otherwise endorsed by the CTDOT prior to submission to the FHWA, as applicable.
- ² Per 2 CFR 200.317 - CTDOT follows state-approved procurement procedures for Operational Improvement

Program Responsibilities

Asset Management and Performance Measures

Background

Moving Ahead for Progress in the 21st Century (MAP-21) and Fixing America’s Surface Transportation (FAST) Act require a State DOT to develop and implement a risk-based asset management plan to achieve and sustain a state of good repair over the life cycle of the assets, and to improve or preserve the condition of the NHS in accordance with 23 U.S.C. 119(e). Pursuant to 23 U.S.C. 119(e)(4)(A), the State DOT is required to include NHS highway pavements and bridges regardless of the ownership of the relevant NHS facility. Note that 23 U.S.C. 103(a) defines NHS as including the Interstate Highway System. The Bipartisan Infrastructure Law (BIL) Section 11105 mandates that states consider extreme weather and resilience within the TAMP lifecycle cost and risk management analysis.

MAP-21 also created national performance goals, with associated performance measures issued through the rulemaking process. Along with the measures, states must also set performance targets and establish processes to achieve them. In addition, there are other requirements of state DOTs in the form of documents, reports, or procedures that must be submitted or developed. In the Final Rules, Metropolitan Planning Organizations (MPOs) are also required to set corresponding targets, and States and MPOs are required to coordinate the development and setting of the performance targets.

The Performance Management Unit has identified well over sixty “deliverables,” encompassing measures, targets, and other documents, that must be submitted or acted on by the Connecticut Department of Transportation.

Operating Procedures

The FHWA Division provides stewardship and oversight through participation in monthly Asset Management / Performance Measures meetings with the Transportation Performance Management Supervising Engineer and Transportation Asset Management Supervising Engineer and attendance at CTDOT’s quarterly Standing Committee on Performance Measures (SCOPM).

- CTDOT Transportation Asset Management Plan
- Baseline Report – UPACS Performance Management Form (PMF)

Oversight Activities

The FHWA has the role of Transportation Asset Management Plan (TAMP) process certification, recertification, and annual plan consistency review. In addition, the FHWA Division communicates the requirements pertaining to the processes for developing a TAMP and discuss the TAMP certification guidance and expectations to CTDOT. The FHWA is responsible for providing technical assistance and developing and sharing information on good practices.

The FHWA assures CTDOT and MPO’s have established targets for the applicable national performance measures by the required due dates and documented them in the baseline report.

References

- 23 USC 119(e)
- 23 CFR 490
- 23 CFR 515
- 23 CFR 667
- FHWA State Asset Management Plan Under BIL memo dated 5/5/2022
- FHWA State Biennial Performance Reporting Guide: 2020 Mid Performance Period Progress Report
- FHWA Transportation Performance Management & Asset Management Plan – Key Implementation Dates

Table 9: Asset Management and Performance Measures Program Summary

Activity	Authority	CTDOT ACTION	FHWA ACTION	Documents/Products
Certification and Recertification of State’s Process for Development of Fully Compliant Asset Management Plan	23 CFR 515.13(b)	Submit State-approved fully compliant asset management plan at least every 4 years	Process certification (or re-certification) decision not later than 90 days from receipt of CTDOT’s request for certification.	State-approved fully compliant asset management plan.
Annual Consistency Determination	23 CFR 515.13(c)	Submit Implementation Documentation including short narrative, Financial and Performance Tables, and Asset Fact Sheets.	Conduct annual consistency determination and determine if the State has developed and implemented an asset management plan consistent with 23USC119.	Consistency or negative consistency determination.
Baseline Performance Period Report	23 CFR 490.107(b)(1)	Submit report to FHWA by October 1 st of the first year of the performance period	Review and Approve Process	
Review Reporting on Performance Targets	23 CFR 490.107(b)	Submit Mid Performance Period Progress Report (by October 1 st of the 3 rd year of the performance period) and Full Performance Period Progress Report (end of 4-year performance period)	Review and Approve Process	

Activity	Authority	CTDOT ACTION	FHWA ACTION	Documents/Products
Evaluation of facilities repeatedly required repair / reconstruction due to emergency events	23 CFR Part 667	Review and update evaluation every four years as part of the TAMP update.	Review evaluation and process	
Review National Highway System Performance Achievement Plan for Actions to achieve targets	23 USC 119(e)(7)	Submit Plan	Determine Significant Progress	Required if State does not achieve targets (or significant progress) for 2 consecutive reports

Bridge and Tunnel

Background

National Bridge Inspection Standards (NBIS) were established by Part 650, Subpart C of 23 CFR and apply to all bridges carrying vehicular traffic that are greater than 20 feet in length and are located on a public road. On May 6, 2023, the final rule for the revised NBIS 23 CFR 650, Subpart C was published addressing requirements of the MAP-21 Act.

The Bipartisan Infrastructure Law (BIL), enacted as the Infrastructure Investment and Jobs Act (IIJA) on November 15, 2021, establishes Bridge Investment Program (BIP) to provide grants, on competitive basis, and Bridge Formula Program (BFP) to distribute funds to the States by a statutory formula.

Operating Procedures

- Bridge Design Manual
- Bridge Inspection Manual
- Local Bridge Program Manual

Please note that capital projects constructing, reconstructing, or rehabilitating bridges follow the project development and project construction chapters of this plan.

NBIP and NTIP compliance reviews are conducted by the FHWA yearly with CTDOT in accordance with the national performance metrics established under MAP-21 and updated in accordance with the SNBI. The reviews include the following major NBIS: submissions of NBI, and NTI, and NBE inspection data, program organizational procedures, frequency of inspections, qualifications of personnel, quality of the reports and the inventory. The FHWA also reviews the CTDOT's QA/QC program. An annual program review report is prepared by the FHWA Division Bridge Engineer and discussed with the CTDOT.

References

- 23 USC 144
- 23 CFR 650 Bridges, Structures and Hydraulics
- National Bridge Inspection Standards Final Rule memo dated 5/9/2022
- Bridge Formula Program (BFP) Implementation Guidance memo dated 1/14/2022
- Guidance for Plans of Corrective Action memo dated 1/3/2017

Table 10: Bridge and Tunnel Program Summary

Activity	Authority	CTDOT ACTION	FHWA ACTION	Documents/ Products
National Bridge Inspection Program	23 CFR 650	Conduct Individual Inspections and File	Provide Guidance as needed.	Inspection Reports, load ratings, and load posting
National Bridge Inspection Program	23 CFR 650 Subpart C, Annual Memo from HQ	Submit NBI and NBE inventory data to FHWA annually	Process date and assist resolving any errors	Annual NBI Submittal
National Bridge Inspection Program	23 CFR 650 Subpart C	Participate in Annual Program Review.	Issue Compliance Letter by December 31 st each year	Annual Program Review Report Final Summary of 23 Metrics
National Bridge Inspection Program	Guidance for Plans of Corrective Action	Submit Implement Plans (IP) and/or Plans of Corrective Actions (PSA) to address NBIP compliance issues	Review and Approve	Monitor CTDOT's IP and PCA's as required. Report to HQ as needed.
Bridge Inspection Use of Method 2 for Determining Inspection Intervals	23 CFR 650.311(a)(3)	Prepare and Submit	Review and Approve	Required if the State elects to use Method 2 for determining inspection intervals. The policy and criteria which establishes intervals, including subsequent changes, must be submitted by the State transportation department.
Unit Cost Data	23 USC 144	Furnish unit cost data annually to the FHWA by April 1.	Review unit cost data and submit to the FHWA HQ Office of Infrastructure.	Unit Cost Data Spreadsheet
Approval for reduction of expenditures for off-system bridges	23 USC 133(f)(2)(B)	Submit as needed	Review and Approve	The FHWA Administrator may reduce the requirement for expenditures for off-system bridges if the FHWA determines that the State has inadequate needs to justify the expenditure.
National Tunnel Inspection Program	23 CFR 650 Subpart C, Annual Memo from HQ	Submit Implement Plans (IP) and/or Plans of Corrective Actions (PSA) to address NTIP compliance issues	Process date and assist resolving any errors	Monitor CTDOT's IP and PCA's as required. Report to HQ as needed.
National Tunnel Inspection Program	23 CFR 650 Subpart C	Participate in Annual Program Review.	Issue Compliance Letter by December 31 st each year	Annual Program Review Report Final Summary of 15 Metrics

Civil Rights

Background

The FHWA is committed to effectively implementing and enforcing civil rights programs within the CTDOT in its design, planning, construction, and management of the multimodal transportation system. The CTDOT is obligated to ensure nondiscrimination in all programs and activities, and in the provisions of all services and benefits, as a basis for continued receipt of FHWA funds according to *Titles VI and VII of the Civil Rights Act, the Civil Rights Restoration Act, Section 504 of the Rehabilitation Act, the Americans with Disabilities Act*, and the codified Federal regulations that outline these acts.

Operating Procedures

The FHWA provides technical expertise and assistance on all matters affecting compliance with Federal Civil Rights requirements in the CTDOT. This includes but is not limited to the Office of Equity (external program) and the Office of Equal Employment Opportunity & Diversity (internal program).

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

Oversight Activities

The purpose of the FHWA oversight is to monitor the implementation and effectiveness of the CTDOT's Civil Rights Office program areas that include internal affirmative action/equal employment opportunity, contract compliance, small business development, Disadvantaged Business Enterprise (DBE), *Americans with Disabilities Act (ADA)* and the *Title VI Compliance Programs*. FHWA will be an advocate of the civil rights program and provide training, technical assistance, and active participation in the CTDOT-initiated civil rights meetings and review activities. FHWA will review and approve the CTDOT's programs on an ongoing basis through process, quality assurance, and program reviews, and through active participation in continuous program evaluation and improvement. Appropriate FHWA representatives will actively participate in the CTDOT-initiated reviews, task forces, and other civil rights initiatives upon request and to the extent feasible. Finally, the FHWA will analyze civil rights reports submitted by the CTDOT to help identify trends and provide feedback and recommendations for improvement to the CTDOT.

References

- Title VI of the Civil Rights Act of 1964 (42 USC 2000d, et seq);
- Section 162 (a) of the Federal-Aid Highway Act of 1973 (23 USC 324);
- Section 504 of the Rehabilitation Act of 1973 of 1973 (49 CFR 27);

- Age Discrimination Act of 1975;
- Americans with Disabilities Act of 1990 (28 CFR 35 & 49 CFR 37);
- Civil Rights Restoration Act of 1987;
- 49 CFR Part 21;
- 23 CFR Part 200;
- 23 CFR Part 230;
- USDOT Order 1050.2;
- Executive Order #12898 (Environmental Justice);
- Executive Order #13166 (Limited-English-Proficiency).

Table 11: Civil Rights Program Summary

Activity	Authorities	CTDOT ACTION	FHWA ACTION	REMARKS
DBE Semi-Annual Uniform Report	49 CFR 26.11	Prepare and Submit by December 1 (for the period of April 1 – Sep 30) and June 1 (for the period of Oct 1 – May 31)	Preview and Endorse, submit to the FHWA HQ. (14 days)	<ol style="list-style-type: none"> 1. Review for accuracy of computations 2. Timeliness of submission 3. Implementation of recommendations based on analysis
Annual Contractor Employment Report – PR1392	23 CFR 230.121(a)	Prepare & submit. (no later than September 30).	Review & File. Submit to the FHWA HQ.	<ol style="list-style-type: none"> 1. Review for accuracy of data. 2. Timeliness of submission 3. Implementation of recommendations based on analysis
Equal Employment Opportunity Program, Contractor Compliance	23 CFR 230.311 & 313	Prepare and submit Program document (every 3 years) and Annual Updates by Dec. 31.	None.	Content of report is in Appendix A to Subpart C, Part I Contractor Compliance
Historically Black College/Minority/ HSI Institution of Higher Education Plan/Report	Executive Orders: 13230 13256 13270	Prepare and submit annual report on funding provided to educational institutions	Review, Prepare & Submit to the FHWA HQ. (14 days)	Review for accuracy Timeliness of submission
Title VI Program & Annual Updates	49 CFR Part 21 & 23 CFR 200.9	Prepare and submit Program document (every 3 years) and Annual Updates by Oct.1st	Review, provide comments, and Approve	Review for completion Timeliness of submission
Title VI Program Reviews	23 CFR 200.9(b)(3)	Prepare schedule and include in Annual Update.	Provide Training & Technical Assistance.	Implementation of recommendations
DBE Program Plan/Update	49 CFR 26.21(b)(2)	Prepare and submit (no later than August 1) any changes as needed and update every 3 years.	Review and approve. Submit to the FHWA HQ (if there are changes)	Review data to identify any gaps/trends Timeliness of changes
DBE Program Goals and Methodology	49 CFR 26.45	Prepare and submit (no later than August 1)	Review & Approve. Submit to the FHWA HQ and Resource	Discuss possible factors impacting goal setting process.

Activity	Authorities	CTDOT ACTION	FHWA ACTION	REMARKS
			Center Legal (for legal sufficiency) by Aug.31.	
Contractor Compliance Reviews	23 CFR 230.413	Conduct CC reviews & participate in Site record reviews & create CAPs as needed.	None. Participate as determined necessary.	Reviews performed & CAPs created as needed.
DBE & OJT Supportive Services Programs and Reports	23 CFR 230.113 23 CFR 230.205 23 CFR 230.117(b)(2)	Prepare and submit achievement reports as requested by the FHWA and as applicable	Review and Submit to the FHWA Office of Civil Rights	FHWA Office of Civil Rights approves the request for funding
ADA Complaint Reports of Investigation	28 CFR 35.190	Prepare and submit achievement reports as requested by the FHWA and as applicable	Review and Submit to the FHWA Office of Civil Rights	FHWA Office of Civil Rights
Americans with Disabilities Act (ADA) /Sec. 504 Program Plan accomplishments and next year's goals	49 CFR 27.11(c), EO 12250	Annually By Oct. 1st	Review and Submit to the FHWA Office of Civil Rights	FHWA Office of Civil Rights
CTDOT Americans with Disabilities Act (ADA) Transition Plan	28 CFR 35.150(d)	Prepare and submit biennially - TBA	Review and provides feedback based on oversight and submit to FHWA HQ Office of Civil Rights	FHWA Office of Civil Rights
Municipality Americans with Disabilities Act (ADA) Transition Plan	28 CFR 35.190	Prepare and submit biennially - TBA	Review and provides feedback based on oversight	FHWA Office of Civil Rights
Return of unexpended funds used for Summer Transportation Institutes	23 CFR 230.117(2)	Annual By August 30 th however State procurement rules may govern	Reviews	FHWA Office of Civil Rights
Request for National Summer Transportation Institute (NSTI) Proposals (SOWs)	23 USC 140(b)	Annual - TBA	Reviews submission for accuracy	FHWA Office of Civil Rights
NSTI Report (questionnaire)	23 USC 140(b)	Provides feedback on accomplishments/b arriers	Provides feedback based on oversight	FHWA Office of Civil Rights

Construction

Background

Construction program includes stewardship, oversight, leadership and technical support, and promotion of continuous quality improvement and new technologies. Construction program oversight has evolved from a project-specific to program-level emphasis. In the process, a variety of inspection techniques have been developed and should be considered for use under appropriate circumstances. While overall program guidance is provided in regulations and by FHWA's headquarters, Division Administrators have been given flexibility to manage their programs. Along with this delegation of authority comes responsibility and accountability. Much of this has been passed along to the individual division construction program manager (district engineer or equivalent staff position).

The FHWA oversight and independent verification activities are similar to the quality assurance portion of quality control/quality assurance programs prevalent in many constructions and materials programs. Technology transfer and quality assurance program activities are important integral elements of the total construction inspection program.

This Chapter includes the Quality Assurance Program for Workmanship during Construction 223 CFR 603.205. CTDOT shall develop a quality assurance program which will assure that the materials and workmanship incorporated into each Federal-aid highway construction project on the NHS are in conformity with the requirements of the approved plans and specifications, including approved changes. The program must meet the criteria in 23 CFR 637.207 and be approved by the FHWA.

Operating Procedures

The Federal Highway Administration (FHWA) provides high-quality information to the State, in a manner that promotes public understanding. To guarantee and optimize the quality, impartiality, usefulness, and integrity of its information, standards and policies are employed. To guarantee ongoing quality improvement, FHWA examines quality-related concerns on a regular basis and modifies its procedures and initiatives. The State must submit those to FHWA for evaluation and approval if DOT processes and procedures change and have an impact on the State Manual.

The State shall establish the policies, procedures, functions, and capacity to monitor, assess, and report on the performance of the VE program, along with the VE analyses that are conducted and Value Engineering Change Proposals (VECP) that are accepted. If the State has to review its value engineering policies and procedures during the construction phase, FHWA approval is required for any modifications.

References

- 23 USC 106
- 23 CFR 627
- 23 CFR 630

- 23 CFR 635
- 23 CFR 172

Table 12: Construction Program Summary

Work Activity	Authority	CTDOT ACTION	FHWA ACTION	Documents/Products or Remarks
Liquidated Damages Rate	23 CFR 635.127	Update and Submit every two years	Review & Approve	
Constructability Review Program	23 USC 106	Review and Approve	None	
Construction Contract Bidding and Award Manual	23 CFR 635.110	Submit Revisions	Review and Approve	
Construction Engineering and Inspection Pamphlet for Consultants	23 CFR 172.9	Submit Revisions	Review and Approve	This is one of many procedures that make up CTDOT's Consultant Written Procedures
Construction Directives		Review and Approve	None	
Construction Bulletins		Review and Approve	None	
Construction Manual	23 CFR 635.123	Submit Revisions	Review and Approve	
Municipality Manual	23 CFR 635.123	Submit Revisions	Review and Approve	
Standard Specifications	23 CFR 630 Subpart B	Submit Revisions	Review and Approve	
Supplemental Specifications		Submit Revisions	Review and Approve	
Value Engineering Policy and Procedures	23 CFR 627.1 (b)&(c) 23 CFR 627.7 FHWA Order 1311.1B	Update as needed and Submit	Review & Approve	
Value Engineering Annual Report	23 CFR 627.7 FHWA Order 1311.1B	Submit Annually by 1-Jan	Review and Submit to HQ	
Construction Progress Report		Submit Monthly	None	

Discretionary Grant Program

Background

The administration of discretionary grant projects requires additional actions and approvals that are unique to the grant programs. The *Discretionary Grant Program Summary Table* below lists those additional grant-related project actions and approvals, and it identifies the roles and responsibilities of each party. This Chapter is specific to the stewardship and oversight of CTDOT-led or CTDOT pass-thru grant projects.

Operating Procedures

Each grant award requires an FHWA Point of Contact (POC) and a CTDOT POC who is responsible for administering the grant agreement in conformance with the Terms and Conditions from the time of Award through final reporting and closeout. The POC ensures the actions below are addressed and completed as required.

While CTDOT is not involved in grant projects that are awarded to and will be administered by a non-CTDOT entity (i.e., Direct Grant Recipient projects), FHWA will notify CTDOT (send to Director of Office of Policy and Intergovernmental Affairs and Manager of Capital Program Management Unit) of all grant awards to the state so that CTDOT may assess potential risks. If risks are noted, CTDOT may request additional coordination to address.

A grant funded project may also be PODI project and so other chapters of this manual may also apply. While a grant funded project may not be a PODI, FHWA may conduct spot reviews of grant project documents to ensure compliance.

References

- 2 CFR 200
- 23 USC & CFR

Table 13: Discretionary Grant Program Summary

Work Activity	Authority	CTDOT ACTION	FHWA ACTION	Documents/Products or Remarks
Share emails/notices of grant opportunities and NOFOs	2 CFR 200.204	Share notice with Stakeholders	Send emails/notices	Send to CTDOT's OPIA
Notice of Award (all FHWA grants to Connecticut)		None	Send Notice of Award	Send to CTDOT's OPIA & CPMU
Identify a Point of Contact (POC) for Grant Administration		Inform FHWA of CTDOT's POC	Inform CTDOT of FHWA's POC	
Change in a Grant Administration Determination (e.g., Direct, CTDOT-led, or Pass-thru CTDOT)		Determine & Submit Grant Administration Role	Review and Approve	Requires FHWA HQ Review
Kickoff Meeting		Participate	Schedule and Conduct	
Draft Grant Agreement		Prepare and Submit	Review & Approve	Requires FHWA HQ Review

Work Activity	Authority	CTDOT ACTION	FHWA ACTION	Documents/Products or Remarks
Execute Grant Agreement	2 CFR 200.211	Sign Grant Agreement	Execute Grant Agreement	Executed Grant Agreement
Draft Amendment to Grant Agreement		Prepare and Submit	Review & Approve	Requires FHWA HQ Review
Execute Grant Agreement Amendment	2 CFR 200.308	Sign Grant Agreement Amendment	Execute Grant Agreement Amendment	Executed Grant Agreement Amendment
Exhibit D - "Form for Subsequent Obligation of Funds"		Prepare and Submit	Review & Approve	Executed Exhibit D
Tapered Match Agreement/Update Tapered Match Agreement	FHWA Memorandum dated 5/15/2019	Prepare and Submit	Review & Approve	Approved Tapered Match Agreement
Validation of Non-federal Cost Share Incurred		Maintain/Share Records	Review Records	
Quarterly Project Progress Reports & Recertifications (includes Quarterly Federal Financial Report (SF-425))	23 CFR 1.5 & 2 CFR 200.329	Develop and Submit	Review and File	Quarterly Project Program Report & SF-425
Final Project Progress Reports & Recertifications		Develop and Submit	Review and File	Final Project Program Report & SF-425
Baseline Performance Measurement Report	2 CFR 200.301 & 2 CFR 200.329	Develop and Submit	Review and File	Baseline PM Report
Post-construction Performance Measurement Report	2 CFR 200.301	Develop and Submit	Review and File	Post-construction PM Report
Project Outcomes Report		Develop and Submit	Review and File	Project Outcomes Report

Notes:

OPIA – CTDOT’s Director of Office of Policy and Intergovernmental Affairs
 CPMU – CTDOT’s Manager of Capital Program Management Unit

Emergency Relief

Background

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

The ER program funds are not intended to cover all damage repair costs nor interim emergency repair costs that will restore the facility to pre-disaster conditions. Disasters must be of such magnitude as to be considered extraordinary to be considered for ER funding. To be considered extraordinary, the estimated Federal portion of the damage must meet a combined threshold of \$700,000. Individual sites must reach a threshold of \$5,000 in total cost to be eligible. This threshold is to distinguish a qualifying disaster site from maintenance. The maximum ER funding for an event is \$100 million.

The ER funds are available for permanent repairs and for work accomplished more than 270 days after an event at the pro rata Federal-aid share that would normally apply to the Federal-aid facility damaged. For Interstate highways, the Federal share is 90 percent. For all other highway the Federal share is 80 percent. Emergency repair work to restore essential traffic, minimize the extent of damage, or protect the remaining facilities, accomplished in the first 270 days after the occurrence of the disaster, may be reimbursed at 100 percent Federal share. During these 270 days period, permanent repair work is reimbursed at normal pro rata share unless permanent repair is performed as an incidental part of emergency repair work.

Operating Procedures

Soon After an Event

- The FHWA Engineering Team Leader and various personnel at the CTDOT typically are in continuous contact the first day or two and up to a week after an event. For the next two or three months, the FHWA and the CTDOT may meet every week. Slowly, event specific meetings taper off and the ongoing operating procedures mentioned below continue.

Ongoing

- Allocations to and from the State of Connecticut are managed, typically once per quarter by reviewing, by event and by Federal-aid project, the obligations on Federal-aid projects, and the unobligated balances. Allocations are requested thru the FHWA Division Office to its HQ for those ER funds planned to be obligated that FY (and typically in 6-month increments.) Any unobligated balances that the CTDOT and the FHWA Connecticut Division Office agree are no longer needed for an event are de-allocated from the State of Connecticut and returned to HQ.
- Actual allocation notices are forwarded (like all allocation and apportionment notices) from the Financial Manager at the FHWA to the normal distribution list at the CTDOT.

- Individual project approvals follow the normal process as non-ER Federal-aid projects. See the Project Oversight section of this plan for more information and Tables 2 thru 5.

