

# Louisiana Federal-Aid Highway Program Stewardship Agreement 2007

(Amendment #1)

Developed in Partnership by the  
Federal Highway Administration and the  
Louisiana Department of Transportation and Development



**LOUISIANA  
FEDERAL-AID HIGHWAY PROGRAM  
STEWARDSHIP AGREEMENT**

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## I. INTRODUCTION

The American Recovery and Reinvestment Act of 2009 (ARRA) was signed into law on February 17, 2009. This law provides significant funding for, among other programs, transportation infrastructure. LADOTD's allocation for highway improvements totaled \$429,859,427.

The ARRA legislation has mandated strict timeframes for funding obligations. All of the funds must be obligated within one year of the apportionment to LADOTD; however, 50% of the non-suballocated funds, or \$183,037,619, must be obligated within 120 days of the apportionment. Failure to meet these timeframes will result in LADOTD losing its unobligated balance. In addition, the legislation has set forth specific project eligibility and selection criteria as well as requiring monthly reporting of project data.

With these additional stipulations placed on the use of ARRA funds, LADOTD employee workloads will increase quickly, resources could approach capacity, and the use of proper contract administration procedures/processes may be tested. These conditions result in additional risks being associated with the delivery of ARRA-funded projects.

LADOTD fully intends to carryout ARRA projects in accordance with the September 2007 Stewardship and Oversight Plan. However, LADOTD recognizes the additional risks that exist with the delivery of the ARRA program and understands FHWA's obligation to enhance their oversight; particularly with "state delegated" projects. LADOTD agrees to fully cooperate with FHWA in carrying out the activities set forth in this plan.



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## **II. DELEGATION OF ARRA FUNDED PROJECTS**

The following table defines oversight responsibility for Federal-Aid projects funded fully or partially with ARRA funds in Louisiana.

<b>Type of Projects</b>	<b>Oversight Responsibility</b>
Interstate projects with an estimated construction cost >\$1 million	FHWA
Interstate projects with an estimated construction cost <\$1 million	LADOTD
NHS (non-Interstate) projects with an estimated construction cost >\$10 million	FHWA
NHS (non-Interstate) projects with an estimated construction cost <\$10 million	LADOTD
Non-NHS and Locally Administered Projects with an estimated construction cost >\$2.5 million	FHWA
Non-NHS and Locally Administered Projects with an estimated construction cost <\$2.5 million	LADOTD
Enhancement Projects with an estimated ARRA construction funds >\$5 million	FHWA
Enhancement Projects with an estimated ARRA construction funds <\$5 million	LADOTD
Bridge Projects on any route with an estimated construction cost >\$50 million	FHWA
All Design-Build Projects	FHWA

Note 1: NHS-projects are defined by system, irrespective of Federal funding source.

Note 2: Locally Administered Projects = Local Public Agency Projects (i.e., Parish, Municipality).

### **Exceptions:**

1. State Administered projects (delegated) may be selected for full oversight by mutual agreement between FHWA & LADOTD. The selection will be agreed upon by the FHWA Assistant Division Administrator and the LADOTD Chief Engineer. Examples of projects which may be selected: Major or complex bridge structure projects, or projects which involve a high degree of public controversy or environmental impacts.
2. A full oversight project may be delegated by mutual agreement between FHWA & LADOTD. The selection will be agreed upon by the FHWA Assistant Division Administrator and the LADOTD Chief Engineer. Examples of projects likely to be selected: NHS projects which do not affect traffic such as landscaping, rest area construction, fencing, signing, and enhancement projects.



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### **III. PURPOSE OF PROJECT OVERSIGHT PLAN**

The purpose of this plan is to (1) ensure the FHWA Louisiana Division provides the necessary stewardship of those funds made available to Louisiana through the ARRA, (2) to establish additional project oversight measures to ensure compliance with project eligibility, and reporting requirements, and (3) to support the Division's risk management plan developed specifically to deliver the ARRA program in Louisiana.

It is important to note that this plan will supplement, not replace, our existing Stewardship and Oversight Plan with LADOTD. While the primary roles and responsibilities outlined in our September 2007 plan will remain intact in carrying out ARRA funded projects, this plan outlines additional actions that the FHWA LA Division and LADOTD will undertake to ensure ARRA funds are obligated and expended in accordance with both Title 23 United States Code and the specific requirements stipulated in the ARRA.



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## **IV. ENHANCED STEWARDSHIP AND OVERSIGHT FOR ARRA PROGRAM AND PROJECT ACTIVITIES**

As stated previously, it is intended for all ARRA projects to be administered in accordance with our existing Stewardship and Oversight Plan. It is anticipated that over 80% of LADOTD's ARRA funding will be applied to "state delegated" projects. However, it is recognized that the spending of ARRA funds will be under high scrutiny from both the public and political officials, as well as government oversight agencies. Therefore, both LADOTD and FHWA recognize that special attention and visibility is needed during the delivery of the entire ARRA program.

### **1. PROGRAM ACTIVITIES**

**Planning activities** for ARRA funded projects will continue as they do for all other federally assisted projects. Amendments incorporating ARRA projects into LADOTD's STIP will be reviewed by the appropriate individual within the LA Division Program Delivery Team for eligibility, fiscal capacity and constraint, transportation conformity, coordination with MPO TIPS, and public involvement.

**Environmental activities** for ARRA funded projects will continue as they do for all other federally assisted projects. All NEPA reviews and approvals will follow existing procedures including our Programmatic CE Agreement with LADOTD.

**Right of Way acquisition** for ARRA projects must comply with 49 CFR 24 (the Uniform Act). Furthermore, the requirements set forth in 23 CFR 710 must be followed if ARRA funding is used for property acquisition. The Division Realty Officer understands the significance of the ARRA legislation and the importance to successfully deliver the program. Therefore, our Realty Officer will initiate additional oversight activities to include (1) incorporating ARRA projects as part of scheduled ROW compliance reviews and (2) participating in LADOTD/FHWA joint compliance ROW reviews on selected ARRA projects.

**Financial activities** for ARRA funded projects will be similar to the processes for all other federally assisted projects. The Finance Team provides the initial review of all projects to be sure that the authorization is complete, accurate and that all ARRA requirements are present in the authorization. The Finance Team will monitor all ARRA authorizations and expenditures, provide status reports, and help ensure that all ARRA financial deadlines are met to avoid the loss of any ARRA funding. The Division recognizes the heightened financial scrutiny that ARRA projects will receive. To that end, an ARRA billing review will be performed on projects billed during fiscal year 2009 and additional billing reviews will be performed regularly during each year of ARRA funding as more projects incur expenditures. In addition, ARRA projects will be incorporated as a part of regular financial compliance reviews and as a part of the FIRE program.