References

- 23 USC 125
- 23 CFR 668
- FHWA Emergency Relief Manual <http://www.fhwa.dot.gov/programadmin/erelief.cfm>
- FHWA, Connecticut Division, Emergency Relief Supplemental Manual, latest dated 9/18/2013
- CTDOT Construction Manual, Chapter 18 for projects in which FHWA waives competitive bidding.
- CTDOT Procedures for Emergency Declaration Projects dated March 24, 1994

Table 14: Emergency Relief Program Summary

Work Activity	Authority	CTDOT ACTION	FHWA ACTION	Documents/ Products or Remarks
Quick Release Funds	23 CFR 668.111	Communicate with FHWA the extent of the damage (preliminary estimate) Send written request for Quick Release of a certain amount of funds based on preliminary estimate	Review and request Quick Release from HQ	Allocation Memorandum for Quick Release
Event Approval	23 CFR 668.113	Submit a Letter of Intent Submit Federal-aid agreement(s) requesting obligation of Federal-aid or ER if available	Review & Approve Authorize Federal-aid Projects/Obligate ER funds if available	Letter of Acknowledgement
Total Allocation for the Event	23 USC 118b 23 USC 125 23 CFR 668.111 and 668.113	Submittal of a request supported by Damage Survey Summary Report (usually supported by preliminary DDIRs)	Review, Endorse, and Approve	Division Administrator's Finding (also known as the ER Funding Application) Allocation memorandums
Individual Detailed Damage Inspection Reports (DDIR) for each site		Prepare & Submit	Review and Approve	Approved DDIRs which forms the Scope and Budget for the individual sites
Reviews Program of Projects (PoP) to ensure projects are obligated within the appropriate timeframe	23 U.S.C. 120(e)(1) and (3)	Identify in the DDIR the emergency repair project (100% Federal funding with 270-days) and the permanent repair	Review and Approve	Approved DDIRs which forms the Scope and Budget for the individual sites

Work Activity	Authority	CTDOT ACTION	FHWA ACTION	Documents/ Products or Remarks
		projects (80/20 funding).		
Individual Project Approvals		Follow Project Oversight Chapter and Tables 2 thru 5		
Monitor Projects to verify whether approved DDIR increases by 20%.	FHWA Order 5182.1	Submit to FHWA the Change Order for the project.	FHWA verifies that the cost increase and/or scope changes are eligible under the ER program.	Change Order
Update event obligation plans (request semi-annual allocation, identification, and validation of amounts for de-allocation)	23 CFR 668.105(h) ER Order 5182.1 Section 7(e)(5), ER Manual	Submit to FHWA every six months a report of the project with any amount for de-allocation or the obligation plans of the event. The obligation plans need to be identifying in the following periods (0-6months),(6-12 months), (12-24months)	Provide input and update the ER Data Portal on revise the obligation plans or whether funds identified for de-allocation will be used by the end of the FY, or if they are ready for de-allocation.	
Final Inspections		Inform FHWA that Construction is complete	Visit project site and prepare a Final Inspection	FHWA Inspection Report
Close Event		Request De-allocation of released Unobligated Balances	De-allocate funds	De-Allocation Notices

Engineering

Background

CTDOT’s Office of Engineering manages, directs, and coordinates all engineering and support activities performed by the Division of Bridges, the Division of Facilities & Transit, the Division of Highway Design, the Division of Traffic Engineering, and the Division of Rights of Way. The Office also manages staff and consultant preparation of design projects and related engineering reports and documents. The Office serves as engineering approval for plans and specifications as well as necessary agreements in the preconstruction process. In general, CTDOT uses the term Engineering to include FHWA terms like Pre-Construction, Project Development, and Parts of Contract Administration.

Oversight activities

FHWA CT Division defines oversight of the Engineering Program to typically include activities pertaining to Consultant Services, Geometric Design, Interstate System, Utility Program and the Value Engineering Program within Preliminary Design, Project Development or Pre-Construction phases.

References

Authority listed below.

Table 15: Engineering Program Summary

Activity	Authority	CTDOT ACTION	FHWA ACTION	Documents/ Products or Remarks
Consultant Design Administration Manual	23 CFR 625 & 630B 23 CFR 172.5(c)	Submit as required	Review & approve	This is one of many procedures that make up CTDOT’s Consultant Written Procedures
Consultant Selection, Negotiation and Contract Monitoring Procedures for Municipality-Administered Projects	23 CFR 172.5(c)	Submit as required	Review & approve	Same comment as above.
Design Standards	23 CFR 625.3(a)(1)	Submit as required	Review & approve	
Engineering Bulletins	various	Review & approve	None	
Engineering Directives	various	Review & approve	None	
Project Development Guide	23 USC 106g	Review & approve	None	
Standard Drawings	23 CFR 630B	Submit as required	Review & approve	
Highway Design Manual	23 CFR 625	Submit as required	Review & approve	
Procedure Manual for New or Revised Interstate Access Approval in Connecticut	23 USC 111	Submit as required	Review & approve	

Activity	Authority	CTDOT ACTION	FHWA ACTION	Documents/ Products or Remarks
Railroad Agreement Alternative Procedure	23 CFR 646.220	Submit as required	Review & approve	
Railroad Agreement Alternate Procedure (Non-Interstate Projects)	23 CFR 646.220	Review & approve	None	
State 3R Program	23 CFR 625(a)(3)	Submit as required	Review & approve	
Traffic Control Signal Design Manual		Review & approve	None	
Utility Accommodation Manual	23 CFR 645.211	Submit as required	Review & approve	
Utility Agreement/Alternate Procedure	23 CFR 345.119	Submit as required	Review & approve	
State Manual on Uniform Traffic Control Devices	23 CFR 655.603(b)(1)	Submit as required	Review & approve	
Value Engineering Policy and Procedures Manual	23 CFR 627.1(b)&(c) 23 CFR 627.7 FHWA Order 1311.1B	Update as needed and submit	Review and approve	
Value Engineering Annual Report	23 CFR 627.7 FHWA Order 1311.1B	Submit Annually by January 1 st	Review and submit to HQ	
CTDOT 2023 Cost Estimating Guidelines	23 CFR 630.106(a)(3)	Submit as required	Review & approve	
Drainage Manual	23 CFR 650	Review & approve	None	
Geotechnical Engineering Manual	Various	Review & approve	None	

Environment

Background

The FHWA is the lead Federal agency responsible for compliance with a wide range of environmental requirements under a single, unified process for transportation decision-making. Pertinent laws and regulations include the National Environmental Policy Act (NEPA); implementing regulations of the Council on Environmental Quality (CEQ), 40 CFR Part 1500, *et seq.* and FHWA 23 CFR Part 771; Section 4(f) [49 U.S.C. §303] and implementing regulations 23 CFR Part 774; Section 106 of the National Historic Preservation Act (NHPA) and implementing regulations 36 CFR Part 800; Section 404 of the Clean Water Act (CWA); and Section 7 of the Endangered Species Act (ESA). Furthermore, the FHWA has a commitment to the “protection and enhancement of communities and the natural environment” as outlined in the U.S. DOT Strategic Goals.

Operating Procedures

For all projects that require an action or approval by the FHWA, both the CTDOT and the FHWA will work together in the project planning phase to (1) ensure compliance with NEPA and all other applicable laws and regulations, and (2) determine what type of environmental document is appropriate before an alternative is selected (location/design approval). The level of involvement will be commensurate with the degree of environmental impact or project complexity depending upon the class of action. The CTDOT will prepare and document a recommendation on the NEPA class of action required for each project using its *Environmental Review Form*. The CTDOT will be responsible for the preparation of all necessary environmental studies and documentation with guidance provided by FHWA.

Some complicated projects utilize a PEL (Planning and Environmental Linkages) Study. Planning and Environmental Linkages (PEL) represents a collaborative and integrated approach to transportation decision-making that considers environmental, community and economic goals early in the transportation planning process. PEL uses the information, analysis, and products developed during planning to inform the environmental review process. CTDOT and FHWA meet monthly to discuss PEL project status and the overall PEL process.

Project Oversight

The majority of projects will be categorical exclusions (CEs) covered by the *Programmatic Agreement for Approval of Certain Categorical Exclusions between the Federal Highway Administration and the Connecticut Department of Transportation*, as amended. These projects will be documented by the CTDOT in accordance with the terms of that agreement.

Environmental Impact Statements (EIS), Records of Decision (ROD), Environmental Assessments (EA), Findings of No Significant Impact (FONSI), Section 4(f) Evaluations, Programmatic Section 4(f) Evaluations, and Section 4(f) *de minimis* Impacts Findings will be prepared by the CTDOT in accordance with the FHWA and/or CEQ regulations and guidance and submitted to the FHWA for review and approval.

All documents requiring legal sufficiency review will be forwarded to the FHWA legal counsel by the FHWA division office prior to approval of these documents. Legal sufficiency review comments are typically received by the FHWA division office within 30 days after receipt of the request. Re-evaluations of environmental documents will be assessed by formal written documentation in accordance with the FHWA regulations.

Table 16: Environment Policy/Program Approvals

Activity	Authority	CTDOT ACTION	FHWA ACTION	Remarks
Approval of Public Involvement Program Procedures	23 CFR §771.111(h); 23 U.S.C. §128	Submit to FHWA when policy is updated.	Review changes and Approve Policy.	FHWA approves public involvement policy and any updates made.
Approval of NEPA Procedures, including Section 4(f), early identification of EJ/Title VI issues, and commitment tracking	23 CFR Part 771; 23 CFR Part 774; SAFETEA-LU §6007 & §6009; 23 U.S.C. §109(h); 23 USC 139(c); 40 CFR 1500-1508; EO 12898; EO 14008	Submit to FHWA when procedure/policy is updated.	Review updates and submit to FHWA HQ for review when appropriate. Approve Procedures.	FHWA approves NEPA procedures updates.
Programmatic Agreement for NEPA Categorical Exclusions (PCE)	23 CFR 771.117(g)	Prepare Draft PCE in consultation with FHWA & submit to FHWA for review & approval	Consult with CTDOT in development of PA, submit to FHWA HQ for review when appropriate. and Approve PCE.	PCE is a 5-year agreement with an annual reporting requirement. Next up for renewal in January 2026. Process review to be completed during term of PCE.
Section 106 Programmatic Agreement for Minor Transportation Projects (Section 106 PA)	36 CFR 800	Prepare Draft Section 106 PA in consultation with FHWA, FRA, FTA, CTSHPO & ACHP. Submit PA to FHWA for review & approval	Act as Lead Federal Agency for PA, in consultation with CTDOT, SHPO, FRA, FTA, and ACHP. Approve Section 106 PA e Section 1 Consult with 06 PA	Current agreement valid through May 6, 2024. Working on drafting new multi modal agreement prior to expiration.
Memorandum of Understanding between CTDOT & FHWA for project level Section 106 Tribal Consultation (Tribal MOU)	36 CFR Part 800; E.O. 13175;	Prepare Draft MOU in consultation with FHWA & submit to FHWA for review & approval.	Consult with CTDOT in development of MOU. Approve MOU.	Current MOU was executed in 2019
Approval of CTDOT Noise Policies	23 CFR 772.7(b) and (e); 772.13(d)(2)(ii)	Submit to FHWA when policy is updated.	Review updates and submit to FHWA HQ for review. Approve Policy updates.	FHWA approves updates made to noise abatement policy.

Table 17: Environment Reporting Requirements Summary

Activity	Authority	CTDOT ACTION	FHWA ACTION	Remarks
Endangered Species Act Cost Report	Section 18 of the ESA; 16 U.S.C. 1531-1544	Provide information when requested by FHWA.	Review and send information to HQ.	Done annually for reporting requirements under the Endangered Species Act.

Activity	Authority	CTDOT ACTION	FHWA ACTION	Remarks
Noise Barrier Inventory	23 CFR §772.13(f)	Provide information when requested by FHWA.	Review and send information to HQ.	Done every three years for reporting requirements.
Noise - Cost Reasonableness Factor	23 CFR 772	Provide information when requested by FHWA.	Review and send information to HQ.	23 CFR 772 requires update every 5 years
Congressional Report on Federally Sponsored Archaeology	43 CFR §7.19	Provide information when requested by FHWA.	Review and send information to HQ.	Done annually for reporting requirements.
NEPA Report to Congress	23 USC 157	Information on CE's provided to Division through PCE reporting requirements	Review CE reports and send information on CE's, EA's, and EIS's to HQ	FHWA to submit annual report to congress documenting the # of CE, EA, & EIS and time to complete EISs and EAs.

Table 18: NEPA Documentation Summary

Activity	Authority	CTDOT ACTION	FHWA ACTION	Remarks
Categorical Exclusions				
Project Level Class of Action determination for delegated Categorical Exclusions (CE's)	23 CFR §771.117 (c) and (d). PCE (Table 13)	Document and Approve "Automatic" (CE-A) and "Programmatic" (CE-P) CE's per the PCE.	None.	Programmatic Agreement between FHWA and CTDOT for Processing of CE's allows for CTDOT to approve CEs for actions listed in 23 CFR §771.117(c) & (d).
Project Level Class of Action determination for retained CE's,	23 CFR §771.117; PCE (Table 13)	Prepare and submit "Individual" CE certification to FHWA for approval.	Review and Approve CE.	CTDOT OEP must approve final CE package for submittal to FHWA
Environmental Assessments and FONSI's				
EA Class of Action Determination	23 CFR §771.115	Prepare and submit recommendation to FHWA	Concur with Class of Action recommendation	CTDOT should send recommendation to FHWA during or after the CEPA public scoping process. FHWA Concurrence initiates NEPA phase.
Environmental Assessment (EA)	23 CFR §771.119(c); 40 CFR 1500-1508	Submit to FHWA for approval & signature.	Approve EA for Circulation for Agency and Public Comment.	FHWA Signature on Title Page
Finding of No Significant Impact (FONSI)	23 CFR §771.121; 40 CFR 1500-1508	Prepare FONSI request. Submit to FHWA.	Approve and sign FONSI.	
Notices of Availability for EA and FONSI	23 CFR §771.119(d) 23 CFR §771.121(b)	Prepare and submit/make available to appropriate contacts	None.	
Environmental Impact Statements and RODs				
Agency Coordination Plan	23 U.S.C. §139(g)(1)	Prepare Coordination Plan for FHWA approval.	Review, Comment, and Approve Coordination Plan.	<i>NOTE: PCE (Table 13) may also require preparation of Agency Coordination Plans for projects requiring</i>

Activity	Authority	CTDOT ACTION	FHWA ACTION	Remarks
				<i>certain Federal Permits.</i>
EIS Class of Action Determination	23 CFR §771.115	Prepare and submit recommendation to FHWA	Concur with Class of Action recommendation	CTDOT should send recommendation to FHWA prior to Notice of Intent publication
Notice of Intent (NOI)	40 CFR 1501.9; 23 CFR §771.123(a)	Provide information for NOI to FHWA.	Prepare NOI and Submit to <i>Federal Register</i> for publication.	
Draft Environmental Impact Statement (DEIS)	23 CFR §771.123; 40 CFR 1500-1508	Prepare and Submit to FHWA for approval.	Approve DEIS for Circulation for Agency and Public Comment.	
Final Environmental Impact Statement (FEIS)	23 CFR §771.125; 40 CFR 1500-1508	Prepare and Submit to FHWA for approval.	Approve FEIS.	Prior concurrence review (if applicable) and legal sufficiency review must be completed by FHWA.
Record of Decision (ROD)	23 CFR §771.127	Prepare draft ROD.	Review, Revise, and Issue ROD.	
Combined FEIS/ROD		Prepare and Submit to FHWA for approval.	Approve FEIS. Review, Revise, and Issue ROD	Prior concurrence review (if applicable) and legal sufficiency review must be completed by FHWA.
Supplemental EIS (SEIS)	23 CFR §771.130	Prepare and Submit to FHWA for approval.	Approve Supplemental EIS.	
Statute of Limitations Notice		Provide information for Notice to FHWA.	Prepare NOI and Submit to <i>Federal Register</i> for publication.	Section 139(l) Notice of Limitations on Claims
Re-evaluations				
Re-evaluation of delegated CE with no resulting change in Class of Action or determination of CE-I under PCE (Table 13)	23 CFR §771.129	Approve.	None.	
Reevaluation of delegated CE which results in a change in Class of Action or an upgrade to a retained "Individual CE" (CE-I)	23 CFR §771.129	Notify FHWA	Approve	This approval can be the new Class of Action Approval by FHWA or the Individual CE Approval
Re-evaluation of EA or EIS/SEIS	23 CFR §771.129	Prepare and submit to FHWA for approval	Review and Approve.	

Table 19: Section 4(f) Summary

Activity	Authority	CTDOT ACTION	FHWA ACTION	Remarks
Determination of no Section 4(f) involvement	23 CFR 774	Indicated on Environmental Review form	None	
Section 4(f) Exceptions	49 U.S.C. §303 23 CFR Part 774.13	Prepare and submit to the FHWA for review and approval.	Review and Approve Section 4(f) Exception.	Must be reviewed by officials with jurisdiction, as applicable.

Activity	Authority	CTDOT ACTION	FHWA ACTION	Remarks
Determination of no Section 4(f) involvement	23 CFR 774	Indicated on Environmental Review form	None	
Section 4(f) <i>de minimis</i> Impacts Finding	49 U.S.C. §303(d); 23 U.S.C. §138(b); 23 CFR Part 774	Prepare and Submit to The FHWA for review and approval.	Review and Approve Section 4(f) <i>de minimis</i> Impacts Finding.	Must be reviewed by officials with jurisdiction prior to The FHWA approving finding [see 23 CFR §774.5(b)].
Programmatic Section 4(f) Evaluation	Approved Nationwide 4(f) Programmatic Evaluations	Prepare and Submit to the FHWA for review and approval.	Review and Approve Programmatic Section 4(f) Evaluation	
Draft Individual Section 4(f) Evaluation	49 U.S.C. §303; 23 U.S.C. §138; 23 CFR Part 774	Prepare and Submit to the FHWA for review and circulation for comment.	Review and approval for circulation of Draft Section 4(f) Evaluation.	Must be reviewed by officials with jurisdiction and DOI [see 23 CFR §774.5(a)]. DOI review can take up to 45 days.
Final Individual Section 4(f) Evaluation	49 U.S.C. §303; 23 U.S.C. §138; 23 CFR Part 774	Prepare and Submit to the FHWA for approval.	Review and Approve Final Section 4(f) Evaluation.	Final Section 4(f) evaluation must be reviewed by the FHWA Legal Counsel prior to approval [see 23 CFR §774.7(d)], which can take up to 30+ days.

Table 20: Section 106 and Tribal Consultation Summary

Activity	Authority	CTDOT ACTION	FHWA ACTION	Remarks
Make determination of NRHP Eligibility & Section 106 Effect Determinations for “Minor Transportation Projects”	36 CFR §800; Section 106 PA (Table 13)	Make determinations of no potential, no effect., or no adverse effect	None.	
Make determination of effect for “Minor Transportation Projects” that reach an Adverse Effect.	36 CFR §800; Section 106 PA (Table 13)	Recommend determination of effect to FHWA.	Review and concur with determination of effect.	
Section 106 Effect Determinations for Undertakings not within the Scope of the Section 106 PA	36 CFR §800; Section 106 PA (Table 13)	Recommend determination of effect to FHWA.	Review and concur with determination of effect.	
Section 106 Project-level Memorandum of Agreement (MOA) or Project-Level Programmatic Agreement (PPA)	36 CFR §800.6 36 CFR §800.14(b)	Prepare and sign MOA or PA. Submit to SHPO and the FHWA (and other signatories) to execute.	Review and sign MOA or Project-Level PA (PPA).	The FHWA will execute MOA or PA once other signatories have signed.
Project-Level Section 106 Tribal Consultation	36 CFR Part 800; E.O. 13175; Tribal MOA (Table 13)	Prepares documentation for Tribes to review and comment. Submit	Review and send Tribal Consultation documentation to Tribes.	Tribes have 30 calendar days to respond.

Activity	Authority	CTDOT ACTION	FHWA ACTION	Remarks
		documentation to the FHWA.		

Table 21: Endangered Species Act and Essential Fish Habitat Summary

Activity	Authority	CTDOT ACTION	FHWA ACTION	Remarks
ESA Section 7 No Effect Determination	Endangered Species Act, Section 7 (16 U.S.C. §1536)	Make determination and save documentation in project file. Inform FHWA of no effect determination.	None.	CTDOT must notify FHWA within 4 months of the no effect determination.
ESA Section 7 No Adverse Effect Determination	Endangered Species Act, Section 7 (16 U.S.C. §1536)	Make determination and save documentation in project file. Inform FHWA of no effect determination.	None.	CTDOT must notify FHWA within 4 months of the no effect determination.
ESA Section 7 Informal Consultation for NLAA Determinations through IPaC	Endangered Species Act, Section 7 (16 U.S.C. §1536); 50 CFR §402.12 and 402.13; August 7, 1985 FHWA-HQ letter permitting state DOTs to conduct informal consultation	Make determination and save documentation in project file. Inform FHWA of no effect determination.	None	NLAA will typically require both a Verification letter and Concurrence letter from USFWS. CTDOT must notify FHWA within 4 months of the no effect determination.
ESA Section 7 Informal Consultation	Endangered Species Act, Section 7 (16 U.S.C. §1536); 50 CFR §402.12 and 402.13; August 7, 1985 FHWA-HQ letter permitting state DOTs to conduct informal consultation	Conduct species surveys and prepare biological assessment (BA). Submit BA to FHWA for concurrence prior to informal consultation with the Services. Conduct informal consultation with the Services.	Review and concur with BA.	FHWA must concur with BA or provide comments to CTDOT within 3 weeks. The Services 30 days to respond.
ESA Section 7 Formal Consultation	Endangered Species Act, Section 7 (16 U.S.C. §1536); 50 CFR §402.14	Provide necessary information to FHWA in order to compile the initiation package and provide support to complete the consultation.	Request formal consultation with the Service(s) through an initiation package. Conduct formal consultation.	The Services have up to 90 days to conclude formal consultation and 45 days following conclusion of formal consultation to issue the Biological Opinion (BO).
Essential Fish Habitat (EFH) and/or NOAA Trust Resource Determination that Action will not Adversely Affect resources.	Section 305(b)(2) of the Magnuson-Stevens Fishery Conservation and Management Act and the Fish and Wildlife Coordination Act (NOAA Trust Resources)	Make determination and save to project file	None	
EFH and/or NOAA Trust Resource May Adversely Affect	Section 305(b)(2) of the Magnuson-Stevens Fishery	Provide necessary information to FHWA in order to compile the	Make determination; conduct consultation	Individual consultation requires that FHWA provide a written

Activity	Authority	CTDOT ACTION	FHWA ACTION	Remarks
Determination; EFH and/or NOAA Trust Resource Programmatic or Individual Consultation	Conservation and Management Act and the Fish and Wildlife Coordination Act (NOAA Trust Resources)	initiation package and provide support to complete the consultation.		response to NMFS within 30 days of receiving EFH conservation recommendations
Essential Fish Habitat Consultation	Magnuson Stevens Act and 2024 FHWA/NOAA Programmatic Consultation (PC)	Prepare and Submit Verification Form and Supporting Documentation	Approval Verification Form	CTDOT must complete additional reporting directly to NOAA as detailed in PC

Table 22: Planning and Environmental linkages, and Permitting Summary

Activity	Authority	CTDOT ACTION	FHWA ACTION	Remarks
Planning and Environmental Linkages (PEL) Study	EDC guidance; 23 USC 139; 23 USC 168	Submit as needed	Review and issue concurrence as needed	The FHWA action is determined on a case-by-case basis and documented in the project's RACI.
Section 404 Permitting Process	23 U.S.C. §109(h)(1); 33 U.S.C. §1344; E.O. 11990; 33 CFR Part 320; 40 CFR Part 230	Prepare and Review permit application. Submit to U.S. Army Corps of Engineers (ACOE).	Consultation with the ACOE and Federal Agencies, if needed.	
STURAA U.S. Coast Guard (USCG) Bridge Permit Exemption	Surface Transportation Uniform Relocation Assistance Act of 1987; 23 CFR §650.805	Prepare and submit exemption package. Send to the FHWA for review.	Review package and provide exemption, if applicable. Send notification of exemption to the USCG.	

Finance

Background

On November 15, 2021, President Biden signed into law P.L. 117-58, the Bipartisan Infrastructure Law (BIL) / Infrastructure Investment and Jobs Act (IIJA). This law authorizes \$1.2 trillion for transportation and infrastructure spending with \$550 billion for “new” investments and programs. This bipartisan law provides new funding for infrastructure projects including:

- Roads, bridges, and major projects;
- Highway and pedestrian safety,
- Ports and waterways,
- Resiliency, including costal resiliency, ecosystem restoration and weatherization,
- Clean school busses and ferries
- Electric vehicle charging

The Stewardship Agreement further emphasizes financial integrity, project delivery along with major project oversight. The financial operating procedures and policies are provided below under Oversight Responsibilities.

Operating Procedures

The CTDOT recognizes that sound Federal financial management stewardship and oversight encompasses the entire Federal-aid program from the authorization to proceed with preliminary engineering through construction and project closeout and final vouchering. Further, that the correctness and propriety of all Federal-aid reimbursement are its primary responsibility whether the primary cost document resides with the CTDOT or some third party. This responsibility is fulfilled by the CTDOT maintaining adequate and tested financial and operating policies and procedures and a sound accounting system with proper internal controls together with agreed upon audit activities.

The FHWA recognizes a need for their complete understanding of all pertinent financial and operating policies and procedures of the CTDOT. This includes but is not limited to: Policy Statements, Finance Directives, Purchasing and Stores Directives, State Accounting Manual, FHWA FMIS 5.0 State Preparation Guide dated 8/3/2015 (includes the Current Bill), Federal Billing Manual, Procedure Manuals, etc. It is the FHWA’s responsibility to provide technical assistance and advice in funding and financial areas in a timely manner to meet the processing needs of the CTDOT.

The culmination of the CTDOT and the FHWA Financial Management Stewardship and Oversight is FHWA’s Accessible Unit (AU) Internal Control Validation/the annual certification of the Enterprise Financial Integrity Review and Evaluation (eFIRE) Program Certification, and Federal Managers’ Financial Integrity Act (FMFIA), completed annually by the FHWA Connecticut Division Office, of internal and financial controls to substantiate the financial statements.

Oversight Responsibilities

Project Agreements

The CTDOT enters pertinent statistical, descriptive, and financial information into the FMIS, and the project is signed electronically by both the CTDOT and the FHWA. All supporting documentation of the action is provided for Projects of Division Involvement (PODI) as outlined in the project development and project construction chapters. Supporting documentation can be requested for other projects at the discretion of the FHWA.

Amended agreements (modifications) document revised project estimates and corresponding increases or decreases in Federal obligations, changes to the Project Agreement End Date (PAED), as well as project scope changes. The revised estimates take into consideration Core-CT system actual expenditures as well as estimates of the remaining costs to complete the project. The CTDOT enters the revised estimates and other necessary financial information and justification into the FHWA FMIS, and the agreement modification is signed electronically by both the CTDOT and the FHWA.

Advance construction (23 U.S.C. 115; 23 CFR 630 Subpart G) is an effective tool in innovative financing to advance a project's construction timeline. An advance construction project must meet the same Agreement requirements and proceed in the same manner as a regular Federal-aid project, except for the following: The FHWA authorization does not constitute any specific commitment of Federal funds, but does signify eligibility of the scope of work for future Federal participation and reimbursement to the CTDOT which will not occur until the advance construction amounts have been converted to Federal-aid funds. Conversion of advance construction projects requires an amended agreement which is electronically signed by both the CTDOT and the FHWA.

Both the CTDOT and the FHWA are committed to meeting customer requirements within appropriate time frames, to the maximum extent possible. The CTDOT will assure to the maximum extent possible that project authorizations submitted for the FHWA approval have satisfied all Federal regulations and requirements and are carried out in accordance with the approved Stewardship Agreement. The target time frame for the FHWA processing of project authorizations and agreements and amended project authorizations and agreements is 10 working days.

Reimbursement

Federal-aid reimbursement to the CTDOT for eligible expenditures incurred is found in 23 U.S.C. 121. In accordance with 23 CFR 1.9(a), Federal-aid funds shall not participate in any cost which is not in conformity with applicable Federal and State law, the regulations in 23 CFR, and policies and procedures prescribed by the FHWA. The FHWA Connecticut Division Office provides oversight of Cost Reimbursement Contracts, pursuant to 23 CFR Part 140, 2 CFR 1201 (formally 49 CFR Part 18), and 2 CFR 225 (OMB Circular A-87, "Cost Principles for State, Local, and Indian Tribal Governments"). Likewise, the FHWA must comply with the requirements of the Federal Managers' Financial Integrity Act of 1982 (FMFIA).

In order to facilitate the Federal Billing Process, the CTDOT utilizes the CORE-CT Peoplesoft Projects Costing module. Projects are funded with Federal funds made available in Federal-aid agreements and combined with State and/or other funding if required. This process ensures

that the Federal Funds budgeted for projects are loaded and available for various module transaction processing. The CTDOT projects and activities chart fields allow for the integration, accounting, pricing, and billing of transactional data from the other financial modules within Core-CT. Core-CT transactions are recorded in the General Ledger module and also in the Project Resource table. The Core-CT Contracts module is used to identify which expenditures are eligible for Federal reimbursement. The primary element that supports the billing process is the accounting distribution related to the project, project activities and source types. The following chart shows the high-level life cycle of a Federal project in the project's module.

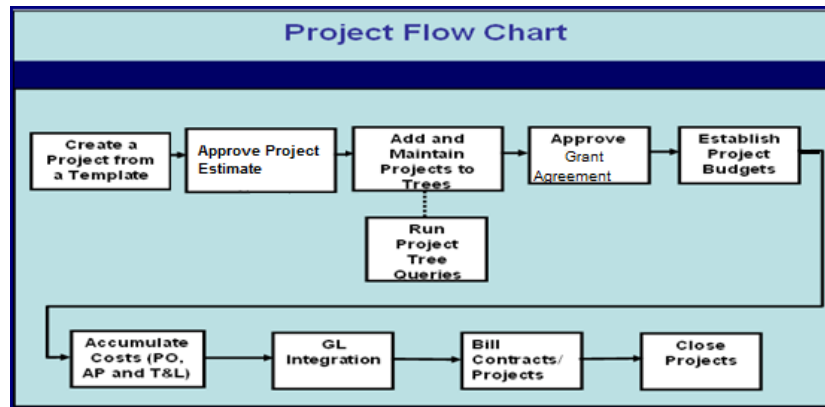


Figure 1: Project Flowchart

The Figure 2 below shows a high-level view of the FHWA process flow at the CTDOT – from Contract through Billing stages.

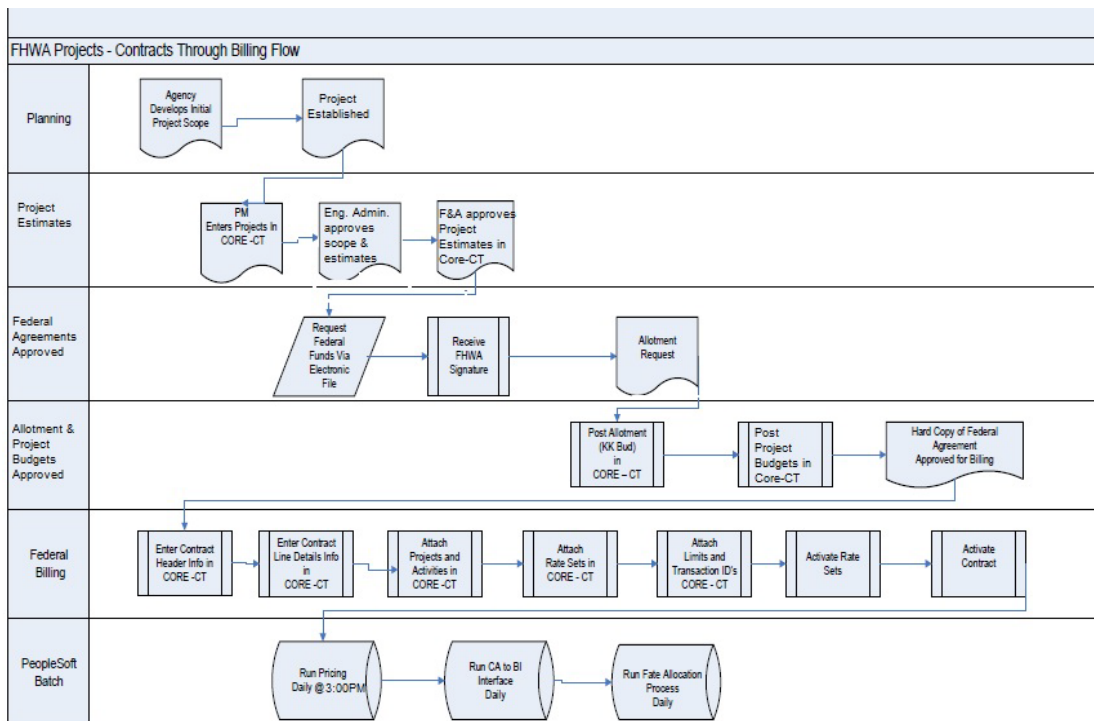


Figure 2: FHWA Projects Contracts through Billing Flowchart

Reimbursement to the CTDOT is presently made through the electronic Current Billing Module in the FHWA's Fiscal Management Information System (FMIS) 5.0. The Single Audit Act does not preclude the FHWA from performing program reviews. These reviews are undertaken to facilitate oversight of the Current Billing process. In accordance with FHWA Order 4560.1C (FIRE), reviews may be conducted on the CTDOT's accounting systems and records to assure conformance with applicable laws, regulations, and government-wide accounting principles and standards.

Cash Management

The Cash Management Act of 1990 (31 CFR Part 205) prescribes rules and procedures for the transfer of funds between the Federal Government and the States for Federal grants and other programs. The U.S. Treasury and the State of Connecticut have entered into an agreement to describe its fund transfer procedures. The FHWA's involvement is to provide assistance and guidance to the CTDOT to facilitate compliance and to assist in the implementation of cash management improvements. The FHWA and the CTDOT have implemented electronic signature processes for reimbursement of the State's Current Billings and Project Authorizations and Agreements. The FMIS 5.0 Current Billing Module provides the CTDOT with the ability to enter a date that will allow for the State of Connecticut's clearance pattern of checks, in order to satisfy the Cash Management agreement with the Federal Government.

Fiscal Management Information System (FMIS)

The Fiscal Management Information System (FMIS) is the FHWA's major financial information system. It contains data related to all projects financed with Federal-aid highway funds. The FHWA uses this information for planning and executing program activities, evaluating program performance, and depicting financial trends and requirements related to current and future funding. Electronic data sharing allows the CTDOT to electronically sign and transmit FMIS data to the FMIS Warehouse database and then the FHWA can review and electronically approve the data. This process provides faster approvals and better control of funds. Both the CTDOT and the FHWA have the ability to access FMIS information to obtain current funding and project related reports. The data contained in FMIS allows both the CTDOT and the FHWA to monitor the level of obligations and ensure responsible management of the Federal funds. The CTDOT produces a monthly Status of Obligations Report which provides information by program on obligations and releases that have occurred in the month.

Federal-aid Funding

The Federal-aid Highway Program is made up of a series of separately funded program categories, each having its own specific and separate funding as described in 23 U.S.C. Each of the programs has certain activities for which that funding may be used and are described in law. When an Authorization Act establishes a program, it sets certain ground rules under which the program operates. These rules include the amounts of funds available to the program for each fiscal year, period of availability, Federal participation ratio, Federal source, type of authority, and a listing of eligible activities. In order to be more responsive to Federal budget policy, a limit is placed on the total of funds that can be obligated during the fiscal year (obligation limitation).

It is the CTDOT's responsibility to program their available funds each fiscal year in accordance with the eligibility criteria for the various programs. The FHWA Connecticut Division, in their role

of administering and delivering the Federal-aid program, has a responsibility to provide information, guidance, and assistance to the CTDOT. Although this oversight is ongoing, when a new Authorization Act modifies existing programs, or adds or eliminates programs, the FHWA has a responsibility to advise the CTDOT that significant changes in the program have been made and to assure that appropriate financing procedures are implemented by the CTDOT.

Enterprise Financial Integrity Review and Evaluation Program (eFIRE)

The Enterprise Financial Integrity Review and Evaluation (eFIRE) Program uses a Financial Integrity Program Objective (FIPO) framework to implement it. The eFIRE will be used to assess, measure/monitor, report on and improve financial integrity across Agency operations. The overarching goal of eFIRE is to use the annual review and evaluation results of FHWA's oversight activities to improve the Agency's financial processes and support the annual Federal Managers Financial Integrity Act (FMFIA) of 1982 Statement of Assurance (SoA). The eFIRE program was established to ensure Federal funds are properly managed and effectively used in accordance with laws, regulations and Federal policies. eFIRE is a critical tool used by the FHWA to manage the risks associated with the Federal-aid program. Under this program, each Federal-aid Division office is required to submit an annual Assessible Unit Statement of Assurance (AUSoA).

Annually the division office conducts a risk assessment of its programs. To support the annual SoA and address the prioritized identified risks, an Annual eFIRE Plan is developed and implemented during the current year. Activities such as financial management reviews, improper payment reviews, inactive obligation reviews, administrative reviews, single audit compliance, and Federal audit follow-up can be included in the Division's eFIRE Plan. A majority of these eFIRE activities are conducted in coordination with CTDOT and often as a joint division office/CTDOT activity. All findings, observations, and recommendations from eFIRE activities are required to be adequately addressed in a timely manner.

Inactive Federal-aid Project Reviews

The CTDOT is responsible for establishing a funds management program that will ensure that funds are being used effectively and lapsed funds are limited. This includes a quarterly review of inactive projects for possible release of funds for use on other eligible Federal projects. Currently an inactive project is defined as a project with no Federal billing for 12 months or more.

The FHWA division office will work with the CTDOT to review, on a quarterly basis, inactive projects with unexpended Federal obligations. A listing of projects, that has been prioritized, which the FHWA Connecticut Division Office and the CTDOT should focus its quarterly review will be sent to the Division from the FHWA's Office of the Chief Financial Officer (OCFO). Once excess obligations are identified, the CTDOT is required to take action to promptly de-obligate the funds through modification of the project agreement. Obligations should be revised to reflect the project's validated best cost estimate. The inactive percentage goal is 2% of the State's annual apportionment. The CTDOT will work with the FHWA division office to meet the established goal.

The CTDOT Office of Finance holds internal periodic meetings to discuss project closeout and inactive projects. Discussions about changes and /or improvements to financial processes that

will reduce processing time to reduce the percentage of Inactive projects and release funds are discussed.

Project Closeout

The CTDOT is responsible for monitoring Federal projects for closure. Databases are maintained that include criteria needed to move projects to closure, including age of project. The CTDOT has implemented a project status path in the Core-CT Project Costing module that will be used to track a project throughout the project closeout process.

The CTDOT holds periodic meetings that include discussions on project closeout with representatives from the FHWA, the CTDOT Senior Management, and various operational areas. Issues impacting project closeout and final vouchering, as well as inactive project status are brought forward and necessary decisions, policy changes or guidance is provided to remedy the problems and allow the projects to continue along the closeout process.

Audits

On December 26, 2014, 2 CFR 200, subpart F – Audit Requirements was issued (which supersedes (OMB) Circular No. A-133.) Standards for obtaining consistency and uniformity among Federal agencies for the audit of States, local governments, and non-profit organizations expending Federal awards are contained in this regulation. The United State Department of Health and Human Services, Office of Inspector General is the cognizant agency for audit responsibilities for the Connecticut Department of Transportation. Since the FHWA is the Federal awarding agency to the CTDOT, the FHWA Connecticut Division is administratively cognizant and has certain responsibilities in this area.

The State of Connecticut, Auditors of Public Accounts is responsible for conducting the State Single Audit for the State of Connecticut. The CTDOT, Office of Management and Technology Services and FHWA will work together to establish an annual CTDOT audit program sufficient to meet the CTDOT audit responsibilities with regard to Federal funding. The FHWA is responsible for ensuring that audits are completed, and reports are received in a timely manner, assure that findings are resolved, and corrective actions are taken in a timely manner as required by the FIRE Order. Further, the FHWA has a responsibility to provide technical advice and assistance to the CTDOT and auditors as appropriate and advise the CTDOT of requirements imposed by Federal laws, regulations or provisions of contracts.

Record Requirements/Retention

The CTDOT maintains the official expenditure and billing records for Federal projects. Supporting documentation will be retained by the CTDOT for three years after the modified Federal-aid agreement based on CTDOT's final voucher has been approved by FHWA. Documentation will include (but not be limited to) the Federal voucher report, material certification, project agreements/modifications, final record of costs and the final voucher. Supporting documentation retained by the CTDOT will be available to the FHWA upon request.

Program Evaluation

The CTDOT implemented an upgrade to their financial management system, Core-CT, in State fiscal year 2008. The FHWA has performed reviews of the system to ensure that appropriate controls are in place and functioning as designed. The CTDOT is committed to continuing to work with the FHWA to provide assurance that the CORE system meets requirements for Current Billing. Additionally, the CTDOT and the FHWA are working together to continue to reduce the number of inactive projects and identify procedures to expedite project closeout.

References

- 23 USC
- 2 CFR 200
- 23 CFR
- 2 CFR 1201 (Formally 49 CFR 18)
- MAP-21
- SAFETEA-LU
- TEA-21
- FHWA Order 4560.1C
- FMIS 5.0 Manual
- Chief Financial Officer Act of 1990
- FMFIA of 1992
- CMIA Act of 1990
- 2 CFR 225 (Formerly OMB Circular A-87)
- 2 CFR 200.500 (Formerly OMB Circular A-133)
- Improper Payments Elimination and Recovery Act of 2010
- Improper Payments Elimination and Recovery Improvement Act of 2012
- May 2, 2017 FHWA/CTDOT agreement for Approval of Non-Participating Incidental Cost Ratios
- September 8, 2017 Guidance on Direct Purchase of Safety and Construction Equipment
- May 15, 2019 Federal-Aid Guidance on Non-Federal Matching Requirements

Table 23: Financial Management Program Summary

Activity	Authority ¹	CTDOT ACTION	FHWA ACTION	Remarks
Advanced Construction	23 U.S.C. 115	Identifies the potential Federal share of project costs as "Advanced Construction" if not Full Obligation when submitting	Authorizes the approval of Advance Construction funding (No funds are obligated at this time) At a later date, approves the	Projects are authorized without obligation of apportionment, or impact to limitation, until funds are needed.

Activity	Authority ¹	CTDOT ACTION	FHWA ACTION	Remarks
		requests for authorization of new projects.	conversion of Advance Construction amounts to obligated amounts when requested by agreement modification.	
Amended/ Modified Project Authorizations and Agreements	23 U.S.C. 106 (b)	Submits approved request using electronic signature.	Amended/ modified authorizations are reviewed and approved by the FHWA Program Managers with Division Finance completing the final approval. All approvals are via electronic signature. Target completion: 10 working days or less.	Electronic signed Amended Authorization/ Agreement executed between CTDOT and the FHWA. Project has been authorized and Federal funds obligated.
Approval of Increased Federal Share Agreement (Sliding Scale)	23 USC 120(b)(2)	Not Applicable	Not Applicable	A State must enter into an agreement with the 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.
Approval of Indirect Cost Allocation Plans (ICAPs)	2 CFR 200.416 Subpart E; ASMB-10	Not Applicable	Not Applicable	The State will certify that the ICAP was prepared in accordance with 2 CFR 200 Subpart E
Audit Coordination/FHWA Financial Statement Audit/State External Audit Reviews/State Internal Audit Reviews	FMFIA, 2 CFR 200.500; OMB Circular A-123, 133; GAAP, CFO Act of 1990; DOT Order 8000.1C	As needed, the CTDOT identifies audit findings and assures corrective action is taken to resolve the findings.	As needed, reviews audit reports and identifies findings applicable to CT. Takes necessary actions to monitor, implement and close out all findings.	State assures corrective action is taken to resolve audit findings and the FHWA will monitor activities to ensure implementation.
Federal-aid Billing Reimbursement	23 U.S.C. 118, 23 U.S.C. 121	Submits electronically to the FHWA, as often as desired.	The FHWA Finance approves electronically within 3 days of receipt.	State submits explanation of any credits with each bill.
Finance Plans	23 U.S.C. 106 (h), (i)	See Major Projects Chapter	See Major Projects Chapter	See Major Projects Chapter
eFIRE Program Activities	FHWA Order 4560.1C (or as superseded)	FIRE activities are conducted in coordination or jointly with the FHWA. Supporting documentation provided as needed.	Annually for the PY, the division office develops a FIRE Plan. FIRE Plan activities/reviews are accomplished throughout the year.	State continues to provide oversight and conduct reviews to ensure Federal-aid compliance. The FHWA will review and monitor.

Activity	Authority ¹	CTDOT ACTION	FHWA ACTION	Remarks
			FIRE Certification/FMFIA is completed.	State responsibilities include multiple tasks in support of risk assessments, conducting reviews, and implementation of recommendations.
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, the CTDOT provides expenditure/billing data and source documents.	Annually, the division office conducts a review and prepares the data submittal forms, per the auditors' test sampling. Data submittal forms with source documents are submitted to the auditors.	State will provide all information necessary to document sampled payments and the FHWA offices will review and complete appropriate data submittal forms.
Innovative Financing	23 USC 601-609, 23 USC 122 GARVEE Guidance 3/14, NHS Act Section 308; 23 USC 610; SIB Guidance 3/14	When the CTDOT determines a non-traditional funding arrangement would be required or preferred, the CTDOT initiates discussion with and submits documentation to the FHWA regarding the proposed financing plan for a project. Examples might be the use of soft match, tapered match or Grant Anticipation Revenue Vehicle Bonds (GARVEE).	The FHWA reviews the CTDOT's proposed Finance plan, seeks clarification or additional information, and provides concurrence or rejection of the Plan when requested.	The FHWA concurs with or rejects plan. Documentation of the plan is maintained by the CTDOT and referenced in State Remarks in the Federal aid agreement.
Project Authorizations and Agreements	23 U.S.C. 106 (b)	Submits approved request using electronic signature.	Project reviewed and approved by the FHWA Program Managers. Fund obligation approval by Finance. All approvals are via electronic signature Target completion: 10 working days or less.	Electronic signed Project Authorization/Agreement executed between the CTDOT and the FHWA. Project has been authorized and Federal funds obligated.
Project Closeout	23 U.S.C. 118, 23 U.S.C. 121	Monitors internal systems to move projects to closure; submits and electronically signs close out requests.	FMIS close out request reviewed and electronically signed by Program Managers. Final financial close out approved by Finance. Target completion: 10 working days or less	Project closed out.
Transfer of Funds between programs or	23 USC 126	As needed, submits signed electronic	As needed, Division reviews, approves,	State will submit requests for transfer and

Activity	Authority ¹	CTDOT ACTION	FHWA ACTION	Remarks
to other FHWA offices or agencies as requested by State		Transfer Form requests to FHWA to transfer funds.	and submits the Transfer Request Form to HQ.	the FHWA approves and processes the funding transfers between programs, to other States, to other agencies, and to the FHWA HQ, Federal Lands, or Research offices.
Narrative Cost Allocation Plans (NCAPs)	2 CFR 200.416, Subpart E	Develop NCAP Methodology, Submit annually to FHWA proposed SFY NCAP and audit for review and approval	Review and approval of proposed NCAP	The State will certify that the NCAP was prepared in accordance with 2 CFR 200.414, Subpart E
Approval of Non-Participating Incidental Cost Ratios	2 CFR 200.210(e) 2 CFR 200.407 5/2/2017 Joint FHWA/CTDOT agreement	Identify those projects whose ineligible costs are greater than or equal to 10% of the total construction cost	Review and approve the incidental ratio	As needed, this approval is likely rare. Federal Billing Unit will perform manual adjustments on a quarterly basis per the policy

Notes:

¹ All actions taken on or after December 26, 2014, shall be governed by the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards in 2 CFR Part 200. Part 200 of 2 CFR supersedes 49 CFR Parts 18 and 19, and requirements from OMB Circulars A-21, A-87, A-110, and A-122 (which have been placed in OMB guidance); Circulars A-89, A-102, and A-133; and the guidance in Circular A-50 on Single Audit Act follow-up.