### **2. PROJECT ACTIVITIES**

In order to minimize the potential risks associated with ARRA-funded projects, the FHWA will implement additional measures to increase FHWA's stewardship and project oversight activities. Special emphasis has been placed on activities associated with the obligation of ARRA funding as well as enhanced oversight initiatives on "state delegated" projects. The additional measures



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that will be implemented include the use of a project tracking system, utilization of a project authorization checklist, and conducting a series of project phase reviews of those ARRA projects categorized as "state delegated."

- a. **Project Tracking System** – An electronic system has been developed to capture all necessary project data for all projects with ARRA funding. This system will assist FHWA in verifying project eligibility, monitoring authorized/award project costs versus project costs allocated in the STIP, and verify the submittal of monthly reports.
- b. **Project Authorization Checklist** – An authorization checklist has been developed and will be used for all ARRA project funding authorization requests. By using this checklist, the risks associated with the funding obligation phase will be minimized. The checklist will require the FHWA approving official to verify that the authorization request is complete and accurate. Items that will be verified include but are not limited to: consistency with LADOTD's 1511 Certification, compliance with STIP, and that the request includes the required statements set forth in the ARRA.
- c. **Project Phase Reviews** - FHWA will conduct phase reviews of all Full Oversight projects and a selected sample of "state delegated" ARRA projects (see attached tables) for three specific project development phases: (a) PS&E package, (b) Bid evaluation/contract award, and (c) Construction. It is anticipated that project phase reviews will continue through fiscal year 2011. LADOTD understands the need for these reviews and agrees to fully cooperate with FHWA as they are carried out. All reviews will be documented with copies of reviews provided to LADOTD. ARRA projects categorized as Full Oversight projects will be reviewed in accordance with the Louisiana Federal-Aid Highway Program Stewardship Agreement approved in 2007.
  - i. *PS&E Checklist:* This review will be conducted on all Full Oversight projects and a selected sample of "state delegated" ARRA projects (see attached tables) prior to project authorization/advertisement. LADOTD will be notified of the project PS&E packages to be reviewed at the time that they would be expected to complete the package. This review will be made to assess the quality and completeness of these PS&E packages evaluated. LADOTD will be notified promptly of any findings. The review will assure the projects have met the Recovery Act requirements, General Federal-Aid compliance, plans constructability and clearness, project specifications, and engineer's estimate reasonability. A checklist has been developed for use during this review phase. (See Appendix A)
  - ii. *Local Public Agency Federal-Aid Projects Checklist:* This review will be conducted on all Full Oversight locally administered projects and a selected sample of "state delegated" ARRA locally administered projects (see attached tables) prior to project authorization/advertisement. LADOTD will be notified of the project PS&E packages to be reviewed at the time that they would be expected to complete the package. This review will be made to assess the quality and completeness of these PS&E packages evaluated. LADOTD will be notified promptly of any findings. The review will assure the sample projects have met the planning and environmental, Right of way and utility clearance, plans and specifications completeness, engineer's estimate reasonability, and proposal includes all Federal-Aid and Recovery Act (ARRA) requirements. A checklist has been developed for use during this review phase. (See Appendix A)



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- iii. **Disadvantage Business Enterprise Checklist:** All Full Oversight projects and a selected sample of “state delegated” ARRA projects (see attached tables) will be reviewed during active construction to assess compliance with contract DBE goals, “good faith” efforts, commercially useful functions, wages complaints, and project bulletin boards information requirements. A checklist has been developed for use during this review phase to be included as part of the inspection report. (See Appendix A)
- iv. **Quality Assurance Checklist:** All Full Oversight projects and a selected sample of “state delegated” ARRA projects (see attached table) will be reviewed during active construction to assess the project staffing by the State or Local Agency, contractor’s workmanship, and adequate project record keeping. The frequency of project inspections will vary depending on project scope and size, but it will be no less than one (1) visit for delegated projects. LADOTD or Local Agency Representatives will be promptly notified of any issues or concerns. Additional actions and/or follow-up reviews will be determined based on the findings during the first review. A checklist has been developed for use during this review phase to be included as part of the inspection report. (See Appendix A)
- v. **Contract Administration Checklist:** Concurrence in contract award will remain as set forth in our Stewardship and Oversight Plan. LADOTD will continue to request concurrence in awards for Full oversight ARRA funded projects. However, the FHWA will required that LADOTD submits a copy of the bid package on all state delegated projects to assist with the independent review of the bid data for each of the ARRA funded projects. This review will check the bid information and a bid analysis will be performed to assess competition on ARRA funded projects. LADOTD will be promptly notified of any issues or concerns. A checklist has been developed for use during this review phase. (See Appendix A)

Furthermore, additional projects may be added based on project size or complexity, and/or environmental sensitivity.



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## V. ARRA CHECKLISTS SAMPLING SELECTION

The following tables define the ARRA Checklists sampling goals for Federal-Aid projects funded fully or partially with ARRA funds in Louisiana.

### 1. STATE DELEGATED PROJECTS

	Plans, Specifications, and Estimate (PS&E) Checklist	Local Public Agency Federal-Aid Projects (LPA) Checklist	Disadvantage Business Enterprise (DBE) Checklist	Quality Assurance (QA) Checklist	Contract Administration Checklist	Project Authorization Checklist	
Descending Order (Contract Cost) ↓	Sample	Sample	Sample	Sample	Sample	Sample	Top 20%
							Top 60%
							Top 80%
							100%
	Only on Delegated LPA Projects	At least one (1) visit per project	At least one (1) visit per project				

Note 1: FHWA may add more projects to the sampling selection on delegated projects if deemed necessary.

### 2. FULL OVERSIGHT PROJECTS

	Plans, Specifications, and Estimate (PS&E) Checklist	Local Public Agency Federal-Aid Projects (LPA) Checklist	Disadvantage Business Enterprise (DBE) Checklist	Quality Assurance (QA) Checklist	Contract Administration Checklist	Project Authorization Checklist	
Descending Order (Contract Cost) ↓	Sample	Sample	Sample	Sample	Sample	Sample	100%
	Only on LPA Projects	At least one (1) visit per project	At least once per visit project				



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## **VI. ADDITIONAL OVERSIGHT OPPORTUNITIES**

Both the FHWA LA Division and LADOTD fully appreciate the significance of the ARRA legislation and the importance of successfully delivering the program. While the enhanced activities outlined in this plan will be implemented, the FHWA LA Division and LADOTD will remain cognizant of the status of all Louisiana ARRA projects and consider them as additional oversight opportunities become available. Additional oversight opportunities include the following:

- Include ARRA projects as part of scheduled follow-up reviews in assessing compliance with implemented FY08 process review action plans.
- Include ARRA projects as part of FY09 scheduled process reviews.
- Include ARRA projects in upcoming LADOTD Quality Management Team reviews.
- Both FHWA Division and LADOTD Headquarters staff will periodically provide contact visits of ARRA projects during normal District visits.
- Consider ARRA projects as part of the LADOTD/FHWA biannual Traffic Control Reviews.