Intelligent Transportation Systems (ITS)/Operations

Background

Federal regulations (23 CFR 940) define ITS as “...electronics, communications, or information processing used singly or in combination, to improve the efficiency or safety of a surface transportation system.” This is a broad definition, covering the range from small, simple devices up to large and complex systems. In addition to this definition, ITS systems should include comprehensive management strategies and apply technologies in an integrated manner. The purpose of ITS integration is to share information and reduce redundant spending between jurisdictions. ITS integration includes both technical and inter-agency aspects of system development. An ITS Project is defined as “any project that in whole or in part funds the acquisition of technologies or systems of technologies that provide or significantly contribute to the provision of one or more ITS user services as defined in the National ITS Architecture.”

Typical Funding Programs

- Please reference the Guide to Federal Aid Programs and Projects for Funding Programs.

Types of ITS Projects

Class A- Exempt

Class A projects are exempt from Systems Engineering analysis and additional Systems Engineering documentation development. Class A projects represent routine and periodic improvements to existing ITS systems, as well as ITS-related projects not involving construction and installation activities. Class A projects include:

- Projects involving operational improvements to existing traffic signals and/or signal timing updates.
- Data collection projects.
- ITS feasibility and/or planning studies.
- Analyses of operations.
- Projects that involve restoring damaged existing ITS equipment.
- Projects involving standalone minor sub-systems or component replacements or upgrade.

Examples of Class A projects are signal retiming to reflect current traffic volumes or patterns, replacing broken detector equipment, cameras installed solely for the purpose of traffic data collection, upgrading of an equipment component to the latest supported make/model with no change in system functionality or operations, upgrading a copper wire communications connection to a fiber optic communications connection, and routine maintenance and operation of existing systems.

Class B- Routine ITS Expansion/ Replacement

Class B projects involve routine expansion or replacement of established ITS technology, where multiple similar projects are developed and deployed, reducing overall project implementation challenges. Existing Systems Engineering analysis and documentation for Class B projects may require minor modification to apply to the project context. Class B project classification includes projects that meet one or more criteria listed below:

- Projects that consist primarily of geographic expansion of existing, established technology.
- Projects that consist primarily of replacements using existing and established technology.
- Project that uses software or hardware already in common use by the agency.
- Projects that have clearly defined system requirements and operating procedures.
- Projects with existing Systems Engineering documentation, requiring only minor modifications to reflect project context.

Within Class B, three established project types have been currently identified:

1. Traffic Signals
 - a. CTDOT CTSS (Computerized Traffic Signal Systems)
 - b. Non-CTSS
2. Advanced Traffic Management Systems (ATMS) - examples include:
 - a. CCTV (Closed -Circuit Television) cameras.
 - b. VMS (Variable Message Signs)
 - c. RWIS (Roadway Weather Information System)
3. Smart Work Zones (SWZ).

Additional project types may be classified as Class B projects in the future, as new ITS technologies are deployed and additional Systems Engineering documentation for these new ITS technologies are developed.

Current examples of Class B projects are installing a new CTSS at multiple intersections along a corridor; implementation of new ATMS deployments, such as CCTV cameras or VMS; or deployment of SWZ technology in support of a long-term construction project.

A project can be classified as a Class B project only if minor modifications to existing Systems Engineering documentation are necessary. An example of a minor modification might be to modify stakeholder responsibilities in the Concept of Operations document, or to add an additional feature or functionality to the System Requirements and Test Plan documents. Projects that require significant changes to existing Systems Engineering documentation should be classified as Class C projects, see below for more information.

Class C – New ITS Programmatic Implementation

Class C projects include novel or new technological components and/or projects that require additional Systems Engineering analysis or documentation to be developed. Class C project classification includes projects that meet one or more criteria listed below:

- Projects deploying new technology or a technologically complex project.
- Projects with custom software or hardware that are not already in common use at the agency.
- Projects that need new clearly defined system requirements and/or new operating procedures.
- Need for new project-specific Concept of Operations.
- Projects that are multi-jurisdictional, multi-agency or involving new stakeholders.
- Projects for which existing Systems Engineering documentation does not currently exist.

Operating Procedures

All ITS projects shall follow the process flow diagram shown in Figure 3. Application and control of the SE process is a key element of the PE process on ITS projects. Federal-aid ITS projects shall follow the regular Federal-aid procedures as detailed in the Project Oversight Chapters. The completion of the SEAFORM occurs prior to Design Approval.

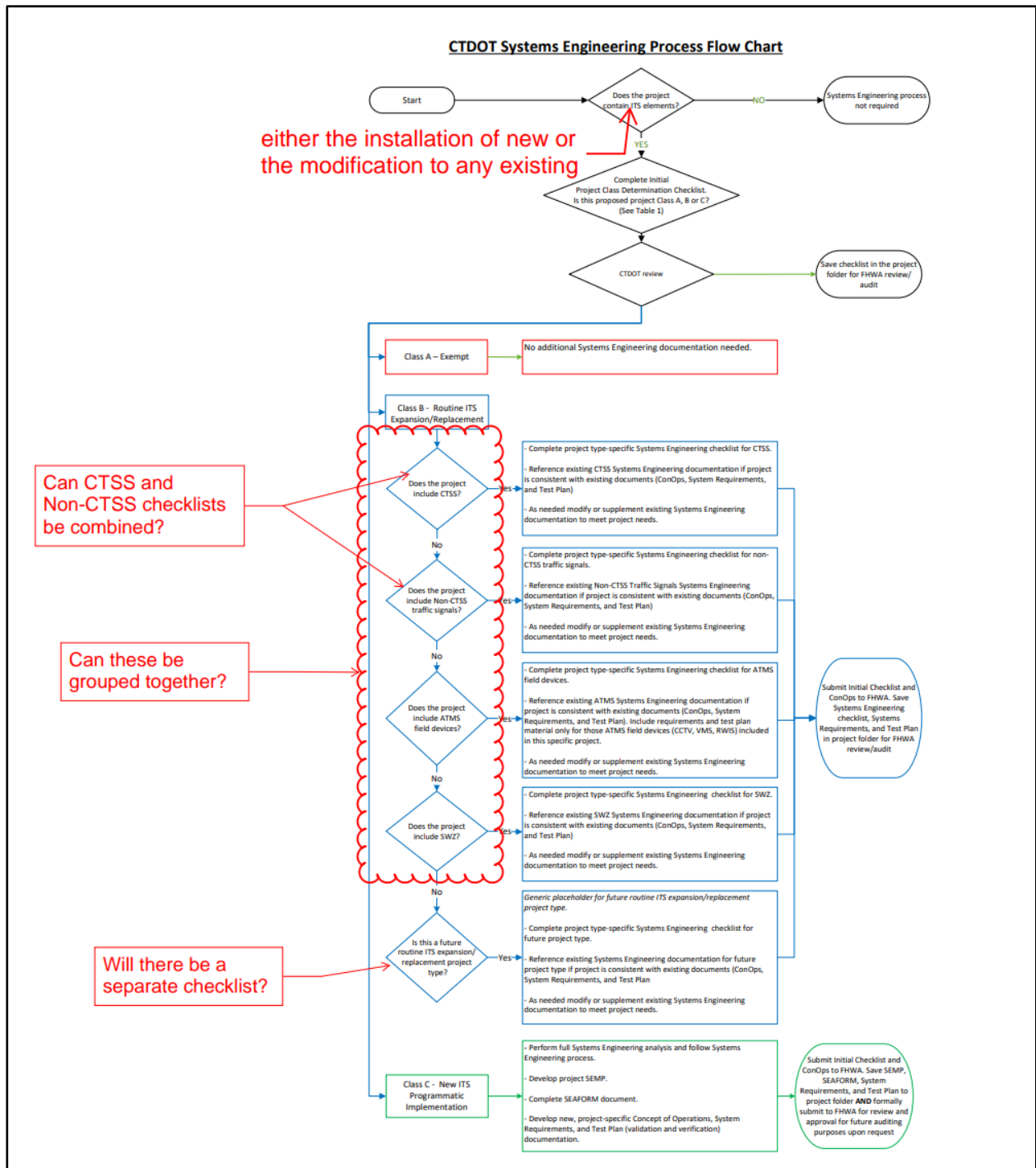


Figure 3: CTDOT System Engineering Process Flow Chart

Procedures

Class A – Exempt Process

If the proposed project is determined to be Class A – Exempt, no additional Systems Engineering documentation is needed.

Class B – Routine ITS Expansion/ Replacement Process

If the proposed project is determined to be Class B – Routine ITS Expansion/Replacement:

1. Traffic Signals:

- a. **CTDOT CTSS:** If the proposed project is a CTSS project type, then:
 - Complete the CTSS-specific Systems Engineering Checklist and save the completed checklist in the project folder.
 - Review existing CTSS Systems Engineering documentation. If the proposed project is consistent with existing CTSS Systems Engineering documentation (ConOps, System Requirements, and Test Plan in Table 3), reference existing documents and file Systems Engineering documents in the project folder.
 - Formally submit the CTSS initial project class determination checklist and ConOps to CTDOT for review.
 - As needed, modify and supplement existing CTSS Systems Engineering documentation to meet the proposed project's needs, and these modified documents are saved in the project folder.
- b. **Non-CTSS:** If the proposed project is a Non-CTSS traffic signal project type, then:
 - Complete the Non-CTSS specific Systems Engineering Checklist and save the completed checklist in the project folder.
 - Review existing Non-CTSS traffic signal Systems Engineering documentation. If the proposed project is consistent with existing Non-CTSS Systems Engineering documentation (ConOps, System Requirements, and Test Plan in Table 3), reference existing documents and file Systems Engineering documents in the project folder.
 - Formally submit the Non-CTSS initial project class determination checklist and ConOps to CTDOT for review.
 - As needed, modify and supplement existing Non-CTSS Systems Engineering documentation to meet the proposed project's needs, and these modified documents are saved in the project folder.

2. **ATMS:** If the proposed project is ATMS project type, then:
 - Complete the ATMS-specific Systems Engineering Checklist and save the completed checklist in the project folder. ATMS projects may include CCTV, VMS, and/or RWIS ITS field devices or sub-systems. Applicable components in the project are selected in the checklist.
 - Review existing ATMS Systems Engineering documentation. If the proposed project is consistent with existing ATMS Systems Engineering documentation (ConOps, System Requirements, and Test Plan in Table 3), reference existing documents and file Systems Engineering documents in the project folder. Only include Systems Engineering documents (e.g., System Requirements and Test Plan) for ITS components that apply to the project.
 - Formally submit the ATMS initial project class determination checklist and CTDOT HOC Description of Operations to CTDOT for review.
 - As needed, modify and supplement existing ATMS Systems Engineering documentation to meet the proposed project's needs, and these modified Systems Engineering documents are saved in the project folder.

3. **SWZ:** If the proposed project is SWZ project type, then:
 - Complete the SWZ-specific Systems Engineering Checklist and save the completed checklist in the project folder.
 - Review existing SWZ Systems Engineering documentation. If the proposed project is consistent with existing SWZ Systems Engineering documentation (ConOps, System Requirements, and Test Plan Table 3), reference existing documents and file Systems Engineering documents in the project folder.
 - Formally submit the SWZ initial project class determination checklist and ConOps to CTDOT for review.
 - As needed, modify and supplement existing SWZ Systems Engineering documentation to meet the proposed project's needs, and these modified documents are saved in the project folder.

4. **Future Routine ITS Expansion/Replacement project:** This is a generic placeholder for future ITS technology projects for which Systems Engineering documentation becomes available to use as a new Class B project type. If the proposed project is a future Routine ITS Expansion/Replacement project type, then documents shall be developed leveraging existing documentation.
 - Develop and complete the new ITS project type-specific Systems Engineering Checklist and save the completed checklist in the project folder.
 - Leveraging existing documentation, modify and develop new project-specific Systems Engineering documentation, including ConOps, System Requirements, and Test Plan (verification and validation). Upon

development of Systems Engineering documents, these documents are then saved in the project folder.

- Formally submit the initial project class determination checklist and ConOps to CTDOT for review.
- Update the Systems Engineering Stewardship Process Guide and process documentation to capture the new Class B project type.

Class C – New ITS Programmatic Implementation Process

If the proposed project is determined to be Class C – New ITS Programmatic Implementation:

- Develop a new ConOps document and formally submit it along with the initial project class determination checklist to FHWA for review/approval.
- Upon approval by FHWA, perform a full Systems Engineering analysis and follow the Systems Engineering process.
- Develop a project-specific SEMP.
- Complete SEAFORM for the new project.
- Develop new, project-specific Systems Engineering documentation, including System Requirements, and Test Plan (verification and validation).
- Upon completion of these documents, the documents are saved in the project folder and formally submitted to FHWA for review and approval upon request.

Project Oversight

ITS Regional (Statewide) Architecture – 23 CFR 940.9

The applicable regulation for ITS projects is contained in 23 CFR 940, entitled Intelligent Transportation System Architecture and Standards. This regulation requires States and metropolitan areas to develop regional architectures and to follow a systems engineering process for ITS project development whenever Federal-aid funds are utilized for ITS deployment. ITS projects are defined in 23 CFR 940.3.

Connecticut has developed a Statewide architecture in accordance with the requirements in 23 CFR 940.9. This Statewide architecture shall be a guide to the development of ITS projects and programs, consistent with ITS strategies and projects contained in applicable transportation plans.

The State shall develop and implement procedures and responsibilities for maintaining the regional ITS architecture as needs evolves within the State.

Project Implementation – 23 CFR 940.11

All ITS projects funded with highway trust funds shall be based on a systems engineering analysis, and the analysis should be on a scale commensurate with the project scope.

The systems engineering analysis shall meet the minimum requirements in 23 CFR 940.11, (c), (1) to (7).

All ITS projects entering final design shall accommodate the interface requirements and information exchanges as specified in the Statewide ITS architecture. If the final design is inconsistent with the Statewide architecture, then the Statewide architecture shall be updated as provided in 23 CFR 940.9.

All ITS projects funded with highway trust funds shall use applicable ITS standards and interoperability that have been adopted through rulemaking by the USDOT.

Project Administration – 23 CFR 940.13

Prior to the authorization of highway trust funds for the construction or implementation of ITS projects, compliance with 23 CFR 940.11 shall be demonstrated.

Compliance with this part will be monitored under Federal-aid oversight procedures as provided in 23 U.S.C. 106 and 133.

Determinations if the Project is of the FHWA Division Interest (PODI) for ITS projects, and the FHWA approval authority will be accomplished in accordance with the framework in the Project Oversight, Project Development, and Project Construction Chapters. These determinations will also consider the process flow for ITS projects described in the “Operating Procedures” section for determining the FHWA oversight on a project case by case basis.

Program Evaluation

Periodic review of Operating Procedures between the FHWA and the CTDOT may be conducted, when necessary, to identify areas for greater efficiency and improvements to the ITS process.

Operations Program Activities

Operations projects are approved and authorized for Federal-aid funding using normal Federal-aid procedures. The CTDOT and other State agency operations activities listed in the documents below have been previously approved for Federal-aid funding by the Connecticut Division:

References

- SAFETEA-LU Sections: 1201, 1808, 5101(a), 5211, 5305, 5306, 5310(8)
- 23 U.S.C. 103, 149, 511
- 23 CFR 940

Table 24: ITS Process Summary for Projects

Activity	CTDOT ACTION	FHWA ACTION	Remarks
Class Determination Checklist	Prepare & Submit	Information	Begin Final Design
Class A & B Systems Engineering Documentation	Prepare & Submit	Information	Begin Final Design
Class C Systems Engineering Documentation	Prepare & Submit	Review & Approve	Begin Final Design
Copies of all project reports, quarterly progress reports, correspondence, meeting announcements and minutes	Prepare & Submit for PODI Only	Information	Reports and Updates
Update Regional ITS Architecture	Prepare & Submit	Information	Updated Regional ITS Architecture
ITS Design Project Submittals	<i>See Project Development and Project Construction Chapters</i>		
ITS Construction Project Submittals			

Table 25: ITS Process for Programs

Activity	Authority	CTDOT ACTION	FHWA ACTION	Remarks
Traffic Incident Management Self-Assessment	Annual Memo from HQ	Complete annually with the FHWA	Submit to HQ	
Intelligent Transportation System Architecture & Standards	23 CFR 940	Prepare & Submit	Information	
Tolling Authority Requests	23 USC 129; TEA-21 Section 1216(b); ISTEA Section 1012(b)	Submit as needed	Review & Approve	Coordination with HQ required
Section 166 HOV/HOT Lanes Tolling Authority Requests	23 USC 166(d)	Submit as needed	Review & Approve	Coordination with HQ required
CTDOT's Policy on Sponsorship Acknowledgment in the highway right-of-way	FHWA Order 5160.1A	Submit as needed	Review for consistency with the MUTCD	
CTDOT's Sponsorship agreements for acknowledgment on Interstates	FHWA Order 5160.1A	Submit as needed	Review for consistency with the MUTCD	

Major Projects

Background

A Major Project is defined as “a project with a total estimated project cost of \$500 million or more that is receiving financial assistance.” FHWA has the discretion to designate a project with a total project cost of less than \$500 million as a Major Project. These projects may require a substantial portion of the CTDOT’s program resources; have a high level of public or congressional interest; complex in nature; or may have implications on the national transportation system. The total estimated project cost is determined by the scope in the NEPA document and includes entire costs (including non-Federal-aid) associated with preliminary engineering, rights of way, and construction based on the projects (and/or portions thereof) scheduled year of expenditure dollars.

Oversight Procedures

For all Major Projects, a Project Management Plan, Finance Plan, as well as a Cost Estimate Review are required. (Finance Plans are required for projects with a total estimated project cost of \$100 million or greater and must be made available upon request. Financial Plans are also required to be updated annually.) Major Projects follow the regular project activities as outlined herein.

References

- 23 USC 106(h) and 23 USC 106(i)
- FHWA Innovative Program Delivery website
- FHWA Financial Plan Guidance dated 12/18/2014.

Table 26: Major Projects Activity Summary

Activity	Major Projects (Projects \$500M and greater)		Projects over \$100M but less than \$500M	
	CTDOT ACTION	FHWA ACTION	CTDOT ACTION	FHWA ACTION
Project Management Plan	Prepare & submit	Review & approve	Not required	None
Financial Plan	Prepare & submit	Review & approve	Prepare & submit	Review & approve
Financial Plan Annual Update	Prepare & submit	Review & approve	Prepare & submit	Review & approve
Cost Estimate Review (also called a Cost, Schedule, and Risk Assessment, CSRA)	Prepare & submit	Participate and Accept as prerequisite to the Financial Plan Approval	Not required	None
Scope of Services for CSRA (if not FHWA facilitated)	Prepare & submit	Comment	Not required	None

Pavement Design and Management

Background

As part of project development, consideration should be given to pavement design in accordance with applicable laws and regulations set forth in 23 CFR 626. Pavements shall be designed to accommodate current and predicted traffic needs in a safe, durable and cost-effective manner. The regulations do not specify the procedures to be followed to meet this requirement. Each State transportation agency is expected to use a design procedure that is appropriate for their conditions. The CTDOT may use the design procedure that is outlined in the *AASHTO Guide for Design of Pavement Structures*, or they may use other pavement design procedures that, based on past performance or research, are expected to produce satisfactory pavement designs.

Operating Procedures

The CTDOT elected to establish and implement an operational Pavement Management System (PMS) for the State highway network. Implementation and operation of the PMS is the responsibility of the Pavement Management Unit. Delivery of the Pavement Preservation Program is a collaborative effort between the Pavement Management Group (PMG) and Pavement Design Unit.

As required under the National Performance Management Measures: Assessing Pavement Condition for the National Highway Performance Program and Bridge Condition for the National Highway Performance Program, (PM2 rule), States are required to develop a Data Quality Management Program (DQMP). The DQMP requirement in the PM2 rule is intended to help States improve the accuracy of the pavement condition metrics.

The CTDOT generally uses the *AASHTO Guide for Design of Pavement Structures (1993)*; however, may use other pavement design procedures that, based on past performance or research, that are expected to produce satisfactory pavement designs.

Policy on Roadway Pavement Management, EX.O-28, June 13, 2023

References

- 23 U.S.C. 303 (a), (d) and 23 CFR 500.106 (Pavement Management)
- 23 CFR 626 (Pavement Design Policy)
- Guidance on Highway Preservation and Maintenance memo dated 2/25/2016.
- AASHTO Guide for Design of Pavement Structures
- Guidelines for Development and Approval of State Data Quality Management Programs dated 5/15/2018.

Table 27: Pavement Design and Management Summary

Activity	Authority	CTDOT ACTION	FHWA ACTION	Remarks
Pavement Management Implementation		Pavement Condition evaluation and analysis of condition trends; development of multi-year prioritized program	Review	Annual Pavement Condition Report; Forecast of Pavement Conditions given budget scenarios; Annual Project Candidate List based on multi-year prioritization.
Pavement Preservation Program		Update 2010 Pavement Preservation Guidelines	Review, and Approve if Federal aid is involved	Current Pavement Preservation Program is state funded.
Pavement Policy (including design)	23 CFR 626.3	Prepare and Submit	Review and approve	
Data Quality Management Plan (DQMP)	23 CFR 490.319(c)	Prepare and Submit updates to the DQMP as needed.	Review and approve	Collaborative effort between the PMG and Photolog Unit. CTDOT also shall submit any proposed significant changes
Annual Pavement Quality Management Report		Prepare and submit an Annual Pavement Quality Management Report	Review	Collaborative effort between PMG and Photolog Unit

Planning

Background

Metropolitan and Statewide Transportation Planning, Statewide Planning and Research (SPR), and data collection and reporting activities are legislated under the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFTEA-LU), which was enacted on August 10, 2005 [23 U.S.C. 134, 135 and 49 U.S.C. 5303, 5304, and 23 U.S.C. 505(b) respectively].

The *Metropolitan Transportation Planning* process establishes the national policy that the Metropolitan Planning Organization (MPO) designated for each urbanized area is to carry out a continuing, cooperative, and comprehensive multimodal transportation planning process, including the development of a metropolitan transportation plan [§ 450.324] and a transportation improvement program (TIP) [§ 450.326], that encourages and promotes the safe and efficient development, management, and operation of surface transportation systems to serve the mobility needs of people and freight (including accessible pedestrian walkways and bicycle transportation facilities) and foster economic growth and development, while minimizing fuel consumption and air pollution.

The *Statewide Transportation Planning* process requires that each State department of transportation (State DOT) carry out a continuing, cooperative, and comprehensive statewide multimodal transportation planning process, including the development of a long-range statewide transportation plan [§ 450.216] and statewide transportation improvement program (STIP) [§ 450.218], that facilitates the safe and efficient management, operation, and development of surface transportation systems that will serve the mobility needs of people and freight, and that fosters economic growth and development within and between States and urbanized areas, while minimizing fuel consumption and air pollution in all areas of the State. Program oversight is a joint Federal Highway Administration (FHWA)/Federal Transit Administration (FTA) responsibility.

The *SPR Program* establishes statewide Planning and Research Development & Technology Transfer (RD&T) activities undertaken by the State DOT and its sub-recipients, including MPOs, with the FHWA planning and research funds relating to highway, public transportation, and intermodal transportation systems [23 U.S.C. 505(b)].

The State DOT makes all PL funds available to the MPOs in accordance with a formula developed by the State DOT, in consultation with the MPOs, and approved by the FHWA Division Administrator [23 U.S.C. 104(f)]. The MPOs develop a Unified Planning Work Program (UPWP) to define the work activities done by the central staff.

There are also required data collection and reporting activities which require State DOTs to provide data that support the FHWA's responsibilities to the Congress and to the public. These data include (not all-inclusive list) information required for:

- preparing proposed legislation and reports to the Congress.
- evaluating the extent, performance, condition, and use of the Nation's transportation system

- analyzing existing and proposed Federal-aid funding methods and levels and the assignment of user cost responsibility.
- maintaining a critical information base on fuel availability, use, and revenues generated, and
- calculation of apportionment factors

Activities proposed to be funded with the FHWA planning and research funds are documented and submitted for the FHWA and FTA for approval and authorization [§§420.111 and 420.113].

Operating Procedures

The FHWA provides technical expertise and assistance through participation in committees, Quarterly Program and Research Meetings, and joint Program Process Reviews set up by the FHWA, the CTDOT and the MPOs that address metropolitan and statewide transportation planning, data collection and analysis, as well as coordination on individual topics of interest such as:

- Congestion Management,
- Air Quality Conformity,
- Multimodal and Intermodal Coordination,
- Freight, Complete Streets, etc.

In addition, the FHWA conducts reviews of planning processes and products, such as Highway Performance Monitoring System (HPMS) data, Heavy Vehicle Use Tax Enforcement, Financial Reporting etc.

Oversight Activities

The FHWA and the FTA are jointly responsible for required approval actions on the Statewide Transportation Improvement Program (STIP), the STIP Amendment process and the Public Involvement Policy.

The Statewide Transportation Plan and the Connecticut Process for Consultation and Cooperation with Local Officials in Non-Metropolitan Areas is submitted to the FHWA and the FTA for their information.

The FHWA participates in statewide and MPO planning activities as necessary to ensure a planning finding as part of the STIP approval process.

The MPOs develop the UPWPs in cooperation with the CTDOT and U.S.DOT, which work together to ensure compliance with Federal planning regulations. All three agencies approve the final UPWPs that are endorsed by the MPOs. This same oversight applies to any revisions or amendments that an MPO may wish to undertake during a fiscal year after the initial approval of the plans.

References

- MAP-21 Section 52001-52003
- SAFTEA-LU Section 6001
- Title 23 USC 134 and 135
- Federal Transit Act
- 23 CFR 450, Parts A, B, and C
- 23 CFR 420 and 450
- 23 CFR 500
- 23 CFR 460
- 23 CFR 470 - Highway System
- 23 U.S.C. 402 (c)
- 23 U.S.C. 502-503
- Guide to Reporting Highway Statistics
- 23 CFR 1.5
- Increasing Safe and Accessible Transportation Options Implementation Guidance Under Section 11206 of the Bipartisan Infrastructure Law (BIL)

Table 28: Planning Summary

Activity	Authority	CTDOT ACTION	FHWA ACTION	Remarks
Vehicle Size & Weight Enforcement Plan	23 CFR 657.11, 23 USC 127	Submit annually by July 1	Review and approve.	Vehicle size and weight enforcement on Federal-aid highways
Vehicle Size & Weight Enforcement Certification	23 CFR 657.13, 23 USC 141	Annually, certify to the FHWA administrator before Jan 1	Review and approve, including certification acceptance.	Vehicle size and weight enforcement on Federal-aid highways
Size & Weight Assessment (Annual)	23 CFR 657.11(b)	Review and Comment, as needed	March 1 st Report due in HQ	The FHWA gathers all appropriate information from CTDOT and develops this report for HQ.
National Network Modifications	23 CFR 658.11	Prepare and Submit per 658.11. As needed	Review compliance and Approve	National Network for Trucks
State Planning Work Program and Revisions (Part 1)	23 CFR 420.111, 23 CFR 420.115, and 23 CFR 420.209	Submit annually or Biannual, due Prior to Program Period	Review and approve. Written response. Authorizes projects	Joint FHWA division office and FTA Approval.
Allocation Formula for distributing PL Funds	23 CFR 420.109, 23 USC 104(d)(2)(A)(i)	Submit every 2 years or when revised	Review and approve. Written response	FHWA division office Approval, coordinated with FTA.
Documented Public Involvement Process	23 CFR 450.210(a)	Submit as needed	Review, comment and accept.	FHWA division office Review to Assure Compliance.
Receipt of State Consultation Process for Non-metropolitan Local Officials	23 CFR 450.210(b)	Submit at least once every five years	Review, comment and accept	Informational Purposes.
Long-range Statewide Transportation Plan	23 CFR 450.214	Submit as needed	Review and accept.	FHWA division office Review to Assure Compliance, coordinated with FTA01.
Statewide Transportation Improvement Program (STIP)	23 CFR 450.218, 23 CFR 450.218(a) & (c), 23 USC 135(g)(7)	Submit at least every 4 years	Review and jointly approve w/FTA. Written response.	Joint FHWA and FTA approval.
STIP Amendments	23 CFR 450.218(a) & (c)	Submit as needed	Review and accept. Written response	Separate FHWA and FTA approvals
State Self-certification that Planning Process is in Accordance with Applicable Requirements	23 CFR 450.220	Submitted with proposed STIP or STIP amendments	Review and accept.	Received with STIP.
Transportation Management Area (TMA) MPO Unified Planning Work Programs (UPWP)	23 CFR 450.308(b) and 23 CFR 420 (Subpart A)	Submit biannual, Prior to Program End	Review and approve jointly w/FTA. Written response.	Joint FTA-FHWA Approval. FHWA responds to the CTDOT's request for CPG funds transfer.

Activity	Authority	CTDOT ACTION	FHWA ACTION	Remarks
Non-TMA UPWP	23 CFR 450.308(b) and 23 CFR 420 (Subpart A)	Submit prior to Program End	Review and approve jointly w/FTA. Written response. Authorizes projects.	The FHWA responds to the CTDOT's request for CPG funds transfer
UPWP Revisions and Amendments (All MPO's)	23 CFR 420.115	Submit as needed	Review and approve jointly w/FTA. Written response. Authorizes projects.	
State or MPO opt out request package for complete streets requirements	Federal Public Law 117-58 Section 11026	Submit packages by June 30 th of each year	Review and coordinate with FHWA HQ-HEP	FHWA submits package and written analysis with recommendation to HEP by July 24 th each year
UPWP Performance and Expenditure Reports (All MPO's)	23 CFR 420.117(b)	Submit not more frequently than quarterly	Review & accept	Should be submitted no later than 15 days following end of quarter
Report Before Publication (All MPOs)	23 CFR 420.117(e)	Submit as needed	Review & Approve	
Metropolitan Planning Area Boundary (Establishment and Changes)	23 CFR 450.312	Submit as needed	Review & accept.	Approval by MPO and the Governor, shape files forwarded to HQ. (Comment: No action is required by FHWA/FTA).
Metropolitan Transportation Planning Organizations (MPO) Designation and Re-designation	23 CFR 450.310	Submit as needed	Review & accept.	Require agreement between Governor and local governments. Governor agreement forwarded to HQ.
Metropolitan Planning Agreements (MPA) for Attainment or Entire Nonattainment Area	23 CFR 450.314(a)	Submit when Completed	Review & accept.	Between MPO/State DOT/Transit Operator. Included in UPWP or Prospectus (23 CFR 450.314(d)).
MPA - for MPA that do not include the entire nonattainment or maintenance area	23 CFR 450.314(b), 23 USC 109(j)	Submit when Completed	Review & accept.	Between MPO/State DOT/State AQ Agency.
MPO Public Participation Procedures	23 CFR 450.316(a)	Submit as needed	Review & accept. Planning	Must be developed and published. Re-evaluated annually.
Metropolitan Transportation Plan (MTP) in Attainment Areas (and Updates)	23 CFR 450.322	Submit every 4 years	Review & accept.	Coordinate w/the FTA and the CTDOT with any comments.

Activity	Authority	CTDOT ACTION	FHWA ACTION	Remarks
MTP in Non-Attainment and Maintenance Areas (and Updates)	23 CFR 450.322	Submit every 5 years	Review & accept.	Coordinate w/the FTA and the CTDOT with any comments.
MTP Amendments	23 CFR 450.322(c)	Submit as Needed	Review & accept.	Coordinate w/the FTA and the CTDOT with any comments
Air Quality Conformity Determination on LRTP in Non-attainment and Maintenance Areas	23 CFR 450.322(d)	Concurrent with LRTP updates at least every 4 years and as needed on amendments	Review documentation	After receipt of MPO determination; Joint FHWA and FTA determination; In consultation with the Environmental Protection Agency (EPA).
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)	Review prior to Program Period	None	No succinct Federal approval action is required for the TIP. The FHWA/FTA approval of the TIP is through the STIP approval process.
TIP Amendments	23 CFR 450.324(a); 23 CFR 450.328(b)	Review as needed	None	No succinct Federal approval action is required for the TIP. The FHWA/FTA approval of the TIP is through the STIP approval process.
Air Quality Conformity Determination on TIP	23 CFR 450.326; 23 CFR 450.328	Submit at least every 4 years, or when the TIP has been modified (unless exempt projects)	Review & accept	Applies to non-attainment and maintenance areas only. After receipt of MPO determination, joint determination with the FTA (in cooperation with the EPA).
Finding of Consistency of Planning Process with Section 134 and 135	23 USC 135(g)(8); 23 CFR 450.218(b); 23 CFR 450.334(a)	Concurrent with STIP submittal	Review & accept.	FHWA and FTA issue a joint finding concurrent with STIP approval.
In Metropolitan Planning Areas, State and MPO Self-certification that Planning Process is in Accordance with Applicable Requirements	23 CFR 450.334 (a), 23 CFR 218(a)	Submit annually or concurrent with the STIP/TIP cycle	Review & accept.	Required for all the MPO's. May be included in the STIP, TIP, or UPWP, at least every 4 years.
In TMA's, Certification that Planning Process is in Accordance with Applicable Requirements	23 CFR 450.334(b), 23 USC 134(k)(5)	Submit every 4 years	Jointly conduct with the FTA a quadrennial review. Develop recommendations and report that	Fully certified MPO and positive planning finding

Activity	Authority	CTDOT ACTION	FHWA ACTION	Remarks
			details finding of certification status.	
Federal-Aid Urban Area Boundaries	23 CFR 470.105 (a), 23 USC 101(a)(36)	Submit as needed	Review and Accept Coordinate with the FHWA HQ as necessary.	The CTDOT revises maps
Revision of Functional Classification	23 CFR 470.105 (b)	Submit as needed	Review and Approve Coordinate with the FHWA HQ as necessary.	The CTDOT revises maps
Interstate Additions & Revisions	23 USC 103(c)(1)(D), 23 CFR 470.111, 23CFR 470.115 (a)	Submit as needed	Review & approve.	Approval by HQ - Administrator
National Highway System (NHS) Additions and Revisions	23 USC 103(b)(3), 23 CFR 470.113 and 470.115(a)	Submit as needed	Review and approve.	Planning submits revisions to HQ. Approved by HQ - Office Director.
CMAQ Annual Report	Enter CMAQ project data on the FHWA website for the FHWA review CMAQ Guidance Memo October 31, 2006	Submit annually by March 1 st	Review CMAQ projects Approve and submit to the FHWA HQ Planning.	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.
CMAQ Eligibility Determinations for projects in categories 1, 2, 8, 9, 11, 12, 13, and 17 of CMAQ Scope of Work Application	Delegation was granted by letter from D. Nardone (FHWA-CT) to Richard Andreski (CTDOT Public Transportation Bureau) dated 1/24/2018	Prepare and Approve	None.	
CMAQ Eligibility Determinations for all projects not listed in the row above		Prepare and submit to FHWA	Review and Approve	
Carbon Reduction Strategy	23 USC 175(d)(3) and 23 USC 175(d)(4)	Update every four years	Review and coordinate with HQ	
Annual Traffic Reports	Traffic Monitoring Analysis System and Traffic Monitoring Guide reporting		Office of Highway Policy Information	When published
Annual Field Review Report	HPMS Field Review Guidelines (June 2001) Continuous Process Improvement Model for HPMS (February 2003)	Assist the FHWA Division with Review	Due in HQ by Dec 16 Office of Highway Policy information	Review memo to HQ.

Activity	Authority	CTDOT ACTION	FHWA ACTION	Remarks
Certified Public Road Mileage	23 CFR 460.3(b)	Prepare and submit as outlined in CFR	Due in HQ by June 1 st Office of Highway Policy information	Each year, the Governor of each State and territory or a designee must certify Public Road Mileage. The FHWA division reviews the Mileage and sends to HQ with division review/concurrence. This is reported to NHTSA for Apportionment of Safety Funds
HPMS Data Submittal	23 CFR 420.105(b), HPMS Field Manual	Forward as requested	Due in HQ by June 15 th Office of Highway Policy information	State DOT sends directly to division office and HQ.
Highway Statistics Reports	Guide to Reporting Highway Statistics	Submit	Office of Highway Policy information	State DOT sends directly to HQ.
Motor Fuels Report	A Guide to Reporting Highway Statistics, Chapter 2	Submit by April 1 st	Due April 1, Office of Highway Policy information	Due 60 days after end of each reporting month.
Vehicles and Drivers (561, 562, 566, and 571)	A Guide to Reporting Highway Statistics, Chapters 3, 4, 5, and 6	Submit by April 1 st	Due April 1 st , Office of Highway Policy information	
Finance (531, 532, 541, 542, and 543 (optional))	A Guide to Reporting Highway Statistics, Chapters 8 and 9	Submit by April 1 st	Due April 1 st , Office of Highway Policy information	
Finance (536)	A Guide to Reporting Highway Statistics, Chapter 11	Submit on-line to the FHWA HQ by Oct 1 st		Biennially for odd-numbered years. Due nine months after end of reporting year
Finance (534)	A Guide to Reporting Highway Statistics, Chapter 12	Submit on-line to the FHWA HQ by May 15 th		Annually for State, Biennially for local
Highway Finance and Tax Legislation	A Guide to Reporting Highway Statistics, Chapter 13	Submit when published	None.	
State DOT Budgets and Published Annual Reports	A Guide to Reporting Highway Statistics, Chapter 13	Submit when published	None.	
Motor Fuel Oversight Review	July 24, 2001 HQ Memo	Submit initial baseline reports no later than December 31, 2003	Not Applicable	Annual progress reports and statement of verification by June

Activity	Authority	CTDOT ACTION	FHWA ACTION	Remarks
				30. Submitted via UPACS.
Biennial - Toll Facilities in the United States	23 CFR 450.105(b) HPMS Field Manual	Submit by June 15 th Biennially - Odd Years	See remark	division office sends to HQ.
Highway Use Tax Evasion Grant Awards	23 USC 143	Submit annually	See remark	The FHWA along with the Internal Revenue Service will review applications and select awardees for projects designed to reduce or eliminate fuel tax evasion. The FHWA will also review annual progress reports on projects.
Heavy Vehicle Use Tax (HVUT) – Certification of verifying proof-of-payment of HVUT	23 CFR 669.7	Submit by July 1 st	Due in HQ July 1 st	Each year, the Governor of each State, or a designee must certify that the State is verifying that the HVUT has been paid before they issue or renew registrations on vehicles over 55,000 lbs. The HVUT program is administered by the Internal Revenue Service.
Heavy Vehicle Use Tax (HVUT) – Certification of verifying proof-of-payment of HVUT	23 CFR 669	Submit annually	Due in HQ July 1 st	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	Participate in triennial review	FHWA division office led	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

Activity	Authority	CTDOT ACTION	FHWA ACTION	Remarks
				HVUT program is administered by the Internal Revenue Service.
Permanent ATR Data	Heavy Vehicle Travel Information System Field Manual	Submit monthly. The CTDOT may forward directly to HPPI-30	Monthly	Submit monthly, within 20 days after the close of the month for which the data were collected.
Continuous Automatic Vehicle Classifier Data	Heavy Vehicle Travel Information System Field Manual	Submit monthly. The CTDOT may forward directly to HPPI-30	Monthly	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	Submit by June 15 th	As needed	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, send up to one week of data per quarter.
Transportation Alternatives Annual Report	23 U.S.C. 133(h)(8)	Submit by January 15 th to Division Office	Due in HQ by January 31 st	Submit completed spreadsheet to TAReporting@dot.gov
Recreational Trails	23 U.S.C. 133(h)		Coordinate with CTDOT and CTDEEP	Requires an opt-out State action no later than 30 days prior to the apportionments being made for any fiscal year if no interest
State Freight Plan	49 U.S.C. 70202	Submit as needed	Review and Approve	Each State that receives funding under section 167 of title 23 shall develop a freight plan.

Notes:

Review and Approve means an FHWA formal approval in writing is transmitted back to the CTDOT.
 Review and Accept means the FHWA does not notify the CTDOT unless it is unacceptable.

Quality Assurance for Materials

Background

It is necessary for the CTDOT to prepare a written Quality Assurance Program document that addresses the following six (6) core elements: Internal Quality Control, Acceptance, Independent Assurance, Dispute Resolution, Laboratory Accreditation and Qualification, and Personnel Qualification/Certification.

The Quality Assurance Program for Workmanship is not included in this Chapter. This Program is contained in the Construction Chapter of this manual.

Operating Procedures

New England Transportation Technician Certification Program (NETTCP) QA Program for Materials Acceptance and Assurance Testing Policies and Procedures, July 2019 (CTDOT's Quality Assurance Program for Materials)

References

- 23 CFR 637
- AASHTO Accreditation Program
- AASHTO/ASTM Standards

Table 29: Quality Assurance Program for Materials Summary

Work Activities	Authority	Federal-aid Projects on the NHS or State-administered Projects		Federal-aid Projects: Municipal-administered And off the NHS	
		CTDOT ACTION	FHWA ACTION	CTDOT ACTION	FHWA ACTION
Schedule of Minimum Sampling	23 CFR 637.207	Prepare	Approve	Prepare & Revise as needed	None
Qualified Technician Program	23 CFR 637.209	Maintain NETTCP membership/ requirements	Approve	Prepare & Approve	None
Assure Central Laboratory accredited by AASHTO Accreditation Program	23 CFR 637.209	Maintain accreditation	None if by AASHTO, other programs would require prior approval by the FHWA	Prepare & Approve	None
Independent Assurance Program	23 CFR 637.207	Prepare annual report	Review	Prepare & Approve	None
Quality Assurance Program for Materials	23 CFR 637.205	Prepare & Submit	Approve	Approve	None

Research, Development and Technology

Background

The purpose of the program is to implement the provisions of 23 U.S.C. 307 for research, development, technology transfer, programs, and studies undertaken with the FHWA planning and research funds.

STATE PLANNING AND RESEARCH (SPR) PROGRAM

The main requirements under 23 CFR 420 are to create a SPR Work Program, monitor planning and research activities, submit performance and expenditure reports, conduct peer exchanges, develop and maintain an FHWA approved research and development handbook, and maintain program certification.

LOCAL TECHNICAL ASSISTANCE PROGRAM (LTAP)

LTAP was created to provide training and technical assistance to rural, small urban, tribal governments, and contractors that do work for local agencies on roads, bridges, and public transportation. The LTAP program is regulated under 23 U.S.C. 504(b). The Technology Transfer (T2) Center at the University of Connecticut was established in 1984 under the Connecticut Transportation Institute (CTI). T2 Center is the local entity that works with the CTDOT and the FHWA to administer LTAP.

Operating Procedures

SPR

The SPR Work Program consists of two parts: (1) Part I, Planning, which is prepared by the CTDOT's Bureau of Policy and Planning, and (2) Part II, Research, which is prepared by the CTDOT's Bureau of Policy and Planning. The CTDOT is responsible for preparation and overall coordination of the Work Program in accordance with 23 CFR 420. The SPR program operates on a State fiscal-year basis. The CTDOT considers how to address research needs and may, at its option, 1) conduct research with in-house personnel, 2) conduct research through a transportation pooled fund project wherein the CTDOT is the lead agency, such as the New England Transportation Consortium, 3) participate in Pooled Fund Projects where another State is the lead agency 4) conduct research through agreement with its land grant State research university, or 5) submit needs to outside a) universities, b) other transportation pooled fund projects, c) one of the national cooperative transportation research programs, or d) and other outside transportation research programs for consideration.

LTAP

The T2 Advisory Committee determines the direction for the Connecticut LTAP. The Committee, consisting of Connecticut Transportation Institute (CTI) personnel, Federal, State, and local government representatives, typically meets quarterly. The Fall Committee meeting reviews, modifies, and approves the content of Connecticut's annual local training and

assistance plan. The other three Committee meetings monitor progress, discuss opportunities and needs, develop plans for future programs and associated budget needs. Connecticut's LTAP annual training schedule consistently contains more than ten courses.

T2 Center coordinates with the CTDOT and the FHWA to draft an LTAP Work Plan based on a calendar year. The CTDOT and the FHWA review a draft LTAP Work Plan. Comments from both parties are incorporated into the draft and the final version is approved by the FHWA.

Program Oversight

SPR

The FHWA exercises its oversight responsibilities through review of the annual program prior to approval actions, review of SPR Part II Work Program amendments prior to approval, and ongoing participation of its technical specialists in pooled fund study technical panels. As appropriate, the FHWA personnel participate in peer exchanges.

The FHWA Division Research Program Manager oversees the administrative aspects and coordinates with the division office specialists for technical aspects.

The FHWA reviews and approves an updated version of the Handbook when there are significant changes in the management process or new Federal regulation/policy are enacted.

LTAP

The FHWA exercises its oversight responsibilities through review of the annual work plan prior to approval actions, review of work plan amendments prior to approval, participation in the T2 Steering Committee, and participation or planning of various LTAP-related activities.

The CTDOT, T2 Center, and the FHWA coordinate to process amendments to the LTAP. The FHWA also coordinates with the CTDOT for program development, eligibility and fiscal issues.

Program Evaluation

Program Assessments

Periodic Transportation Research Peer Exchanges shall be conducted in compliance with 23 CFR 420 on a periodic basis to assess elements of the program. To assist peer exchange teams in conducting an effective exchange, the CTDOT shall provide to them pertinent information and documentation. Travel and other costs associated with the CTDOT's peer exchange may be identified as a line item in CTDOT's work program and will be eligible for 100 percent Federal funding. The peer exchange team shall prepare a written report of the exchange. Peer Exchanges shall identify strengths, weaknesses and opportunities in focus areas selected for the exchange. A final report will be prepared for use by the CTDOT, for submittal the FHWA, and at the State's option, may be shared through the AASHTO Research Advisory Committee national Web Site.

Performance Indicators

The CTDOT will provide performance/compliance indicator data to the Division in its quarterly and annual reporting, for use in tracking performance trends and to implement countermeasures/actions when the data are not moving in the desired target direction.