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## Louisiana Stewardship Agreement

FHWA and LADOTD mutually agree to the delegations defined in this section of the Stewardship Agreement as allowed by Title 23 Section 106 and further agree to abide by the procedures, practices, and business standards outlined throughout this Stewardship Agreement.

It is further agreed that incremental changes may be made to this agreement with the concurrent approval of the Chief Engineer of the LADOTD and the Assistant Division Administrator of FHWA for Louisiana, while retaining the integrity of the overall Stewardship Agreement.

This agreement supplements the existing stewardship agreement dated 09/01/2007 between the FHWA and the LADOTD.



Charles W. Bolinger  
FHWA LA Division Administrator



William D. Ankner, Ph.D.  
Secretary  
Louisiana Department of  
Transportation and Development

Effective Date: 7-24-09



**FHWA-LA Division**  
**ARRA Project Authorization Checklist**  
(Attach to FMIS Authorization Document)



**Fed-Aid Project Number:** \_\_\_\_\_

**State Project Number:** \_\_\_\_\_

**Parish:** \_\_\_\_\_

**ARRA Funding Codes:** \_\_\_\_\_

**Delegated/Full Oversight:** \_\_\_\_\_

Reviewing Official	Review Item	Y	N	Initial/Date	Applicable Comments
Financial Specialist (Delegated/Full Oversight)	Does authorization substantially agree with LDOTD 1511 Certification posted on US DOT Website?				
	<b><i>If project is not on LDOTD 1511 Certification - Review is stopped.</i></b>				
	Does FMIS Header include designation in "Special Projects Grouping - Major Projects" as ARRA Funded Project?				
	Inventory Route Number included in FMIS Project Header?				
	Beginning & Ending Mile Post Information included in FMIS Project Header?				
	If Beginning & Ending Mile Post is not available, is Lat/Long included in State Remarks?				
	Does the State Remarks section include the following 3 statements:				
	1) Agree to comply with the reporting requirements terms and conditions set forth in the ARRA and as designated by the FHWA,				
	2) ARRA funds are not obligated for advance construction purposes authorized under 23 U.S.C. 115(b), and				
	3) ARRA funds are not eligible for costs incurred prior to the date of obligation.				
	Is project eligible for requested funding?				
	If split-funded, is project eligible for each source and are funding amounts appropriate?				
	Does project have Advance Construction?				
	Does authorization properly identify total project cost?				
	Does authorization include appropriate percentage for CE&I, IDC and contingencies?				
	Has appropriate environmental determination been made?				
	Has determination been documented?				
	Document Classification      Action Date				
	Not Applicable.....				
	CE A.....Programmatic				
	CE B.....State Documentation				
	CE C.....FHWA Documentation				
	EA / FONSI.....				
	EIS / ROD.....				
	Is project identified in STIP with proper funding? (Identify STIP Reference # in comments column)				
	Is project authorization fiscally constrained on the STIP? (No more than 20% of original STIP)				
	Are all review items completed? If not, indicate why project should not be authorized in comments column and FMIS.				
Area Engineer    (Full Oversight)	Do you recommend authorization of project? If not, indicate why project should not be authorized in comments column and FMIS.				
Financial Manager (Delegated)	Enter date project authorization is approved	Date of Authorization:			
Project/Program Delivery Team Leader (Full Oversight)	Enter date project authorization is approved	Date of Authorization:			



**AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009**  
FEDERAL HIGHWAY ADMINISTRATION, LOUISIANA DIVISION  
**TRANSPARENCY AND ACCOUNTABILITY**

**PS&E  
CHECKLIST**

The FHWA Risk Management Plan identifies the major risk areas in implementing the American Recovery and Reinvestment Act of 2009 (Recovery Act). For the consideration of the Division Offices, example checklists have been developed for use in “visible monitoring” efforts. The PS&E checklist assists in evaluating the completeness of the project documents prior construction authorization.

**PROJECT DATA**

Federal Project Number	
State Project Number	
Project Name/Route Number, Section and Mileposts.	
County	
Project Description	
PS&E Checklist review complete and ready for Authorization Engineer's Signature: _____ Date: _____	

**GENERAL REFERENCES**

**Regulations and Guidance**

[23 CFR 630, Subpart B - Plans, Specifications, and Estimates](#)

[23 CFR 633, Subpart A – Required Contract Provisions - Federal-aid Construction Contracts \(Other than Appalachian Contracts\)](#)

Construction Program Guide

<http://www.fhwa.dot.gov/construction/cqit/>

Guidelines on Preparing Engineer's Estimate, Bid Reviews and Evaluation

<http://www.fhwa.dot.gov/programadmin/contracts/ta508046.cfm>

Contract Administration Core Curriculum Manual and Reference Guide

<http://www.fhwa.dot.gov/programadmin/contracts/coretoc.cfm>

Development and Review of Specifications

<http://www.fhwa.dot.gov/legsregs/directives/techadvs/t508016.htm>

Recovery Act Implementing Guidance

<http://www.fhwa.dot.gov/economicrecovery/guidance.htm>

**RECOVERY ACT REQUIREMENTS**

Reference Recovery Act Implementing Guidance <a href="http://www.fhwa.dot.gov/economicrecovery/guidance.htm">http://www.fhwa.dot.gov/economicrecovery/guidance.htm</a>	Yes	No	N/A
Is the project eligible for Federal-aid under Recovery Act 23 USC 133(b) STP or 23 USC 601(a) (8)?			