References

- 23 USC Sections 501-508
- 23 CFR Part 420
- FHWA State Planning and Research (SP&R) Guide (<http://www.tfsrc.gov/sprguide/os.htm>)
- FHWA Transportation Pooled Fund Program Procedures
- [https://www.pooledfund.org/Home/ProgramState Planning and Research | FHWA \(dot.gov\)FHWA Policy Memo of 11/3/1994 – “State Planning and Research Administration Guidelines”](https://www.pooledfund.org/Home/ProgramStatePlanningandResearch|FHWA(dot.gov)FHWA%20Policy%20Memo%20of%2011/3/1994-%20%22State%20Planning%20and%20Research%20Administration%20Guidelines%22)
- FHWA Policy Memo of 1/16/1997 – “Use of State Planning and Research (SPR) Funds for Technical Certification Program Course Development”
- FHWA Policy Memo of 1/26/2001 – “FHWA Development and Coordination of the Research and Technology Program”
- FHWA Order 4410.3A, 8/07/2006 – “Processing Research Projects Under SAFETEA-LU Section 5001”
- CTDOT Research Handbook (<https://portal.ct.gov/-/media/DOT/documents/dresearch/ConnecticutDepartmentofTransportationResearchHandbook2016pdf.pdf>)
- FHWA Guidelines for Projects Using Experimental Features
- A Guide to Federal-Aid Programs and Projects, FHWA-IF-99-006, Updated October 18, 2012
- LTAP Manual
- Administration of FHWA Planning and Research Funds, FHWA-PD-98-053
- LTAP Handbook
- 49 CFR 18

Table 30: Research, Development, and Technology Program Summary

Activity	Authority	CTDOT ACTION	FHWA ACTION	Remarks
Peer Exchange	FHWA-HRT-10-048, June 2010 Guide For Peer Exchanges NCHRP 20-111 (G) “Best Practices for State DOT Peer Exchanges” (December 2017)	Sponsor event or participates in other States’ peer exchanges	Participate and support	Shared knowledge, improved processes, report

Activity	Authority	CTDOT ACTION	FHWA ACTION	Remarks
Approval of Management Process and Project Selection Procedures and Certification for Research, Development & Technology Transfer Program and Revisions to Process	23 CFR 420.115 and 23 CFR 420.209		FHWA division office Approval	As needed
Periodic Review of States Management Process of the Research, Development & Technology Transfer Program	23 CFR 420.115 and 23 CFR 420.209		FHWA division office Approval	
Draft SPR Part II Work Program	23 CFR 420.111, 23 CFR 420.115, and 23 CFR 420.209	Prepare draft Part II Work Program. Submit draft to the FHWA	Review and Comment on draft Part II Work Program.	
Final SPR Part II Work Program	23 CFR 420.111, 23 CFR 420.115 and 23 CFR 420.209	Submit to the FHWA (no later than December 1)	Review and Approve (30 days)	
Contracting Out, Sub-Granting, or Otherwise Obtaining the Services of a Third Party	FHWA Research Guidance dated 10/16/2018	Review and Submit	Review and Approve	
Performance and Expenditure Reports for SPR Part II, Research Work Programs	23 CFR 420.117	Submit to the FHWA	FHWA division office Approval	No less frequently than annual and no more frequently than quarterly.
SPR Part II Research Reports	23 CFR 420.117	Submit to the FHWA for review and comment	Review and Accept	Research Program Manager works with Division Technical expert to review reports before approval.
SPR Part II Work Program Amendments	FHWA Research Guidance dated 10/16/2018	Prepares SPR Part II amendments. Submit to the FHWA as necessary.	Review, Comment (if appropriate), and approve	Addition/reduction of contributions to existing projects, and participation in new projects.
Approval of Equipment – Cost in Excess of \$5000	FHWA Research Guidance dated 10/16/2018	Review and Submit	Review and Approve	Consistent with Table 6, Work Plans
Maintain Certification of SPR Program		Prepare certification statement	Review, Comment, and Approve	Certified compliance with 23 CFR 420.
LTAP Work Plan	23 CFR 420.111, 23 CFR 420.115	UConn submits to The FHWA through the CTDOT, annually	Review, Comment and Approve	Final version of LTAP Work Plan

Activity	Authority	CTDOT ACTION	FHWA ACTION	Remarks
Connecticut Transportation Institute (T2 Center)	23 CFR 420.111 49 CFR Part 19 23 CFR 420.115	UConn submits to the FHWA through the CTDOT, annually	Review, Comment and Approve	Final version of CTI T2 Work Plan
Transportation Pooled Fund Projects	23 CFR 420.113	Submit SOWs to the FHWA for review and comment.	FHWA division office Approval	Research Program Manager works with Division Technical expert to review SOWs before approval.
SHRP2	23 CFR 645.205	The CTDOT submits proposed projects to the FHWA HQ.	Research Program Manager solicits projects from the CTDOT for the FHWA HQ review and approval.	Research Program Manager and/or Division Engineering Technical provide support in project implementation, depending on type of project.

Rights-of-Way

Background

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

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

Operating Procedures

The following oversight functional area involving the Federal-aid ROW program are covered under 49 CFR (24), which has no provision for exemptions under Title 23 U.S.C.: Appraisal, Acquisition, nor Relocation.

The work activities listed below are covered under 23CFR (part) and require specific approval and/or oversight by the FHWA:

- ROW certification (635.309)
- State ROW operations manual (710.201)
- Project authorization and agreements (710.303)
- ROW use Agreements (710.405) & NHS (710.201)
- Disposal of excess real property (710.409)
- Early acquisition, protective buying, and hardship (710.501 & 503)
- Functional replacement (710.509)
- Federal land transfers (710.601)
- Highway beautification (750)

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

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

Project Oversight

Although there are no exemptions under the law for any functions covered in 49 CFR 24, for practical purposes there are two levels of review and oversight to determine compliance with Federal regulations:

- One level is dependent upon whether Federal-aid is used in the right-of-way (ROW) phase(s) of the project. The primary concern with Federal-aid projects using non-federal funding sources to acquire ROW is to protect the rights of property owners and any displaced persons with less concern about the reasonableness of the actual dollar expenditures.
- The second level of projects, where Federal aid is used to acquire ROW, there is a dual concern for the rights of property owners and displaced persons being protected and the stewardship of the Federal dollars.

Continuous review of all State activities has proven to be an effective means of assuring that the rights of owners and displaced persons are protected as well as monitoring the expenditure of Federal funds. This will be continued under this stewardship plan.

Process reviews and program evaluations will be conducted when needs or trends are identified at either of the above project levels. The reviews will be conducted jointly with the CTDOT personnel whenever possible.

Municipalities are required to comply with the Uniform Act and its governing regulations found in 49 CFR 24 in the same manner as the CTDOT stipulated in 23 CFR 710.201(b), STAs are responsible for assuring that ROW acquisitions by local public agencies are made in compliance with Federal and State laws and regulations. The CTDOT exercise its oversight responsibilities in the following ways:

- A manual outlining the ROW program provides guidance to the municipalities on how to acquire ROW in accordance with Federal and State regulations.
- A ROW coordinator is assigned to each municipal project and is responsible for instructing the local representatives on the requirements for the use of State and Federal Funds in the ROW process. The coordinator provides oversight during the ROW process and prepares the ROW certificates for those projects.
- The ROW coordinator meets with local representatives on a regular basis to provide technical adherence to applicable Federal and State regulations.

For 23 CFR program areas, recent changes in the regulations have added some flexibility to the oversight responsibilities. With this flexibility, the CTDOT will be taking more direct approval and oversight responsibility. If, during the normal approval action, any problems are identified, a process review or CPI review may be scheduled.

Table 31: R-O-W Process Summary

Activity	Authority	CTDOT ACTION	FHWA ACTION	Remarks
ROW Manual(s)	23 CFR 710.201(c)	Prepare and Submit	Review and Approve	
Project Authorization for Right-of-Way (CTDOT informally calls this the obligation date)	23 CFR 630.106	Prepare and Submit (CTDOT Finance Section)	Review and Approve	Authorization to Acquire Right-of-Way
Advertisement for bids based on a conditional ROW certification unless it is not in the public interest to proceed.	23 CFR 635.309(b) 23 CFR 635.309(c)(3)(i)	Prepare and Approve	None	Permission to advertise the Federal-aid contract without all right-of-way available
Physical construction under a contract or through force account work based on a conditional ROW certification, only if there are exceptional circumstances that make it in the public interest to proceed.	23 CFR 635.309(b) 23 CFR 635.309(c)(3)(ii)	Prepare and Submit	Review & Approve	Permission to issue Notice to Proceed with the Federal-aid contract and allow construction without all right-of-way available
Right-of-Way Certificates	23 CFR 635.309(c)	Prepare and Submit	Review & File	Closure on status of outstanding right-of-way
Retaining right-of-way encroachments	23 CFR 1.23(b) & (c) and 23 CFR 403(a)	Prepare & Submit (Interstate) Prepare and Approve (non-Interstate)	Review & Approve (Interstate) None (non-Interstate)	An encroachment may remain if it is determined that it is in the public interest to remain, or the removal would pose an extreme hardship on the property owner. In addition, the encroachment must not impair the highway or interfere with the free and safe flow of traffic and must be located outside the clear zone as defined in the most recent edition of the AASHTO Roadside Design Guide.
Non-Highway Use Agreement, at fair market value	23 CFR 1.23(c) and 23 CFR 710.405	Prepare & Submit (Interstate) Prepare and Approve (non-Interstate)	Review & Approve (Interstate) None (non-Interstate)	Determination that non-highway use does not impair the highway or interfere with safety and integrity of the Federally funded facility
Non-Highway Use Agreement, at less than fair market value	23 CFR 1.23(c) and 23 CFR 710.403(e) and 23 CFR 710.405	Prepare & Submit	Review & Approve	Determination that non-highway use does not impair the highway or interfere with safety and integrity of the Federally funded facility
Disposal at fair market value of Real Property Interests acquired with Federal -aid	23 CFR 710.409	Prepare & Submit (Interstate)	Review & Approve (Interstate)	Approval by the FHWA is needed for any change of use of property along the Interstate

Activity	Authority	CTDOT ACTION	FHWA ACTION	Remarks
assistance, including disposals of access control		Prepare and Approve (non-Interstate)	None (non-Interstate)	
Disposal at less than fair market value of Real Property Interests acquired with Federal-aid assistance, including disposals of access control	23 USC 156 23 CFR 710.403(e)	Prepare & Submit	Review & Approve	Public Interest Determination consistent with 23 CFR 710.409(d)
Early acquisition, protective buying, and hardship	23 CFR 710.501 and 503	Prepare & Submit	Review & Approve	
Functional Replacement	23 CFR 710.509	Prepare & Submit	Review & Approve	Determination that functional replacement is in the public interest
Requests for credits toward non-Federal share of construction costs for early acquisitions, donations, or other contributions	23 CFR 710.501	Prepare & Submit	Review & Approve	Coordination with Innovative Finance Plan
Federal Land Transfers	23 CFR 710, Subpart F	Prepare & Submit	Review & Approve	
Direct Federal Acquisition	23 CFR 710.603	Prepare & Submit	Review & Approve	Only applicable if the CTDOT is unable to acquire or obtain possession with sufficient promptness
Waivers from Availability of Comparable Replacement Dwelling before Displacement	49 CFR 24.7; 49 CFR 24.204(b)	Prepare & Submit	Review & Approve	Approved by the FHWA HQ (HEPR Office Director)
Uniform Relocation Assistance & Real Property Acquisition Report (OMB Form 2125-0030)	49 CFR 24.9c & Appendix B49 CFR 24.603 FHWA Order 6540.1	Submit Annually by 15-Nov	Review	Submitted to the FHWA HQ
Requests to Exempt Certain Nonconforming Signs, Displays, and Devices	23 CFR 750.304; 23 CFR 750.705; 23 USC 131	Submit as needed	Review and Approve	

Safety

Background

SAFETEA-LU established the Highway Safety Improvement Program (HSIP) as a core Federal-aid program. The overall purpose of this program is to achieve a significant reduction in traffic fatalities and serious injuries on all public roads through the implementation of infrastructure-related highway safety improvements and non-infrastructure projects. MAP-21 continued this program and expanded it by over 2 times the apportionment for CT. The Infrastructure Investment and Jobs Act (IIJA) (also known as the Bipartisan Infrastructure Law (BIL)), was signed into law on November 15, 2021. Special Rules are part of a larger focus on non-motorist safety that includes a new requirement for States to complete VRU safety assessments (23 U.S.C. 148(l)).

As part of the HSIP, the Railway-Highway Crossings Program (RHCP) (23 U.S.C. 130) provides funds for the elimination of hazards and the installation of protective devices at public railway-highway crossings.

Among other things, the BIL established a new Special Rule under the Highway Safety Improvement Program (HSIP) under section 148 of title 23 of the United States Code (U.S.C.) for vulnerable road user (VRU) safety and continued the two existing special rules for High-Risk Rural Roads (HRRR) and Older Drivers and Pedestrians without change. The VRU Special Rule is part of a larger focus on non-motorist safety that includes a new requirement for States to complete VRU safety assessments (23 U.S.C. 148(l)).

Safe Routes to Schools (SRTS) was established in 2005 and revised in November of 2021 in accordance with the IIJA to allow for safe, accessible, and sustainable walking, bicycling, and rolling to school. The SRTS program facilitates the planning, development, and implementation of projects and activities to improve safety and reduce traffic, fuel consumption, and air pollution in the vicinity of schools.

Section 405 is the National Priority Safety Program, which provides grant funding to address selected national priorities for reducing highway deaths and injuries. Previously authorized under MAP-21 and the FAST Act, the IIJA made a number of substantive changes to many of the grants, removed the Graduated Driver Licensing grant and added two new grants: Preventing Roadside Deaths and Driver and Officer Safety Education.

All are administered by the [National Highway Traffic Safety Administration](#) (NHTSA) at the federal level and the [State Highway Safety Offices](#) (SHSOs) at the state level.

To encourage enactment of State laws, there are several Federal laws which contain sanctions. If a State does not pass legislation, there are mandatory transfers of funds from infrastructure programs to fund safety activities. These Federal laws are as follows: Repeat Offenders for DUI under 23 U.S.C. 164, Open Container under 23 U.S.C. 154, Drug Offender's Driver's License Suspension under section 23 U.S.C. 159, and Blood Alcohol Concentration (0.08 BAC) under 23 U.S.C. 163. In SAFETEA-LU, the 0.08 BAC law requirement changed from providing an incentive for compliance to a penalty for non-compliance.

Operating Procedure

States are required to develop and implement a Strategic Highway Safety Plan (SHSP) to produce a program of projects or strategies to reduce identified safety problems under the requirements of Title 23 section 148(c)(1). The HSIP now requires State DOTs to develop an SHSP with a process that is data-driven, comprehensive, and includes consultation with State, local, tribal, public, and private participation.

Stewardship Activities

The FHWA meets with various CTDOT Safety personnel to continually review the Safety Program, and this meeting may include NHTSA, FMSCA, and FRA. The FHWA participates in the following safety-related committees and/or teams: Connecticut Seatbelt Working Group, Connecticut Traffic Records Coordinating Committee, Design Exceptions Committee, Design Standards Committee, DUI Task Force, Project Scoping Committee, Strategic Highway Safety Plan Steering Committee, Standard Specifications Committee, and the Work Zone Safety Awareness Committee.

In addition, the FHWA and the CTDOT work together on safety issues related to geometric design, roadside safety and appurtenances, the highway safety improvement program, work zone safety, traffic operations and control, traffic incident management, railroad-grade crossing program, and pedestrian and bicycle safety. In each instance, sharing of knowledge occurs through discussions, meetings, committee, or team participation, and through project or program reviews.

The FHWA also coordinates with CTDOT and the National Highway Traffic Safety Administration (NHTSA) for addressing driver behavior issues (such as impaired drivers, speed, and occupant protection), distracted driving, drugged driving, motorcycle safety, and traffic records programs.

Project Oversight Activities

The FHWA role in project oversight is described in the Project Development and Project Construction Chapters. Additional requirements apply to Federal-aid projects funded under the HSIP, including planning, implementation, evaluation, and annual reporting (*See 23 CFR 924*). HSIP projects must be consistent with the SHSP. The FHWA reviews and comments on the CTDOT's annual High Frequency Crash Locations (HFCL) developed to define those locations which have the greatest promise of accident reduction.

References

- 23 USC 130; 23 USC 148
- 23 USC 153; 23 USC 154
- 23 USC 163; 23 USC 164
- 23 CFR 192; 23 CFR 630
- 23 CFR 924; 23 CFR 1215

- 23 CFR 1270
- [Strategic Highway Safety Plan](#)

Table 32: Safety Program Summary

Work Activity	Authority	CTDOT ACTION	FHWA ACTION	Remarks
HSIP Implementation Plan (IP)	23 USC 148(i)	Document the HSIP obligations and actions for the next FFY	Notify the State if it did not meet or make significant progress toward meeting the safety performance targets, based on the five-year rolling average	Re-evaluate HSIP investment decisions and identify gaps and deficiencies to ensure that the projects identified, prioritized, and programmed have the highest potential for reducing fatalities and serious injuries
High-Risk Rural Roads (HRRR) Special Rule	23 USC 148(g)(1)	Keep FARS and HPMS data up to date	After data is available, inform CTDOT if Special Rule applies for the following FY	FHWA HQ analyzes the data and informs the States
Older Drivers and Pedestrians Special Rule	23 USC 148(g)(2)	Include in HSIP report the calculations performed verifying whether the Older Driver Special Rule Applies		If applicable, include strategies in next SHSP update to address the increases in the fatality and serious injury rates for drivers and pedestrians over the age of 65
Vulnerable Road User (VRU) Special Rule	23 USC 148(g)(3)	Obligate not less than 15% of the amounts apportioned to the State under 23 U.S.C. 104(b)(3) for next FY		If VRU Special Rule funds de-obligated due to project underruns or cancellation, must obligate the remaining VRU Special Rule funds on another VRU project by the end of the FY
Review Safety Belt Compliance Status	23 USC 153 23 CFR 1215.6	CT is in compliance	HQ Reviews (no action by Division office)	NHTSA also reviews annually
Open Container	23 USC 154 23 CFR 1270	If the State certifies to NHTSA that it meets the requirements by September 30, then no action is needed. If the State does not meet these requirements, then the State must (1) submit a "shift letter" notifying the FHWA of its desired distribution of the transfer of funds	FHWA Division review and forward "shift letter" and/or "split letter" to FHWA HQ to take appropriate action.	Encourage State to enact and enforce open container law.

Work Activity	Authority	CTDOT ACTION	FHWA ACTION	Remarks
		from certain apportionments by October 30; and (2) No later than 60 days after the penalty funds are reserved, CTDOT's Governor's Representative for Highway Safety and the Commissioner must jointly submit a split letter.		
Repeat Intoxicated Driver	23 USC 164	If State certifies to NHTSA that it meets these requirements by September 30, then no action is needed by the FHWA	The FHWA monitors continued compliance with these requirements	Encourage the State to continue to enforce Repeat Intoxicated Driver laws
Blood Alcohol Concentration (0.08 BAC)	23 USC 163	State must enact & enforce law by October 1 or be subject to 8% penalty (FY 2007 and thereafter) from NHS, STP, and IM program apportionments	FHWA monitors to determine compliance	Encourage State to continue to enforce a BAC law. Pursue lowering BAC to 0.05.
Approval of Work Zone Safety and Mobility Procedures	23 CFR 630.104	Submit at appropriate intervals	Review & approve	The CTDOT's latest plan is dated 8/6/2007
Process Review of Work Zone Safety and Mobility Procedures	23 CFR 630.1008(e)	Conduct biennial review and Submit results to the FHWA	Work in partnership with State	Improvement of Work Zone procedures and policies
Approval of Exceptions to Work Zone Procedures for Interstate Projects	23 CFR 630.1010	Prepare & submit	Review & approve	
High Frequency Crash Locations Report		Prepare & Submit	Review and Comment	
Eligibility Determinations for Safety Hardware	FHWA Memo dated 4/9/2018	Submit Request for each system	FHWA HQ Generates Acceptance Letter	Subject of Memo: Evaluating a State DOT's Process to Determine Roadside Safety Hardware Crashworthiness on the NHS

Performance Indicators/Measures

Currently both the CTDOT and the FHWA collect and evaluate many performance measures and indicators. They are an integral part of this stewardship and oversight agreement. The CTDOT Performance Measures program is managed in the Bureau of Policy and Planning. The performance measures report can be found on the Department’s website at www.ct.gov/dot. The measures are reported quarterly and posted on the website.

Both Agencies agree to use the performance measures and indicators to track and monitor the health of the Federal Aid Program. An evaluation of those performance measures and indicators will provide the tools to determine where changes should be made in the oversight of projects, or where to focus our collective stewardship. The indicators will also be used to gauge the effectiveness of the Federal-aid program in the State. Periodic discussions between the FHWA and the CTDOT should occur to review the trends of these measures and indicators to determine if attention or action needs to be refocused.

Table 33: Stewardship/Oversight Indicators

Stewardship/Oversight Indicators	
Area of Focus	Indicator
Civil Rights	<ul style="list-style-type: none"> • DBE project goal versus actual goal achieved at Project Closeout. • Cumulative progress toward statewide three-year DBE goal
Financial Management	<ul style="list-style-type: none"> • Use of obligation authority vs. time of year • Advanced Construction authorization balances as a percentage of annual apportionment • Inactive Obligations as a percentage of annual apportionment • Number of inactive projects • Amount of Annual De-Obligations
Bridge/NBIS	<ul style="list-style-type: none"> • Percentage of Structurally Deficient Bridge Deck Area on the NHS • Number of Structurally Deficient Bridges on the NHS
Planning	<ul style="list-style-type: none"> • Percentage of STIP advanced
Environment	<ul style="list-style-type: none"> • Number of Active EIS Projects • Number of Active EA Projects • Number of Individual CE’s signed in each FY
Safety	<ul style="list-style-type: none"> • Percent of Highway Safety Improvement Program funds obligated
Construction	<ul style="list-style-type: none"> • Percentage of projects completed on time

Appendices

Appendix A – Acronyms

AASHTO	American Association of State Highway and Transportation Officials
ACHP	American Council on Historic Preservation
ACOE	Army Corps of Engineers
ADA	Americans with Disabilities Act
ASTM	American Society for Testing and Materials
ATR	Automatic Traffic Recording
BAC	Blood Alcohol Concentration
BSE	Bridge Safety and Evaluation
CAP	Compliance Assessment Program
CAP	Corrective Action Plan
CE	Categorical Exclusion
CFR	Code of Federal Regulations
CHAMP	Connecticut Highway Assistance Program
CMAQ	Congestion Mitigation and Air Quality
CM/GC	Construction Manager/General Contractor
CN	Construction
COTS	Commercial off-the-Shelf
CPG	Combined Planning Grant
CPI	Continuous Process Improvement
CTDOT	Connecticut Department of Transportation
CWA	Clean Water Act
DAS	Department of Administrative Services
DBE	Disadvantaged Business Enterprise
DDIR	Detailed Damage Inspection Report
DEIS	Draft Environmental Impact Statement
EA	Environmental Assessment
EEO	Equal Employment Opportunity
EIS	Environmental Impact Statement
EO	Executive Order
ESA	Endangered Species Act
FAHP	Federal-aid Highway Program
FAST Act	Fixing America's Surface Transportation Act
FEIS	Final Environmental Impact Statement
FHWA	Federal Highway Administration
FIRE	Financial Integrity Report Evaluation
FMCSA	Federal Motor Carrier Safety Administration
FMFIA	Federal Managers' Financial Integrity Act
FMIS	Federal Management Information System
FONSI	Finding of No Significant Impact
FPR	Final Plan Review
FRA	Federal Railroad Administration
FTA	Federal Transit Administration
HBP	Highway Bridge Program
HOC	Highway Operations Center
HPMS	Highway Performance Monitoring System
HQ	FHWA Headquarters in District of Columbia
HRRR	High Risk Rural Roads
HSIP	Highway Safety Improvement Program
HVUT	Heavy Vehicle Use Tax
IM	Interstate Maintenance
ITS	Intelligent Transportation Systems
LPA	Local Public Agencies
LTAP	Local Technical Assistance Program

MAP-21	Moving Ahead for Progress in the 21 st Century Act
MOA	Memorandum of Agreement
MPO	Metropolitan Planning Organization
MUTCD	Manual of Uniform Traffic Control Devices
NBE	National Bridge Elements
NBI	National Bridge Inventory
NBIP	National Bridge Inspection Program
NBIS	National Bridge Inspection Standards
NEPA	National Environmental Policy Act
NHPP	National Highway Performance Program
NHS	National Highway System
NHTSA	National Highway Traffic Safety Administration
NOI	Notice of Intent
OJT	On the Job Training
OMB	Office of Management and Budget
PCA	Plan of Corrective Action
PD	Preliminary Design
PE	Preliminary Engineering
PEL	Planning and Environmental Linkages (Study)
PL	Planning Funds made available to MPOs
PM	Project Manager
PMS	Pavement Management System
POCI	Project of FHWA Corporate Interest
PODI	Project of FHWA Division Interest
PS&E	Plans, Specifications, and Estimate
QA/QC	Quality Control/Quality Assurance
RFQ	Request for Qualifications
RHGCP	Railway Highway Grade Crossing Program
ROD	Record of Decision
ROW	Rights-of-Way
S&O	Stewardship and Oversight
SAFETEA-LU	Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users
SEAFORM	Systems Engineering Analysis Form
SEMP	Systems Engineering Management Plan
SEP	Special Experimental Project
SHPO	State Historic Preservation Officer
SHRP	Strategic Highway Research Program
SHSP	Strategic Highway Safety Plan
SLOSS	Suggested List of Study Surveillance Sites
SOP	Standard Operating Procedure
SPR	State Planning and Research
SRTS	Safe Routes to School
STIP	State Transportation Improvement Program
STP	Surface Transportation Program
T2	Technology Transfer
TEA-21	Transportation Equity Act for the 21 st Century
TIP	Transportation Improvement Program
TMA	Transportation Management Area
UPACS	User Profile and Access Control System
UPWP	Unified Planning Work Program
U.S.C.	United States Code
USCG	United States Coast Guard
USDOT	United States Department of Transportation
USFWS	United States Fish and Wildlife Service
WIM	Weigh in Motion

Appendix B – Glossary

Assumption of Responsibilities – *The act of State DOT to accept responsibility for carrying out and approving certain actions in the place of the FHWA. Such actions are to be taken by the State DOT in conformance with Federal laws, regulations, and policies.*

Assumed Projects – *Federal projects that the State DOT reviews in the place of the FHWA and has the authority to approve certain specified actions pertaining to design; plans, specifications, and estimates; contract awards; and inspections.*

Certification Reviews – *A review that formalizes the continuing oversight and day-to-day evaluation of the planning process.*

Control Document – *Applicable laws, regulations, standards, policies, and standard specifications approved by the FHWA for use on Federal-aid highway projects.*

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

Locally Administered Projects – *For the purpose of the S&O Agreement, a Federal-aid project in which an entity other than a traditional State DOT is a sub-recipient, and this entity is administering the particular phase being authorized, i.e., Preliminary Engineering, ROW, or Construction. These would include projects where the non-traditional entity will either perform the work itself or enter into a contract for services or construction. State DOT remains responsible for the local public agency’s compliance on locally administered projects.*

Local Public Agency (LPA) – *Any organization, other than a traditional State DOT, with administrative or functional responsibilities that are directly or indirectly affiliated with a governmental body of any Tribal Nation, State, or local jurisdiction. LPAs would most often include cities or counties. However, an LPA, as defined here, could also include a State entity as well, perhaps even a part of a State DOT. An example could include a Port Authority or Toll Authority that had not traditionally worked with the Federal-aid highway program (FAHP).*

Major Project – *As defined under 23 USC 106(h), a project whose total cost for all phases is equal to or greater than \$500M.*

Oversight – *The act of ensuring that the FAHP is delivered consistent with laws, regulations, and policies.*

Program Assessments – *This evaluation technique may take many forms, including joint risk assessments and self-assessments. These tools are based on the common concepts of identifying strengths, weaknesses, and opportunities and the identification and sharing of “best” practices to continually improve the program.*

Program Reviews – *A thorough analysis of key program components and the processes employed by the State DOT in managing the program. The reviews are conducted to: 1) ensure compliance with Federal requirements; 2) identify areas in need of improvement; 3) identify opportunities for greater efficiencies and cost improvement to the program; and/or 4) identify exemplary practices.*

Projects of Division Involvement (PoDIs) – *PoDIs are those projects that have an elevated risk, contain elements of higher risk, or present a meaningful opportunity for the FHWA involvement to enhance meeting project objectives.*

For PoDIs, the FHWA has made a risk-based decision to retain project approval actions or conduct stewardship and oversight activities for the project as provided for in 23 USC 106.

Recurring Reviews – *Reviews that the division office conducts annually or on a regular periodic basis. Examples include NBIS, HPMS, HVUT, etc.*

Risk Assessment – *The process of identifying a risk event, determining the likelihood of the event happening, determining the impact (positive or negative) of the event on the delivery of the FAHP, and identifying an appropriate risk response strategy.*

Risk-Based Approach – *Incorporating risk assessment and risk management into investment and strategic decision making (the means by which limited resources are focused).*

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

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

Unit Performance Plan – *The biennial performance plan prepared by an individual FHWA unit that address unit responsibilities and priorities taking into account the National Performance Objectives and National Initiatives identified in the FHWA's Strategic Implementation Plan (SIP) as well as specific initiatives identified at the unit level based on risk.*

Appendix C – Procurements

Federal-aid Procurement Overview

The procurement of goods and services utilizing Federal-aid funding is guided by the stipulations found in the Code of Federal Regulations (CFR) Title 23 Parts 172, 420, 635 and 2 CFR 200. Specifically, these regulations define the following three procurement methods:

- A. Engineering and Design Related Service Contracts
- B. Construction Contracts
- C. Non-engineering/Non-architectural Contracts (“Supercircular” previously termed “Common Rule”)

The specific procurement method to be implemented depends upon the type of goods/services to be procured. The following sections summarize these three procurement methods and the types of goods/services that are typically procured by each method as agreed to by the CTDOT and the FHWA. Additional discussions on the topic of procurements are provided in the FHWA Memorandum dated 04/12/2024, which supersedes the 06/26/2008 and is titled ‘Procurement of Federal-aid Construction Projects’

Note that FHWA’s September 25, 2019 memo titled: “Procurement and Authorization of Federal-aid Operational Improvements (Non-Construction Projects)” also provides guidance regarding intelligent transportation systems and operations projects that are not construction projects.

A. Engineering and Design Related Service Contracts:

Engineering and design related service contracts [per 23USC112(b)(2)(a)] are regulated under Title 23CFR Part 172.5, which generally specifies three methods for procuring engineering and design service contracts:

1. **Competitive Negotiation (also termed ‘Quality Based Selection’ or QBS)** – “These contracts shall use qualifications-based selection procedures in the same manner as a contract for architectural and engineering services is negotiated under Title IX of the Federal Property and Administrative Services Act of 1949.... Price shall not be used as a factor in the analysis and selection phase.”
2. **Small Purchases** – “Relatively simple and informal procurement method where an adequate number of qualified sources are reviewed, and the total contact costs do not exceed the simplified acquisition threshold set by FHWA memo dated 12/3/2018 and currently \$250,000.
3. **Noncompetitive Negotiation** – “Circumstances under which a contract may be awarded by noncompetitive negotiation are limited to the following:
 - i The service is available only from a single source;

- ii There is an emergency which will not permit the time necessary to conduct competitive negotiations; or
- iii After solicitation of a number of sources, competition is determined to be inadequate”.

Federal-aid engineering and design related service contracts, including consultant Engineering and Inspection Services, that are administered by the CTDOT are procured utilizing a Competitive Negotiations process as defined by the CTDOT’s ‘Professional Services Consultant Selection Procedures Manual’.

Federal-aid engineering and design related service contracts administered by a local government sub-recipient (municipality) under the oversight of the CTDOT are procured as defined by the CTDOT’s ‘Consultant Selection, Negotiation and Contract Monitoring Procedures for Municipal Administered Projects’ document.

Federal-aid engineering and design related service contracts which qualify as Small Purchases procurements and for which the CTDOT elects to not utilize the Competitive Negotiations process, are procured in a manner consistent with the State’s small purchase procedures, which are detailed in the Connecticut Department of Administrative Services (DAS) General Letter No. 71.

Procurement of Federal-aid engineering and design related service contracts utilizing a Noncompetitive Negotiation approach must be individually approved by the FHWA CT division office. For each noncompetitive negotiations contract proposed, the CTDOT must provide a detailed justification and proposed methodology to the FHWA CT division office for review and approval before using this contract award method.

Per 23CFR 1.11, ‘Cost of engineering services performed by the “CTDOT” may be eligible for Federal participation only to the extent that such costs are directly attributable and properly allocable to specific projects.’

Consultant staff responsible for operating the Bridgeport HOC are procured using this qualifications-based selection process.

B. Construction Contracts:

Procurement of Construction [per 23USC101(a)(3)] Contracts is regulated by Title 23CFR Part 635.104, which states that “Actual construction work shall be performed by contract awarded by competitive bidding.... the STD shall assure opportunity for free, open, and competitive bidding...” Furthermore, 23USC112(b)(1) clarifies that ‘Contracts for the construction of each project shall be awarded only on the basis of the lowest responsive bid submitted by a bidder meeting established criteria of responsibility. All Federal-aid construction contracts administered by the CTDOT are procured as defined by the approved CTDOT Bidding and Award Manual, the CTDOT Standard Specifications for Roads, Bridges, and Incidental Construction – Form 819, and the CTDOT Construction Manual.

Section 1103 of the MAP–21 revised the definition of “construction” in 23 U.S.C. 101(a) to include the phrase “or any project eligible for assistance under this title”. Revised section 101(a)(4) now reads, in part, as follows:

“(4) Construction.—The term “construction” means the supervising, inspecting, actual building, and incurrence of all costs incidental to the construction or reconstruction of a highway or any project eligible for assistance under this title, including bond costs and other costs relating to the issuance in accordance with section 122 of bonds or other debt financing instruments and costs incurred by the State in performing Federal-aid project related audits that directly benefit the Federal-aid highway program. Such term includes . . .”

Per the regulations, an exception from the procurement through competitive bidding requirement can be made if “the STD demonstrates to the satisfaction of the Division Administrator that some other method is more cost effective” such as Force Account work by State Forces, “or that an emergency exists.”

Federal-aid construction contracts administered by a local government sub recipient (municipality) under the oversight of CTDOT are procured in a manner consistent with the above regulations and as specified by the CTDOT.

The FHWA recognizes and accepts that the CTDOT utilizes the Department of Administrative Services (DAS) to provide public notice of construction contracts available for bid. However, through discussions between the FHWA and the CTDOT, it has been determined that the current DAS *contracting* procedures are *not* compliant with Federal contracting regulations, and therefore the DAS cannot be utilized to contract Federally-funded, low bid construction contracts.

Per 23CFR 635.205(b) the adjustment of railroad or utility facilities and similar types of facilities owned or operated by a public agency, a railroad or a utility company by Force Account has been determined to be cost effective, and therefore prior FHWA approval for these efforts is not required. When the railroad/utility is not adequately staffed to pursue the work through its own forces the work may be done by a contract awarded by the utility/railroad to the lowest qualified bidder based on appropriate solicitation, a contract by a certified continuing contractor, as part of the Department’s highway construction contract or a contract awarded by the Department. The CTDOT shall enter into and execute agreements with the appropriate railroad/utility company in accordance with their approved the CTDOT Standard Specifications for Roads, Bridges and Incidental Construction – Form 818 and the CTDOT Construction Manual, and in accordance with the 23CFR Parts 645 and 646.

C. Non-Engineering/Non-Architectural Contracts (Supercircular):

Procurement of goods and services that do not meet the legal definitions of “construction” [per 23UCS101(a)(3)] or “engineering and design service” [per 23USC112(b)(2)(a)] may be conducted in accordance with 2 CFR 200. This includes service contracts, equipment purchases, limited software development and other goods and services.

Per 2 CFR 200.317 which states “when procuring property and services under a grant, a State will follow the same policies and procedures it uses for procurements from its non-Federal funds”, the CTDOT will utilize the same procedures for procuring goods and services with Federal funds that are utilized for State funds. The procurement, therefore, will be made in accordance with Title 4A, Chapter 58 (Purchases and Printing) of the Connecticut General Statutes and the CT Department of Administrative Services State Purchasing Procedures described in the Regulations of State Agencies, Title 4A –“Administrative Services”.

Connecticut Department of Administrative Services (DAS) General Letter No. 71 provides the State's general process for the purchases of goods and/or services costing less than \$50,000.00. As required by DAS General Letter 71, goods and services that are already the subject of existing DAS or Department of Information Technology (DOIT) contracts will be purchased against those existing contracts, and goods and services which cost in excess of \$50,000.00 shall be procured through the DAS.

The following is a listing of specific 'unique' procurements for which the CTDOT and the FHWA have agreed may be procured under the 'Supercircular':

- The procurement of property, equipment and services with the FHWA planning and research funds;
- Services contracts for ITS projects which are not 'construction' (e.g. ... do not 'directly facilitate and control traffic flow') and which are not 'engineering services' such as:
 - Video camera, variable message sign and traffic flow monitor operational support;
 - Highway Operations data transport communications system operational support;
 - Fiber-optic communications system support;
- Equipment purchases, including:
 - Traffic control signals, equipment and parts;
 - Highway Operations Center goods and services;
 - CHAMP service patrol vehicle purchase;
 - CHAMP service patrol vehicle parts
- Materials procurement for eligible Force Account activities;
- Materials procurement for railroad and utility work which require long lead times;
- Highway Operations telecommunications costs;
- Call Before You Dig (CBYD) registration costs for traffic control systems and traffic management systems.
- 511 Deployment and Operations
- Test Boring for Subsurface
- Recreational trail projects that are not eligible for Title 23 assistance.

Federal laws and regulations also allow consultant services, which are not design related and which are not directly related to a construction project, to be procured utilizing 'Supercircular'. However, the definition of the terms 'consultant' and 'consultant services' per Connecticut State statutes [Sec. 13b-20] requires a more restrictive application of the Federal Supercircular. In general, the State statutes stipulate that the CTDOT's procurement of professional consultant services be conducted in a manner that is effectively consistent with the 'Competitive Negotiations' (or QBS) process as described above. Therefore, per the State statutes, the Supercircular procurement approach may not be utilized by the CTDOT in procurement of professional consultant services.

NOTE: Per 2 CFR 200.319: “All procurement transactions will be conducted in a manner providing full and open competition consistent with the standards of this section. In order to ensure objective contractor performance and eliminate unfair competitive advantage, contractors that develop or draft specifications, requirements, statements of work, and invitations for bids or requests for proposals must be excluded from competing for such procurements. Some of the situations considered to be restrictive of competition include but are not limited to:

- 1) Placing unreasonable requirements on firms in order for them to qualify to do business,
- 2) Requiring unnecessary experience and excessive bonding,
- 3) Noncompetitive pricing practices between firms or between affiliated companies,
- 4) Noncompetitive awards to consultants that are on retainer contracts,
- 5) Organizational conflicts of interest,
- 6) Specifying only a “brand name” product instead of allowing “an equal” product to be offered and describing the performance of other relevant requirements of the procurement, and
- 7) Any arbitrary action in the procurement process.”

A procurement for which the CTDOT and the FHWA have agreed violates the above is the DAS small business and minority program for which only CT businesses can be applicants. When the DAS list for a good or service has been awarded as a small business or minority business set aside, CTDOT will disregard the list and instead follow the procedures that are used when a DAS contract does not exist for the good or service which is being procured.

Additional Procurement Information

The following sections provide additional discussions and information on some other unique procurement elements within the Federal-aid program and the CTDOT. These sections are provided to expand on the common understanding and agreements between the CTDOT and the FHWA as to how these specific procurements are addressed.

Innovative Contracting:

Currently the CTDOT does not utilize any Innovative Contracting Practices as defined by the FHWA’s Special Experimental Project No. 14 (SEP-14), and therefore these procurement methods are not detailed herein.

Design-Build Contracting:

Design-Build is allowed by Federal regulations under 23CFR636. A Design-Build project will follow Table 7 of this manual, or a project specific Action Responsibility Matrix will be developed and agreed upon between the FHWA and the CTDOT, or between CTDOT and a Municipality.

Procurement of Task-Based Consultant Services:

Municipalities and the Department may utilize Task-Based Consultants for multiple, complete project assignments, or for specific partial project assignments, provided the multiple projects/assignments are specifically identified, and the scope is sufficiently defined in advance of selection so said selection is based on the qualifications necessary for the specific project/assignments.

Some Task-Based Consultant Service contracts that the CTDOT has utilized include the following:

- Project Management & Liaison (i.e. Bridge, State Roads, Transportation Enhancement)
- Design Specific tasks (i.e. Traffic Engineering, Hydrology & Drainage)
- Highway Operations tasks
- Construction Claims & Scheduling
- Coatings Inspection
- Constructability Reviews
- Environmental Compliance
- Value Engineering
- Environmental Planning
- Strategic Planning

The type of Task-Based services being procured will define the procurement method to be utilized. Typically, these contracts are procured by the CTDOT utilizing their QBS process.

The FHWA and the CTDOT have agreed that the Task-Based services Request for Qualification and the resulting contract must include a finite number of tasks that can be assigned during the contract duration. The contract must be capped at a certain dollar value appropriate for the services intended. Furthermore, per the CTDOT Administrative Memorandum #48 dated March 26, 2015, the Task-Based contract must be limited in duration to 5 years and negotiations of new assignments after the maximum five-year period will not be allowed. All uncompleted task order assignments will be allowed to continue until the work is completed. The consultant's performance will be formally evaluated by the CTDOT every 6 months while the agreement is active. These limitations on Task-Based assignments will also be applied to any other municipal or regional agency to which Federal funding may be appropriately allocated.

All Task-Based costs shall be clearly defined and charged to the applicable Federal-aid project for which the work activity directly relates. General costs incurred and time expended for the oversight, management and administration of a Task-Based contract which are not directly related to a single Federal-aid project are not eligible for Federal reimbursement. The CTDOT shall ensure that such costs are not billed to any Federal-aid project.

Procurement Practices for Relocation of Public Service Facilities/Railroads on Federal-aid Projects – Preliminary Engineering Services

The preliminary engineering activities associated with utility/railroad relocation work are typically done by the Public Service Company's/Municipality's/Railroad's engineering forces. The CTDOT's Utilities Section retains the preliminary engineering services from the public service

companies, municipalities and railroads for their relocation work as required by State Highway Projects. When the Public Service Company/Municipality/ Railroad is not adequately staffed to pursue the necessary preliminary engineering work activities, the work is generally done by a qualified engineering consultant selected by the Public Service Company/Municipality/ Railroad as allowed under 23 CFR 645.109. Since this preliminary engineering work does not directly lead to 'highway construction', this work may be procured in accordance with the Department's approved procedures which are titled: *"Procedure for Retaining a Consultant Engineer to Render Services in Connection with Adjustments to Public Service Facilities Affected by State Highway Construction Projects."*

Office of Maintenance - Construction by State Forces (Force Account)

Per previous approval by the FHWA, State forces may perform force account work to address specific works items identified on the established list of eligible items requiring rapid response for critical/urgent deficiencies. This list was submitted to the FHWA in the Department's May 3, 2006 letter and approval was received by DOT from the FHWA on May 17, 2006.

Force account construction may therefore be used by the Office of Maintenance to accomplish work that is to be performed by some method other than a contract awarded by competitive bidding in accordance with 23 CFR635, Subpart B. The authorization for this force account construction program will not be longer than two years. The Department will provide the FHWA with a scope (consistent with Priority Codes A and B for Bridge Maintenance Memorandums) and a cost estimate (based on prior year's expenditures for these types of activities) for all construction work activities conducted under this authorization. In addition, the department will provide the FHWA with incident reporting forms as the work progresses. Lastly, in order to close the Federal-aid project, the Department will provide a report of actual work accomplished along with the actual costs. This report will be required prior to the next authorization.

Procurement for the Division of Research

The Department, through the Division of Research, enters into Personal Service Agreements with the University of Connecticut to conduct transportation research on topics and issues of interest to the Department, one of which is for the operation of the Connecticut Local Transportation Assistance Program Center at the University of Connecticut. The University of Connecticut is a land-grant university and the only transportation research university in the State.

The Department will document the use of these Personal Service Agreements on an annual basis. This report will be submitted by January 1st on a calendar year basis.

Procurement for Property Management Contracting (by the Office of Rights-of-Way)

The Property Management Division is responsible for maintenance and safety of all land and structures acquired for transportation projects. The FHWA considers all property management contracting as 'Non-Engineering/Non-Architectural' in nature. Therefore, per the Supercircular, procurement of property management contracts follows the CTDOT's State approved procurement procedures as described in the above section 'Non-Engineering/Non-Architectural Contracts (Supercircular)'. The FHWA notes that this understanding does not mean all property management contracts are eligible for Federal-aid. All such determinations of eligibility shall be made on an individual basis in coordination with the FHWA.

Environmental Testing, Remediation, Asbestos Abatement, & Demolition Contracting (by the Office of Rights-of-Way)

The Office of Rights of Way obtain environmental testing, asbestos abatement, site remediation efforts, and demolition of structures services as part of the Right of Way authorization to determine, document, and eliminate environmental and structural liabilities on a project site. When these services are completed prior to the highway 'construction' activity, then the procurement of these services shall follow the CTDOT's State approved procurement procedures as described in the above section 'Non-Engineering/Non-Architectural Contracts (Supercircular)'. When these services are included as a necessary part of a highway 'construction' contract, then the CTDOT may utilize their Construction Contracting low bid procurement procedures.

Procurement of Fee Appraiser Services (by the Office of Rights-of-Way)

When the CTDOT is required to have a second opinion by the Attorney General's office, or by the FHWA, or when the workload of the Office of Rights of Way dictates, the Office of Rights of Way retains the services of Fee Appraisers. The FHWA considers all fee appraisers as 'Non-Engineering/Non-Architectural' in nature. Therefore, procurement of fee appraiser services shall follow the CTDOT's State approved procurement procedures as described in the above section 'Non-Engineering/Non-Architectural Contracts (Supercircular)'

Local Public Agency Performs Right Of Way Activities (Municipal Buy)

At times, a Local Public Agency (or municipality) is involved in the acquisition of property for a variety of Federal or State funded construction programs. When the Local Public Agency (LPA) is administering the project, they are required to follow State requirements as stated in the approved Local Public Agency Manual.

Appendix D – Stewardship and Oversight Agreement

**STEWARDSHIP AND OVERSIGHT AGREEMENT
ON PROJECT ASSUMPTION AND PROGRAM OVERSIGHT
BY AND BETWEEN THE
FEDERAL HIGHWAY ADMINISTRATION,
CONNECTICUT DIVISION OFFICE,
AND THE
CONNECTICUT DEPARTMENT OF TRANSPORTATION (CTDOT)**

SECTION I. BACKGROUND AND INTRODUCTION

In enacting section 106(c) of title 23, United States Code (U.S.C.), as amended, Congress established authority for a State department of transportation (State DOT) to carry out certain project responsibilities traditionally handled by the Federal Highway Administration (FHWA) through a delegation from the Secretary of the U.S. Department of Transportation (“Secretary”). The authority in 23 U.S.C. 106(c) applies to projects that are subject to the requirements of title 23, U.S.C. (“title 23”) because the State DOT receives Federal funding or because the State DOT needs an FHWA action for the project even though the project may not use Federal funds. Congress also recognized the importance of a risk-based approach to FHWA oversight of the Federal-aid highway program (FAHP), establishing requirements in 23 U.S.C. 106(g). In addition to assumptions of responsibility, FHWA-State DOT Stewardship and Oversight Agreements cover certain oversight activities relating to the oversight requirements of 23 U.S.C. 106(g).

The FHWA may not assign its decision making authority to a State DOT unless authorized by law. The authorities FHWA assigns to a State DOT under 23 U.S.C. 106(c)(1) and (2) are listed in Attachment A of the applicable FHWA-State DOT Stewardship and Oversight Agreement. A decision, determination, or action carried out by a State DOT under the authority of a Stewardship and Oversight Agreement (“Agreement”) does not constitute an eligibility, participation, obligation, reimbursement, authorization, or compliance decision by or for FHWA.

For clarity, Attachment A also lists certain other actions FHWA may have allowed a State DOT to undertake based on delegation or assumption provisions in other Federal laws. As noted in those Attachment A listings, a State DOT exercise of those authorities is governed by separate agreements between FHWA and that State DOT.

For project responsibilities that are not assumed by a State DOT under 23 U.S.C. 106(c) and are not otherwise delegated or assigned in accordance with another Federal law, 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.

SECTION II. INTENT AND PURPOSE OF AGREEMENT

This Agreement establishes the roles and responsibilities of the FHWA Connecticut Division Office and the CTDOT with respect to certain title 23 project approvals and related responsibilities, and FAHP oversight activities. Nothing in this Agreement affects the

Secretary's authority, or authority delegated to FHWA, to oversee compliance with Federal requirements. These authorities include but are not limited to 23 U.S.C. 114, under which the Secretary has the right to conduct such inspections and take such corrective action as the Secretary determines to be appropriate.

This Agreement carries out 23 U.S.C. 106(c)(3), which requires FHWA and the State DOT to enter into an agreement relating to the extent to which the State DOT assumes project responsibilities pursuant to section 106(c). This Agreement also documents certain oversight activities that FHWA and the CTDOT will use to efficiently and effectively deliver the FAHP.

Section IV of this Agreement covers assumption of project approvals on the National Highway System (NHS). Section V covers assumption of project approvals off the NHS.

The Project Action Responsibility Matrix, Attachment A to this Agreement, describes responsibilities that the CTDOT assumes from FHWA pursuant to 23 U.S.C. 106(c) and other legal authorities.

Upon execution of this Agreement, Attachment A controls and, except as specifically noted in Attachment A (including any amendment thereto done in accordance with section VIII) and sections IV and V of this Agreement, no other agreements, attachments, or other documents shall have the effect of delegating or assigning FHWA approvals to the CTDOT under 23 U.S.C 106(c), or have the effect of altering Attachment A.