Based on the project description, does it appear that the project is expected to be complete within three years?		
Is the project listed on the State's 1511 Certification, as posted on <a href="http://www.dot.gov/recovery/">www.dot.gov/recovery/</a> ?		
Is the project in the TIP/STIP?		
Does the FMIS project description match the description and funds in the TIP/STIP and the 1511 certification?		
Do the requested funds in FMIS match the funds listed in the TIP/STIP and the 1511 certification?		
Is the effective authorization date the same as or later than the latest date that the 1511 Certification was posted on <a href="http://www.recovery.gov">www.recovery.gov</a> ?		
Are the following conditions included in the State Remarks section of FMIS? <ol style="list-style-type: none"> <li>1. Agree to comply with the reporting requirements terms and conditions set forth in the Recovery Act and as designated by the FHWA,</li> <li>2. Recovery Act funds are not obligated for advance construction purposes authorized under 23 U.S.C. 115(b)</li> <li>3. Recovery Act funds are not eligible for costs incurred prior to the date of obligation.</li> </ol>		
Is the FMIS description in the project header designated Special Project Grouping – Major Projects – Recovery Act Funded Projects (Section 1.F)?		
Does the project include other Federal-aid (split funded)? For projects split funded with Recovery Act funds and other Federal-aid funds, the Federal share for each funding category is subject to its own limitations.		
Does the project involve Advance Construction (AC) 115(b) of Title 23 U.S.C.? Recovery Act funds shall not be obligated for purposes authorized under section 115(b) of Title 23 U.S.C. (Advance Construction) (AC). The Recovery Act precludes the use of Recovery Act funding to <u>convert</u> Advance Construction (AC) authorizations into obligations of Recovery Act funds.		
Does the authorization request involve a cancellation of a prior AC authorization? <ul style="list-style-type: none"> <li>• Were there any obligations prior to February 17, 2009 (<i>project not eligible</i>)?</li> <li>• Was the AC authorization cancelled and new authorization/obligation established?</li> <li>• Does the new authorization request cover the anticipated contract costs under the project agreement (including with both Recovery Act funds and other Federal-aid funds)?</li> <li>• Does the authorization request <u>only</u> include work performed after obligation of funds?</li> </ul>		
Is this a new AC project combined with Recovery Act funds? <ul style="list-style-type: none"> <li>• Are the work or project segments or activities eligible for Recovery Act funding consistent with 23 U.S.C. 133, and the AC authorized work or project segment identified independently by separate and distinct project agreements (federal-aid project authorizations and project numbers in FMIS)?</li> <li>• Will all Recovery Act funding be billed within 3 years?</li> <li>• Does the State Remarks section in FMIS identify the project number of the AC portion of the project and vice versa?</li> </ul>		
Is the project being competitively bid? (If no, the project must be posted on the web per Recovery Act, Section 1554 and a public interest finding must be made.)		

Is the authorization request a conversion of a non Federal-aid funded project?			
<ul style="list-style-type: none"> <li>• Does the project meet and document compliance with all Federal-aid requirements?</li> <li>• Does the authorization request include only those costs anticipated after authorization/obligation of funds?</li> </ul>			

Comments:
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## GENERAL FEDERAL-AID REQUIREMENTS

Reference	Item	Yes	No	N/A
450.216	Project included in the current STIP			
450.220				
627.1	A Value Engineering (VE) Study conducted (Required for projects > \$25 Million, > \$20 Million for bridge projects)			
635.309(e)	If other than competitive bid, need cost-effectiveness or emergency determination			
771.113	Environmental clearance documented: Date _____			
771.113	Required public hearing transcripts have been received and accepted, if required.			
772.11g	Are noise walls included in the project?			
635.309(b)	ROW acquisition and relocation complete and certified			
635.309(b)	Utility relocation is complete or arrangements have been made			
646.107	Railroad insurance provided			
646.216(d)	Agreement in writing between State and Railroad			
646.214(b)	Adequate railroad grade crossing warning devices are provided			
620.101	Air-highway clearances are adequate for safe movement of traffic			
625.2(c)	Safety improvements are commensurate with level of work proposed			
	Appropriate review of PSE package completed by FHWA			

Comments:
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## PLANS

Reference	Item	Yes	No	N/A
	Consultant design			
625.3 625.4	Geometric standards met:  Design speed Lane width Shoulder width Structural capacity Horizontal alignment Vertical alignment Grades Stopping sight distance Cross slope Superelevation Horizontal clearance Vertical clearance			
625.3	Design Exceptions documented and approved			
626	Pavement design adequate			
	Cover sheet includes all required information			
	Details, typical sections and profile sheets are adequate to show complexity of work			
650.117	Required hydraulic data shown			
	Details are sufficient to describe the required installation of drainage facilities including culverts, erosion control structures, headwalls, inlets, and manholes			
	Pay items have been checked against construction plans			
	Bridge size structures coordinated with Division Bridge/Structures Engineer All bridge plans reviewed by Division Bridge/Structures Engineer and comments resolved			
635.309(k)	Railroad and utility work coordinated, utility conflicts relocated, and/or status of utility agreements is acceptable			
635.309(j)	Appropriate measures to ensure environmental conditions and commitments are met are clearly shown			
635.309(i)	Provisions to minimize water pollution and soil erosion included			
635.309(n)	Traffic control devices per MUTCD  Construction  Permanent			
630.1012	Traffic management plan is included and approved			
652.5	Pedestrian accommodation included and ADA requirements are met			
652.7(b)	Pedestrian and bike routes are pursuant to an overall plan			
635.407	Public interest findings are documented for mandatory waste or borrow sites			
635.411	Proprietary product use is experimental, justified, or in public interest			
635.413	Warranties are approved			
	Plans approved by appropriate official (PE if required)			
	Plan quality is generally acceptable			

Comments:

## SPECIFICATIONS

Reference	Item	Yes	No	N/A
	State or Local specifications: _____			
630.205	Special Provisions and Supplemental Specifications are satisfactory			
633.102(f)	Form FHWA-1273 Required Contract Provisions is included			
635.309(f)	Current US Department of Labor minimum wage rates included			
635.107	DBE provisions are included			
230.111	Training special provisions are included			
630.205(b)	Specifications contain the written instructions for constructing the project			
	Detailed description of the work, materials, construction methods, measurement method, basis of payment, and pay item for each item of work is outlined			
	Supplemental Specifications cover new or additional construction items or substantial changes regarding items not included in the standard specifications			
635.309(j)	Special Provisions contain commitments for environmental mitigation which is contained in the environmental documentation			
	Contract time is acceptable			
	Buy America provision is included			
	Non-collusion statement included			
	Force account work is adequately justified			

Comments:

## ESTIMATES

Reference “Guidelines on Preparing Engineer's Estimate, Bid Reviews and Evaluation” <a href="http://www.fhwa.dot.gov/programadmin/contracts/ta508046.cfm">http://www.fhwa.dot.gov/programadmin/contracts/ta508046.cfm</a>	Yes	No	N/A
Item Engineer's Estimate unit prices reasonable for the areas, times, and characteristics of the work to be done			
Unit prices have been reviewed to determine if changes in estimated unit prices are needed to reflect any trends that have occurred within the past 3-6 months			
Incentive/disincentive or escalation clauses have been considered in determining the estimated unit costs			
Estimate includes an item number, description of the item, estimated quantity, unit, and price for each proposed item of work			
Haul road restoration item provided			
State option borrow costs provided			
Salvage credit shown			
Utility and railroad force account work covered			
Nonparticipating work shown			
Class and breakdown of funding are correct for highway classification			

Comments:



**AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009**  
FEDERAL HIGHWAY ADMINISTRATION, LOUISIANA DIVISION  
**TRANSPARENCY AND ACCOUNTABILITY**

**LOCAL PUBLIC AGENCY (LPA)  
FEDERAL-AID PROJECTS  
CHECKLIST**

The FHWA Risk Management Plan identifies the major risk areas in implementing the American Recovery and Reinvestment Act of 2009 (Recovery Act). For Division Offices consideration, example checklists have been developed for use in “visible monitoring” efforts. The LPA Checklist should be completed by the Division Office in the review of LPA Recovery Act projects to ensure projects are being administered in accordance with all applicable Federal-aid laws, regulations, and policies.

Also refer to the **Financial Management Checklists**:

- Local Project Administration Policies and Procedures
- Billing/Payment Process of State and Local Governments
- Indirect Costs of State and Local Governments

**PROJECT DATA**

Item No.	
Federal Project Number	
County	
Route	
Engineer's Estimate	
Contract ID	
Letting Date	
Description	

**GENERAL REFERENCES**

**Regulations and Guidance**

<http://staffnet.fhwa.dot.gov/programadmin/localovr.cfm>

**PLANNING**

Checklist Item	Yes	No	N/A
1. Is the project programmed in the currently approved STIP? 23 CFR 450.216 Ref. _____			
2. Is this project in an MPO area and programmed in the MTP and TIP? 23 CFR 450.322 MTP Ref. _____ 23 CFR 450.324 TIP Ref. _____			

Comments:
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## ENVIRONMENT

Checklist Item	Yes	No	N/A
<p>1. Has the environmental documentation for the project been approved? 23 CFR 771</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Programmatic Categorical Exclusion (PCE) Date Approved _____</li> <li><input type="checkbox"/> Categorical Exclusion Level 1 (CE-1) Date Approved _____</li> <li><input type="checkbox"/> Categorical Exclusion Level 2 (CE-2) Date Approved _____</li> <li><input type="checkbox"/> Categorical Exclusion Level 3 (CE-3) Date Approved _____</li> <li><input type="checkbox"/> Environmental Assessment (EA) / FONSI Date of FONSI _____</li> <li><input type="checkbox"/> Environmental Impact Statement (EIS) / ROD Date ROD Signed _____</li> </ul>			
<p>2. Is a reassessment or re-evaluation of the environmental document needed? 23 CFR 771.129</p>			
<p>3. Have environmental commitments been incorporated into the final design and contract documents?</p> <p>Y <input type="checkbox"/> N <input type="checkbox"/> N/A <input type="checkbox"/> Historic Preservation 36 CFR 800 Prop./Plan Ref.</p> <p>Y <input type="checkbox"/> N <input type="checkbox"/> N/A <input type="checkbox"/> Stream/Wetland Mitigation 23 CFR 777 Prop./Plan Ref. _____</p> <p>Y <input type="checkbox"/> N <input type="checkbox"/> N/A <input type="checkbox"/> Noise Abatement 23 CFR 772 Prop./Plan Ref. _____</p> <p>Y <input type="checkbox"/> N <input type="checkbox"/> N/A <input type="checkbox"/> Section 4f 23 CFR 771.135 Prop./Plan Ref. _____</p> <p>Y <input type="checkbox"/> N <input type="checkbox"/> N/A <input type="checkbox"/> Endangered Species Act 50 CFR 402.12(c)) Prop./Plan Ref. _____</p> <p>Y <input type="checkbox"/> N <input type="checkbox"/> Other _____ Prop./Plan Ref. _____</p>			
<p>4. Have all permits for the project been secured?</p>			
<p>5. Is the contractor responsible for obtaining any permits or external agency approvals for this project?</p> <p>Permit/Agency Approval _____ Prop./Plan Ref. _____</p>			

Comments:

## RIGHT OF WAY & UTILITIES

Checklist Item	Yes	No	N/A
<p>1. Has all Right-of-Way for the project been secured? 23 CFR 635.309</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Right-of-Way Certificate Date Approved _____ Proposal Ref. _____</li> </ul>			
<p>2. If the Right-of-Way will not be clear prior to authorization, are proper stipulations contained in the proposal?</p> <p>Y <input type="checkbox"/> N <input type="checkbox"/> N/A <input type="checkbox"/> Restrictions on the contractor Proposal Ref. _____ Y <input type="checkbox"/> N <input type="checkbox"/> Estimate of when the Right-of-Way will be clear Prop. Ref. _____</p>			

3. Is the project located within 2 miles of an airport? 23 CFR 620.103 <input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> Coordinated with FAA <input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> Vertical clearance adequate		
4. Have utility agreements for all utilities affected by this project been completed and approved?		
5. Have all utilities affected by this project been relocated or will be relocated prior to advertisement? Utility Clearance Note Proposal Ref. _____		
6. If all utilities have not been relocated prior to advertisement, does the proposal include a special provision stipulating utility coordination with the prime contractor for each utility?  For each utility relocation coordinated with the prime contractor, provide the utility name, relocation date specified in the utility agreement, and a proposal reference:  Utility Co. Name: _____ Relocation Date: _____ Prop. Ref. _____ Utility Co. Name: _____ Relocation Date: _____ Prop. Ref. _____ Utility Co. Name: _____ Relocation Date: _____ Prop. Ref. _____		
7. Does the project require use of or adjustment of railroad facilities? 23 CFR 646 <input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> Railroad Agreement approved <input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> Liability Insurance requirements provided in proposal Proposal Ref. _____		

Comments:

## PLANS & SPECIFICATIONS

Checklist Item	Yes	No	N/A
1. Have all comments and issues from previous review reports, meeting summaries, etc. been satisfactorily addressed?			
2. Do the contract plans describe the location and design features and the construction requirements in sufficient detail to facilitate construction and the estimation of construction costs of the project? 23 CFR 630.205  Do the contract plans contain the following:  <input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> Title Sheet <input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> Typical Sections <input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> Summary of Quantities <input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> Plan Sheets <input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> Profile Sheets <input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> Drainage Sheets <input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> Cross Sections <input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> Traffic Control Plans <input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> Signing Plans <input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> Lighting Plans <input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> Traffic Signal Plans <input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> Special Detail Sheets <input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> Structure/Bridge Plans			