SECTION III. PERMISSIBLE AREAS OF ASSUMPTION UNDER 23 U.S.C. 106(c)

FHWA has determined the activities and actions that are assumable under 23 U.S.C. 106(c). Those activities and actions are listed in a template issued by FHWA to create this Agreement and cover only activities or actions 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, assessing resilience, 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. Plans, specifications and estimates (PS&E), which represents an array of actions and approvals required before authorization of construction and carried out during construction. The PS&E package includes 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 title 23, Code of Federal Regulations (CFR), section 710.201(h) and any successor regulation.

The CTDOT is to exercise any and all assumptions of the FHWA's responsibilities in accordance with the Federal laws, regulations, policies, Executive Orders, and procedures that would apply if the responsibilities were carried out by FHWA. For all projects and programs carried out under title 23, the CTDOT will comply with title 23 and all applicable non-title 23 Federal-aid program requirements.

SECTION IV. ASSUMPTION OF RESPONSIBILITIES FOR FEDERAL-AID PROJECTS ON THE NHS

For projects under title 23 that are on the NHS, including projects on the Interstate System, the CTDOT may assume FHWA's title 23 responsibilities for activities or actions assumable under 23 U.S.C. 106(c) if the FHWA Connecticut Division Office determines that assumption of responsibilities is appropriate and the CTDOT agrees.

- A. The activities or actions on the NHS assumed by the CTDOT under this Agreement are listed in Attachment A.
- B. Activities or actions for which the CTDOT has assumed the FHWA's responsibilities apply program-wide, except when superseded on a project-by-project basis by provisions contained in a stewardship and oversight plan developed by the FHWA Connecticut Division Office for a specific project. Additional discussion on FHWA project involvement is included in section VI.D of this Agreement.
- C. In accordance with 23 U.S.C. 106(c)(4), the Secretary may define high-risk categories for Interstate projects on a national basis, a State-by-State basis, or a national and State-by-State basis. A State DOT may not assume responsibilities for Interstate projects in a designated high-risk category. Currently, FHWA has not designated any high-risk categories applicable to Connecticut in accordance with 23 U.S.C. 106(c)(4). If the FHWA makes a future high-risk designation that applies to Connecticut, then that designation will immediately supersede the assumptions of responsibilities elsewhere in this Agreement to the extent of that high-risk designation.

SECTION V. ASSUMPTION OF RESPONSIBILITIES FOR FEDERAL-AID PROJECTS OFF THE NHS

For projects under title 23 that are not on the NHS, the CTDOT must assume FHWA's title 23 responsibilities for activities or actions assumable under 23 U.S.C. 106(c) unless the CTDOT determines that assumption of responsibilities is not appropriate (23 U.S.C. 106(c)(2)).

- A. The activities or actions off the NHS assumed by the CTDOT under this Agreement are listed in Attachment A.

- B. Activities or actions for which the CTDOT has assumed the FHWA's responsibilities apply program-wide, except when superseded on a project-by-project basis by provisions contained in a stewardship and oversight plan for a specific project developed by the FHWA Connecticut Division Office. For non-NHS projects, the CTDOT must determine that superseding an assumption listed in Attachment A for a specific project is appropriate. Additional discussion on FHWA project involvement is included in section VI.D of this Agreement.
- C. Except as provided in 23 U.S.C.109(o), the CTDOT is to exercise FHWA's approvals and related responsibilities on these projects in accordance with Federal laws, regulations, policies, Executive Orders, and procedures that would apply if the responsibilities were carried out by FHWA.
- D. In accordance with 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, except that a local jurisdiction may use a roadway design guide recognized by FHWA and adopted by the local jurisdiction that is different from the roadway design guide used by the State in which the local jurisdiction is located for the design of projects on all roadways under the ownership of the local jurisdiction for which the local jurisdiction is the project sponsor, provided that the design complies with all other applicable Federal laws.

SECTION VI. FHWA OVERSIGHT PROGRAM UNDER 23 U.S.C. 106(g)

The Secretary must establish an oversight program to monitor the effective and efficient use of funds authorized to carry out the FAHP (23 U.S.C. 106(g)). This includes FHWA oversight of the CTDOT processes and management practices, including those involved in carrying out the approvals and related responsibilities assumed by the Connecticut Department of Transportation under 23 U.S.C. 106(c).

Section 106(g) requires, at a minimum, FHWA's oversight program be responsive to all areas relating to financial integrity and project delivery. To carry out the requirements of 23 U.S.C. 106(g), FHWA uses a risk management framework to evaluate financial integrity, project delivery, and other aspects of the FAHP. The objective is to balance risk while considering staffing, budget resources, and the State's transportation needs.

The FHWA Connecticut Division Office and the CTDOT may use a variety of methods to identify, analyze, and manage risks and develop response strategies, such as oversight techniques, manuals and operating agreements, stewardship and oversight indicators, and FHWA project involvement.

A. Oversight Techniques

Techniques the FHWA Connecticut Division Office and the CTDOT may use to identify and analyze risks and develop response strategies include, but are not limited to, the following:

- Program assessments;

- FHWA Financial Integrity Review and Evaluations reviews;
- Program reviews;
- Certification reviews;
- Recurring or periodic reviews such as the FHWA Compliance Assessment Program;
- Inspections of project elements or phases.

B. Manuals and Operating Agreements

The CTDOT manuals, agreements and other control, monitoring, and reporting documents that are used on Federal-aid projects are listed in Attachment B to this Agreement. At a minimum, this list will include documents required by statute or regulation to be submitted to or approved by FHWA. Additional documents may be included as agreed to by the FHWA Connecticut Division Office and the Connecticut Department of Transportation.

C. Stewardship and Oversight Indicators

The FHWA Connecticut Division Office and the CTDOT have not established indicators as part of this Agreement.

D. FHWA Project Involvement

The FHWA Connecticut Division Office may select projects (individually or by type) for risk-based FHWA project involvement and stewardship and oversight activities, based on a risk assessment and the responses to identified threats and opportunities. The FHWA Connecticut Division Office will identify the risks and document actions that it will undertake to respond to the risks in a stewardship and oversight plan for the affected project(s).

In some instances, such as in response to elevated risks, the assumption by the CTDOT of project approval actions under Attachment A to this Agreement may be superseded on a project-by-project basis by provisions in the stewardship and oversight plan for those specific projects, per sections IV and V of this Agreement. Stewardship and oversight plans for specific projects will distinguish which project approval actions under Attachment A are superseded by the project specific plan. Project approval actions under Attachment A that are not superseded by the project specific plan remain in effect.

SECTION VII. STATE DOT OVERSIGHT RESPONSIBILITIES

This section addresses how 23 U.S.C. 106(c) assumed authorities are carried out by the DOT. The actions include monitoring to assure that the CTDOT is properly carrying out its responsibilities in accordance with this Agreement.

- A. The CTDOT is responsible for demonstrating to FHWA how it is carrying out its responsibilities in accordance with this Agreement. The Connecticut Department of

Transportation will provide information to the FHWA Connecticut Division Office upon request.

- B. The CTDOT represents that processes, procedures, and practices from manuals, agreements, and other documents listed in Attachment B to this Agreement comply with applicable Federal requirements.
- C. The CTDOT is responsible for ensuring that its subrecipients meet applicable Federal requirements. This includes but is not limited to evaluating each subrecipient's risk of ensuring compliance and determining the appropriate oversight and monitoring with respect to both the subaward and any 23 U.S.C. 106(c) assumed responsibilities that a subrecipient has been permitted to carry out on behalf of the CTDOT (2 CFR 200.332). The CTDOT is responsible for determining that subrecipients of Federal funds are suitably staffed and equipped (23 CFR 635.105(c)(3)) and have adequate project delivery systems and sufficient accounting controls to properly manage these funds (23 U.S.C. 106(g)(4)); 2 CFR 200.303).

SECTION VIII. AGREEMENT EXECUTION AND MODIFICATIONS

A. Agreement Execution

This Agreement is effective when fully executed by the FHWA Connecticut Division Administrator and authorized representative of the CTDOT. The CTDOT duly-authorized official shall execute this Agreement and then submit it to the FHWA Connecticut Division Administrator, who shall sign this Agreement last.

B. Agreement Modifications

The FHWA Connecticut Division Office and the CTDOT acknowledge that Agreement modifications (minor revisions or amendments) are needed periodically. Either party may initiate a request to modify this Agreement.

1. Minor Revisions

The FHWA Connecticut Division Office and the CTDOT may make minor revisions to this Agreement without an amendment. For purposes of this Agreement, a minor revision makes a technical correction, addresses non-substantive changes such as a change in points-of-contact or document names, or revises aspects of procedures that do not materially change the terms of this Agreement. Changes to Attachments B or C are considered minor revisions. Minor revisions are recorded in a change log by the FHWA Connecticut Division Office. Minor revisions may be executed without FHWA legal sufficiency review or coordination with FHWA's Office of Infrastructure.

2. Amendments

Modifications to this Agreement that exceed the definition of a minor revision in paragraph B.1. of this section shall require execution of an amendment to this Agreement. Amendments include any change to Attachment A. The amendment shall follow the execution procedure set forth in paragraph A of this section.


Amendments require FHWA legal sufficiency review and coordination with FHWA's Office of Infrastructure.

C. New Agreement

This Agreement will be replaced in its entirety and a new Agreement executed between the FHWA Connecticut Division Office and the CTDOT when mutually agreed upon by the parties, or as requested by the FHWA Office of Infrastructure to account for changes to regulations or statute or upon issuance of a revised Stewardship and Oversight Agreement Template. New Agreements require FHWA legal sufficiency review and coordination with FHWA's Office of Infrastructure prior to execution.

The electronic Agreement file shall contain the executed Agreement, any change logs, and amendments.

EXECUTION BY THE FHWA Connecticut Division Office:

Signature: 

Name: Amy D. Jackson-Grove

Title: Division Administrator, FHWA-CT

Date Executed: 5/15/2024

EXECUTION BY THE Connecticut Department of Transportation:

Signature: 

Name: Garrett T. Eucalitto

Title: Commissioner, CTDOT

Date Executed: 5/15/2024

ATTACHMENT A Project Action Responsibility Matrix

This matrix identifies the Federal-aid highway program (FAHP) project approvals and related responsibilities. The matrix specifies which actions are assumed by the CTDOT pursuant to this Stewardship and Oversight Agreement (“Agreement”) and certain other applicable authorities as specified in the tables in this Attachment A.

The CTDOT is responsible for ensuring all applicable elements of the project are eligible for FAHP funding. Where the CTDOT assumes authority to make a decision, approval, determination or action, the CTDOT decision does not constitute an eligibility, obligation, reimbursement, authorization, or compliance decision by or for the Federal Highway Administration (FHWA). Final decisions on those matters must be made by FHWA.

Table 1: Financial Management

#	ACTION	AGENCY RESPONSIBLE NHS	AGENCY RESPONSIBLE Non-NHS
1	Review and accept initial financial plan for Federal major projects [23 U.S.C. 106(h)]	FHWA	STATE
2	Review and accept financial plan annual updates for Federal major projects [23 U.S.C. 106(h)]	FHWA	STATE
3	Obligate funds/authorize Federal-aid project agreement (including advance construction authorization and conversion), modifications, and project closures (project authorizations) [23 U.S.C. 106(a)(2); 23 CFR 630.106, 630.703, 630.709]	FHWA	FHWA
4	Authorize to advertise for bids when all preconditions are met [23 CFR 635.112(a), 635.309]	STATE	STATE
5	Approve reimbursements including authorizing current bill (23 U.S.C. 121)	FHWA	FHWA
6	Approval of reimbursement for bond-issue projects [23 U.S.C. 122; 23 CFR part 140, subpart F]	FHWA	FHWA

Table 2: Environment

#	ACTION	AGENCY RESPONSIBLE NHS	AGENCY RESPONSIBLE Non-NHS
7	EA/FONSI, EIS/ROD, 4(f), 106, 6(f) and other approval actions required by Federal environmental laws and regulations (Note: The FHWA may assign these NEPA actions and other environmental responsibilities to a State DOT as provided by 23 U.S.C. 327)	FHWA	FHWA

#	ACTION	AGENCY RESPONSIBLE NHS	AGENCY RESPONSIBLE Non-NHS
8	Categorical exclusion approval actions [Note: The FHWA may assign this action and other FHWA environmental responsibilities to a State DOT as provided by 23 U.S.C. 326 and 327. The FHWA also may administratively delegate responsibility for categorical exclusion determinations to a State DOT through a programmatic agreement pursuant to section 1318(d) of MAP-21 and implementing regulations in 23 CFR 771.117(g)]	Administered in accordance with Programmatic Categorical Exclusion Agreement	Administered in accordance with Programmatic Categorical Exclusion Agreement

Table 3: Preliminary Design

#	ACTION	AGENCY RESPONSIBLE NHS	AGENCY RESPONSIBLE Non-NHS
9	Approval before utilizing a consultant to act in a management support role for the contracting agency [23 CFR 172.7(b)(5)(i)]	Administered in accordance with procedures approved per 23 CFR 172.5(c)	Administered in accordance with procedures approved per 23 CFR 172.5(c)
10	Approval of noncompetitive procurement method for engineering and design-related services [23 CFR 172.7(a)(3)]	STATE	STATE
11	Approve exceptions to design standards [23 CFR 625.3(f)]	STATE	Not subject to 23 CFR 625.3(f)
12	Airport highway clearance coordination and respective public interest finding (if required) [23 CFR 620.104]	STATE	STATE
13	Approve project management plan for Federal major projects [23 U.S.C. 106(h)]	FHWA	STATE
14	Approval of Interstate System access change [23 U.S.C. 111]	FHWA	Not subject to 23 U.S.C. 111
15	Determine the engineering and operational acceptability of points of ingress or egress with the Interstate System (justification reports) for new freeway-freeway interchanges (system), modification of freeway-freeway interchanges, and new partial interchanges or new ramps to/from continuous frontage roads that create a partial interchange [23 U.S.C. 111(e)]	FHWA	Not subject to 23 U.S.C. 111(e)
16	Determine the engineering and operational acceptability of points of ingress or egress with the Interstate System (justification reports) for new and modified freeway-to-crossroad (service) interchanges, and completion of basic movements at existing partial interchanges. [23 U.S.C. 111(e)]	FHWA	Not subject to 23 U.S.C. 111(e)
17	Approve innovative and public-private partnership projects in accordance with TE-045, SEP-14, SEP-15, or SEP-16. [23 U.S.C. 502(b)]	FHWA	FHWA

#	ACTION	AGENCY RESPONSIBLE NHS	AGENCY RESPONSIBLE Non-NHS
18	Approve any betterment to be incorporated into the project for which emergency relief funding is requested (23 U.S.C. 125; 23 CFR 668.109)	FHWA	FHWA
19	Prior written approval of the Federal awarding agency for the direct charge of up-front acquisition cost of equipment (2 CFR 200.439)	FHWA	FHWA

Table 4: Final Design

#	ACTION	AGENCY RESPONSIBLE NHS	AGENCY RESPONSIBLE Non-NHS
20	Approve retaining right-of-way encroachments [23 CFR 1.23(b)-(c)]	STATE	STATE
21	Approve use of publicly owned equipment [23 CFR 635.106]	STATE	STATE
22	Concur in use of publicly furnished materials [23 CFR 635.407(a)]	STATE	STATE
23	Approve use of more costly signing, pavement marking, and signal materials (or equipment) is in the public interest [23 CFR 655.606]	STATE	STATE
24	Exception to designation of Interstate project as significant for work zones [23 CFR 630.1010(d)]	STATE	Not subject to 23 CFR 630.1010(d)
25	Determination that a United States Coast Guard Permit is not required for bridge construction [23 U.S.C. 144(c); 23 CFR 650.805, 650.807]	FHWA	FHWA

Table 5: Realty

#	ACTION	AGENCY RESPONSIBLE NHS	AGENCY RESPONSIBLE Non-NHS
26	Completion of ROW clearance, utility, and railroad work concurrently with construction: Make feasibility/practicability determination for allowing authorization to advertise for bids or to proceed with force account construction prior to completion of ROW clearance, utility and railroad work [23 CFR 635.309(b)]	STATE	STATE
27	Approve non-highway use and occupancy of real property interests [23 CFR 1.23(c), 710.405]	FHWA for Interstate; STATE for Non-Interstate NHS	STATE
28	Approve disposal at fair market value of real property interests acquired with Federal-aid assistance, including disposals of access control [23 CFR 710.403(e), 710.409]	FHWA for Interstate; STATE for Non-Interstate NHS	STATE

#	ACTION	AGENCY RESPONSIBLE NHS	AGENCY RESPONSIBLE Non-NHS
29	Approve disposal at less than fair market value of real property interests acquired with Federal-aid assistance, including disposals of access control [23 U.S.C. 156; 23 CFR 710.403(e)]	FHWA	FHWA
30	Approve advertisement for bids based on a conditional ROW certification, unless it is not in the public interest to proceed. [23 CFR 635.309(c)(3)(i)]	STATE	STATE
31	Approve physical construction under a contract or through force account work based on a conditional ROW certification, only if there are exceptional circumstances that make it in the public interest to proceed. [23 CFR 635.309(c)(3)(ii)]	FHWA	FHWA
32	Approve hardship and protective buying [23 CFR 710.503]	FHWA	FHWA
33	Requests for credits toward the non-Federal share of construction costs for early acquisitions, donations or other contributions applied to a project [23 U.S.C. 323; 23 CFR 710.507]	FHWA	FHWA
34	Federal land transfers [23 CFR part 710, subpart F]	FHWA	FHWA
35	Functional replacement of property [23 CFR 710.509]	FHWA	FHWA
36	Waiver of the policy of the availability of comparable replacement dwelling before displacement under specified circumstances [49 CFR 24.204(b)]	FHWA	FHWA

Table 6: PS&E and Advertising

#	ACTION	AGENCY RESPONSIBLE NHS	AGENCY RESPONSIBLE Non-NHS
37	Approve PS&E [23 CFR 635.309(a)]	STATE	STATE
38	Approve utility or railroad force account work (23 CFR 140.916, 645.113, 646.216)	STATE	STATE
39	Approve utility and railroad agreements (23 CFR 140.916, 645.113, 646.216)	STATE	STATE
40	Approve use of consultants by utility and railroad companies [23 CFR 645.109(b), 646.216(b)]	STATE	STATE
41	Approve exceptions to maximum railroad protective insurance limits (23 CFR 140.916, 646.111)	STATE	STATE
42	Approve use of guaranty and warranty clauses for projects other than design-build projects [23 CFR 635.413(b)]	STATE	STATE
43	Recovery of railroad material - Approval of additional measures for restoration of areas affected by the removal of salvaged material for Railroad work (23 CFR 140.908)	STATE	STATE

#	ACTION	AGENCY RESPONSIBLE NHS	AGENCY RESPONSIBLE Non-NHS
44	Approve use of lump sum payments to reimburse railroad for work by its forces [23 CFR 646.216(d)(3)]	STATE	STATE
45	Waive Buy America provisions (23 CFR 635.410)	FHWA	FHWA
46	Training special provision - Approval of new project training programs [23 CFR 230.111(d)-(e)]	FHWA	FHWA

Table 7: Contract Advertisement and Award

#	ACTION	AGENCY RESPONSIBLE NHS	AGENCY RESPONSIBLE Non-NHS
47	Approve cost-effectiveness determinations for construction work performed by contract awarded by other than competitive bidding or by force account (23 CFR 635.104, 635.204)	STATE	STATE
48	Approve emergency determinations for construction work performed by contract awarded by other than competitive bidding or by force account (23 CFR 635.104, 635.204)	STATE	STATE
49	Subrecipient project administration - Approve arrangements for local agency to serve as the supervising agency for the project (23 CFR 635.105)	STATE	STATE
50	Approve advertising period less than 3 weeks [23 CFR 635.112(b)]	STATE	STATE
51	Approve addenda during advertising period [23 CFR 635.112(c)]	STATE	STATE
52	Concur in award of contract or rejection of all bids (23 CFR 635.114)	STATE	STATE
53	Approval of design-build requests-for-proposals (RFP) and addenda for major changes to the RFP during solicitation period [23 CFR 635.112(i)(4)]	STATE	STATE
54	Approve award to the next low bidder [23 CFR 635.114(f)]	STATE	STATE

Table 8: Construction

#	ACTION	AGENCY RESPONSIBLE NHS	AGENCY RESPONSIBLE Non-NHS
55	Approve contract changes and extra work (23 CFR 635.120)	STATE	STATE
56	Approve contract time extensions [23 CFR 635.120, 635.121(b)]	STATE	STATE
57	Concur in use of mandatory borrow/disposal sites (23 CFR 635.407)	STATE	STATE

#	ACTION	AGENCY RESPONSIBLE NHS	AGENCY RESPONSIBLE Non-NHS
58	Approval of administrative settlements and contract claim awards and settlements (23 CFR 140.505, 635.124)	FHWA	STATE
59	Concur in termination of construction contracts [23 CFR 635.125(b)]	FHWA	STATE

Table 9: Construction Manager/General Contractor (CM/GC) and Indefinite Delivery/Indefinite Quantity (ID/IQ) Contracting

#	ACTION	AGENCY RESPONSIBLE NHS	AGENCY RESPONSIBLE Non-NHS
60	Approval of advertising for bids or proposals for a CM/GC construction services phase contract [23 CFR 635.504(b)(6)]	STATE	STATE
61	Determination of indirect cost rate for preconstruction services for a CM/GC project in accordance with [23 CFR 635.504(e)(2)]	STATE	STATE
62	Approval of preconstruction price and cost/price analysis for preconstruction services for a CM/GC project [23 CFR 635.506(b)(2)]	STATE	STATE
63	Approval of price estimate for construction costs for the entire project for CM/GC project [23 CFR 635.506(d)(2)]	STATE	STATE
64	Approval of construction price analysis and agreed price for construction services of a CM/GC project or portion of the project [23 CFR 635.506(d)(4)]	STATE	STATE
65	Approval of CM/GC project preconstruction services contract award [23 CFR 635.506(e)]	STATE	STATE
66	Concur in advertising an ID/IQ solicitation prior to completion of NEPA [23 CFR 635.605(a)(2)]	STATE	STATE
67	Concur in awarding an ID/IQ contract prior to completion of NEPA [23 CFR 635.605(a)(3)]	STATE	STATE
68	Approve a time extension of an ID/IQ contract [23 CFR 635.604(a)(6)(i)]	STATE	STATE

ATTACHMENT B

Manuals, Agreements, Control, Monitoring, and Reporting Documents

This attachment lists manuals, agreements and other control, monitoring, and reporting documents that are used on Federal-aid projects per section VI.B of this Agreement.

Documents that include items that must be submitted to FHWA for review and/or approval	
1.	Highway Transportation Asset Management Plan
2.	Consultant Design Administration Manual
3.	Consultant Selection Office Procedures Manual
4.	Title VI Plan
5.	On-the-job (OJT) Training Procedures and Reporting
6.	DBE Supportive Services Procedures
7.	State Internal Employment Practice EEO-4 Report
8.	Highway Design Manual
9.	Construction Manual
10.	Quality Assurance Manual for Materials
11.	Utility Accommodation Manual
12.	Bridge Inspection Manual
13.	MUTCD Supplemental Compliance
14.	ROW Division of Acquisition-Relocation
15.	ROW Division of Administration
16.	ROW Division of Appraisals
17.	ROW Property Management Division
18.	ROW Division of Titles
19.	Public Involvement Guidance Manual
20.	Highway Safety Improvement Program
21.	DBE Program Plan
22.	DBE Goal
23.	Connecticut Statewide Freight Plan
24.	STIP Amendments
25.	Public Involvement Procedures
26.	Vehicle Size & Weight Enforcement Plan
27.	CTDOT's Highway Traffic Noise Abatement Policy for Projects Funded by the FHWA
28.	Connecticut Statewide Freight Plan
29.	Connecticut's Process for Consultation and Cooperation with Local Officials in Non-Metropolitan Areas
30.	Transportation Improvement Program (TIP) / Statewide Transportation Improvement Program (STIP) Amendment/Action/Notification Process