<p><input type="checkbox"/> <input type="checkbox"/> Utility Relocation Plans          Other _____</p>		
<p>3. Does the design conform to Federal-aid design standards for geometric and structural design of highways and/or STA policy and guidance manuals?          23 CFR 625</p>		
<p>4. Are any design exceptions incorporated into this project? 23 CFR 625.3(f)          Design Exception:    <input type="checkbox"/> <input type="checkbox"/> Reviewed and approved by the STA and FHWA (if applicable per current State DOT/FHWA Stewardship Plan)          Date Approved_____</p>		
<p>5. Does the project involve new or revised Interstate Access?  <input type="checkbox"/> <input type="checkbox"/> Interchange Justification/Modification Study approved by FHWA          Date Approved_____</p>		
<p>6. Are Right-of-Way, easement, and control of access lines shown on the plans?</p>		
<p>7. Is the Right-of-Way acquired adequate to facilitate construction of the project?</p>		
<p>8. Are all traffic control devices provided with this project consistent with the current edition of the Manual on Uniform Traffic Control Devices (MUTCD)?          23 CFR 655.603</p>		
<p>9. Is a temporary traffic control plan provided and consistent with regulations on Work Zone Safety &amp; Mobility as described in 23 CFR 630 (J)?          Prop./Plan Ref. _____  <input type="checkbox"/> <input type="checkbox"/> N/A <input type="checkbox"/> Transportation Management Plan (TMP) Approved by the STA and FHWA (if applicable per current STA/FHWA Stewardship Plan)          Date Approved_____</p>		
<p>10. Are the clear zone and safety appurtenances provided for this project in accordance with the current edition of the AASHTO Roadside Design Guide?</p>		
<p>11. Are appropriate accommodations provided for bicyclists and pedestrians along the project and intersecting roadways? 23 CFR 652</p>		
<p>12. Are pedestrian facilities designed in accordance Americans with Disabilities Act requirements? <a href="http://www.access-board.gov/">http://www.access-board.gov/</a></p>		
<p>13. Does the project utilize the current version of Standard Drawings?</p>		
<p>14. Are local standard drawings, sepia drawings, or special details incorporated into the project? Prop./Plan Ref. _____  <input type="checkbox"/> <input type="checkbox"/> Reviewed and approved by the STA and FHWA (if applicable per current STA/FHWA Stewardship Plan)          Date Approved_____</p>		
<p>15. Does the project utilize the current version of the State Standard Specifications?</p>		

16. Are local specifications or supplemental specifications utilized on the project? Proposal Ref. _____ <input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> Reviewed and approved by the STA and FHWA (if applicable per current STA/FHWA Stewardship Plan) Date Approved _____		
17. Are all pay items covered by an appropriate specification that agrees with the plans for basis of payment?		
18. Are any materials to be supplied by the Local Public Agency or the State? 23 CFR 635.407 Material: _____ <input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> Public Interest Finding (PIF) approved by the STA and FHWA (if applicable per current STA/FHWA Stewardship Plan) Date Approved _____		
19. Are patented or proprietary materials shown in the plans or specifications? 23 CFR 635.411 Material/Product: _____ <input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> Use of Material approved by the STA and FHWA (if applicable per current STA/FHWA Stewardship Plan) Date Approved _____		
20. Is state or local force account construction work to be utilized on this project? 23 CFR 204 <input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> Cost Effective Determination approved by the STA and FHWA (if applicable per current STA/FHWA Stewardship Plan) Date Approved _____		
21. Are experimental features utilized on this project? (Federal-aid Policy Guide G 6042.4) Experimental Feature: _____ <input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> Work Plan approved by the STA and FHWA (if applicable per current STA/FHWA Stewardship Plan) Date Approved _____		

Comments:

## ESTIMATE

Checklist Item	Yes	No	N/A
1. Does the estimate include a pay item for all work included in the plans?			
2. Are all estimated unit prices reasonable and comparable to average unit bid prices or construction industry trends?			

3. Are Federal-aid non-participating items included in this project? Y <input type="checkbox"/> N <input type="checkbox"/> Non-participating items separately listed in the estimate and/or plans items include: _____			
4. Is the amount of the estimate consistent with the amount of Federal-aid funding requested for the construction phase?			

Comments:
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## PROPOSAL

Checklist Item	Yes	No	N/A
1. Is the FHWA-1273 Required Contract Provisions for Federal-Aid Construction Contracts included? 23 CFR 633.102 Proposal Ref.			
2. Are Equal Employment Opportunity (EEO) special provisions included? Proposal Ref. _____			
3. Does the proposal contain a Disadvantaged Business Enterprise (DBE) goal? 23 CFR 635.107 & 49 CFR 26 DBE Goal: _____ Proposal Ref. _____			
4. Is a non-collusion provision included? 23 CFR 635.112(f) Proposal Ref. _____			
5. Are standardized changed condition clauses included? 23 CFR 635.109 Specification/Proposal Ref. _____			
6. Are training special provisions included? Proposal Ref. _____			
7. Are the minimum wage rates determined by the United State Department of Labor included? 23 CFR 117(f) Proposal Ref. _____			
8. Are the Buy America Act Provisions included? 23 CFR 635.410 Specification/Proposal Ref. _____			
9. Is the contract time/completion date realistic and adequately supported? 23 CFR 635.121 Proposal Ref. _____ Completion: Date / Work Days / Calendar Days (Circle One)			
10. Does the proposal contain incentive/disincentive clauses? Proposal Ref. _____			

Comments:
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## **AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 (RECOVERY ACT)**

This category of items will ensure contract documents for projects utilizing Recovery Act funds satisfy additional requirements and include the necessary provisions as set forth in the Recovery Act. For additional guidance and information related to the Recovery Act, please visit [www.fhwa.dot.gov/economicrecovery/index.htm](http://www.fhwa.dot.gov/economicrecovery/index.htm)

Checklist Item	Yes	No	N/A
1. Is this project included in Section 1511 Certification and is the information accurate?			
2. Does the contract package for the project include provisions regarding the special reporting requirements of the Recovery Act?			
3. Does the contract package for the project include a provision to override the general applicability provisions in form FHWA-1273, Section IV and V? Note that Davis-Bacon Prevailing Wage Rate requirements shall apply to all Recovery Act funded construction projects regardless of location / roadway classification. Proposal Ref. _____			
4. Does the contract package require installation of Recovery Act Project Construction Signing?			
5. Does the contract package for the project include a provision for Section 902 regarding U.S. Comptroller General authority?			
6. Does the contract package for the project include a provision for Section 1515 regarding Inspector General authority?			

Comments:



**AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009**  
FEDERAL HIGHWAY ADMINISTRATION, LOUISIANA DIVISION  
**TRANSPARENCY AND ACCOUNTABILITY**

## **DISADVANTAGED BUSINESS ENTERPRISE (DBE) CHECKLIST**

The FHWA Risk Management Plan identifies the major risk areas in implementing the American Recovery and Reinvestment Act of 2009 (Recovery Act). For Division Offices consideration, example checklists have been developed for use in “visible monitoring” efforts. Review of Recovery Act projects in the DBE area will require monitoring from the bidding process through final acceptance. The DBE Checklist provides guidance in the review of program monitoring and enforcement, commercially useful function, and good faith effort.

### **PROJECT DATA**

Federal Project Number		
State Project Number		
Project Name/Route Number, Section		
County		
Prime Contractor		
DBE Firm/s	Working (Y/N)	Type of Work Being Performed
FHWA Signature:	Date:	

### **GENERAL REFERENCES**

#### **Regulations and Guidance**

49 CFR 26

[Disadvantaged Business Enterprise Program](#)

[Guidance Memorandum-FY 2006 DBE Goal Setting Approval Process & DBE Program Plans](#)

<http://osdbuweb.dot.gov/DBEProgram/dbeqna.cfm>

[Information Memorandum - Lease or Use of Prime Contractor's Equipment by DBE Firms](#)

### **DBE COMPLIANCE**

Item	Yes	No	Comments
Contract DBE Goal_____			
Contractor's DBE Goal_____			
Copy of contract Bidder DBE information form in the project files			
If contractor's goal is less than the contract goal, there is a “good faith” statement in the project files			

Monitoring of progress and good faith efforts through monthly DBE progress reports submitted by the contractor			
DBE goal compliance is being checked using <input type="checkbox"/> Payrolls <input type="checkbox"/> Interviews <input type="checkbox"/> Diaries <input type="checkbox"/> Material invoices <input type="checkbox"/> Other _____			
DBEs performance of a commercially useful function is being checked using <input type="checkbox"/> Payrolls <input type="checkbox"/> Interviews <input type="checkbox"/> Diaries <input type="checkbox"/> Material invoices <input type="checkbox"/> Other _____			
Change Orders affects DBEs			
Additional work provided to DBEs			
Changes to DBE goals			
DBE goal changes approved			
Quarterly Report of amounts credited as DBE participation			
Quarterly Report sent to Region local programs engineer			
DBE firm is exercising complete and independent control over its subcontract work items			
DBE firm depends on the Prime contractor, or another firm for supervision of the work			
Does any of the equipment belong to the Prime or another contractor?			
DBE owns and operates trucks on hauling contracts			
Have any employees of Primes or Subs made any complaints such as incorrect wages, sexual or racial harassment or other? If yes, provide name of employee, who they work for and brief description of the complaint:  _____			
Bulletin Board - The following are posted in an accessible location and are clear and legible. Reference <a href="http://www.fhwa.dot.gov/programadmin/contracts/poster.cfm">http://www.fhwa.dot.gov/programadmin/contracts/poster.cfm</a> <input type="checkbox"/> OFCCP1420 (EEO-1) EEO Is THE Law <input type="checkbox"/> Form WH-1420 - Your Rights Under Family and Medical Leave <small>(only applicable when a company employs more than 50 employees and more than 50 employees are working within 75 miles of the project site)</small> <input type="checkbox"/> Form FHWA -1495 – Wage Rate Information <input type="checkbox"/> Form FHWA -1022 – False Statements <input type="checkbox"/> US-DOL Wage Decision <input type="checkbox"/> Form OSHA – 3165 – Job Safety & Health It's The Law <input type="checkbox"/> Form WH – 1462 – Notice Employee Polygraph Protection Act <input type="checkbox"/> Others as appropriate			

Comments:



**AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009**  
FEDERAL HIGHWAY ADMINISTRATION, LOUISIANA DIVISION  
**TRANSPARENCY AND ACCOUNTABILITY**

## QUALITY ASSURANCE CHECKLIST

The FHWA Risk Management Plan identifies the major risk areas in implementing the American Recovery and Reinvestment Act of 2009 (Recovery Act). For the consideration of the Division Offices, example checklists have been developed for use in "visible monitoring" efforts. The Quality Assurance Checklist provides inspection guidelines in regard to materials testing/acceptance and project inspection.

### PROJECT DATA

Date	
Federal Project Number	
State Project Number	
Project Name/Route Number, Section and Mileposts	
County	
Project Description	
Percent Work Complete	
Percent Time Elapsed	
Original Contract Completion Date	
Current Contract Completion Date	
Award Amount	
Current Contract Estimate	

### GENERAL REFERENCES

#### Regulations and Guidance

[23 CFR 630 Subpart J - Work Zone Safety and Mobility](#)

[23 CFR 635.105](#) – Supervising Agency

[23 CFR 637](#) - Construction Inspection and Approval

[29 CFR 1926](#) – Safety and Health Regulations for Construction

Construction Program Management and Inspection Guide

<http://www.fhwa.dot.gov/construction/cpmi04tc.cfm>

Questions and Answers on 23 CFR 637

<http://www.fhwa.dot.gov/pavement/materials/qanda637.cfm>

Federal-Aid Policy Guide, NS 23 CFR 637B, transmittal #36, published July 19, 2006.

<http://www.fhwa.dot.gov/legsregs/directives/fapg/0637bsup.htm>

Technical Advisory T 6120.3 Use of Contractor Test Results in the Acceptance Decision, Recommended Quality Measures, and the Identification of Contractor/Department Risks, published on August 9, 2004.

<http://www.fhwa.dot.gov/legsregs/directives/techadvs/t61203.htm>

Quality Assurance Stewardship Review - Summary Report for Fiscal Years 2003 through 2006

<http://www.fhwa.dot.gov/pavement/materials/stewardreview2007.cfm>

## STAFFING

Reference	Item	Yes	No	N/A
635.105	Full time State Engineer in responsible charge of the construction work			
635.105	Staffing is adequate			
	Field staff has all equipment required to perform necessary inspections and materials tests			
637.209	Material testers are certified			

Comments:

## WORKMANSHIP

Reference	Item	Yes	No	N/A
<b>General</b>				
637.207	Quality control plan has been prepared for the project			
637.207	Contractor is undertaking processes included in approved QC plan			
637.209	Personnel performing inspection work are qualified per the approved qualification program, or otherwise suitably experienced to perform successfully			
637.207	State is conducting sampling and testing to verify contractor data as defined in the state quality assurance program.			
637.209	Testing to accept materials are conducted in a certified laboratory as required in the state's quality assurance program.			
<b>Environmental</b>				
	Erosion and sediment control devices are installed properly and are well maintained			
	Contract specific environmental requirements are in compliance			
	Inspections are conducted in accordance with contract requirements			
	Environmental permits are available onsite			
<b>Earthwork</b>				
	Fill placement complies with contract requirements			
	Compaction test results are satisfactory			
	Sampling and testing (frequency/location) are conducted in accordance with contract requirements			
<b>Structures</b>				
	Pile Driving records are on file (including welder certifications and procedures)			
	Placement, tying, and cover of reinforcing steel comply with contract requirements			
	Bolt certifications are on file along with test results			
	Curing process complies with specifications			
	Sampling and testing (frequency/location) are conducted in accordance with contract requirements			
<b>Asphalt</b>				
	Base is in good condition			

	Mix is delivered at proper temperature			
	Tacking complies with specifications			
	Mix is spread properly (thickness, crown, joints, uniform texture, continuous operation of paver)			
	Proper density is being obtained			
	Ride quality is in conformance with specifications			
	Sampling and testing (frequency/location) are conducted in accordance with contract requirements			
PCC				
	Mix spread to correct thickness			
	Curing and tining applied in timely manner			
	Dowel baskets properly installed			
	Ride quality is in conformance with specifications			
	Sampling and testing (frequency/location) are conducted in accordance with contract requirements			
Work Zone				
	Traffic control devices installed in accordance with Traffic Control Plan			
	Traffic control devices are clean and well maintained			
	Travel way is well delineated			
	Work zone inspections are completed in accordance with contract requirements			

Comments:

#### DOCUMENTATION AND RECORD KEEPING

Reference	Item	Yes	No	N/A
635.123	Project field records adequately maintained to quantities submitted for payment			
	Inspector Daily Reports and Project Diary adequately support work progress, time charges etc.			
	Contract change documentation is adequately maintained			
	Acceptance sampling and testing reports are on file			
	Materials sampling and testing conducted as required			
	Failed tests are documented with cross-references to re-tests			
	Materials Certifications are on file			
	Buy America requirements included on invoices and certifications for all iron and steel products			
	Approved mix designs are on file			
	Trial batch results are properly identified and acceptable			

Comments:



**AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009**  
**FEDERAL HIGHWAY ADMINISTRATION, LOUISIANA DIVISION**  
**TRANSPARENCY AND ACCOUNTABILITY**

## **CONTRACT ADMINISTRATION CHECKLIST**

The FHWA Risk Management Plan identifies the major risk areas in implementing the American Recovery and Reinvestment Act of 2009 (Recovery Act). For the consideration of the Division Offices, example checklists have been developed for use in "visible monitoring" efforts. The Contract Administration Checklist focuses on the risks in procurement, bidding, and management of contract changes.

### **PROJECT DATA**

Federal Project Number:	
State Project Number:	
Project Name/Route Number and Section	
County:	
Project Description	
Authorization Date	
Advertisement Date	
Letting Date:	

### **GENERAL REFERENCES**

#### **Regulation, Policy, and Guidance**

[23 CFR 635 A, B, C & D](#) -- Construction and Maintenance

Headquarters memorandum dated July 12, 1963, Subject: Participation in Engineering Errors  
<http://www.fhwa.dot.gov/programadmin/contracts/071263.cfm>

Headquarters memorandum dated September 8, 1978, Subject: Participation in the Cost of Corrective Work Resulting from Construction Engineering Errors  
<http://www.fhwa.dot.gov/programadmin/contracts/090878.cfm>

FHWA Policy Letter dated November 15, 1996  
<http://www.fhwa.dot.gov/programadmin/contracts/111596.cfm>

FHWA Policy Memo dated September 18, 1990  
<http://www.fhwa.dot.gov/programadmin/contracts/091890.cfm>

Contract Administration Core Curriculum Participant's Manual and Reference Guide  
<http://www.fhwa.dot.gov/programadmin/contracts/coretoc.cfm>

Guidelines on Preparing Engineer's Estimate, Bid Reviews and Evaluation  
<http://www.fhwa.dot.gov/programadmin/contracts/ta508046.cfm>

### **BID INFORMATION**

Engineer's Estimate:	
Low Bid:	
Percent over/under Engineer's Estimate:	
High Bid:	
Number of Bids:	
Number of Competitive Bids: (A competitive bid is a bid within 20% of the low bid)	

## BID ANALYSIS

### Reference

Guidelines on Preparing Engineer's Estimate, Bid Reviews and Evaluation

<http://www.fhwa.dot.gov/programadmin/contracts/ta508046.cfm>

Reference	Item	Yes	No	N/A
635.112	PS&E was approved and project authorized prior to advertisement			
635.112	Project advertised for at least 3 weeks Competition adequate <a href="#">see table below</a>			
635.114	Unit prices do not differ significantly from the estimate Unit prices do not differ significantly from other bidders Unit prices do not differ significantly from similar projects in the same letting?			
635.114	No significant mathematical unbalancing of the bids			
635.114	No material unbalancing of the bids No errors in the engineer's estimate No problems with the bid documents identified Bidders acknowledged receipt of all addenda			
49 CFR 29	Apparent low bidder not suspended or debarred (General Services Administration's Excluded Parties Listing System - <a href="http://epls.arnet.gov/">http://epls.arnet.gov/</a> ) No issues with the identity/geography of the bidders			
49 CFR 26	DBE participation meets the DBE goal Conditional items of authorization adequately addressed Low bidder considered responsive Deferral contrary to the public interest Potential for savings, if the project is re-advertised			
635.114	Project will be awarded to the low bidder			

Comments:

Assessing Competition (This table can be used as a guideline for assessing competition)

<b>Number of competitive bids *</b> (*Range = low bid + 20 percent)	<b>Competition May be considered adequate when low bid does not exceed **</b>
5	120 percent of engineer's estimate
4	115 percent of engineer's estimate
3	110 percent of engineer's estimate
2	105 percent of engineer's estimate
1	The engineer's estimate

**-- NOTE --**

The State transportation agency's (STA) bid information contains agency Engineer's Estimate, which may be CONFIDENTIAL! The responsible FHWA transportation engineer will not discuss the details of the estimate with anyone other than the FHWA or State contact.

### CONTRACT CHANGES

Reference	Item	Yes	No	N/A
635.120	Major change in plans or contract provisions or major extra work			
635.120	Use of force account procedures necessary			
635.120	Scope clearly defined			
635.120	Need adequately justified			
635.120	Independent cost estimate developed			
635.120	Costs adequately justified			
635.120	Contract modification executed in a timely manner			
635.120	Appropriate approvals documented			
635.120	Change in contract time submitted at the same time as the contract change or extra work			
635.121	Contract time extension fully justified and adequately documented			

Comments: