

Louisiana Federal-Aid Highway Program Stewardship Agreement 2007

**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

Purpose

This Stewardship Agreement clarifies the roles and responsibilities of both the Federal Highway Administration (FHWA) and the Louisiana Department of Transportation and Development (LADOTD) in implementing the Federal aid highway program. In situations where the LADOTD has accepted the responsibility for project oversight through the delegations provided in [23 USC 106](#), the LADOTD is to have an action that takes the place of the prior role of FHWA.

Authority for Delegation

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

The provisions of the Stewardship Agreement do not modify the FHWA's non-*Title 23* program oversight and project approval responsibilities for activities such as required under the *Clean Air Act*; the *National Environmental Policy Act of 1969 (NEPA)* and other related environmental laws and statutes; the *Uniform Relocation Assistance and Real Property Acquisition Policies Act* of 1970; and the *Civil Rights Act* of 1964 and related statutes, unless expressly permitted by SAFETEA-LU Section 6004 and 6005. Under Title 23 planning functions cannot be delegated.

Stewardship Expectations

The Stewardship Agreement is intended to result in the effective and efficient management of public funds and to ensure that the Federal aid highway program is delivered consistent with laws, regulations, policies and good business practices.

The delegation options of Section 106 are desirable for LADOTD for the streamlining of processes. Delegations are desirable for FHWA because reduced project-level involvement allows for more effective application of personnel resources.



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II. DELEGATIONS UNDER TITLE 23 SECTION 106

The following table defines oversight responsibility for Federal-Aid projects in Louisiana.

TYPE OF PROJECT	OVERSIGHT RESPONSIBILITY
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.	LADOTD
Major Projects (>\$500 million). All routes.	FHWA
Bridge Projects on any route with an estimated construction cost >\$50 million.	FHWA
All ITS projects (see note 2 below)	FHWA

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

Note 2: As defined by [23 CFR 940](#) an ITS project is 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.

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: Complex emergency relief projects, 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.



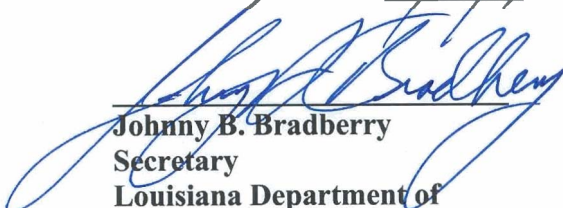
Louisiana Stewardship Agreement

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 replaces and supercedes the existing stewardship agreement dated 01/08/1998 between the FHWA and the LADOTD.

APPROVED: Date: 8/27/07


Johnny B. Bradberry
Secretary
Louisiana Department of
Transportation and Development

APPROVED: Date: 7/31/2007


Charles W. Bolinger
Division Administrator
Federal Highway Administration

Effective Date of this agreement: September 1, 2007



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III. Roles and Responsibilities of FHWA and LADOTD

A. Delegated (State Administered) Projects

LADOTD Project Responsibilities on Delegated Projects

As a condition to accepting Federal-aid highway funds, LADOTD agrees to follow all applicable project and program requirements. In addition, as party to this agreement, LADOTD assumes project oversight responsibilities in accordance with the following:

NHS Projects Delegated to LADOTD

LADOTD assumes oversight responsibility for the design, plans, specifications, estimates, design exceptions, contract award, and inspection of all NHS projects which have been delegated to LADOTD as defined in Section II. All NHS projects must comply with all [Title 23 U.S.C.](#) and non-Title 23 U.S.C. requirements.

Non-NHS Projects

LADOTD assumes oversight responsibility for the design, plans, specifications, contract award, and inspection of projects not on the NHS. Non-NHS projects are required to be designed, constructed, operated, and maintained in accordance with State law, regulations, directives, safety standards, design standards, and construction standards, in lieu of many Title 23 U.S.C. requirements. Title 23 U.S.C. requirements that are applicable to all Federal-aid projects include, but are not limited to: transportation planning, procurement of professional services, Davis-Bacon wage rates, advertising for bids, award of contracts, use of convict produced materials, Buy America Act provisions and other requirements. All non-NHS projects must also comply with all non-Title 23 U.S.C. requirements.

Local Agency Projects

LADOTD is responsible for assuring that all local agency Federal-aid projects comply with all applicable Federal and State requirements. LADOTD is not relieved of this responsibility even though the project may be delegated to the local agency. In accordance with [23 CFR 1.11 and 635.105](#), LADOTD is responsible for ensuring that the local agency has adequate staffing, project delivery systems, and sufficient accounting control to administer the project. If it is determined that a local agency is not equipped to adequately administer the project then LADOTD will either administer the project for them or withhold funding for the project until the local agency makes the necessary changes required to administer the project in accordance with State and Federal requirements.



FHWA Project Responsibilities on Delegated Projects

For projects delegated to LADOTD, as defined in Section II, FHWA retains authority for the following actions and approvals:

1. All Federal responsibilities for planning and programming oversight specified in 23 USC 134 and 135.
2. Federal air quality conformity determinations required by the *Clean Air Act*.
3. Obligation of funds.
4. Waivers to Buy America requirements (FHWA Washington Headquarters (HQ) approval required as noted in Mr. Horne's July 3, 2003 memorandum).
5. SEP-14/SEP-15 methods (FHWA HQ approval required for experimental contracting/project delivery methods).
6. Environmental approvals except those specifically delegated under Section 6004.
7. Addition of access points on the Interstate System.
8. Use of Interstate airspace for non-highway-related purposes.
9. Hardship acquisition and protective buying.
10. All non-Title 23 U.S.C. requirements including but not limited to:
 - a. National Environmental Policy Act (NEPA) of 1969
 - b. Section 4 (f) of the DOT Act of 1966
 - c. Clean Air Act Amendments of 1990
 - d. Uniform Relocation Assistance and Real Properties Acquisition Policies Act of 1970
 - e. See appendix F for additional non-title 23 U.S.C. requirements
11. FMIS Transactions
 - a. Project Authorizations
 - i. Preliminary Engineering
 - ii. Environmental studies
 - iii. Right-of-way
 - iv. Utilities
 - v. Construction
 - b. Modifications to project agreements.
 - c. Final vouchers.



B. Full Oversight Projects

FHWA Project Responsibilities on Full Oversight Projects

FHWA is responsible for project level oversight of [Title 23](#) requirements on full oversight Interstate and NHS projects as defined in Section II of this stewardship plan. In addition, FHWA is responsible for oversight of non-Title 23 U.S.C. requirements. Project level actions by FHWA include the following:

1. Plan, Specifications & Estimates Approval
2. Approval Of Design Exceptions
3. Contract Concurrence In Award
4. Contract Change Order Approval
5. Approval Of Contract Claims Settlement
6. Final Inspection
7. Project Acceptance
8. All Federal responsibilities for planning and programming oversight specified in 23 USC 134 and 135.
9. Federal air quality conformity determinations required by the *Clean Air Act*.
10. Obligation of funds.
11. Waivers to Buy America requirements (FHWA Washington Headquarters (HQ) approval required as noted in Mr. Horne's July 3, 2003 memorandum).
12. SEP-14/SEP-15 methods (FHWA HQ approval required for experimental contracting/project delivery methods).
13. Environmental approvals except those specifically delegated under Sections 6004 and 6005 of [SAFETEA-LU](#).
14. Addition of access points on the Interstate System.
15. Use of Interstate airspace for non-highway-related purposes.
16. Hardship acquisition and protective buying.
17. All non-Title 23 U.S.C. requirements
18. FMIS Transactions
 - a. Project Authorizations
 - b. Modifications to project agreements.
 - c. Final vouchers.



C. Other Project Involvement

FHWA will provide technical assistance to LADOTD and local agencies on any aspect of eligible Title 23 projects. Such technical assistance activities will be identified on a case-by-case basis in consultation with LADOTD and other interested partners.

FHWA and LADOTD will also work together on joint process reviews which may cover all types of Federal-aid projects.

D. FHWA Program Oversight

FHWA has full oversight of all Federal-aid programs. FHWA will manage and provide oversight of Louisiana's Federal-Aid programs in various ways. The methods used will be:

- Routine day-to-day program actions.
- Division participation on LADOTD task forces, research committees, process reviews and attendance at LADOTD meetings.
- Process reviews as determined through risk assessments.

FHWA Program Managers in each area will work with their LADOTD counterparts in carrying out the program related stewardship responsibilities.

For additional information on project and program oversight responsibility by LADOTD and FHWA, see the discussion and charts in the various program area sections in Chapter IV. These sections define:

- Methods of Oversight
- Control Documents
- Performance Indicators
- Program and Project Responsibilities



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IV. STEWARDSHIP PLAN PROGRAM AREAS

- A. PLANNING
- B. ENVIRONMENT
- C. DESIGN
- D. BRIDGE AND STRUCTURES
- E. INTELLIGENT TRANSPORTATION SYSTEMS (ITS)
- F. RIGHT-OF-WAY
- G. UTILITIES
- H. FINANCIAL MANAGEMENT
- I. CONSTRUCTION AND CONTRACT ADMINISTRATION
- J. MAJOR PROJECTS
- K. LOCAL AGENCIES AND TRIBAL GOVERNMENTS
- L. PAVEMENT AND MATERIALS
- M. MAINTENANCE
- N. TRAFFIC OPERATIONS
- O. SAFETY
- P. CIVIL RIGHTS
- Q. EMERGENCY RELIEF
- R. EMERGENCY/SECURITY
- S. RESEARCH, DEVELOPMENT AND TECHNOLOGY



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A. Planning

1. Program Overview

a. Work Programs

[Title 23 CFR, Part 420](#), Planning and Research Program Administration contains the policies and procedures for administering activities and studies undertaken by States and Metropolitan Planning Organizations (MPOs) funded through their respective Work Program or as separate projects not included in a Work Program.

(1) Statewide Planning and Research (SPR) Work Program

Louisiana DOTD prepares the Work Program annually. FHWA provides pre-program guidance, draft review comments, if any, approves the Work Program, and authorizes SPR funds. FHWA monitors the work throughout the year using day-to-day involvement as appropriate. Louisiana DOTD submits Annual Accomplishments and Expenditure Reports to FHWA.

(2) MPO's Unified Planning Work Program (UPWP)

The UPWP is prepared annually by each MPO and reviewed by Louisiana DOTD, FHWA and Federal Transit Administration (FTA). FHWA and FTA comments are provided to the MPO jointly with Louisiana DOTD's, or may be provided individually through the MPO's Technical Advisory Committee review process. FHWA authorizes Urban Planning Funds upon joint FHWA/FTA approval of the UPWP's. These funds are traditionally referred to as "PL" funds. Louisiana DOTD and FHWA monitor the Work Program through quarterly status and expenditure reports, and by participation in MPO meetings.

b. Statewide Transportation Planning

[Title 23 CFR, Part 450](#), Subpart B, addresses the requirements of the statewide transportation planning process.

(1) Statewide Long Range Transportation Planning

Louisiana DOTD develops a Statewide Long Range Transportation Plan which considers all modes of transportation. The Plan covers at least a 20-



year planning horizon (20-years into the future), considers the eight planning factors as outlined in the CFR, and provides an opportunity for public comment. These factors are outlined below:

- i. Support the economic vitality of the metropolitan area (or State), especially by enabling global competitiveness, productivity and efficiency;
- ii. Increase the safety of the transportation system for motorized and non-motorized users;
- iii. Increase the security of the transportation system for motorized and non-motorized users;
- iv. Increase the accessibility and mobility options available to people and for freight;
- v. Protect and enhance the environment, promote energy conservation, and improve quality of life
- vi. Enhance the integration and connectivity of the transportation system, across and between modes, for people and freight;
- vii. Promote efficient system management and operation; and
- viii. Emphasize the preservation of the existing transportation system.

(2) Statewide Transportation Improvement Program (STIP)

Louisiana DOTD develops a STIP containing all projects to be funded by FHWA and FTA for a four (4) year period. The STIP is updated biannually by Louisiana DOTD and submitted to FHWA and FTA for approval every other year. Projects contained in the STIP must be consistent with the Statewide Transportation Plan and the MPO TIPs, and must include public involvement and provide interested parties a reasonable opportunity to comment on the proposed program. Along with the STIP, Louisiana DOTD will certify that the projects in the STIP are based on a planning process that meets the requirements of [23 U.S.C. 134 and 135](#), [49 U.S.C. 5303](#), and [23 CFR 450](#).

c. Metropolitan Transportation Planning

(1) MPO Long Range Transportation Plan

[Title 23, CFR Part 450, Subpart C](#), addresses metropolitan planning requirements. Each MPO must update their Long Range Transportation Plan every 5 years which: covers at least a 20-year planning horizon, includes long range and short range strategies which lead to an integrated intermodal plan; includes a financial plan which compares estimated revenues with costs of construction, maintenance, capital purchases and operations; considers the eight planning factors; and provide an opportunity for public comment.

(2) MPO Transportation Improvement Program (TIP)



Each MPO, in cooperation with the State and its public transit operators will prepare and update a TIP each year covering at least four (4) years. The TIP shall include all projects requiring FHWA and FTA approval; include a priority list of projects to be carried out in the first four (4) years; identify each project or phase; and be financially constrained. The TIP development process must provide a reasonable opportunity for public comment. Highway and transit projects must be selected in accordance with the specific funding programs.

d. Traffic Monitoring

[Title 23 CFR, Part 500](#) provides the regulatory guidance for the development and operation of a traffic monitoring system for highways including traffic counting, vehicle classification, and weigh-in-motion programs. The system is guided by the “AASHTO Guidelines for Traffic Data Programs,” augmented by the FHWA “Traffic Monitoring Guide” and the “Highway Performance Monitoring System Field Manual.”

e. Highway Performance Monitoring System (HPMS)

[Title 23 CFR, Part 420](#) addresses the policy for states to provide data that support FHWA’s responsibilities to the Congress and to the public. The Highway Performance Monitoring System Field Manual provides instructions for collecting and reporting quality and timely data in the condition and performance of the highways and streets.

f. Highway Statistics Reports

[Title 23 CFR, Part 420](#) addresses the policy for states to provide data that supports FHWA’s responsibilities to the Congress and to the public. The “Guide to Reporting Highway Statistics” manual provides instructions for compiling and reporting: motor fuel consumption, motor fuel tax revenues, motor vehicle registrations and fees, driver licenses and fees, highway income and expenditures, debt service, and highway capital outlay and maintenance expenditures which traditionally is referred to as the “500 series reports”.

g. Certification of Public Road Mileage

[Title 23 CFR, Part 460](#) addresses the policies and procedures for identifying and reporting public road mileage for utilization in the statutory formula for the apportionment of Highway Safety funds under 23 U.S.C. 402(c). By June 1 of each year, the Governor or LADOTD Secretary certifies the public road mileage in the state as of the end of the previous calendar year. In Louisiana, the LADOTD Secretary has been selected as the Governor’s designee.

h. Certification of Enforcement of Heavy Vehicle Use Tax



[Title 23 CFR, Part 659](#) prescribes requirements for states to follow in order to annually certify that proof of payment of the Federal Heavy Vehicle Use Tax is obtained before individuals can register their heavy trucks. By July 1 of each year, the Governor or LADOTD Secretary certifies that Louisiana is obtaining proof of payment of the Heavy Vehicle Use tax as a condition of registration. The 12-month certification period ends May 31. In Louisiana, the LADOTD Secretary has been selected as the Governor's designee.

2. Method of Oversight

a. Program Approval Actions

FHWA approval is on a yearly basis for the programs listed above and where noted on the following chart. As a condition for receipt of federal funds, LADOTD agrees to develop plans and work programs for statewide, metropolitan, and other transportation planning activities. FHWA will review these plans and programs to assure they meet applicable laws and regulations.

Programs requiring oversight include:

- 1) State and metropolitan planning sub-programs under the State Planning and Research Program (SPR).
- 2) Statewide transportation planning process, including the STIP.
- 3) Metropolitan Planning Organization (MPO) transportation planning process.

LADOTD must also submit other planning related reports to FHWA. The reports include information on public road mileage for apportionment of highway safety funds; information collected from the Highway Performance Monitoring System; and information relating to the identification of Federal-aid highways, the functional classification of roads and streets, the designation of urban area boundaries, and the designation of routes on the Federal-aid highway systems.

FHWA will serve on the MPOs Committees as an advisor and not as a voting member. Through FHWA/LADOTD's involvement with the MPOs, both agencies will continue to stress the importance of the public involvement process and will assist in applying appropriate levels of environmental consideration during the planning process to result in a more feasible, efficient, and acceptable transportation planning product.

b. Project Approval Action

Projects not originally included in an approved work program or TIP/STIP will need individual project approval from FHWA. An amendment to the appropriate planning document also needs to be processed.

c. Monitoring



LADOTD will monitor all SPR activities, including those of sub-recipients (local governments including county, municipalities, etc.) to assure the work is being managed and performed satisfactorily and that time schedules are being met. LADOTD will submit a report annually to FHWA documenting the results of its monitoring process.

The State shall continually evaluate, revise, and periodically update the long-range statewide transportation plan, as appropriate, using the procedures in this section for development and establishment of the long-range statewide transportation plan. Copies of any new or amended long-range statewide transportation plan documents shall be provided to the FHWA and the FTA for informational purposes.

FHWA and LADOTD periodically monitor MPO plans and activities to ensure they are in conformance with all applicable federal and state guidelines.

3. Document Control

a. Applicable Laws, Regulations, and Procedures

- [Title 23 CFR, Part 420](#)
- [Title 23 CFR, Part 450, Subpart B](#)
- [Title 23 CFR Part 450, Subpart C](#)
- [Title 23 CFR, Part 460](#)
- [Title 23 CFR, Part 470](#)
- [Title 23 CFR, Part 500](#)
- [Title 23 CFR, Part 659](#)
- See the [FHWA Planning, Environment and Realty website](#) for additional information and guidance.

b. Approved Procedures/Agreements/Manual

- Joint FTA/FHWA Planning Memorandum of Agreement (MOA)

4. Business Standards

LADOTD will provide FHWA at least 30 days to review and comment on the draft and final Statewide Transportation Improvement Program (STIP), Metropolitan TIPs, State Planning and Research (SPR) Work Program, the MPO UPWPs and the Statewide and Metropolitan Long Range Transportation Plans.

LADOTD will involve FHWA in decisions involving special and unusual circumstances at the earliest reasonable time to ensure thorough and appropriate decisions can be made collectively.



5. Program Approval Responsibilities

PROGRAM APPROVAL CHART

PROGRAM ACTIVITIES		AGENCY RESPONSIBLE		
Approval Action	Ref. Source	Review	Approve	Remarks
20-YR Statewide Transportation Plan	23 CFR 450.214	FHWA	LADOTD	FHWA reviews and comments on LRTP but no official approval action is taken.
Statewide Transportation Improvement Prog. (STIP)	23 CFR 450.216	FHWA	FHWA/FTA	4 year period; update required every 2 years.
State Planning & Research (SPR) Work Program	23 CFR 420.11	FHWA	FHWA	LADOTD annually develops work program.
Highway Performance Monitoring System (HPMS) Annual Data Submittal from State and Field Verification Review and Report	23 USC 307 (h)	FHWA	None	FHWA HQ required Field Verification review to be conducted by the Division Offices. Based on this review, the Division Office recommends the acceptance of the HPMS data for funding apportionment and allocation purposes.
Certification of Public Road Mileage	23 CFR 460.3	FHWA	None	Due by June 1 st of each year.
Heavy Vehicle Use Tax Annual Certification by State & Triennial Division Office Review	23 CFR 669.21	FHWA	None	State Department of Revenue required to certify that HVUT is being collected. FHWA HQ recommends a review be completed every 3 years.
Highway Statistics: 500 Series Reports	23 CFR 420.105	FHWA	None	LADOTD is required to submit several Highway Statistics forms annually.
Traffic volume Monthly Automated Traffic Recorder Data	23 CFR 1.5	FHWA	None	LADOTD submits required ATR data reports directly to FHWA HQ.
Annual Truck Weight Characteristics Data	23 CFR 1.5	FHWA	None	LADOTD annually submits required data directly to FHWA HQ.
Metropolitan 20-Year Long Range Transportation Plan (LRTP)	23 CFR 450.322	FHWA & LADOTD	MPO	FHWA & LADOTD reviews and comments on Metropolitan LRTPs but no official approval action is taken by FHWA.
Metropolitan Transportation Improvement Program (TIP)	23 CFR 450.324	FHWA & LADOTD	Governor or Designee	Minimum 4 year period; updated at least every 2 years. FHWA reviews and comments on TIPs. All TIPs are developed by the MPO and included in the STIP by reference which is approved by FHWA.
Metropolitan Unified Planning Work Program	23 CFR 450.314	FHWA & LADOTD	FHWA/ LADOTD	MPOs annually developed and submitted work program by MPO. FHWA & LADOTD reviews and comments on UPWPs from each MPO.
Transportation Management Area Reviews	23 CFR 450.334.b	FHWA & FTA	FHWA & FTA	Conducted jointly with FTA on a four year cycle.
Vehicle (Truck) Size and Weight Enforcement Certification	23 CFR Part 657	FHWA	FHWA	State is responsible for enforcing vehicle size and weight laws. State is required to develop a plan for maintenance of an effective enforcement process. Each State plan is approved by FHWA and will then serve as a basis by which the annual State certification of enforcement will be judged.
CMAQ Annual Report	CMAQ Interim Guidance 2006	FHWA	FHWA	LADOTD will submit electronically information on all projects authorized for CMAQ funds by February 1.



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B. Environment

1. FHWA and LADOTD Roles and Responsibilities

For projects using Federal Highway Trust Funds, the FHWA is the lead federal agency in integrating the full range of environmental requirements under a single, unified process that results in effective and sound transportation decisions.

Under current law and regulation, FHWA may delegate responsibility to the LADOTD for activities to address the various environmental laws, Executive Orders, and regulations, but it may not delegate environmental approval authority. Therefore the LADOTD is obligated to submit most environmental documents to FHWA for approval. The exception being Programmatic Categorical Exclusions (PCE). PCE's are approved by LADOTD in accordance with the FHWA/LADOTD agreement for Programmatic Categorical Exclusions.

These documents include among others: Environmental Impact (EIS) Statement-Record of Decision (ROD), Environmental Assessment (EA)-Finding of No Significant Impact (FONSI), and categorical exclusion (CE) decisions for projects not specifically defined as categorically excluded from environmental documentation in regulation. LADOTD processes Programmatic Category Agreements projects given prior approval by FHWA under letter agreements dated 3/2/95 & 8/30/95.

2. Methods of Oversight

a. Program Approval Actions

- LADOTD has been delegated programmatic approval authority for specific categorical exclusions.
- LADOTD also acts as FHWA's nonfederal representative for informal Section 7 ESA consultation and Section 106 consultation.
- LADOTD public involvement procedures are to be approved by FHWA.

b. Project Approval Actions

- As early as practicable in a project's development, the LADOTD and FHWA will collaborate on the proper environmental (NEPA) classification for a project.
- For all projects that require an action be taken by FHWA, FHWA and LADOTD will work together in the project pre-engineering phase to ensure



compliance with NEPA and other applicable laws before an alternative is selected. The level of involvement is commensurate with the level of environmental impacts or project complexity. Projects that meet the approved Programmatic Categorical Exclusion agreement between FHWA and LADOTD are documented in accordance with FHWA and LADOTD agreements. Other Categorical Exclusions, EAs, EISs, Programmatic Section 4(f) Evaluations and Section 4(f) Evaluations are prepared by LADOTD and submitted to FHWA for review and approval.

- FHWA is an active member, as appropriate, of individual project teams and helps guide the project planning.
- All documents requiring legal sufficiency review (Final EIS and Final Section 4(f) Evaluations) are sent to the Office of Chief Counsel in Atlanta, GA. by the Division Office prior to approving these documents. The goal of the Office of Chief Counsel is to provide legal sufficiency review comments to the Division Office within 30 days after receipt of the document. Environmental re-evaluations are conducted through informal consultation and formal written documentation, when appropriate.
- A copy of the DEIS will also be sent to the Office of Chief Counsel in Atlanta, GA. by the Division Office for comments.

c. Monitoring

- The FHWA will monitor compliance with environmental requirements through project-by-project approval actions.
- Additional monitoring may be done on a program-wide basis using FHWA process reviews. Areas to be identified and evaluated for review are based upon the annual FHWA risk assessment process.

3. Control Documents

a. Applicable Laws, Regulations, and Orders

- Title 1, Clean Air Act Amendments of 1990
- Section 404 of the Clean Water Act
- Section 7 of the Endangered Species Act
- 42 USC 4321-4347, National Environmental Policy Act as amended (P.L. 91-190)(P.L. 94-83)
- [49 USC 303](#) and [23 USC 138](#), Section 4(f).
- 16 USC 460L 4-11: PL 88-578
- [23 USC 109\(h\)](#), [FHWA Environmental Guidelines](#)
- [23 USC 128](#), [Public Hearings/Public Involvement](#)
- [23 CFR 771, 772, and 777](#), [FHWA Environmental Regulations](#)
- 36 CFR 800 Section 106 of the National Historic Preservation Act
- 40 CFR 1500, Council on Environmental Quality
- Executive Order 11514, Protection and Enhancement of Environmental Quality, as amended by Executive Order 11991



- Executive Order 11990, Protection of Wetlands
- Title VI of the Civil Rights Act of 1964
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, 1994
- [SAFETEA-LU Sections 6002, 6004, 6007, 6008 and 6009](#)
- See the [FHWA Planning, Environment and Realty website](#) for additional information and guidance.

b. Approved Procedures/Agreements/Manuals

- [LADOTD Roadway Design Manual](#)
- Agreement for Programmatic Categorical Exclusions
- LADOTD Stage 1 Planning/Environmental Manual of Standard Practice

4. Performance Indicators

The FHWA Division office tracks and reports the following information regarding the time to process NEPA documents.

Environmental Assessments (EA)

- Time from Logical Termini approval to approval of Draft EA.
- Time from Logical Termini approval to Public Hearing.
- Time from Logical Termini approval to approval of FONSI.

Environmental Impact Statements (EIS)

- Time from Notice of Intent to approval of Draft EIS
- Time from Notice of Intent to approval of Final EIS
- Time from Notice of Intent to approval of Record of Decision (ROD)

Categorical Exclusions (CE)

- Time from date CE is received by the Division to date CE is approved.



5. Work Activities Chart

Work Activity	LADOTD Action	FHWA Action	Result
PCE's			
Programmatic Categorical Exclusion (PCE)	Prepare and Approve	Periodic Audit	Approved CE
CE's			
Categorical Exclusion (CE)	Prepare and submit for FHWA review and approval	Review/correct and Approve(14 days)	Approved CE
EA's			
Draft Environmental Assessment (EA)	Prepare and submit to FHWA for comment	Review and Comment (30 days)	Comments
EA	Prepare and submit to FHWA for approval	Review/correct/Approve EA for circulation (14 days)	Approved EA
Finding of No Significant Impact (FONSI)	Prepare FONSI request and submit to FHWA	Review/correct/Approve FONSI or notify LADOTD of need for EIS (14 days)	FONSI or consider NOI
EIS's after SAFTEA – LU			
Project Initiation Letter (NOPI)	Prepare letter of Initiation	Review	Acknowledge
Notice of Intent (NOI)	Prepare Draft Notice of Intent and forward to FHWA	Review and revise NOI and publish in the Federal Register (30 days)	Published NOI in the Federal Register
Coordination Plan and Schedule	Joint development by lead agencies LADOTD/FHWA/ Others as appropriate	Joint development by lead agencies LADOTD/FHWA/ Others as appropriate	Coordination Plan developed
Cooperating Agency and Participating Entity Request Letters	Joint Lead Agencies ID Cooperating Agencies and Participating entities. Prepare and distribute request letters.	Joint Lead Agencies ID Cooperating Agencies and Participating entities	Cooperating Agency and Participating entities invited.
Input in development of Purpose and Need, the range of alternatives and methodologies to be used.	Provide opportunity for input.	Provide opportunity for input.	Input received and considered in the development of the project.
Preliminary Draft Environmental Impact Statement (DEIS)	Prepare and submit to FHWA for review	Review and comment (40 days) including legal review.	Written comments
DEIS	Prepare, approve, and submit to FHWA for approval	Approve DEIS or return for revision (21 days)	DEIS or instructions for revision
Draft Final Environmental Impact Statement (FEIS)	Prepare and submit to FHWA for review	Review and comment (45 days) Request Legal	Written Comments and legal



		Sufficiency review (30days)	sufficiency.
Work Activity	LADOTD Action	FHWA Action	Result
FEIS with draft ROD	FEIS (with draft ROD) prepared, approved and submit to FHWA for approval. Distribute FEIS after FHWA approval.	Approve FEIS or return for revision (21 days)	FEIS approved and distributed
Record of Decision (ROD)	Prepare a Draft ROD and submit to FHWA	Review/revise, and Issue ROD (30 days)	ROD completed
De Minimis 4(f)			
De Minimis 4(f)	Prepare and submit for FHWA review	Review/corrected and approve (21 days)	Approved De Minimis 4(f)
Programmatic 4(f)			
Programmatic Section 4(f) Evaluation	Prepare and submit for FHWA review	Review/corrected and approve (21 days)	Approved Programmatic Section 4(f)
Section 4(f)			
Draft Section 4(f) Evaluation	Prepare and submit to FHWA for review	Review, request legal review and comment (30 days)	Comments
Section 4(f) Legal Sufficiency	Prepare and submit to FHWA for review	Request Legal Sufficiency review (30 days)	Section 4(f) Legal Sufficiency
Final Section 4(f) Evaluation	Prepare and submit for FHWA approval	Review, correct and approve (30 days)	Final Section 4(f) Evaluation
Section 106			
Findings of No Historic Properties Affected and No Adverse Effect	Prepare, coordinate with SHPO/FHWA and submit to FHWA for finalized finding.	Review and finalize Finding.	Finding of No affect or No Adverse Effect.
Section 106 Adverse Effect Determination	Prepare and submit to FHWA for Determination	Make determination and forward to the Advisory Council on Historic Preservation (30 days)	Adverse Effect Determination
Section 106 Memorandum of Agreement	Negotiate Memorandum of Agreement (MOA), Acquire other approvals, approve, and submit the FHWA for approval	Sign MOA or return for revision (14 days)	Executed Section 106 MOA or instructions for revision
Other Activities			
Written Re-evaluation	Prepare and submit to FHWA for review	Review/correct and approve (30 days)	Approve
Project Management Plan (Major Projects Only) *	Submit Draft PMP to FHWA for review prior to ROD.	Review/correct/ approve (30 days)	Approved

* See Major Projects section.



6. Project Responsibilities

PROJECT ACTIVITY APPROVAL CHART

PROJECT ACTIVITIES		AGENCY RESPONSIBLE	
Approval Action	Reference Document	Full FHWA Oversight Projects	State Administered (Delegated) Projects
Programmatic Categorical Exclusion	23 CFR 771	LADOTD	LADOTD
Categorical Exclusion	23 CFR 771	FHWA	FHWA
Environmental Assessment	23 CFR 771	FHWA	FHWA
Finding of No Significant Impact	23 CFR 771	FHWA	FHWA
Environmental Impact Statement	23 CFR 771	FHWA	FHWA
Record of Decision	23 CFR 771	FHWA	FHWA
Section 4(f) Evaluation	23 CFR 771	FHWA	FHWA
Section 106 Compliance	36 CFR 800	FHWA	FHWA



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C. Design

1. Program Overview

It is the FHWA Division policy to make sufficient and timely design reviews of Full Oversight projects, as defined in Section II of this agreement, to assure that they are designed in accordance with applicable standards and appropriate cost-effective measures. In addition, FHWA will periodically perform process reviews jointly with LADOTD that will include Full Oversight, State Administered and Locally Administered projects. These reviews may cover all areas of the design process from consultant selection to final plan preparation. The subject and scope of these reviews will be as determined by FHWA and LADOTD using risk assessment techniques.

2. Roles and Responsibilities of FHWA and LADOTD

a. Delegated (State Administered) Projects

(1) LADOTD Project Responsibilities on Delegated Projects

As a condition to accepting Federal-aid highway funds, LADOTD agrees to follow all applicable project and program requirements. In addition, as party to this agreement, LADOTD assumes project oversight responsibilities in accordance with the following:

NHS Projects Delegated to LADOTD

LADOTD assumes oversight responsibility for the design, plans, specifications, estimates, design exceptions, contract award, and inspection of all NHS projects which have been delegated to LADOTD as defined in Section II. All NHS projects must comply with all [Title 23 U.S.C.](#) and non-Title 23 U.S.C. requirements.

Non-NHS Projects

LADOTD assumes oversight responsibility for the design, plans, specifications, contract award, and inspection of projects not on the NHS. Non-NHS projects are required to be designed, constructed, operated, and maintained in accordance with State law, regulations, directives, safety standards, design standards, and construction standards, in lieu of many Title 23 U.S.C. requirements. Title 23 U.S.C. requirements that are applicable to all Federal-aid projects include, but are not limited to transportation planning, procurement of professional services, Davis-Bacon wage rates, advertising for bids, award of contracts, use of convict produced materials, Buy America Act provisions and other requirements. All non-NHS projects must also comply with all non-Title 23 U.S.C. requirements.



Local Agency Projects

LADOTD is responsible for assuring that all local agency Federal-aid projects comply with all applicable Federal and State requirements. LADOTD is not relieved of this responsibility even though the project may be delegated to the local agency. In accordance with [23 CFR 1.11 and 635.105](#), LADOTD is responsible for ensuring that the local agency has adequate staffing, project delivery systems, and sufficient accounting control to administer the project. If it is determined that a local agency is not equipped to adequately administer the project then LADOTD will either administer the project or withhold funding for the project until the local agency makes the necessary changes required to administer the project in accordance with State and Federal requirements.

(2) FHWA Project Responsibilities on Delegated Projects

For projects delegated to LADOTD, as defined in Section II, FHWA retains authority for the following actions and approvals:

1. FMIS Transactions
 - a. Project Authorizations
 - b. Modifications to project agreements.
 - c. Final vouchers.
3. Waivers to Buy America requirements (FHWA Washington Headquarters (HQ) approval required as noted in Mr. Horne's July 3, 2003 memorandum).
4. SEP-14/SEP-15 methods (FHWA HQ approval required for experimental contracting/project delivery methods).
5. [Environmental approvals except those specifically delegated under Sections 6004 and 6005 of SAFETEA-LU.](#)
6. Addition of access points on the Interstate System.
7. Use of Interstate airspace for non-highway-related purposes.
8. Hardship acquisition and protective buying.
9. All non-Title 23 U.S.C. requirements including but not limited to:
 - a. National Environmental Policy Act (NEPA) of 1969
 - b. Section 4 (f) of the DOT Act of 1966
 - c. Uniform Relocation Assistance and Real Properties Acquisition Policies Act of 1970



b. Full Oversight Projects

FHWA Project Responsibilities on Full Oversight Projects

FHWA is responsible for project level oversight of Title 23 requirements on full oversight Interstate and NHS projects as defined in Section II. In addition, FHWA is responsible for oversight of non-Title 23 U.S.C. requirements. Project level actions by FHWA include the following:

1. FMIS Transactions
 - a. Project Authorizations
 - b. Modifications to project agreements
 - c. Final vouchers
2. Plan, Specifications & Estimates Approval
3. Approval Of Design Exceptions
4. Contract Change Order Approval
5. Project Acceptance
6. Waivers to Buy America requirements (FHWA Washington Headquarters (HQ) approval required as noted in Mr. Horne's July 3, 2003 memorandum).
7. SEP-14/SEP-15 methods (FHWA HQ approval required for experimental contracting/project delivery methods).
8. [Environmental approvals except those specifically delegated under Sections 6004 and 6005 of SAFETEA-LU.](#)
9. Addition of access points on the Interstate System.
10. Use of Interstate airspace for non-highway-related purposes.
11. Hardship acquisition and protective buying.
12. All non-Title 23 U.S.C. requirements including but not limited to:
 - a. National Environmental Policy Act (NEPA) of 1969
 - b. Section 4 (f) of the DOT Act of 1966
 - c. Uniform Relocation Assistance and Real Properties Acquisition Policies Act of 1970



3. Methods of Oversight

a. Program Approval Actions

- LADOTD Standard Drawings are approved by FHWA on a program basis.
- LADOTD Standard Specifications for Road and Bridge Construction are approved on a program basis.
- LADOTD's consultant selection procedures are approved by FHWA.

b. Project Approval Actions

- FHWA will approve final design plans on Full Oversight projects as part of the PS&E package submitted by LADOTD for construction authorization.
- FHWA will approve Design Exceptions on Full Oversight Projects.
- FHWA will approve the Scope and Fee package on consultant contracts for full oversight projects.
- Various project approval actions applicable to design are included in the PROJECT ACTIVITY APPROVAL CHART below.

c. Monitoring

- FHWA will participate in Pre-design/Environmental meetings on Full Oversight projects.
- FHWA will review preliminary engineering required for NEPA documents on all Federal-Aid projects.
- FHWA will participate in Plan-in-hand reviews for Full Oversight projects. The Area Engineer and or Bridge Engineer will submit comments and recommendations to LADOTD in writing.
- FHWA will review Advance Check Prints for Full Oversight projects. The Area Engineer and or Bridge Engineer will submit comments and recommendations to LADOTD in writing.
- FHWA will participate in Value Engineering (VE) studies during the design phase for projects with an estimated cost >\$25 million (\$20 million for bridge projects) and other VE studies as selected by LADOTD.
- FHWA and LADOTD will jointly perform process reviews related to road design, design exceptions, consultant selection and any other areas related to the design program. The subject of these reviews will be determined through risk assessment methods and agreed to by FHWA and LADOTD. These process reviews may include both NHS and non-NHS projects.



4. Control Documents

a. Applicable Laws, Regulations, and Orders

- [Title 23 USC, Chapter 1, Subchapter I, Section 109 – Standards](#)
- [23 CFR 620 Engineering](#)
- [23 CFR 625 Design standards for highways](#)
- [23 CFR 627 Value engineering](#)
- [23 CFR 630 Preconstruction procedures](#)
- [23 CFR 636 Design-build contracting](#)
- [23 CFR 645 Utilities](#)
- [23 CFR 470 Highway Systems](#)
- [23 CFR 650 Bridges, structures, and hydraulics](#)
- [23 CFR 652 Pedestrian and bicycle accommodations and projects](#)
- [23 CFR 655 Traffic Operations](#)
- [23 CFR 710 Right-of Way and Real Estate](#)
- 28 CFR 35 Nondiscrimination on the Basis of Disability in State and Local Government Services
- 28 CFR 36 Nondiscrimination on the Basis of Disability by Public Accommodations and in Commercial Facilities
- [49 CFR 27 Nondiscrimination on the Basis of Disability in Programs or Activities Receiving Federal Financial Assistance](#)
- [49 CFR 37 Transportation Services for Individuals with Disabilities \[Americans with Disabilities Act \(ADA\)\]](#)

b. Approved Procedures/Agreements/Manuals

- [LADOTD Roadway Design Procedures and Details Manual](#)
- [LADOTD Hydraulics Manual with Supplement](#)
- LADOTD Standards Manual for Accommodating of Utilities, Driveways and Other Facilities on Highway Right-of-Way.
- [LADOTD Real Estate Operations Manual](#)
- [LADOTD Local Public Agency Manual](#)
- [LADOTD Standard Specifications for Roads and Bridges](#)
- AASHTO A Policy on Geometric Design of Highways and Bridges
- Federal Aid Program Guide (FAPG) See website for this guidance.
<http://www.fhwa.dot.gov/legsregs/directives/fapgtoc.htm>



5. Business Standards

- LADOTD will provide FHWA 2 weeks, from receipt date, to review/approve Plans, Specifications & Estimates (PS&E's).
- FHWA will provide the LADOTD written comments (Letter or email) on Plan-in-hand prints and Advance Check Prints within 30 days of receipt or within 2 weeks after the Plan-in-hand field review. These comments will be sent to the LADOTD Project Manager for the project.
- LADOTD will respond to FHWA comments in writing (Letter or email) within 30 days of receipt.
- FHWA will review/approve Scope and Fee Packages for consultant contracts within 1 week of receipt.
- FHWA will respond to LADOTD on changes to the Design Manual within 30 days of request.

6. Performance Indicators

Design Program Performance Indicators

- Percentage of available federal funds obligated each fiscal year
- Percentage of available federal funds obligated per program each fiscal year.
- Percentage of construction estimates within 5% of the low bid.
- Number of construction change orders required due to plan errors on projects. Both in-house and consultant designed projects will be tracked.

LADOTD/FHWA Internal Performance Indicators

- Percentage of PS&Es approved by FHWA within 2 weeks of receipt.
- Percentage of project submittals in which FHWA sends comments to DOTD within 30 days of receipt.
- Percentage of project submittals in which DOTD responds to FHWA comments within 30 days of receipt.
- Percentage of scope and fee packages reviewed by FHWA within 1 week of receipt.



7. Project Responsibilities

Project Activity Approval Chart

PROJECT ACTIVITIES		AGENCY RESPONSIBLE		
Approval Action	Reference Document	Full FHWA Oversight Projects	Delegated (State Administered) NHS Projects	* Delegated (State Administered) Non-NHS Projects
Design standards, policies and standard specifications, for applications to geometric and structural design	23 CFR 625.1 & 2	FHWA	FHWA	LADOTD
Project Authorization	23CFR 630A	FHWA	LADOTD	LADOTD
Consultant design contracts – Scope and Fee Package	23 CFR 625 23 CFR 172	FHWA	LADOTD	LADOTD
Supplemental Agreements to design contracts	23 CFR 625 23 CFR 172	FHWA	LADOTD	LADOTD
Extra Work Orders	23 CFR 625 23 CFR 172	LADOTD	LADOTD	LADOTD
Single source selection (Non-competitive negotiation)	23 CFR 172.5	FHWA	FHWA	FHWA
Design exceptions	23 CFR 625.3(f)	FHWA	LADOTD	LADOTD
Value engineering	23 CFR 627.5 , TEA-21, Section 1305(e)	FHWA	LADOTD	LADOTD
Monitoring federal-aid highway design projects	23 CFR 630.205	FHWA	LADOTD	LADOTD
PS&E review and approval / project authorization	23 CFR 630.106	FHWA	LADOTD	LADOTD
Traffic control plans	23 CFR 630.1002 23 CFR 655.601	FHWA	LADOTD	LADOTD
Interstate highway new, revised, or temporary access	23 CFR 470 23 CFR 710	FHWA	FHWA	NA
Material or product selection: proprietary products, recycled materials, public interest findings	23 CFR 635.411	FHWA	LADOTD	LADOTD
Design-build	23 CFR 636 TEA-21, Section 1307, SEP-14	FHWA	FHWA	FHWA
Utilities	23 CFR 645.113	FHWA	LADOTD **	LADOTD
Hydraulics design, erosion and sediment control design	23 CFR 650.115 23 CFR 650.211	FHWA	LADOTD	LADOTD
Pedestrian and bicycle accommodations and design	23 CFR 652.13	FHWA	LADOTD	LADOTD
ADA criteria and design	23 CFR 652 28 CFR 35 & 36 49 CFR 27 & 37	FHWA	LADOTD	LADOTD

* Includes Locally Administered projects.

** Except on Interstate, where FHWA approval is required.



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D. Bridge and Structures

1. FHWA and LADOTD Program Overview

The FHWA Division Office is responsible for oversight of the federal assisted LADOTD administered federal-aid highway program referred to within this section as either the Highway Bridge Program (HBP) or Highway Bridge Replacement and Rehabilitation Program (HBRRP). The purpose of the Highway Bridge Program is to improve the condition of eligible public highway bridges over waterways, other topographical barriers, other highways, and railroads through replacement and rehabilitation of bridges that the LADOTD and FHWA determine are structurally deficient or functionally obsolete and through systematic preventive maintenance of bridges.

Definition: A bridge as referenced within this section is a structure including supports erected over a depression or an obstruction, such as water, highway, or railway, and having a track or passage for carrying traffic or other moving loads, and having an opening measured along the center of the roadway of more than 20 feet between under copings of abutments or spring lines or arches, or extreme ends of openings for multiple boxes; it may also include multiple pipes, where the clear distance between openings is less than half of the smaller contiguous opening.

Scope of work eligible for federal-aid highway bridge program fund reimbursement includes:

- Replacement of the bridge with a comparable facility,
- Rehabilitation of the bridge, or
- the following highway bridge activities which might be proposed on a highway bridge eligible for replacement or rehabilitation:
 - Painting, seismic retrofits, systematic preventive maintenance, scour countermeasures installation, and environmentally acceptable minimally corrosive anti-icing and de-icing compositions.

Federal-aid highway bridge program eligibility consists of a bridge being classified structurally deficient or functionally obsolete and with a qualifying sufficiency rating. Bridges meeting this classification criterion are referred as being on the “Selection List”. The classification is derived from the established criteria which utilizes certain bridge condition or appraisal ratings. The sufficiency rating is derived from the bridge inventory and is assigned to each bridge in accordance with the approved AASHTO sufficiency rating formula. The sufficiency rating value will be determined if the bridge is eligible for replacement and/or rehabilitation. Under a preventive maintenance concept the following activities; seismic retrofits, systematic preventive maintenance, or scour countermeasures installation can be carried out without regard to whether the bridge is eligible for rehabilitation or replacement.

Other federal-aid highway funds administered by FHWA may also be used to replace or rehabilitate bridges. Project approval actions are similar to those that apply to the Highway Bridge Program except the existing bridge need not be classified structurally deficient or functionally obsolete and is not required to have a qualifying sufficiency rating.



The FHWA is responsible for administering the National Bridge Inspection Standards (NBIS) and National Bridge Inventory (NBI). In order to participate in the bridge program LADOTD must inspect, or cause to be inspected, all highway bridges located on public roads that are fully or partially located within the State's boundaries, except for bridges that are owned by Federal agencies. LADOTD is to ensure that all public bridges within its borders including parish (county) and municipal owned bridges are inspected, load rated, and reported in accordance with the NBIS requirements.

The NBIS requires that all public highway bridges meeting the definition of a bridge included above be inspected at regular intervals not to exceed twenty-four months (2 years). Certain bridges might require inspection at less than twenty-four months intervals based on LADOTD established criteria. Fractural critical members require inspection not to exceed twenty-four months (2 years) and underwater structural element inspection are require at regular intervals not to exceed sixty months (5 years). *Note: Certain structures, may be inspected at greater than twenty-four month intervals, not to exceed forty-eight months, with written formal FHWA approval when past experience and favorable past inspection findings and analysis justify the increased interval of inspection.*

2. Methods of Oversight

a. Program Actions

- FHWA Louisiana Division office will make an annual determination of compliance with the NBIS by performing a joint FHWA/LADOTD NBIS process review on annually predetermined number of LADOTD Districts along with reviewing those LADOTD District's bridge maintenance.
- FHWA Louisiana Division office (sometimes with assistance from other FHWA offices) will provide technical or program assistance concerning structure, geotechnical, or hydraulic items.
- LADOTD will program bridge projects from the Selection List of eligible bridges.
- LADOTD will inspect and load rate or cause to inspect and/or load rate all public highway bridges in accordance with the NBIS requirements within the State of Louisiana except for bridges that are owned by Federal agencies.
- LADOTD will submit the annual NBI data to FHWA Headquarters and FHWA Louisiana Division Office.
- LADOTD will submit the annual bridge construction unit cost data for federal-aid highway system and non federal-aid highway system bridges to the FHWA Louisiana Division Office for review. The FHWA Louisiana Division office will review and submit the information to the FHWA Headquarters.
- LADOTD will administer and manage the highway bridge program. FHWA Louisiana Division office will provide program assistance.
- LADOTD will manage the non-Federal-aid highway (off the state maintained system) bridge replacement or rehabilitation program. FHWA Louisiana Division office will provide program assistance.
- LADOTD will carry out a Value Engineering (VE) analysis for all Federal-aid highway funded projects with an estimated total cost of \$25 million or more (\$20 million for bridge projects).
- FHWA Louisiana Division office will assist or provide any National Scour Evaluation, Bridge Discretionary, Innovative Bridge Research and Deployment (IBRD), or other federal-aid bridge related program information, as directed by the particular program guidance.



- LADOTD is responsible for making the debris from the demolition of eligible HBP bridges and overpasses available for beneficial use.

b. Project Actions (Also see Sections: H-Construction & Contract Administration, C- Design, and L-Maintenance)

- FHWA Louisiana Division office will approve eligible bridge project actions and oversight for bridges that are on the NHS according to this section stewardship chart and/or as defined in Section II.
- Unusual or complex bridge projects on the Interstate System will require FHWA Headquarters review and approval of the preliminary Type, Size, and Location (TS&L) report. FHWA Louisiana Division office will coordinate these efforts with LADOTD cooperation and participation.
- Unusual, complex, or major bridges as indicated in Part II located off the Interstate or NHS system may by mutual agreement be designated for full or increased FHWA oversight ranging from technical assistance, preliminary plan review and approval, PS&E approval, or up to construction oversight, if deemed appropriate. The LADOTD Chief Engineer and the Louisiana FHWA Division Assistant Division Administrator will make the degree of oversight determination.
- FHWA Louisiana Division office will participate, when invited, in the Louisiana Transportation Research Center (LTRC) structure, geotechnical, or hydraulic related research projects.
- FHWA Louisiana Division office will approve specific bridge site cost effective determination which might differ some the sufficiency rating type of eligible action.

c. Monitoring

FHWA Louisiana Division Office will:

- Screen bridges for eligibility for the Highway Bridge Program using the Selection List.
- Review environmental documents containing bridge facilities as part of the FHWA Division office interdisciplinary review.
- Review major bridge (as defined within Part II) project feasibility reports.
- Review special, complex, or fracture critical bridge inspection reports.
- Review wave and storm surge analysis and design of coastal bridges for Interstate, NHS major structures, or critical bridges (i.e. emergency or evacuation route bridges).
- Review NBIS reports for bridge posting, critical findings, and inspection frequency.
- Review semi-annual scour evaluation reports and assist in getting underwater inspection contracts performed.
- Perform special process reviews of specific program elements such as hydraulics, geotechnical, bridge design, bridge construction or other elements on a periodic basis or as a result of using risk assessment techniques.
- Perform annual reviews to establish compliance with the NBIS and bridge maintenance efforts.
- Review annual Bridge Construction Unit costs and NBI submittal.



3. Control Documents

a. Applicable Laws, Regulations, and Orders

- [Title 23 USC 144](#) Highway Bridge Replacement and Rehabilitation Program
- [Title 23 USC 151](#) National Bridge Inspection Program
- [23 CFR 650 Bridges, Structures, and Hydraulics](#)
- [23 CFR 625 Design Standards for Highways](#)
- [23 CFR 627 Value Engineering](#)
- [23 CFR 630 Preconstruction Procedures](#)
- [23 CFR 636 Design Build](#)

b. Approved Procedures/Agreements/Manuals

- [LADOTD E.D.S.M. IV.4.1.2 Louisiana Bridge Maintenance](#) – Bridge Inspection & Load Rating Standards
- LADOTD Geotechnical Design Manual
- [LADOTD Hydraulics Manual](#)
- [LADOTD Bridge Design Manual](#)
- [LADOTD LRFD Bridge Design Manual](#)
- [LADOTD Standard Specifications for Roads and Bridges](#)
- LADOTD Bridge Inspection Procedures
- LADOTD Bridge Maintenance Directives
- AASHTO A Policy on Geometric Design of Highways and Bridges
- FHWA Bridge Inspection Coding Guide
- FHWA Bridge Inspector's Reference Manual
- AASHTO Standard Specifications for Highway Bridges
- AASHTO Manual for Condition Evaluation of Bridges
- AASHTO LRFD Bridge Design Specifications
- AASHTO LRFD Movable Highway Bridges Design Specifications
- AASHTO Guide Specification and Commentary for Vessel Collision Design of Highway Bridges
- AASHTO LRFD Bridge Construction Specifications
- AASHTO Manual for Condition Evaluation and Load and Resistance Factor Rating (LRFR) of Highway Bridges
- Technical Advisory T 5140.21, REVISIONS TO THE NATIONAL BRIDGE INSPECTION STANDARDS
- Technical Advisory T 5140.23, EVALUATING SCOUR AT BRIDGES

4. Performance/Compliance Indicators

Compliance Indicators

- Submittal of the annual NBI updated data to FHWA HQ by April 1st of each year.
- Submittal of the annual Bridge Construction Unit Cost data to FHWA HQ by April 1st of each year.

Performance Indicators

- Percentage of NHS bridges “surface area” classified as deficient or structurally obsolete.
- Percentage of non-NHS bridges “surface area” classified as deficient or structurally obsolete.



5. Project and Program Responsibilities

PROJECT ACTIVITY APPROVAL CHART

PROJECT ACTIVITIES		AGENCY RESPONSIBLE		
Approval Action	Reference Document	Interstate & NHS Projects (Full Oversight)	NHS Projects (Delegated to LADOTD)	Non-NHS Projects
HBP/HBRRP Eligibility Determinations	23 CFR 650 Subpart D	FHWA	LADOTD	LADOTD
TS & L	23 USC 106 23 CFR 630	FHWA	LADOTD	LADOTD
PS & E	23 USC 106 23 CFR 630	FHWA	LADOTD	LADOTD
Design Exceptions (Bridge Width, structural capacity, and vertical clearance)	23 CFR 625	FHWA	LADOTD	LADOTD
Non-Competitive Negotiation Eng. and Design Related Services	23 CFR 172	FHWA	FHWA	FHWA
Bridge exempt determination from Coast Guard permit requirements	23 CFR Subpart H 650.805	FHWA	FHWA	FHWA
Coast Guard Permit Obtained (when required)	23 CFR Subpart H 650.807	LADOTD	LADOTD	LADOTD
Value Engineering (>25M, >\$20M for bridges)	23 CFR 627	LADOTD	LADOTD	LADOTD

PROGRAM ACTIVITY APPROVAL CHART

PROGRAM	REFERENCE	AGENCY RESPONSIBLE
NBIS Compliance Review	23 CFR 650 Subpart C	FHWA
Annual NBI Submittal	23 CFR 650 Subpart C	LADOTD
Annual Construction Unit Cost Submittal	23 CFR 650 Subpart D	LADOTD
Discretionary Bridge Program Submittal	23 CFR 650 Subpart G	LADOTD
Innovative Bridge Research and Deployment (IBRD) Program Submittals	23 USC 503 (b)	LADOTD
Scour Critical Bridge Plan of Action (POA)	23 CFR 650 Subpart C	LADOTD
Semi-Annual scour updates	T 5140.23	LADOTD
Bridge Construction Inspections	FAPG G 6042.8	FHWA/LADOTD
Buy America Requirements	23 CFR 635.410	FHWA
Bridge Load Rating and/or Posting, Fractural Critical Bridge Element and Inspection Frequency	23 CFR 650 Subpart C	LADOTD
Bridge Preventive Maintenance Program (if HBP funds are proposed and an acceptable systematic process does not exist)	23 USC 144	FHWA
Use of Debris from Demolished Bridges and Overpasses for "Beneficial use"	P.L. 109-59 Section 1805	LADOTD



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E. Intelligent Transportation Systems (ITS)

1. FHWA Program Overview

Congress enacted the [Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users \(SAFETEA-LU\)](#), which ended the ITS Deployment Program at the close of fiscal year 2005, but continued ITS research at \$110 million annually through fiscal year 2009. In addition to authorized ITS funding, ITS projects are eligible for regular Federal-aid highway funding.

LADOTD works cooperatively with FHWA to take a lead role in development of Intelligent Transportation Systems (ITS) initiatives in Louisiana and actively pursues ITS deployment, integration, research and operations.

LADOTD and FHWA work cooperatively with all Louisiana Metropolitan Planning Organizations (MPOs) to promote ITS planning, regional architecture use, and adoption and integration of ITS at the local level.

LADOTD and FHWA will work cooperatively to assure that ITS projects are consistent with the National and Regional ITS Architectures, incorporate ITS Standards, fully integrated and have applied a systems engineering process.

A primary ITS goal of LADOTD is to ensure that transportation facilities operate efficiently and that no opportunities to provide integrated ITS features are overlooked during reconstruction.

2. Methods of Oversight

a. Program Approval Actions

- Regional ITS architectures for each of the MPOs, statewide and rural areas shall be developed and maintained to document the ITS integration strategies and guide the development of specific projects and programs. FHWA will serve as a technical resource during the development, maintenance and use of the regional architectures and shall be furnished a copy of the adopted regional architectures and any amendments. Regional architectures will conform to the latest version of the National Architecture.



b. Project Approval Actions

- All ITS projects (stand alone or ITS incorporated in other work) shall conform with and adhere to the applicable Regional Architecture as documented in [23 CFR 940](#). LADOTD shall make and document a commitment to the operations, management and maintenance of deployed systems.

LADOTD shall make a determination of conformity of ITS Projects with the regional ITS architecture. FHWA will concur in the project level determination of conformity with the applicable regional ITS architecture.

Note: As defined in [23 CFR 940](#), an ITS project is 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. The National Architecture can be found at www.its.dot.gov.

The following are examples of common activities that do or do not qualify as an ITS project based on the User Services:

Activity	ITS Project?	User Service #	User Service Description/Comments
Contra-flow Operations	Yes	5.3.11 5.3.11.4(a), (b),(e),(f),(g)	Evacuation Coordination shall provide an Evacuation Transportation Management (ETM) function to assist evacuation coordination personnel as they manage evacuation operations. The ETM system shall provide the control of devices as required by the evacuation management plan, including traffic signals, DMS, turning restriction signs, lane closure devices and road closure devices.
Traffic Signal System (Interconnected)	Yes	1.6.3.3.1	The Device Control system shall include the capability to control traffic signalization, including rapid modification of signalization parameters to respond to traffic requirements. (The Device Control system includes other devices in the field, i.e. master controllers, parent devices, etc.)
Individual Traffic Signal	No		There are no User Services for traffic control devices not controlled by another system or device.



Data Archiving & Warehousing	Yes	7.1.0	ITS shall provide an Archived Data Function to control the archiving and distribution of ITS data.
Motorist Assistance Patrol	Yes	8.1.2	Maintenance and Construction Operations shall provide a Roadway Management (RWM) function to monitor traffic, road surface, and environmental conditions and forecast traffic and road surface conditions to support management of routine and hazardous road condition remediation and to communicate changes in conditions. The RWM function shall support a number of different services, including but not limited to incident response.
TMC Operations Personnel	Yes	1.6.0	ITS shall include a Traffic Control (TC) function. Traffic Control provides the capability to efficiently manage the movement of traffic on streets and highways. Four functions are provided, which are, (1) Traffic Flow Optimization, (2) Traffic Surveillance, (3) Control, and (4) Provide Information.

- All ITS projects shall be developed based on a systems engineering analysis. LADOTD shall make a determination of conformity of ITS Projects with the systems engineering analysis requirement. FHWA will concur in the project level determination of conformity with the systems engineering analysis consistent with partnership agreement procedures for involvement.
- All ITS projects shall use applicable ITS standards and interoperability tests that have been officially adopted, by rulemaking, by US DOT. LADOTD shall make a determination of conformity of ITS projects with the ITS standards requirement. FHWA will concur in the project level determination of conformity with the ITS standards requirement consistent with partnership agreement procedures for involvement.
- Projects advanced under [TEA – 21](#) Section 5208 (ITS Integration Program) will be advanced/approved on a case-by-case basis. Typically, the projects are designated by earmark in appropriations acts with specific implementation processes issued by FHWA Washington Headquarters for each appropriation cycle.
- FHWA will approve the PS&E package for ITS projects.



- FHWA will approve all project authorizations, modified project agreements and final vouchers.
- FHWA will concur in award on all ITS projects.
- FHWA will approve all Category 1 and 2 change orders per [EDSM III.1.1.1.](#)

c. Monitoring

- FHWA will provide ongoing technical assistance on the use of regional ITS architectures, systems engineering analysis, ITS standards and other technical areas, include these areas in routine risk assessments evaluations, and work cooperatively with LADOTD to use process review techniques to assess and improve processes and procedures.
- FHWA will participate in project and program steering committees or other ongoing oversight processes for ITS.

3. Control Documents

a. Applicable Laws, Regulations, and Procedures

- [TEA - 21 Title V Subtitle C](#)
- [SAFETEA-LU Title V Subtitle C](#)
- [23 CFR Part 940 ITS Architecture and Standards](#)
- [23 CFR Part 635 Construction and Maintenance](#)
- [23 CFR Part 636 Design Build Contracting](#)

b. Approved Procedures/Agreements/Manuals

- LADOTD and MPO ITS Strategic Plans
- LADOTD and MPO Regional ITS Architectures
- LADOTD Systems Engineering Guide
- Miscellaneous LADOTD Policy and Guidance documents

4. Performance/Compliance Indicators

- LADOTD will provide FHWA with copies of ITS regional architectures or amendments within 30 days of adoption.
- FHWA will follow prescribed processing requirements for individual project actions related to regional architecture conformity, systems engineering analysis completion, and standards conformity as defined in the partnership agreement.
- FHWA will follow prescribed processing requirements for ITS Integration Program projects as defined in Washington Headquarters instructions issued with each appropriations cycle.



5. Project Responsibilities

PROJECT ACTIVITY APPROVAL CHART – ITS Infrastructure Projects

PROJECT ACTIVITIES		AGENCY RESPONSIBLE
Approval Action	Reference Document	
Regional Architecture Conformity Determination	23 CFR 940.11	FHWA and LADOTD
Systems Engineering Analysis Determination	23 CFR 940.11	FHWA and LADOTD
ITS Standards Determination	23 CFR 940.11	FHWA and LADOTD
PS&E Approval	23CFR 635.104 & 635.204	FHWA
Project Authorization	23 CFR 635.112	FHWA
Contract Administration		See Project and Program Responsibilities Chart in Section IV-C Construction and Contract Administration for Full Oversight projects.

Special instructions for ITS Projects:

“ITS projects” can be independent construction projects or may be part of larger construction projects that include ITS User Services. The above listed approval actions apply whether the ITS project is advanced on either a standalone or included basis. All other stewardship and oversight functions such as environmental determination, right of way clearance, etc. are project size, system and work type dependent with no other special processing requirements for ITS purposes beyond routine stewardship and oversight.



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F. Right-of-Way

1. Program Overview

The purpose of this section is to address the right-of-way (ROW) functional areas of appraisal, acquisition and relocation, the principal activities used to acquire space for highway projects. These right-of-way activities are covered under [Title 49 CFR \(24\)](#), which has no provision for exemptions under [Title 23 U.S.C.](#) Therefore, the rules of [Title 49](#) and Title 23 apply in the situation where Federal aid is being used to fund the right-of-way activity and/or if Federal-aid is being used to fund the project.

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

- ROW certification
- State ROW operations manual
- ROW authorization
- Air rights on the interstate
- Airspace leases/joint use agreements
- Sale/transfer of excess ROW
- Early acquisition, protective buying, and hardship
- Functional replacement
- Highway beautification

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

- Direct eligible costs including administrative, legal and court settlements.
- Real property donations

2. Methods of Oversight

a. Program Approval Actions

The approval of the LADOTD Right-of-Way Operations manual is a program approval action required by [23 CFR 710.201\(c\)](#).



b. Project Approval Actions

FHWA project-level approval actions include:

- authorization of federally aided right-of-way activities
- early acquisition approval
- acceptance of project right-of-way certifications, etc.

See the Project Activity Approval Chart for more detail.

c. Monitoring

- Even though there are no exemptions under the law for any functions covered in [49 CFR 24](#), for practical purposes there are two levels of review of those elements. One level depends on whether the project involves ROW acquisition and has Federal-aid in the ROW project phases. Although the ROW regulations must be followed under both levels, attention must still be given to the reasonableness of the actual dollar expenditures made for ROW activities on those projects where there is no Federal-aid in the ROW activities.
- For the second level of projects, there is a dual concern for the rights of property owners and displaced persons and the stewardship of the federal dollars. Continuous review of the State's 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. A high level of FHWA involvement will be continued under this stewardship plan on projects that have Federal-aid in the ROW activities.
- Local Public Agencies (LPAs), i.e., cities and counties, are required to comply with the Uniform Act and its governing regulations found in 49 CFR 24 in the same manner as LADOTD. As stipulated in 23 CFR 710.201(b), LADOTD is responsible for assuring that ROW acquisitions by local public agencies are made in compliance with Federal and State laws and regulations.
- FHWA is responsible for in-depth reviews of LADOTD's program for appraisal, acquisition, and relocation. Review of the ROW activities will be conducted through periodic joint FHWA/LADOTD process reviews and spot-checking reviews accomplished jointly by FHWA ROW personnel and LADOTD as determined through a risk assessment process. The purpose of the reviews is to address known problems; assist in complying with State and Federal requirements; and to assure adequacy of program oversight and accountability of public resources. State and local agency right-of-way program activity, as well as the LADOTD's oversight of local agency ROW activity is subject to review at any time.
- Review and technical assistance in the Highway Beautification program are also provided by FHWA.



- [Right-of-Way Operations Manual](#)
 - LADOTD is responsible for full compliance with FHWA requirements.
 - Future changes to a manual, because of new FHWA requirements or changes in State law, etc., will be submitted to FHWA for acceptance within a reasonable period of time.
 - In-house administrative manual changes should be transmitted to FHWA for informational purposes.
 - In accordance with [23 CFR 710.201\(c\)](#), LADOTD shall certify to the FHWA every five years that the Right-of-Way Operations Manual is current and in compliance with federal and state laws and regulations. This was last accomplished 01/01/2006.

3. Control Documents

a. Applicable Laws, Regulations, and Orders

- [49 CFR 24, Uniform Relocation Assistance and Real Property Acquisition for Federal and Federally Assisted Programs](#)
- [23 CFR 620, Subpart B, Relinquishment of Highway Facilities](#)
- [23 CFR 635.309, Right-of-Way Certification](#)
- [23 CFR 710, Right-of-Way and Real Estate](#)
- [23 CFR 750, Highway Beautification](#)
- [23 CFR 751, Junkyard Control and Acquisition](#)
- See the [FHWA Realty website](#) for additional information and guidance.

b. Approved Procedures/Agreements/Manuals

- [LADOTD ROW Operations Manual](#)
- [LADOTD Local Public Agency Manual](#)

4. Performance Indicators

LADOTD identifies the needs of their external customers (property owners) through the use of customer satisfaction surveys. After the property is acquired and the displacees are relocated, each LADOTD district agent sends the property owner and/or displacee a survey, along with a self-addressed stamped envelope. Surveys are returned to LADOTD Headquarters office, where responses are filed and then routed to the specific district if responses require attention.



5. Business Standards

Work Activity	LADOTD Action	FHWA Action	Result
Appraisals	Review, Certification, and Approval – All Projects	Authorization & Oversight – All Projects (7 days)	Appraisal Reports
Acquisitions	Performance and Approval – All Projects	Authorization & Oversight – All Projects (7 days)	Property Ownership/Title, Servitudes
Relocations	Performance and Approval – All Projects	Authorization & Oversight – All Projects (7 days)	Relocations
ROW Authorizations and Agreements	Requests	Authorize – All Projects (7 days)	Authorization & Agreements
ROW Certification	Approve Non-NHS & NHS	Approve Interstate & NHS (7 days)	Certificates
Functional Replacement	Approval and Oversight	Concur (14 days)	Functional Replacement of Real Property
Air Rights – Interstate	Request	Review and Approve (14 days)	Airspace Agreement
Airspace Leases/Joint Use Agreements	Approve & Oversight Non-Interstate	Review and Approve federally funded airspace leases (14 days)	Leases/Agreements
Disposal of Excess ROW	Approve Non-Interstate	Review and Approve federally funded excess ROW (14 days)	Property Sale & Revenue to Transportation Fund
Federal Land Transfer	Prepare Request	Review and Approve (90 days)	Transfer Deeds
Early Acquisition, Hardship, Protective Buying	Prepare Submission	Review, Approve, and Authorize (14 days)	Property Ownership
ROW Operations Manual	Prepare Manual	Review and Approve (14 days)	Manual
Highway Beautification	Prepare Request	Review and Approve (14 days)	Manual
Administrative, Legal, and Court Awards	Approve	Stewardship & Oversight	Property Acquisition
Access Control – Disposal and Changes	Request or approve as per LADOTD Policy	Review and Approve all Interstate and others as per LADOTD Policy (14 days)	Disposition/Change
Early Acquisition Cost	Approve	Concur (14 days)	Reimbursement/Matching Credit



6. Project Responsibilities

PROJECT ACTIVITY APPROVAL CHART

Project Activities		Agency Responsible	
Approval Action	Reference Document	Full FHWA Oversight Projects	State Administered (Delegated) Projects
Appraisals	49 CFR 24	LADOTD	LADOTD
Acquisitions	23 CFR 710	LADOTD	LADOTD
Relocations	49 CFR 24	LADOTD	LADOTD
ROW Authorizations and Agreements	23 CFR 710	FHWA	LADOTD
ROW Certification	23 CFR 710 23 CFR 635	FHWA	FHWA
Functional Replacement (Federal Funds in ROW)	23 CFR 710	FHWA	FHWA
Air Rights – Interstate	23 CFR 710	FHWA	FHWA
Airspace Leases/Joint Use Agreements	23 CFR 710	FHWA	FHWA
Disposal of Excess ROW	23 CFR 620 23 CFR 710	FHWA*	FHWA*
Federal Land Transfer	23 CFR 710	FHWA	FHWA
Early Acquisition, Hardship, Protective Buying	23 CFR 710	FHWA	FHWA
Administrative, Legal, and Court Awards	23 CFR 710	LADOTD	LADOTD
Access Control – Disposal and Changes	23 CFR 620 23 CFR 710	FHWA**	FHWA**
State ROW Manual	23 CFR 710	FHWA	FHWA
Local Public Agency Projects	23 CFR 710	FHWA	FHWA

* Interstate or below fair market value

** Interstate and as per LADOTD Policy



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G. Utilities

1. Program Overview

The purpose of this section is to address the policies, procedures and reimbursement provisions for the adjustment and relocation of utility facilities on Federal-aid projects. These activities are covered under Federal regulation [23 CFR 645 Subpart A](#).

This program also addresses the policies and procedures for accommodating utility facilities and private lines on the right-of-way of Federal-aid highway projects. These activities are covered under Federal regulation [23 CFR 645 Subpart B](#).

2. Methods of Oversight

a. Program Approval Actions

FHWA will approve the LADOTD Standards Manual for Accommodating Utilities, Driveways and Other Facilities on Highway Right-of-way and any revisions to that manual.

b. Project Approval Actions

FHWA will approve authorizations of funds for all Federal-aid utility relocation projects.

Utility Relocation Authorization Procedures

1. The LADOTD Headquarters Utility Section will send a letter requesting funding to Project Finance and copy FHWA. The letter will contain the following information.
 - Certification that the project has environmental clearance.
 - Certification that project is on the STIP.
 - A cost estimate with each utility listed.
2. Project Control will prepare the authorization request and forward to FHWA for approval.
3. FHWA will review and approve the authorization in FMIS.
4. Once all utility agreements have been signed the LADOTD Headquarters Utility Section will send a Utility Release letter to Project Finance and copy FHWA.



Authorization of the construction project (when applicable) cannot be approved until the Utility Release letter has been received.

c. Monitoring

- Review of the Utilities Relocation and Accommodation activities will be conducted through periodic joint FHWA/LADOTD process reviews. The scope and frequency of these reviews will be agreed upon by FHWA and LADOTD.
- FHWA Area Engineers will review the progress and adequacy of utility relocations in the field during routine construction inspections on Federal-aid oversight projects.

3. Control Documents

a. Applicable Laws, Regulations, and Orders

- Louisiana Administrative Code, Title 70, Part II Utilities
- [23 CFR 645 Subparts A and B](#)
- [23 USC 101,109, 111, 116, 123 and 315](#)

b. Approved Procedures/Agreements/Manuals

- LADOTD Standards Manual for Accommodating Utilities, Driveways and Other Facilities on Highway Right-of-Way.
- [FHWA Utility Program Guide: Utility Relocation and Accommodation on Federal-Aid Highway Projects](#)
- [FHWA Utility Program Website](#)
- [AASHTO publication “A Guide for Accommodating Utilities Within Highway Right-of-Way”](#).
- [AASHTO publication “Roadside Design Guide”](#).



4. Project and Program Responsibilities

PROJECT ACTIVITY APPROVAL CHART

Project Activities		Agency Responsible	
Approval Action	Reference Document	Full FHWA Oversight Projects	State Administered (Delegated) Projects
Authorization of Federal-aid funds for utility relocations.	23 CFR 645 Subpart A	FHWA	FHWA

PROGRAM ACTIVITY APPROVAL CHART

PROGRAM	REFERENCE	AGENCY RESPONSIBLE
LADOTD Standards Manual for Accommodating Utilities, Driveways and Other Facilities on Highway Right-of-Way	23 CFR 645 Subpart B	FHWA



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H. Financial Management

1. Program Overview

While ISTEA and [TEA-21](#) have maintained FHWA's stewardship of the Federal-aid highway program, the passing of [SAFETEA – LU](#) in 2005 and the Financial Integrity Review and Evaluation Order in 2006 have made significant changes to the financial management program area.

LADOTD recognizes that the correctness and propriety of all Federal-aid claims are primarily its responsibility. In fulfilling its responsibility the LADOTD must maintain and test adequate operating policies, procedures and a sound accounting system with proper internal controls together with suitable audit activities. FHWA recognizes a need for complete understanding of all pertinent financial and operating policies and procedures of LADOTD. It is FHWA's responsibility to provide technical assistance and advice in funding and financial areas.

2. Methods of Oversight

d. Program Approval Actions

- FHWA will approve the accounting process used to develop the payroll additive rates and indirect cost rates.
- FHWA will approve the resolution of OIG and State audit findings.
- FHWA will approve the Federal-aid Current Billing.

e. Project Approval Actions

- FHWA will approve final vouchers, project authorization, and modified project agreements on all projects. (see [Appendix C for Federal-aid Authorization Procedures.](#))

f. Monitoring

- FHWA will monitor all financial management and accounting activities primarily through periodic contacts and program level reviews in accordance with the FIRE Order.
 - Grant Financial Management Process Review
 - Improper Payments Information Act (IPIA) Review
 - Inactive Federal-aid Projects Review
 - Single Audit Review



- Through periodic contact with LADOTD personnel FHWA will provide guidance and technical assistance in such areas as fiscal document processing, financial management, reimbursement and innovative financing.
- FHWA will, to the maximum extent possible, utilize the work of Louisiana Legislative Auditors to limit the scope of FHWA reviews.
- Risk assessment techniques will be used where appropriate to determine areas for review.

3. Control Documents

a. Applicable Laws, Regulations and Orders

- [Title 23 USC](#)
- [Title 23 CFR](#)
- 48 CFR Part 18 – USDOT Common Rule Application
- [OMB Circular A-133, Single Audit Act of 1984](#)
- [OMB Circular A-87, Cost Principles for State & Local Governments](#)
- [OMB Circular A-123, Management Accountability and Control](#)
- [OMB Circular A-127, Financial Management Systems](#)
- Cash Management Improvement Act of 1990
- Chief Financial Officer Act of 1990
- Federal Managers’ Financial Integrity Act (FMFIA) of 1982
- [DOT Order 8000.1C, OIG Audit and Investigation Report Findings, Recommendations and Follow-up Actions of 1989](#)
- [Improper Payments Information Act \(IPIA\) of 2002](#)
- [Financial Integrity Review and Evaluation \(FIRE\) Order 4560.1A of 2006](#)

b. Approved Procedures/Agreements/Manuals

- Indirect Cost Rate Proposal
- Federal-Aid Policy Guide
- Emergency Relief (ER) Payment Process Manual
- FMIS Electronic Signature Process Manual
- Payroll Additive Manual



4. Business Standards

WORK ACTIVITY	LADOTD ACTION	FHWA ACTION	REMARKS
Current Billing	Submits electronically to FHWA as often as desired	Act Upon within 2 hours of notification	Source documentation will be randomly sampled and reviewed by FHWA
Inactive Project Review	Review, compile first response working papers, and schedule meeting with FHWA within 30 calendar days of notification / Finalize review work papers within 15 working days of FHWA meeting	Quarterly Submit Inactive Project review work papers to LADOTD per FIRE Order / Meet with LADOTD on first response working papers	
LADOTD Single Audit	Ensure audit is completed as required and copies of audit reports are submitted to FHWA within 30 calendar days of completed audit.	Review and take action to ensure findings are resolved	
Project Authorizations/Agreements and Modifications	Prepare and submit electronically to FHWA through FMIS.	Review and approve or reject within 5 working days for delegated projects and 10 working days for full oversight projects	
Final Vouchers/Final Acceptance	Prepare and submit electronically to FHWA through FMIS	Review and approve or reject within 5 working days for delegated projects and 10 working days for full oversight projects	
Monthly Status of Funds	None	Prepare monthly and distribute to FHWA personnel and LADOTD by the 5 th working day of the month.	
Indirect Cost Rate	Annually prepare and submit ending budget year indirect cost rate proposal by June 30 th .	Review and act upon the submitted proposal within 60 calendar days.	



5. Project Responsibilities

PROJECT ACTIVITY	AGENCY RESPONSIBLE	
Approval Document	Full FHWA Oversight Projects	State Administered (Delegated) Projects
Project Authorization	FHWA Project Delivery Team Leader	FHWA Financial Manager

6. Performance Indicators

WORK ACTIVITY	Performance Indicator
Inactive Projects	Total amount of inactive obligations to be less than five percent (5%) of the current fiscal years appropriation.



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I. Construction & Contract Administration

1. Program Overview

Congress has charged the FHWA with administering the Federal-Aid Highway Program (FAHP) under [Title 23](#), and other associated laws. FHWA is responsible for the inspection of construction projects utilizing federal aid funds. The primary purpose of FHWA review and administration in construction is to protect the public investment, assure effective quality controls, and to verify that the project is completed in reasonably close conformity with the plans, specifications and special provisions. ISTEA, [TEA-21](#) and [SAFETEA-LU](#) allow the delegation of FHWA construction review, oversight and administration responsibilities, except those based on non-Title 23 Federal requirements, to the state DOT for certain types of projects.

This section specifies the roles and responsibilities of FHWA and LADOTD on both full oversight and delegated projects.

2. Roles and Responsibilities of FHWA and LADOTD

a. Delegated (State Administered) Projects

(1) LADOTD Project Responsibilities on Delegated Projects

As a condition to accepting Federal-aid highway funds, LADOTD agrees to follow all applicable project and program requirements. In addition, as party to this agreement, LADOTD assumes project oversight responsibilities in accordance with the following:

NHS Projects Delegated to LADOTD

LADOTD assumes oversight responsibility for the design, plans, specifications, estimates, design exceptions, contract award, contract administration and inspection of all NHS projects which have been delegated to LADOTD as defined in Section II of this plan. All NHS projects must comply with all Title 23 U.S.C. and non-Title 23 U.S.C. requirements.

Non-NHS Projects

LADOTD assumes oversight responsibility for the design, plans, specifications, contract award, and inspection of projects not on the NHS. Non-NHS projects are required to be designed, constructed, operated, and maintained in accordance with State law, regulations, directives, safety



standards, design standards, and construction standards, in lieu of many Title 23 U.S.C. requirements. Title 23 U.S.C. requirements that are applicable to all Federal-aid projects include, but are not limited to: procurement of professional services, Davis-Bacon wage rates, advertising for bids, award of contracts, use of convict produced materials, Buy America Act provisions and other requirements. All non-NHS projects must also comply with all non-Title 23 U.S.C. requirements.

Local Agency Projects

LADOTD is responsible for assuring that all local agency Federal-aid projects comply with all applicable Federal and State requirements. LADOTD is not relieved of this responsibility even though the project may be delegated to the local agency. In accordance with [23 CFR 1.11 and 635.105](#), LADOTD is responsible for ensuring that the local agency has adequate staffing (in-house or through consultant contracts) and sufficient accounting control to administer the project. If it is determined that a local agency is not equipped to adequately administer the project then LADOTD will either administer the project or withhold funding for the project until the local agency makes the necessary changes required to administer the project in accordance with State and Federal requirements.

(2) FHWA Project Responsibilities on Delegated Projects

For projects delegated to LADOTD, as defined in Section II of this plan, FHWA retains authority for the following Contract Administration actions and approvals:

1. FMIS Transactions
 - c. Project Authorizations
 - d. Modifications to project agreements.
 - e. Final vouchers.
2. Waivers to Buy America requirements (FHWA Washington Headquarters (HQ) approval required as noted in Mr. Horne's July 3, 2003 memorandum).
3. SEP-14/SEP-15 methods (FHWA HQ approval required for experimental contracting/project delivery methods).
4. [Environmental approvals except those specifically delegated under Sections 6004 and 6005 of SAFETEA-LU.](#)
5. All non-Title 23 U.S.C. requirements including but not limited to:
 - a. National Environmental Policy Act (NEPA) of 1969
 - b. Section 4 (f) of the DOT Act of 1966
 - c. Uniform Relocation Assistance and Real Properties Acquisition Policies Act of 1970



b. Full Oversight Projects

(1) FHWA Project Responsibilities on Full Oversight Projects

FHWA is responsible for project level oversight of Title 23 requirements on full oversight Interstate, NHS and Major projects as defined in Section II of this plan. In addition, FHWA is responsible for oversight of non-Title 23 U.S.C. requirements. Project level Contract Administration actions by FHWA include but are not limited to the following:

1. FMIS Transactions
 - f. Project Authorizations
 - g. Modifications to project agreements.
 - h. Final vouchers.
2. Plan, Specifications & Estimates Approval
3. Approval Of Design Exceptions
4. Project Authorization.
5. Contract Concurrence In Award
6. Contract Change Order Approval ([per EDSM III.1.1.1](#))
7. Approval of Contract Time Extensions ([per EDSM III.1.1.1](#))
8. Approval Of Contract Claims Settlement
9. Final Inspection
10. Project Acceptance
11. Waivers to Buy America requirements (FHWA Washington Headquarters (HQ) approval required as noted in Mr. Horne's July 3, 2003 memorandum).
12. SEP-14/SEP-15 methods (FHWA HQ approval required for experimental contracting/project delivery methods).
13. [Environmental approvals except those specifically delegated under Sections 6004 and 6005 of SAFETEA-LU.](#)
14. Approval of modifications to project agreements.
15. All non-Title 23 U.S.C. requirements including but not limited to:
 - a. National Environmental Policy Act (NEPA) of 1969
 - b. Section 4 (f) of the DOT Act of 1966
 - c. Uniform Relocation Assistance and Real Properties and Acquisition Policies Act of 1970

3. Methods of Oversight

a. Program Approval Actions

- FHWA will approve any waivers to Buy America Act on all federal-aid projects.
- FHWA will have specific approval authority for the authorization and obligation of Federal-Aid funds for all federal-aid projects.



- FHWA will approve LADOTD Standard Specifications and Supplemental Specifications for all federal-aid projects.

b. Project Approval Actions

- FHWA will approve all project and construction authorizations.
 - The FHWA Project Delivery Team Leader will authorize all full oversight projects.
 - The FHWA Financial Management Team will authorize all delegated projects.
 - See [Appendix C for Project Authorization Procedures](#).
- FHWA will approve project agreements, modified project agreements and final vouchers on all projects.
- FHWA will approve the plans, specifications and estimates on all full oversight projects.
- FHWA will approve addenda on full oversight projects.
- FHWA will concur in award on all full oversight projects.
- FHWA will approve all Category 1 and 2 construction change orders on full oversight projects per LADOTD EDSM III.1.1.1.
 - Category 2 change orders are approved by the FHWA Area Engineer.
 - Category 1 change orders are approved by the Project Delivery Team Leader.
- FHWA will approve all contract time extensions (except Category 3 change orders) on full oversight projects.
- FHWA will approve all claim settlements on full oversight projects.
- FHWA will make a final acceptance on all full oversight projects.

c. Monitoring

FHWA Division Office will:

- FHWA will conduct routine project inspections on full oversight projects. The types of inspections to be conducted include:
 - (1) An initial inspection at the beginning of the project.
 - (2) Intermediate inspections to be conducted, as a minimum, quarterly.
 - (3) In depth inspections of specific phases of construction as deemed needed by FHWA.
 - (4) A final inspection.

These inspections will be conducted in company with either the LADOTD Project Engineer, the District Area Engineer or their representative. The FHWA Area Engineer will write a report documenting their findings and recommendations. These findings and recommendations will be discussed with the LADOTD Project Engineer. A copy of the inspection report will be forwarded by email to the:



- (1) FHWA Project Delivery Team Leader
 - (2) LADOTD Chief Construction Engineer (or his representative)
 - (3) LADOTD District Area Engineer
 - (4) LADOTD Project Engineer
- Attend monthly project CPM/Partnering meetings and other project meetings as needed.
 - Evaluate the State and local agencies' transportation construction programs, including their procedures and controls for assuring transportation improvements are constructed in accordance with approved standards and acceptable contracting methods through the use of process reviews. The type and scope of process reviews will be determined through risk assessments. FHWA and LADOTD personnel will work together on the reviews and jointly develop recommendations for improvements in the program.
 - Evaluate the quality of materials, equipment, construction practices, and work force used for the purpose of evaluating the quality of the constructed product. This will be accomplished through project inspections and review of the LADOTD Materials Certification after project completion.

LADOTD will:

- Provide adequate inspection, contract administration and materials QC/QA on all Federal-aid projects to ensure compliance with all FHWA and LADOTD requirements.
- Provide adequate oversight of Locally Administered Federal-aid projects to ensure compliance with all FHWA and LADOTD requirements.
- Submit a Materials Certification to FHWA for each full oversight project certifying that the materials incorporated into the project were in conformity with the approved plans and specifications.
- Advise FHWA of any claims submitted on full-oversight projects. The process of reviewing and negotiating claim settlements on full-oversight projects will be coordinated with FHWA.
- Advise the FHWA Area Engineer of pending change orders on full-oversight projects.

4. Control Documents

a. Applicable Laws, Regulations, and Orders

- [23 USC, 102, 106, 112, 114, 117, 121](#)
- 40 USC 276(a) Davis-Bacon Act
- [23 CFR 635 Construction and Maintenance](#)
- [23 CFR 636 Design Build Contracting](#)



- [23 CFR 637 Construction Inspection and Approval](#)
- [23 CFR Part 230 External Programs \(EEO, DBE\)](#)
- [23 CFR Part 633 Required Contract Provisions](#)

b. Approved Procedures/Agreements/Manuals

- [LADOTD Standard Specifications for Roads and Bridges](#)
- LADOTD Supplemental Specifications
- [LADOTD Contract Administration Manual](#)
- [LADOTD Materials Sampling Manual](#)
- [LADOTD Engineering Directives & Standards Manual \(EDSM\)](#)
- [LADOTD Road and Bridge Design Manuals](#)
- [FHWA Contract Administration Manual](#)
- Federal Aid Policy Guide (FAPG) See website for this guidance.
<http://www.fhwa.dot.gov/legregs/directives/fapgtoc.htm>

5. Business Standards

- LADOTD will allow FHWA 2 weeks, from receipt date, to review PS&E's, construction plans and major change orders. The 2-week time frame may be reduced in emergency or unusual situations.
- FHWA will allow LADOTD 2 weeks, from date of receipt, to respond to findings on FHWA inspection reports which require a written LADOTD response.

6. Performance Indicators

a. LADOTD Construction Internal Performance Measures

(1) Respond to 75% of all claims within 30 days of receipt.

Input: # of claims to be processed and date received
 Output: number of claims responded to within 30 days
 Outcome: reduce claim processing time
 Efficiency: input/output

(2) Monitor that 90% of final estimates are submitted in a timely basis for each fiscal year.

Input: # of finalized projects
 # of final estimates
 actual date of submittal
 required date of submittal
 Output: timely submittal of estimates
 Outcome: timely payments to contractors
 better legislative audit reports



meet legal requirements
Efficiency: # of estimates turned in on time/# of projects finalized
Quality: reduce late estimate list

- (3) Monitor that 95% of temporary work zone inspection deficiencies identified by HQ are addressed within 5 working days.

Input: # of projects with deficiencies
list of active projects
of projects with 5 day correction letter
duration between deficiency identification and correction
Output: identification of deficiency corrections
Outcome: allows construction to identify problem areas
safer work zones
reduce liability for litigation
Efficiency: # of projects with 5 day correction letter/# of projects with deficiencies
Quality: statewide uniformity

- (4) Perform follow-up inspection on 10% of projects with temporary work zone inspection deficiencies each fiscal year.

Input: # of projects with deficiencies
of projects with 5 day correction letter
Output: verification of corrections
safer work zones
reduced liability for litigation
Outcome: allows construction to identify problem areas
Quality: statewide adherence to policy

b. Construction Program Performance Measures

1. Monitor the percentage of 5% cost overruns/underruns on projects completed each Fiscal Year.

Input: # of projects finalized per FY
Output: # of projects greater than 5% overruns/underruns
Outcome: tracking of project trends or area trends
Quality: better control of future contract cost and construction estimates.

2. Monitor percentage of contract time overruns/underruns on projects completed each Fiscal Year.

Input: # of projects finalized per FY
Output: # of projects that overrun/underrun by more than 5%.
Outcome: tracking of project trends or area trends
Quality: better control of future contract cost and construction time estimates.



3. Monitor average time in days to approve Category 1 and 2 change orders.

Input: # of change orders w/documentation (category 2 & 3)
 Department guidelines for change orders
 Output: # of change orders in compliance with Department guidelines
 Efficiency: # of change orders in compliance/# of change orders
 Quality: statewide uniformity

4. Percentage of active construction projects with claims filed.

Input: # of active construction projects
 Output: # of claims filed on active projects
 Outcome: tracking of trends, types and filers of claims
 Efficiency: Reduce # of claims filed on future projects.

7. Project and Program Responsibilities

Program Activity Approval Chart

PROGRAM	REFERENCE	AGENCY RESPONSIBLE
Buy America	23 CFR 635.410	FHWA
Local Public Agency Projects **	23 CFR 635.105	LADOTD
Project/ Construction Authorization	23 CFR 635.106 (a)	FHWA
Quality Assurance (Program) reviews		FHWA

** See Local Agency Section



Project Activity Approval Chart

PROJECT ACTIVITIES		AGENCY RESPONSIBLE		
Approval Action	Reference Document	Full FHWA Oversight Projects	Delegated (State Administered) NHS Projects	Delegated (State Administered) Non-NHS Projects
Approve exceptions to competitive bidding	23 CFR 635.104 & 204	FHWA	FHWA	FHWA
PS&E Approval	23CFR635.205	FHWA	LADOTD	LADOTD
Authorization to advertise for receipt of bids.	23 CFR 635.112	FHWA	FHWA	FHWA
Addenda	23CFR 635.112	FHWA	LADOTD	LADOTD
Approve advertising period of <3 weeks	23 CFR 635.112	FHWA	FHWA	FHWA
Concur in award of contracts	23 CFR 635.114	FHWA	LADOTD	LADOTD
Concur in rejection of bids	23 CFR 635.114	FHWA	LADOTD	LADOTD
Approve change orders	23CFR 635.120	FHWA	LADOTD	LADOTD
Approve time extensions	23 CFR 635.121	FHWA	LADOTD	LADOTD
Accept material certifications	23 CFR 637.207	FHWA	LADOTD	LADOTD
Concur in settlement of claims	23 CFR 635.124	FHWA	LADOTD	LADOTD
Concur in termination of contracts	23 CFR 635.125	FHWA	LADOTD	LADOTD
Final Acceptance/Inspection	23 USC 114a & 121	FHWA	LADOTD	LADOTD
Construction inspections	FAPG G 6042.8	FHWA	LADOTD	LADOTD
Determination of cost effective methods	23 CFR 635.204 & 104	FHWA	FHWA	FHWA
Emergency Relief *	23 CFR 668	FHWA	LADOTD	LADOTD
American Disabilities Act	23 CFR 652 28 CFR 35& 36 49 CFR 27& 37	FHWA	LADOTD	LADOTD

* See Emergency Relief Section



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J. Major Projects

1. Program Overview

Section 1904 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users ([SAFETEA-LU](#)) amended 23 U.S.C. 106 and made several significant changes to the requirements for Major Projects. The monetary threshold for classification as a Major Project was lowered from an estimated total cost of \$1 billion to \$500 million or greater. A Project Management Plan (PMP) and a Finance Plan are required for all Major Projects. In addition, projects with a total cost between \$100 million and \$500 million, while not classified as Major Projects, require the preparation of Financial Plans.

The FHWA has expanded its role of traditional oversight to optimize its positive influence in the management of major projects. Division Administrators are responsible for effective cradle-to-grave stewardship management of major projects. Division Administrators in states with Major Projects are required to establish a Major Project Oversight Manager position. In Louisiana that position is the Mega Projects Engineer. In addition the [FHWA Major Projects Team](#) in Headquarters provides technical and management resources to the Divisions.

Major Projects must be delivered in a manner that captures the public's trust and confidence in the State and Federal transportation agencies ability to effectively and efficiently deliver a quality, cost effective product. The public must perceive that the finished product was a wise investment of the very substantial amount of public resources. In order to insure major project success, it is imperative that good project management principles are used beginning early in the planning stage of a project. As the Major Project becomes more defined, the PMP and the Financial Plan become tools by which the project will be effectively managed. The PMP is a bridging document that assures major highway projects are managed continuously rather than by phases.



2. Project Management Plans

[SAFETA-LU](#) requires Project Management Plans (PMP) on all Major Projects receiving Federal-aid funding. Per [FHWA Major Project Guidance](#) dated January 19, 2007, a draft PMP must be submitted to FHWA prior to approval of a FONSI or ROD at the completion of the NEPA process. LADOTD will prepare and submit a PMP to FHWA for approval in accordance with FHWA Project Management Plan Guidance. It is the intent of FHWA and LADOTD to work closely on the development of the PMP in the early stages of the NEPA process.

3. Financial Plans

Financial Plans are required on all Major Projects and all other Federal-aid projects with a total estimated cost of >\$100 million per SAFETEA-LU. [FHWA Financial Plan Guidance](#) requires that the Financial Plan must be approved by FHWA prior to the authorization of construction funds. The Financial Plan may be submitted earlier at the states discretion. Annual Financial Plan updates are required to be submitted to FHWA for approval. It is the intent of FHWA and LADOTD to work closely on the development of the Financial Plan in the early stages of the project.

4. Roles and Responsibilities of FHWA and LADOTD

a. FHWA Project Responsibilities on Major Projects

FHWA is responsible for project level oversight of Title 23 requirements on Major projects. In addition, FHWA is responsible for oversight of non-Title 23 U.S.C. requirements. Project level Contract Administration actions by FHWA include the following:

1. Approval of Project Management Plans
2. Approval of Finance Plans and updates.
3. Plan, Specifications & Estimates Approval
4. Approval Of Design Exceptions
5. Project Authorization.
6. Contract Concurrence In Award
7. Contract Change Order Approval ([per EDSM III.1.1.1](#))
8. Approval of Contract Time Extensions ([per EDSM III.1.1.1](#))
9. Approval Of Contract Claims Settlement
10. Final Inspection
11. Project Acceptance
12. Waivers to Buy America requirements (FHWA Washington Headquarters (HQ) approval required as noted in Mr. Horne's July 3, 2003 memorandum).
13. SEP-14/SEP-15 methods (FHWA HQ approval required for experimental contracting/project delivery methods).



14. Environmental approvals except those specifically delegated under Sections 6004 and 6005 of SAFETEA-LU.
15. Approval of modifications to project agreements.
16. Approval of final vouchers.
17. All non-Title 23 U.S.C. requirements including but not limited to:
 - a. National Environmental Policy Act (NEPA) of 1969
 - b. Section 4 (f) of the DOT Act of 1966
 - c. Civil Rights Act of 1964
 - d. Uniform Relocation Assistance and Real Properties and Acquisition Policies Act of 1970
 - e. Disadvantaged Business Enterprise Program (DBE)

b. LADOTD Roles and Responsibilities on Major Projects

In addition to the normal design and contract administration responsibilities that LADOTD has on Federal-aid projects (see the [Construction and Contract Administration](#), [Design](#), and [Bridge](#) sections of this stewardship plan) LADOTD is required to submit Financial Plans and Project Management Plans for FHWA approval on Major Projects.

5. Methods of Oversight

a. Program Approval Actions

- FHWA will make a determination of whether a project qualifies as a Major Project during the NEPA process.
- FHWA will review and approve all Financial Plans submitted by LADOTD for Major Projects and Federal-aid projects with an estimated construction cost of >\$100 million. FHWA will also approve the required annual updates to the Finance Plan.
- FHWA will review and approve all Project Management Plans submitted by LADOTD for Major Projects.

b. Project Approval Actions

- The FHWA Mega Projects Engineer will approve all project and construction authorizations on Major Projects.
- The FHWA Mega Projects Engineer will approve project agreements, modified project agreements and final vouchers on all Major projects.
- The FHWA Mega Projects Engineer will approve the plans, specifications and estimates on all Major projects.
- The FHWA Mega Projects Engineer will approve addenda on Major projects.
- The FHWA Mega Projects Engineer will concur in award on Major oversight projects.
- The FHWA Mega Projects Engineer will approve all Category 1 and 2 construction change orders on Major projects.



- The FHWA Mega Projects Engineer will approve all contract time extensions on Major projects.
- The FHWA Mega Projects Engineer FHWA will approve all claim settlements on Major projects.
- The FHWA Mega Projects Engineer will make a final acceptance on all Major projects.

c. Monitoring

FHWA Division Office will:

- Monitoring of the NEPA process will be carried out in accordance with Section [IV-B Environment](#).
- Monitoring of the Design process will be carried out in accordance with Section [IV-C Design](#) and [IV-D Bridge and Structures](#).
- Monitoring of the Construction and Contract Administration process will be carried out in accordance with Section [IV-I Construction and Contract Administration](#).

In addition:

- The FHWA Mega Projects Engineer will attend monthly project CPM/Partnering meetings and other project meetings as needed.
- The FHWA Mega Projects Engineer will lead joint FHWA/LADOTD process review teams on Major Projects. The type and scope of process reviews will be determined through risk assessments. FHWA and LADOTD personnel will work together on the reviews and jointly develop recommendations for improvements as needed.
- The FHWA Mega Projects Engineer will submit quarterly construction progress reports on Major projects to FHWA management as required.
- On TIFIA project the Mega Projects Engineer will coordinate TIFIA reporting requirements with the FHWA Major Projects Team.

LADOTD will:

- Provide adequate inspection, contract administration and materials QC/QA on all Major projects to ensure compliance with all FHWA and LADOTD requirements.



6. Control Documents

a. Applicable Laws, Regulations, and Orders

- [23 USC, 102, 106, 112, 114, 117, 121](#)
- 40 USC 276(a) Davis-Bacon Act
- [23 CFR 635 Construction and Maintenance](#)
- [23 CFR 637 Construction Inspection and Approval](#)
- [FHWA Major Project Guidance dated January 19, 2007.](#)
- [FHWA Project Management Plan Guidance](#)
- [FHWA Finance Plan Guidance](#)
- [FHWA Cost Estimating Guidance](#)

b. Approved Procedures/Agreements/Manuals

- [LADOTD Standard Specifications for Roads and Bridges](#)
- LADOTD Supplemental Specifications
- [LADOTD Contract Administration Manual](#)
- [LADOTD Materials Sampling Manual](#)
- [LADOTD Engineering Directives & Standards Manual \(EDSM\)](#)
- [LADOTD Road and Bridge Design Manuals](#)
- [FHWA Contract Administration Manual](#)
- FHWA Louisiana Division Office [Policy Statements and Operating Procedures Manual](#)
- Federal Aid Policy Guide (FAPG)

7. Business Standards

- LADOTD will allow FHWA 30 days, from receipt date, to review Finance Plans and Project Management Plans.
- FHWA will allow LADOTD 30 days, from date of receipt, to respond to comments on Finance Plans and Project Management Plans.
- Business standards for Section IV-G Environment will apply to Major Projects.
- Business standards for Sections IV-D Design and IV-A Bridge and Structures will apply to Major Projects.
- Business standards for Section IV-C Construction and Contract Administration will apply to Major Projects.



8. Performance Indicators

The Quarterly Construction Progress reports prepared by the Mega Projects Engineer on Major Projects will track the following measurements of performance.

- Schedule
 - Construction Progress vs Time elapsed.
 - Construction Progress vs Scheduled Progress

This will be used to measure the percentage of the construction work completed compared to the contract time which has elapsed and will provide management a tool for identifying delays due to plan errors, utility or ROW issues, materials or poor production. Once the source of delays are identified the project management team will develop mitigation strategies to minimize the delays to the project completion.

- Budget and Cost Overruns

Any actual or potential cost overruns will be identified and tracked. Cost overrun mitigation measures will be developed by the project management team.



9. Major Project and Program Responsibilities

PROJECT ACTIVITIES		AGENCY RESPONSIBLE
<u>Approval Action</u>	<u>Reference Document</u>	<u>Major Projects</u>
Finance Plan Preparation	23 USC 106(h)	LADOTD
Finance Plan Approval	23 USC 106(h)	FHWA
Project Management Plan Preparation	23 USC 106(h)	LADOTD
Project Management Plan Approval	23 USC 106(h)	FHWA
Approve exceptions to competitive bidding	23 CFR 635.104 & 204	FHWA
PS&E Approval	23CFR 635.205	FHWA
Authorization to advertise for receipt of bids.	23 CFR 635.112	FHWA
Addenda	23CFR 635.112	FHWA
Approve advertising period of <3 weeks	23 CFR 635.112	FHWA
Concur in award of contracts	23 CFR 635.114	FHWA
Concur in rejection of bids	23 CFR 635.114	FHWA
Approve change orders	23CFR 635.120	FHWA
Approve time extensions	23 CFR 635.121	FHWA
Accept material certifications	23 CFR 637.207	FHWA
Concur in settlement of claims	23 CFR 635.124	FHWA
Concur in termination of contracts	23 CFR 635.125	FHWA
Final Acceptance/Inspection	23 USC 114a & 121	FHWA
Construction inspections	FAPG G 6042.8	FHWA
Buy America	23 CFR 635.410	FHWA
FHWA Form 45	23 CFR 635.113	FHWA
FHWA Form 47	23 CFR 635.126	LADOTD/FHWA



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K. Local Agencies and Tribal Governments

1. Program Overview

The Louisiana Department of Transportation (LADOTD) is responsible for all Title 23 and non-Title 23 requirements of the Federal-aid program. Since Title 23 U.S.C. does not recognize local entities as direct recipients of Federal-aid funds, local agencies cannot take the place of the LADOTD in the context of the Federal-aid highway program. Although the LADOTD cannot delegate responsibility, activities can be delegated and the local entities held accountable to the LADOTD. In those cases where activities are delegated to Cities or Parishes, the LADOTD will take review and assurance actions necessary to assure local compliance with all requirements of Federal laws. The FHWA will work in partnership with the LADOTD on these review and assurance actions.

a. Local Government

LADOTD is permitted to delegate certain activities, under its supervision, to local agencies (cities, counties, private organizations, or other state agencies) under federal regulation 23 CFR 1.11 and 635.105. Projects on the NHS will follow the processes and procedures identified in the Stewardship Plan for NHS projects.

Non-NHS projects administered through LADOTD will be designed, constructed, operated, and maintained in accordance with State laws, regulations, directives, safety standards, design standards, and construction standards. Title 23 U.S.C. requirements that are applicable to all Federal-aid projects include, but are not limited to, transportation planning, procurement of professional services, Davis-Bacon wage rates, advertising for bids, award of contracts, use of convict produced materials, Buy America Act provisions, and other requirements. All non-NHS projects must comply with applicable non-Title 23 U.S.C. requirements.

By written City/State agreement with the local agency, LADOTD may delegate all or some project activities to local agencies. Those activities include, but are not limited to:

- Environmental studies
- Procurement of consultant services
- Preliminary design
- Surveying
- Right of Way acquisition
- Work by local forces or utility companies
- Preparation of plans, specifications and estimates



- Preparation of bid proposal package
- Contract administration
- Inspection

LADOTD will determine if the local agency is qualified, adequately staffed, and able to administer a project before delegating these activities. LADOTD will review each project on a case-by-case basis. A written action plan stating how LADOTD is going to verify compliance of the local entities with Federal requirements is to be submitted with the request for authorization for each project which LADOTD intends to allow the local entities to perform the delegated activities. The plan is to specify the activities to be delegated and the actions taken by LADOTD in ensuring compliance with established procedures.

On all projects, a City/State agreement will be executed between LADOTD and the local agency that outlines the responsibility of both LADOTD and the local agency.

LADOTD retains its responsibilities under Federal law and regulations for all delegated activities. LADOTD will provide the necessary processes, approvals, oversight, and review to ensure that delegated projects receive adequate supervision and inspection, and that they are completed in conformance with approved plans and specifications and applicable federal requirements.

b. Tribal Governments

LADOTD will consult with the tribal governments during the planning and environmental processes of projects to assure tribal concerns regarding the preservation of environmental, scenic, cultural or historic values are addressed.

2. Methods of Oversight

a. Program Approval Actions

LADOTD will assure that:

- To the extent permitted in 23 U.S.C. Section 109(o), non-NHS projects administered through LADOTD will follow state laws, rules, and standards for state-aid funded projects, in lieu of Title 23 requirements.
- Projects will be developed in accordance with LADOTD Local Government and LADOTD Design Manuals.
- Procurement of consultant services, to be reimbursed with federal aid, will be performed in accordance with LADOTD procedures and State Statutes.
- LADOTD will enforce compliance with applicable Title 23 U.S.C. requirements and all non-Title 23 U.S.C. federal regulations such as NEPA,



Civil Right (DBE), Davis Bacon Wage Rates, Buy America, right-of-way acquisition laws, and other applicable requirements as required by state statute and FHWA regulations.

- Projects will be constructed in accordance with the current edition of LADOTD's Standard Specifications.
- Local agencies are qualified, adequately staffed, and able to administer a project before delegating project activities to the local agency.

b. Project Approval Actions

- LADOTD and FHWA will assure that appropriate consultation with Tribal Governments is achieved during the NEPA process to address tribal concerns regarding the preservation of environmental, scenic, cultural or historic values.
- A City/State Agreement will be executed for each locally administered project.
- Environmental clearance must be obtained from FHWA (or determined to be a categorical exclusion by definition or a pre-determined programmatic categorical exclusion) prior to the design or right-of-way processes on all projects using Federal aid funds.
- LADOTD will retain approval authority for the following actions.
 - (1) Design Exception approval
 - (2) Right of Way certification
 - (3) Plan Approval
 - (4) DBE Goals
 - (5) PS&E approval
 - (6) Award of Contract
 - (7) Construction Change Orders
 - (8) Labor compliance enforcement
 - (9) Final Inspection and Acceptance
 - (10) Project Audit
- Full Oversight projects will require FHWA approval actions as detailed in the [Design](#) and [Construction and Contract Administration](#) sections of this Stewardship Plan.

c. Monitoring

All Federal-aid highway projects are subject to review at any time by LADOTD and or FHWA. FHWA's primary monitoring method in this program area will be process reviews. The decision to conduct a process review will be determined through the FHWA Division Office risk assessment process.



3. Control Documents

a. Applicable Laws, Regulations, and Orders

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

b. Approved Procedures/Agreements/Manual

- LADOTD Local Government Manual
- LADOTD Road and Bridge Design Manuals
- LADOTD Standard Specifications for Roads and Bridges
- LADOTD Materials Sampling Manual
- LADOTD Construction Contract Administration Manual
- FHWA's Contract Administration Manual
- Federal Aid Policy Guide (FAPG) See website for this guidance.
<http://www.fhwa.dot.gov/legsregs/directives/fapgtoc.htm>

4. Project Responsibilities

See the Project and Program Responsibilities chart in the Construction and Contract Administration section of this stewardship plan for the required LADOTD approval actions on State Administered projects.



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L. Pavement and Materials

1. Program Overview

Pavement: [23 CFR 626](#) requires that pavements on the National Highway System (NHS) be designed in accordance with current and predicted traffic needs in a safe, durable and cost effective manner. LADOTD is expected to use structural design procedures that are fundamentally sound and appropriate for their conditions.

Materials: Subsection (a) of [23 U.S.C. 109](#) requires that the FHWA ensure that the plans and specifications for all proposed Federal-aid highway projects provide for facilities that will adequately serve the existing and planned future traffic in a manner that is conducive to safety, durability, and economy of maintenance. To fulfill this requirement for all Federal-aid highway projects, the FHWA Louisiana Division prime objectives are to:

- Maintain a close working relationship with LADOT materials, research and construction staff.
- Promote improvements when new approaches or technologies are developed and where deficiencies are identified.
- Ensure that the materials incorporated in the construction work and the construction operations controlled by sampling and testing are in conformity with the approved plans and specifications.

Furthermore, the FHWA is required, by means of an approved quality assurance program ([23 CFR 637.201, Quality Assurance Procedures for Construction](#)), to assure the quality of materials incorporated into Federal-aid highway projects on the National Highway System (NHS). For Federal-aid projects on the NHS, the primary objectives are to:

- Assure that the materials incorporated in the construction work, and the construction operations controlled by sampling and testing are in conformity with the approved plans and specifications.
- Provide oversight of construction materials and compliance with Federal requirements on a statewide basis.
- Assure adequate and qualified staff to maintain LADOTD's quality assurance responsibility as part of its Quality Control/Quality Assurance (QC/QA) program.
- Assure compliance with, and assist in, maintaining the LADOTD Transportation Certification and Technician Qualification Program



2. Methods of Oversight

a. Program Approval Actions

- The LADOTD Standard Specifications for Roads and Bridges are approved by the FHWA Louisiana Division Office on a program basis to facilitate project approvals.
- Special Provisions are submitted to the FHWA Division Office for approval for use on National Highway System (NHS) projects.
- Supplemental Specifications are amended by LADOTD by including current Special Provisions into the Supplemental Specifications. These are approved by FHWA on a program basis (typically 3 month intervals).
- FHWA approves all LADOTD Materials Test Procedures and modifications to the test procedures for use on the NHS.
- FHWA approves all revisions to the Materials Sampling Manual for use on the NHS.
- FHWA approves revisions of Standard Plans for use on the NHS.
- Louisiana must develop and maintain a quality assurance program that will assure that 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. The program must be approved by FHWA.

b. Project Approval Actions

- FHWA will approve all special provisions, supplemental specifications or other changes in project specifications for materials on the NHS.
- FHWA will approve all Structural Thickness Designs on Interstate projects and on other NHS projects that are complete reconstruction or add capacity.

c. Monitoring

- FHWA will monitor the acceptance and testing of materials in accordance with LADOTD's Standard Specifications for Roads and Bridge Construction and the LADOTD Field Sampling and Testing Manual on all Federal-aid projects through process reviews and on full oversight project through construction inspections.

3. Control Documents

a. Applicable Laws, Regulations, and Orders

- [Title 23 USC, 106, 109, 114](#)
- [23 CFR 625.4 Standards, policies, and standard specifications](#)
- [23 CFR 626 Pavement Policy](#)



- [23 CFR 635 Construction and Maintenance](#)
- [23 CFR 637 Construction Inspection and Approval](#)

b. Approved Procedures/Agreements/Manuals

- [LADOTD Standard Specifications for Road and Bridge Construction](#)
- [LADOTD Materials Sampling Manual](#)
- [LADOTD Laboratory and Field Testing Procedures Manual](#)
- [LADOTD Inspector/Technician Certification Program – Administrative Manual](#)
- AASHTO Guide for Design of Pavement Structures (1993)

4. Business Standards

- LADOTD will provide 2 weeks for FHWA to review and respond to Supplemental Specifications, Special Provision revisions, Project Materials Specifications and Structural Designs for NHS projects.
- LADOTD will provide 30 days for FHWA to review and respond to substantial changes in its Quality Assurance Program.
- Time to review and approve a complete revision of the Standard Specifications will be negotiated prior to the activity.
- See Quality Assurance Program Summary Table for more business standard detail.

5. Performance Indicators

Performance Goals

- International Roughness Index (IRI) data on the National Highway System (NHS) and on the Strategic Highway Network System (STRAHNET) is obtained each year from LADOTD’s Pavement Management’s distress data. The IRI data is posted in our Division Office tracking system. Records are kept each year for the percent of vehicle miles (VMT) with an IRI \leq 170 inches per mile. The national goal is that 95 % of the VMT have an IRI less than 170 inches per mile by the year 2008.
- IRI records are also kept as mentioned above for the percent of VMT with an IRI \leq 95 inches per mile having a national goal of 58.5 % by the year 2008.

Performance Indicators

- Percentage of vehicle miles traveled (VMT) with an IRI \leq 170 inches per mile for rural and urban on all of the NHS, for the Interstate System alone, for the NHS excluding the Interstate and the STRAHNET system.
- Percentage of VMT with an IRI \leq 95 inches per mile.



6. Program Responsibilities

**Quality Assurance Program
Summary Table**

Activity/Item	All NHS Exemption Not Applicable		Non-NHS Exempt	
	LADOTD Action	FHWA Action	LADOTD Action	FHWA Action
Quality Assurance Program Materials Test Procedures and Materials Sampling Manual updates.	Maintain (on going)	Review and Act Upon (10 Working Days)	LADOTD prepares and approves	No action
Inspector/Technician Certification and Qualification Program	Develop and implement	Review and Act Upon when updated (10 Working Days)	Required by LADOTD	No action
AASHTO On-Site Assessment of Materials Testing Laboratory	Maintain accreditation, submit inspection report, approve District Laboratory testing facilities	Review, make recommendations for consideration (as necessary)	Required by LADOTD	No action
Louisiana's Standard Specifications for Road and Bridge Construction (Supplemental and Special Provision Issues)	Maintain (on going)	Review and Act Upon (10 Working Days)	Required by LADOTD	No action
Project Structural Designs	Develop	Review and Act Upon (10 Working Days)	Required by LADOTD	No action



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M. Maintenance

1. Program Overview

[Title 23](#) of the United State Code defines maintenance as, “...the preservation of the entire highway, including surface, shoulders, roadsides, structures, and such traffic-control devices as are necessary for safe and efficient utilization of the highway.” Title 23 further requires a State transportation department to maintain each project constructed with Federal-aid funds until such time that it no longer constitutes a part of the Federal-aid system. It is FHWA’s role to see that maintenance of Federal-aid projects is adequate and to provide technical assistance in disseminating information on successful maintenance techniques.

For the most part, though maintenance is required by statute, regulation and project agreement for projects on which Federal-aid is spent, common maintenance is not eligible for Federal-aid. Traditional activities considered to be maintenance are mowing, vegetation control, pot-hole patching, up-keep of signal and lighting installations, cleaning and up-keep of rest-areas, control of right-of-way encroachment, etc. These types of maintenance activities are considered the obligation of the State or local jurisdiction under State charter. This section of the Stewardship Plan pertains to the activities and the management of those activities that are required to be accomplished by the LADOTD (or caused to be accomplished by the LADOTD) to fulfill its obligation under Title 23 without Federal-aid reimbursement.

Preventative Maintenance activities that are eligible for federal participation include, but are not limited to, sealing pavement joints, spot-repair of bridge coating systems, replacement of damaged highway signs, and pavement patching.

2. Methods of Oversight

a. Program Approval Actions

FHWA approval is not required on a program level for maintenance activities unless special or unusual circumstances exist.

b. Project Approval Actions

- FHWA approval is not required on a project level for maintenance activities unless special or unusual circumstances exist. The maintenance agreement,



which is a part of the project agreement for each Federal-aid project, is a project level action in which the LADOTD agrees to maintain the constructed facility.

- Preventative maintenance projects which are eligible for Federal participation will go through the same process as other Federal-aid construction projects. See the [Design](#) and [Construction and Contract Administration](#) sections of this stewardship plan.

c. Monitoring

FHWA will review road and bridge maintenance through a sampling of field observations, annual reviews and process reviews as necessary. Any review may include appropriate representatives from local, State, and Federal Agencies or may be conducted solely by FHWA. Any specific instances of inadequate maintenance or concerns regarding LADOTD's overall maintenance program will be brought to the attention of LADOTD by FHWA.

- Routine Travel Surveillance
FHWA Area Engineers will make observations of the general maintenance conditions of Federal-aid highway during normal official travel. Any maintenance deficiencies noted will be forwarded to the LADOTD Assistant District Administrator for Operations and the District Area Engineer for the area. These notifications may be made by email or verbally with a follow-up email for documentation. The District will respond by email indicating the action being taken to resolve the deficiency.
- Annual Interstate Maintenance Reviews
Each FHWA Area Engineer will make a review of the condition of the Interstate Routes in their respective areas. The review should be made in the company of the LADOTD District Area Engineer or their representative. A report documenting the findings and recommendations of that review will be emailed to the LADOTD Assistant District Administrator for Operations Administrator and the District Area Engineer. The District will respond in writing indicating the actions being taken to resolve any deficiencies noted.
- Bridge Maintenance
See Section [D- Bridge and Structures](#) for information on the NBIS program.
- Process Reviews
Maintenance oriented process reviews may be conducted jointly by FHWA and LADOTD as needed. The scope and subject of these reviews will be determined using risk assessment techniques and will be agreed to by FHWA and LADOTD.



3. Control Documents

a. Applicable Laws, Regulations, and Orders

- [23 USC 116](#)
- [23 USC 119](#)
- [23 CFR 1.27](#)
- [23 CFR 633.208](#)
- [23 CFR 140](#)
- [MUTCD](#)

b. Approved Procedures/Agreements/Manuals

- LADOTD Maintenance Operations Manual
- AASHTO Maintenance Manual

4. Business Standards

- FHWA will send LADOTD a report documenting the findings of the annual Interstate maintenance review within 30 days after the inspection.
- LADOTD will respond in writing (letter or email) to the annual FHWA Interstate Maintenance review within 60 days of receipt of the report.
- LADOTD will respond to emails regarding deficiencies noted during routine travel within two weeks of receipt of the notification.
- LADOTD is to provide the FHWA Division Project Delivery Team Leader any updates to the LADOTD Maintenance Operations Manual.

5. Performance Indicators

The condition of the federal-aid routes will be tracked through the pavement management and bridge management programs. See the [Pavements and Materials](#) and [Bridge and Structures](#) sections.

6. Project Activity Approval Responsibility

Any bridge or pavement preventative maintenance projects eligible for federal participation will be subject to the same oversight rules as other projects. See the [Design](#) and [Construction and Contract Administration](#) sections.



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N. Traffic Operations

1. Program Overview

Traffic Operations is a cross cutting program area that touches many aspects of the highway program. Traffic operations contributes heavily to project development through engineering analysis of vehicle and pedestrian movement that are needed to produce sound project level decisions affecting safe and efficient highway operations. It is also an area that contributes heavily to the operations and physical maintenance of highway facilities by providing techniques, procedures, management practices/systems and inventory tools.

Examples of traffic operations studies and analyses that are inherent to project development include:

- Traffic signal warranting and operational studies
- Capacity, traffic operations and geometric analysis
- Queue analysis
- Temporary traffic control studies
- Lighting studies
- Pedestrian and bicycle facility studies (including ADA analysis)
- Crash analysis and countermeasure development

Examples of traffic operations areas contributing to operations and maintenance of highways include:

- Device (such as signs, signal systems, pavement marking, etc.) and system inventory/management
- Construction and maintenance work zone operations
- Traffic signal timing and operation
- Contra-flow and other evacuation & emergency operations plans
- Unique intersection designs (roundabouts, displaced left-turns, etc.)

2. Methods of Oversight

a. Program Approval Actions

LADOTD, in cooperation with FHWA, will monitor, review and implement policies, guides and standards issued by organizations that provide the key technical documents that support the Traffic Operations program area. LADOTD



shall keep FHWA informed of the status of adoption of key technical documents such as the MUTCD and any locally developed interpretations or applications of policies, standards and guidance (per 23 CFR 655).

b. Project Approval Actions

FHWA works with LADOTD to determine appropriate application and use of the tools that are available. FHWA also provides technical support in interpreting and applying available tools and in having access to the state of the practice information that allows timely advancement and innovation in traffic operations.

Individual studies performed in support of project decision-making are the responsibility and prerogative of LADOTD with no specific FHWA approval actions required, except in the case of freeway interchange addition or modification (23 CFR 625).

FHWA's specific approval of traffic operations elements of project development will occur coincident with environmental approvals when the traffic operations studies are supporting alternative selection decisions.

FHWA's specific approval of traffic operations elements of project plans will be approved coincident with PS&E approval dependent on the project's exemption status.

FHWA's approval of traffic analyses that support interchange/access modification will be approved coincident to the interchange/access modification.

c. Monitoring

- FHWA will conduct routine project and final inspections of traffic operations aspects on Interstate completion and new/reconstruction Interstate projects. For all other Federal NHS and non-NHS projects, FHWA may conduct inspections, including finals, on a statewide sampling basis through annual QI&A reviews.
- FHWA will conduct routine evaluation of Federal-aid projects to assure traffic operations components are being adequately maintained.
- FHWA will provide ongoing technical assistance in the area of traffic operations, will include this area in routine risk assessment evaluations, and will work cooperatively with LADOTD to use process reviews to assess and improve processes and procedures.
- FHWA will review and approve LADOTD's workzone policies and standards for conformance with FHWA Work Zone Rule (23 CFR 630)



3. Control Documents

a. Applicable Laws, Regulations, and Orders

- [23 USC Sections 101, 104, 109, 114, 116, 217, 315, 402](#)
- [23 CFR 1.27, 625, 630, 646, 652 and 655](#)

b. Approved Procedures/Agreements/Manuals

- LADOTD Signal Design Manual as amended
- [LADOTD Standard Specifications for Roads and Bridges](#)
- LADOTD Standard Detail Drawings
- LADOTD Maintenance Manual as amended
- [LADOTD Construction Manual](#)
- LADOTD Supplemental Specifications and Special Provision
- [LADOTD EDSM \(Engineering Directives and Standards Manual\)](#)
- [MUTCD](#)

4. Business Standards

- LADOTD will notify FHWA of adoption or significant locally produced application of regulatory provisions including the MUTCD, AASHTO Policy and Work Zone Safety and Mobility Regulations within 30 days of adoption.
- FHWA will follow prescribed processing requirements for individual project actions related to Traffic Operations as defined in the partnership agreement.
- LADOTD will fully involve FHWA in all aspects of freeway interchange addition or change studies and proposals.

5. Project Responsibilities

PROJECT ACTIVITY APPROVAL CHART – Physical Operations

PROJECT ACTIVITIES		AGENCY RESPONSIBLE		
Approval Action	Reference Document	Full Oversight Projects	Delegated Projects	Non-NHS Projects
Device Maintenance	23 CFR 1.27	LADOTD	LADOTD	LADOTD
Device and System Inventory and Management	23 CFR 1.27	LADOTD	LADOTD	LADOTD
Construction and Maintenance Work Zone Operations	23 CFR 630	LADOTD	LADOTD	LADOTD
Signalized Intersection Operation	23 CFR 1.27	LADOTD	LADOTD	LADOTD



PROJECT ACTIVITY APPROVAL CHART – Studies and Analysis

PROJECT ACTIVITIES		AGENCY RESPONSIBLE		
Approval Action	Reference Document	Full Oversight Projects	Delegated Projects	Non-NHS Projects
Traffic Signal Study	23 CFR 625	LADOTD	LADOTD	LADOTD
Capacity, Traffic and Geometric Study	23 CFR 625	LADOTD	LADOTD	LADOTD
Lighting Study	23 CFR 625	LADOTD	LADOTD	LADOTD
Pedestrian and Bicycle Facility Study	23 CFR 625 and 652	LADOTD	LADOTD	LADOTD
Crash and Countermeasure Analysis	23 CFR 625	LADOTD	LADOTD	LADOTD
Signing Study	23 CFR 625	LADOTD	LADOTD	LADOTD
Pavement Marking Study	23 CFR 625	LADOTD	LADOTD	LADOTD
Speed Study	23 CFR 625	LADOTD	LADOTD	LADOTD
Interstate System Access Revision Study	23 CFR 625	FHWA Approval Required	FHWA	FHWA
Access Control Study	23 CFR 625	LADOTD	LADOTD	LADOTD
MUTCD Implementation and Compliance	23 CFR 655	LADOTD	LADOTD	LADOTD
Highway- Rail Grade Crossing Study	23 CFR 646	LADOTD	LADOTD	LADOTD
Parking Facility Study	23 CFR 625	LADOTD	LADOTD	LADOTD



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O. SAFETY

1. Program Overview

[SAFETEA-LU](#) established a new core Highway Safety Improvement Program that is structured and funded to make significant progress in reducing highway fatalities. It creates a positive agenda for increased safety on roadways by almost doubling the federal funds for infrastructure safety and requiring strategic highway safety planning, focusing on results. Other programs target specific areas of concern, such as work zones, older drivers, and pedestrians, including children walking to school, further reflect SAFETEA- LU's focus on safety.

a. Highway Safety Improvement Program (HSIP)

The Highway Safety Improvement program is established as a core program, separately funded for the first time under SAFETE-LU, with flexibility provided to allow States to target funds to their most critical safety needs. Funds are set aside in the HSIP for the Railway-Highway Crossing program, and for construction and operational improvements on high-risk rural roads.

LADOTD performs HSIP components of Planning, Implementation, and Evaluation to accomplish requirements of the program. These components involve: identification of high-crash locations, developing and implementing an annual program of projects to improve safety at these locations, and an annual report to FHWA on progress and effectiveness. FHWA is involved in all three components, both formally and through informal technical assistance.

As part of the HSIP, States are required to submit an annual report describing not less than 5 percent of their highway locations exhibiting the most severe safety needs [Section 148(c)(1)(D)]; their most hazardous locations, progress in implementing highway safety improvement projects, and their effectiveness in reducing fatalities and injuries. The intent of this provision is to raise the public awareness of the highway safety needs and to challenge each State.

The "5 percent reports" will then be made available to the public via posting on the USDOT web site as required by Section 148(g)(3). The Division Offices will forward the reports to the FHWA Headquarters Office of Safety (HSA) no later than September 30 each year for subsequent inclusion on a USDOT web site.

The submitted reports should be compatible with USDOT web site requirements. HyperText Markup Language (HTML) is the publishing language of the World Wide Web. Information submitted in the form of HTML files (i.e. Web pages) need to be



coded to meet the industry standards for HTML and the requirements of Section 508 of the Rehabilitation Act.

State Strategic Highway Safety Plans (SHSP) - SHSPs will be used in the Highway Safety Improvement Program to identify and analyze highway safety problems and opportunities, include projects or strategies to address them, and evaluate the accuracy of data and the priority of proposed improvements. The SHSP must be based on accurate and timely safety data, consultation with safety stakeholders, and performance-based goals that address infrastructure and behavioral safety problems on all public roads. States are also required to develop an evaluation process to assess results and use the information to set priorities for highway safety improvements. The Governor or a responsible State agency approves the plan. States with SHSPs have additional flexibility to use up to 10% of their HSIP funds for behavioral and other safety projects if they meet rail grade crossing and infrastructure safety needs as defined in their SHSPs.

For Resurfacing, Restoration, Rehabilitation (3R) and System Preservation type projects, a systematic safety analysis using crash data will be required. Should there be an abnormal crash history, mitigation utilizing low cost safety improvements will be considered by the LADOTD for addressing safety issues within or adjacent to the project limits. Items not meeting geometric design criteria will be evaluated following design exception criteria in conformance with [23CFR 625](#). On existing pavement maintenance projects, if any new substandard features are created, or existing ones made worse, this must be covered by a design exception, since such action in effect changes the project as built.

Under this Stewardship agreement, FHWA will provide ongoing technical assistance in the planning, implementation, and evaluation of safety components of 3 R projects, including routine risk assessment evaluations, and will work cooperatively with LADOTD to use process review techniques to assess and improve procedures. Adjustments, revisions and updates to this agreement will be made as needed or warranted.

b. Safe Routes to School

The SRTS Program was established in August 2005 as part of the most recent federal transportation re-authorization legislation--SAFETEA-LU. This law provides multi-year funding for the surface transportation programs that guide spending of federal gas tax revenue. Section 1404 of this legislation provides funding (for the first time) for State Departments of Transportation to create and administer SRTS programs which allow communities to compete for funding for local SRTS projects.

The Program provides funds to the States to substantially improve the ability of primary and middle school students to walk and bicycle to school safely. The purposes of the program are:



1. to enable and encourage children, including those with disabilities, to walk and bicycle to school
2. to make bicycling and walking to school a safer and more appealing transportation alternative, thereby encouraging a healthy and active lifestyle from an early age; and
3. To facilitate the planning, development, and implementation of projects and activities that will improve safety and reduce traffic, fuel consumption, and air pollution in the vicinity (approximately 2 miles) of primary and middle schools (Grades K-8).

Each State administers its own program and develops its own procedures to solicit and select projects for funding. The program establishes two distinct types of funding opportunities: infrastructure projects (engineering improvements) and non-infrastructure related activities (such as education, enforcement and encouragement programs).

c. Work Zone Safety

The objective of the National Highway Work Zone Safety Program (NHWZSP) is to enhance safety and operational efficiency of highway work zones for highway users — motorists, pedestrians, motorcyclists, bicyclists, including the elderly highway users — and highway workers. The safe and efficient flow of traffic through work zones is a major concern to transportation officials, industry, the public, businesses, and commercial motor carriers. The FHWA has developed the National Highway Work Zone Safety Program (NHWZSP) to reduce the fatalities and injurious crashes in work zones, and to enhance traffic operation and safety within work zones.

The Work Zone Safety and Mobility Rule were published on September 9, 2004 in the Federal Register. All state and local governments that receive federal-aid funding are required to comply with the provisions of the rule no later than October 12, 2007. The rule updates and broadens the former regulation at [23 CFR 630 Subpart J](#) to address more of the current issues affecting work zone safety and mobility. The changes to the regulation will encourage broader consideration of the safety and mobility impacts of work zones across project development, and the implementation of strategies that help manage these impacts during project delivery.

A number of provisions to address the safety of motorists, pedestrians, and highway construction workers in highway construction work zones are included. A new grant program, funded at \$5 million per year beginning in 2006, will fund work zone safety training, including a National Work Zone Safety Information Clearinghouse, and improved work zone traffic control devices, including high-visibility garments for workers.

d. High Risk Rural Roads

The HSIP, codified as section 148 of title 23, U.S.C., (23 U.S.C. §148), was elevated to a core program as a result of the passage of the SAFETEA-LU, Public Law 109-59.



The SAFETEA-LU introduced a new set-aside provision known as the High Risk Rural Roads Program (HRRRP), codified as 23 U.S.C. §148 (f). This program represents a significant step toward recognizing the need to reduce fatalities on rural roads, which account for almost two-thirds of the over 43,000 roadway fatalities in the U.S. To make headway in reducing fatalities and serious injuries, regardless of ownership, safety on rural roads must improve.

Local highway agencies often do not have the resources needed to adequately address safety problems on the roads they maintain. The FHWA Local and Tribal Safety Program provides national leadership in identifying, developing, and delivering safety programs and products to local officials and tribal governments to improve highway safety on local and tribal roads. Rural road safety is a particular concern, because the majority of highway fatalities take place on rural roads.

Transportation professionals employ assessments/audits to scrutinize roadways for safety issues-and reduce crashes, injuries, fatalities, and costs in the process. A Road Safety Assessment/Audit (RSA) is a formal safety performance examination of an existing or future road or intersection by an independent, multidisciplinary team. It qualitatively estimates and reports potential road safety issues and identifies opportunities for improvements in safety for all road users.

e. Other Safety Issues

Other provisions address specific safety issues, including bicycle and pedestrian safety, improved traffic signs and pavement markings targeted to older drivers and pedestrians.

f. 402 State and Community Highway Safety Grant Program

Section 402(b) sets forth the minimum requirements with which each State's highway safety program must comply. Highway Safety Funds are used to support State and community programs to reduce deaths and injuries on the highways. In each State, funds are administered by the Governor's Representative for Highway Safety; 402 funds can be used for a variety of safety initiatives including conducting data analyses, developing safety education programs, and conducting community-wide pedestrian safety campaigns. Since the 402 Program is jointly administered by NHTSA and FHWA, Highway Safety Funds can also be used for some limited safety-related engineering projects.

The Louisiana Highway Safety Commission (LHSC) prepares an annual Highway Safety Plan (HSP) as the planning component of the program, submits a certification statement, and issues a benchmark report. Federal approval is provided by NHTSA in the form of a letter acknowledging LHSC's submission. NHTSA is the lead agency in working with LHSC on using the results of the evaluation process. FHWA provides technical support to LHSC, LADOTD or NHTSA in the 402 program.



g. [23 USC] Section 154 (Open Container) and 164 (Repeat Offender) Penalty Transfer Program

A percentage of the State's Federal-aid funds from the Interstate Maintenance Program, Surface Transportation Program and/or National Highway System Program are transferred annually from those programs for highway safety purposes. These funds are eligible only for projects involving alcohol countermeasures or hazard elimination safety construction. This program is unique in that the transferred funds are taken from the FHWA apportionments and placed in the NHTSA Section 402 apportionment for fiscal delivery. These penalty transfer funds are transferred back to the DOTD Safety Section to be used for Safety improvement projects.

Alcohol countermeasure projects are fully administered by NHTSA, through the Louisiana Highway Safety Commission. FHWA provides support and funding for media blitz and awareness campaigns involving alcohol countermeasures.

h. Other Safety Activities

FHWA provides general technical support to LADOTD in the following safety-related areas:

- Participates as a team member in LADOTD-led safety focused task forces and teams that are formed as needed to address perceived needs or problems.
- Provides technical support in handling of special 23 USC Section program areas:
 - Section 154 (Open Container)
 - Section 159 Certification (Revocation or Suspension of Drivers' Licenses for Drug Offenders)
 - Section 163 (0.08 blood alcohol)
 - Section 164 (Repeat Offender)

2. Methods of Oversight

a. Program Approval Actions

- [23 USC Sections 48](#) (previously Sec. 130 & 152): LADOTD will submit for FHWA approval a programming process and amendments, a program of projects and program evaluation report under the Highway Safety Improvement Program (HSIP), including Hazard Elimination Projects and Rail Crossing Improvement Projects.
- [23 USC Section 154](#) (Open Container): LADOTD must submit a notification to FHWA and NHTSA identifying how the Open Container penalty transferred funds will be used. It will also include any Section 154 Penalty Transfer Projects advanced as hazard elimination safety construction projects based on Section 148 criteria in the annual program of projects under the Highway Safety Improvement Program.



- [23 USC Section 159](#) Certification (Revocation or Suspension of Drivers' Licenses for Drug Offenders): LADOTD will submit an annual certification to FHWA indicating either opposition to or enactment/enforcement of a law requiring the revocation or suspension of drivers' licenses of individuals convicted of drug offenses.
- [23 USC Section 163](#) (0.08 blood alcohol): LADOTD must annually jointly notify FHWA and NHTSA of the intended use of the Section 163 incentive funds.
- [23 USC Section 164](#) (Repeat Offender): LADOTD must submit a notification to FHWA and NHTSA identifying how the Repeat Intoxicated Drivers penalty transferred funds will be used. LADOTD will include all Section 164 penalty transfer projects in the annual Highway Safety Plan (HSP) developed under Section 402. It will also include any Section 164 Penalty Transfer Projects advanced as hazard elimination safety construction projects based on Section 148 criteria in the annual program of projects under the Highway Safety Improvement Program.
- [23 USC Section 402](#): FHWA will coordinate with NHTSA on program based Federal actions necessary under the Section 402 Program.

b. Project Approval Actions

- FHWA will verify that projects are in the current HSIP, and approve project agreements, modified project agreements and final vouchers on all Section 130 and 148 projects.
- FHWA will collaborate with NHTSA on any project level action required for Section 402 projects.
- Section 164 Penalty Transfer Projects, though handled by NHTSA due to transfer to Section 402, will be handled by FHWA similar to Section 148 projects, following partnership agreement procedures except that no financial actions will be taken by FHWA. LADOTD will include the Section 164 Penalty Transfer Projects being advanced under Section 148 Program criteria in the annual program of projects under the Highway Safety Improvement Program. FHWA will verify that projects are listed in the annual HSIP and HSP.

c. Monitoring

The FHWA Safety Programs focus on high risk areas, such as road departure, intersections and pedestrian safety, in order to make the biggest difference in improving traffic safety. FHWA is actively pursuing improved roadway safety through a multi-faceted approach in the fields of engineering, education, enforcement, and coordination with public safety agencies (police and fire services). FHWA monitors these high risk areas by summarizing crash and safety data obtained from LADOTD.



FHWA provides national safety leadership through: conducting innovative safety research; setting national highway safety guidelines; and promoting proven or promising safety technologies.

- FHWA may conduct inspections, including finals, on a statewide sampling basis through annual reviews.
- FHWA will provide ongoing technical assistance in the planning, implementation, and evaluation components of the HSIP, will include the safety program as an area of routine risk assessment evaluations, and will work cooperatively with LADOTD to use process review techniques to assess and improve procedures.
- FHWA will support NHTSA in monitoring of Section 402 Program activities by participating in periodic management reviews conducted by NHTSA and by working cooperatively with LADOTD.

3. Control Documents

a. Applicable Laws, Regulations, and Orders

- April 4, 2006- Highway Safety Improvement Program Reporting Requirements [Title 23, Section 148(g)]
- April 10, 2006- Highway Safety Improvement Program reporting “5 Percent Report” [Title 23, Section 148 (c)(1)(D)]
- May 9, 2006- Guidance on 23 USC 130 Annual Reporting Requirements for Rail-Highway Crossings
- 23 USC Sections 130, 148, 159, 163, 164, 315, 402
- [23 CFR Part 924 and Part 1200](#)

4. Performance Indicators

Performance Goals

Reduce the number of highway-related Fatalities and Injuries in Louisiana.

Performance Indicators

FHWA actively tracks data in the above emphasis areas:

- Roadway Departure (Statewide)-- Crashes, Fatalities, Injuries;
- Roadway Departure (Rural Interstate)-- Crashes, Fatalities, Injuries;
- Bicycle-- Crashes, Fatalities, Injuries;
- Pedestrian-- Crashes, Fatalities, Injuries;
- Work Zone-- Crashes, Fatalities, Injuries;
- Railroad-- Fatalities, Injuries;
- Intersection-- Fatalities, Injuries.



5. Project Responsibilities

PROJECT ACTIVITY APPROVAL CHART – Section 130 & 148 Projects

PROJECT ACTIVITIES		AGENCY RESPONSIBLE	
Approval Action	Reference Document	Full FHWA Oversight Projects	State Administered (Delegated) Projects
ROW Clearance	23 CFR 635.309	FHWA	LADOTD
Contract Changes & Extra Work	23 CFR 635.120	FHWA	LADOTD
Environmental Determination	23 CFR 771	FHWA	FHWA
Obligation of Funds	23 USC 106	FHWA	FHWA
Final Construction Inspection	23 USC 106	FHWA	LADOTD
Final Voucher	23 USC 106	FHWA	FHWA

LADOTD provides Safety Railroad improvement projects in conformance with 23 CFR 646.22-00 and utilizing the General procedures contained in Section 646.216

Section 130 projects are currently funded 100% Federal share in conformance with 23 USC 120(c).

All railroad traffic control devices proposed shall comply with the latest edition of the Manual on Uniform Traffic Control Devices for Streets and Highways.



PROJECT ACTIVITY APPROVAL CHART – Section 154 & 164 Projects

PROJECT ACTIVITIES		AGENCY RESPONSIBLE	
Approval Action	Reference Document	Full FHWA Oversight Projects	State Administered (Delegated) Projects
ROW Clearance	23 CFR 635.309	LADOTD	LADOTD
Contract Changes & Extra Work	23 CFR 635.120	LADOTD	LADOTD
Environmental Determination	23 CFR 771	FHWA	FHWA
Obligation of Funds	23 USC 106	NHTSA	NHTSA
Final Construction Inspection	23 USC 106	LADOTD	LADOTD
Final Voucher	23 USC 106	NHTSA	NHTSA

Under the provisions of section 154(c) of title 23, U.S.C., and section 164 of title 23, U.S.C., 3 percent of the amount required to be apportioned to the States will be transferred to the State’s Safety Program, as outlined in section 402 of title 23, U.S.C. Amounts transferred were subject to determination by the States, according to section 154(c)(5) of title 23, U.S.C., and section 164(b)(5) of title 23, U.S.C.



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P. Civil Rights

1. FHWA and LADOTD Roles and Responsibilities

The FHWA Division Office is committed to effectively implement and enforce civil rights programs within LADOTD in its planning, construction, and management of the multimodal Louisiana transportation system. Federal law establishes the State as responsible for nondiscrimination as the recipient of Federal aid, but does not allow the delegation of FHWA Civil Rights federal responsibilities to LADOTD at any project level. If projects are managed by a sub-recipient, LADOTD must ensure that the sub-recipient is well qualified and suitably equipped to perform the work ([23 CFR 1.11](#)). If sub-recipients are involved, LADOTD 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. LADOTD can delegate the activity but cannot delegate their responsibility.

2. Methods of Oversight

a. Program Approval Actions

- FHWA will approve the DBE program and supportive service plans. The approval will be coordinated with the Washington office review team.
- FHWA will review and approve the LADOTD Affirmative Action (external/internal) plans annually.
- The Contract Compliance Review Program will be audited by FHWA annually.
- Labor Compliance reviews are reviewed by the FHWA Division and forwarded to FHWA Headquarters.
- The LADOTD Title VI/Non-discrimination program is reviewed and approved by FHWA annually.
- ADA complaints will be forwarded to the FHWA division office. The FHWA will investigate and coordinate with FHWA HQ as needed.

b. Project Approval Actions

Not applicable for Civil Rights Program.



c. Monitoring

FHWA will review and approve LADOTD's programs on an ongoing basis through process and program reviews, and through active participation in continuous program evaluation and improvement. Appropriate FHWA representatives will actively participate in LADOTD's initiated reviews, task forces, and other civil rights initiatives upon request and to the extent feasible. Finally, FHWA will analyze civil rights reports submitted by LADOTD to help identify trends and provide feedback and recommendations to LADOTD.

3. Control Documents

a. Applicable Laws, Regulations, and Orders

- Title VI of the 1964 Civil Rights Act
- Equal Employment Opportunity Act of 1972
- Rehabilitation Act of 1973
- Age Discrimination Act of 1975
- Americans with Disabilities Acts of 1967 & 1990
- Civil Rights Restoration Act of 1987
- [23 USC 140, 142, 324](#)
- 49 CFR Part 21 & 26
- [23 CFR Part 230, 633](#)
- 13 CFR Part 121
- 29 CFR Part 1,3,5,6,7
- Executive Order 11246

b. Approved Procedures/Agreements/Manuals

- DBE Program Administration Document – March 2001
- Other Manuals Used by LADOTD Not Requiring FHWA Approval:
 1. External Civil Rights Manual-March 2003 (Updated Every 2 Years)
 2. Davis-Bacon Wage & Payroll Requirements Manual



4. Programs Plans/Reports & Responsibilities

Programs Plans/Reports	Authorities	Due to FHWA	FHWA Actions
Program: Title VI, Environmental Justice, Limited English Proficiency & ADA			
Title VI Program Plan	23 CFR 200.9	Annually – Approved on 9/29/2005	Review/Approve
Title VI Program Updates w/accomplishments & next yr goals w/time tables	23 CFR 200.9	Annually (Due July 1 st)	Review/Approve
Limited English Proficiency Report	Congress and OMB	Annually (Due October 15 th). Date subject to change. Based on Federal FY.	Review/Approve
Title VI Complaints & Investigative Reports	23 CFR 200.9	Annually (60 days from the date complaint was received)	Review/Concur
Title VI Review Reports	23 CFR 200.11	Quarterly – As submitted by SHA. Based on federal FY.	Review/Concur
ADA/Section 504	29 USC, 42 USC	Forward ADA complaints received to FHWA.	Investigate and coordinate with FHWA HQ as needed.
Program: External Contractor Compliance Program			
Contractor Compliance Program Plan	23 CFR 230, Subpart C, Appendix A, Part I	Annually-(Due October 1 st)	Review/Approve
Contractor Compliance Program Updates w/accomplishments & next yr goal w/time tables	23 CFR 230, Subpart C, Appendix A, Part I	Annually-(Due October 1 st)	Review/Approve
Annual Contract Compliance Report 1392 w/backup inf.	23 CFR 230.121 (a)	Annually-(Due September 25)	Review/File Submit to HQ.
Compliance Review Schedules	23 CFR 230	Annually by Oct 1. Based on Federal FY.	Review/Concur
Contractor Compliance Review Reports	23 CFR 230.409 23 CFR 230.413	Within 15 days of compliance review completion.	Review/Concur
Program: Disadvantaged Business Enterprises (DBE) & DBE Supportive Services (DBE/SS) Program			
DBE Awards & Commitments Reports	49 CFR 26, Appendix B	<u>Semi-Annual</u> Due June 1 st (Oct 1 – Mar 31) Due Dec 1 st (Apr 1 – Sept 30)	Review/Approve Submit to DOT/HQ
DBE Program Goals & Methodology	49 CFR 26.41	Annually (Due August 1 st)	Review/Approve Submit to DOT/HQ
DBE Program Plan	49 CFR 26.21 (b)	Based on Revisions to Plan	Review/Approve



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

Q. Emergency Relief

1. Program Overview

Congress authorized in [Title 23, United States Code, Section 125](#), a special program from the Highway Trust Fund for the repair or reconstruction of Federal-aid highways and roads on Federal lands which have suffered serious damage as a result of (1) natural disasters or (2) catastrophic failures from an external cause. This program, commonly referred to as the emergency relief or ER 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.

ER funds are not intended to cover all damage repair costs nor interim emergency repair costs that will necessarily restore the facility to pre-disaster conditions. State and local highway agencies must expect additional expenditures, changes in project priorities, and some inconvenience to traffic as a result of emergency conditions. State and local governments are responsible for planning and providing for extraordinary conditions. Economic hardship is not a factor in determining repair eligibility. 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 threshold of \$700,000. Individual sites must reach a threshold of \$5,000 in total cost to be eligible. This threshold is used to determine if the extent of repair work at a site is beyond the scope of heavy maintenance.

The ER funds are available for permanent repairs and for work accomplished more than 180 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 180 days after the occurrence of the disaster, may be reimbursed at 100 percent Federal share. During this 180 day period, permanent repair work is reimbursed at normal pro rata share unless permanent repair is performed as an incidental part of emergency repair work.

See the [Emergency Relief Manual \(Federal-aid Highways\)](#) for more detail on the ER program. See the attached flow chart for a graphic program overview.



2. Methods of Oversight

a. Program Approval Actions (see attached flowchart)

- The LADOTD must specifically request assistance under the ER program for each natural disaster or catastrophic event. This should be initiated with a letter of intent to seek ER funds as soon as it is evident that there is eligible damage.
- FHWA will respond to written requests for ER assistance with a letter of acknowledgement and brief instructions on how to proceed. Typically, the letter of acknowledgement establishes a beginning date of potential eligibility for immediate emergency repairs.
- LADOTD prepares and submits to FHWA a Damage Survey Summary Report in support of the ER funding request. The Damage Survey Summary Report is prepared for each particular event in accordance with the ER Manual requirements, after consulting with the FHWA Division Office as to which of the three method of developing and processing ER request will be utilized.
- FHWA will respond to the report with a determination of ER eligibility. The list of sites outlined in the report constitutes the program of projects required prior to authorization of permanent repairs.

b. Project Approval Actions

- FHWA's Acknowledgement Letter will establish a date of eligibility for those emergency repairs and protective measures that must be undertaken immediately to restore essential travel, minimize the extent of damage, or protect remaining facilities. These types of repairs are normally classified as Categorical Exclusions under [23 CFR 771.117 \(c\)\(9\)](#). Contracts to do this type of emergency repair may be accomplished through abbreviated procedures, but care should be taken to include applicable Federal aid requirements (Refer to ER Manual).
- FHWA's Determination of Eligibility letter will inform the LADOTD of which projects are to be considered full involvement by FHWA and which projects may precede under delegated authority. Because of the nature of the ER program, the thresholds used for this purpose for regular Federal aid apportioned funds, may or may not be found applicable for a particular disaster or particular damage sites.
- For ER projects determined in the Determination of Eligibility letter to be fully involved, normal Federal aid oversight procedures will apply: design/concept approval, PS&E approval/advertise for bids, concurrence in award, change order approval, etc.
- All ER projects that do not fall into the category of work needed immediately to protect the facility from further damage or keep the route open for the safe flow of traffic (first response type work) will require environmental approval by FHWA. See the [Environment section](#).



c. Monitoring

- The FHWA and LADOTD will co-inspect the damage sites during the development of the disaster estimate.
- FHWA will conduct final inspections of all ER projects that it determines to be full oversight.
- FHWA may conduct final inspection of additional ER projects on a sample or random basis.

3. Control Documents

a. Applicable Laws, Regulations, and Orders

- [Title 23, Section 125](#)
- [23 CFR 668](#)

b. Approved Procedures/Agreements/Manuals

- [FHWA Emergency Relief Manual \(August 2003\)](#)

4. Business Standards

- FHWA will respond to an LADOTD letter of intent to seek ER funding within 2 working days.
- The LADOTD is expected to complete a reasonable survey of the damage (Damage Survey Summary Report) with associated estimates of cost within 4 to 6 weeks of the event. This may vary depending on the area of impact of the disaster. If Traditional Damage Assessment is conducted, a detailed Damage Inspection Report will be required for each site LADOTD expects to request ER reimbursement for emergency or permanent repairs.
- FHWA will respond to LADOTD requests for ER disaster eligibility supported by the Damage Survey Summary Report within 2 weeks with a Determination of Eligibility.

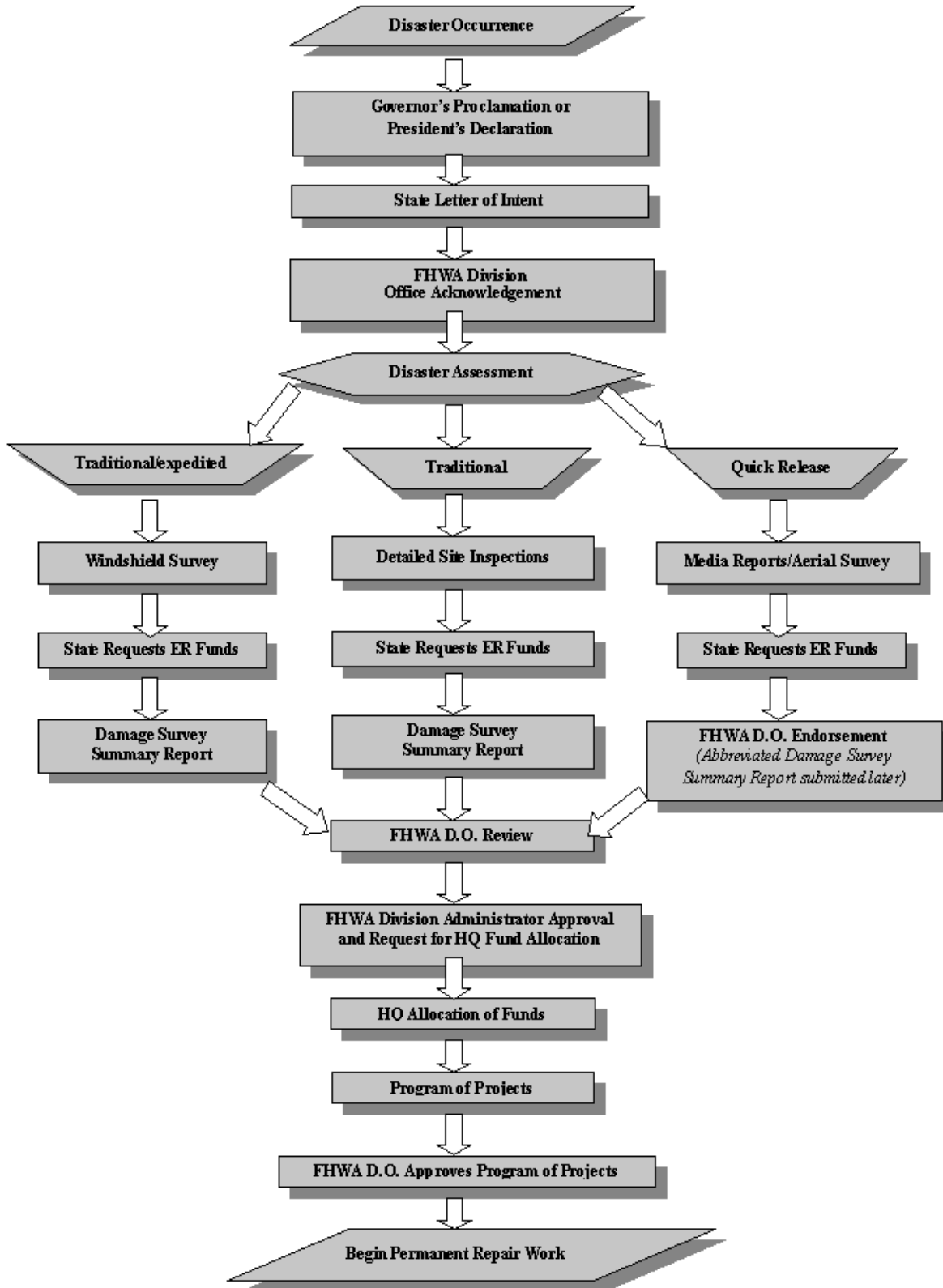
5. Project and Program Responsibilities

PROJECT and PROGRAM ACTIVITY APPROVAL CHART

Activity	Generated By	Agency Responsible For Approval
Letter of intent to seek ER funds.	LADOTD	FHWA with Letter of Acknowledgement
Damage Inspection Reports	LADOTD/FHWA	FHWA
Request for Environmental approval for permanent repairs.	LADOTD	FHWA



ER Program Flow Chart



**LOUISIANA
FEDERAL-AID HIGHWAY PROGRAM
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R. Emergency/Security

1. Program Overview

The purpose of this plan is to establish procedures to respond to national and local emergencies. These procedures are intended to address security, emergency preparedness, and response capability in the face of disaster and emergency situations.

One purpose of this program is to establish notification procedures to rapidly advise the Federal Highway Administrator, the Office of the Secretary of Transportation, the Office of Emergency Transportation, and the Federal Highway Administration (FHWA) Regional Emergency Transportation Coordinators (RETCO's) of significant events affecting highway transportation, and to provide for follow up reports, as appropriate.

The other purpose of this program is to share our policies and guidance and keep FHWA and the Louisiana Department of Transportation and Development (LADOTD) at an acceptable level of readiness in the event of an emergency.

2. Methods of Oversight

a. Program Approval Actions

FHWA approval is not required at the program level. The emergency/security program is based on cooperation between FHWA and LADOTD.

b. Project Approval Actions

The emergency/security program is not project related and is based on cooperation between FHWA and LADOTD.

c. Monitoring

- FHWA relies on the LADOTD and the Louisiana State Police (LSP) to report information regarding significant highway related incidents. The incident types and reporting criteria are listed in [FHWA Order 5181.1](#). These incidents should be reported to the FHWA at the earliest possible time. FHWA will maintain a list of contacts that would be available during non-working hours. [See website for FHWA Order 5181.1.](#)
- FHWA will submit incident reports to the FHWA Emergency Coordinator based on the information supplied by the LADOTD and LSP.



3. Control Documents

a. Applicable Laws, Regulations, and Orders

- Executive Order 12656
- [FHWA Order 5181.1](#)
- FHWA Order 1910.2C
- DOT Order 1900.9
- DOT Order 1910.8

b. Approved Procedures/Agreements/Manuals

- FHWA COOP
- LADOTD Emergency Plan

4. Business Standards

- FHWA will allow LADOTD 3 weeks, from receipt date, to review FHWA’s Continuity of Operations Plan (COOP).
- LADOTD will allow FHWA 3 weeks, from receipt date, to review the LADOTD Emergency Plan.
- Changes in the point of contact list should be shared with FHWA as soon as possible.

5. Emergency/Security Activity Responsibilities

EMERGENCY/SECURITY ACTIVITY CHART

EMERGENCY/SECURITY ACTIVITIES		AGENCY RESPONSIBLE
Activity	Reference Document	
Data collecting and reporting	FHWA Order 5181.1	LADOTD
Submitting Alert Bulletins	FHWA Order 5181.1	FHWA
Maintain emergency contact list	FHWA Order 5181.1	FHWA/LADOTD
Emergency Communications	FHWA Order 1910.2C	FHWA
Maintain the FHWA Division COOP	FHWA Order 1910.2C	FHWA
National Security Coordination	FHWA Order 1910.2C	FHWA
Federal Response Plan Participation	FHWA Order 1910.2C	FHWA
LADOTD Emergency Plan	EO 12656	LADOTD



**LOUISIANA
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S. Research, Development and Technology

1. Program Overview

The purpose of the program is to implement the provisions of [23 U.S.C. 504](#) and [505](#) for research, development, technology transfer, programs, and studies undertaken with FHWA planning and research funds.

a. State Planning and Research (SPR) Program – Part II

The main requirements under [23 CFR 420](#) are to create an 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 management process, and maintain program certification.

The SPR Work Program consists of two parts: (1) Part I, Planning, which is prepared by LADOTD’s Planning and Programming Division and (2) Part II, Research, Development and Technology, which is prepared by the Louisiana Transportation Research Center (LTRC). The regulating authority for LTRC comes from the Louisiana Legislature in Revised Statute 48, paragraph 105. The LADOTD is responsible for preparation and overall coordination of the Work Program in accordance with [23 CFR 420](#). The SPR Program operates on a calendar year basis with program approval every 2 years. Amendments and revisions are submitted annually for approval.

Research and Technology projects funded with STP funds are approved separately from the SPR Part II Work Plan.

b. Local Technical Assistance Program (LTAP)

LTAP was created to provide educational training, technical assistance and related support services for rural, small urban, tribal governments, consultants 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 Louisiana State University at Baton Rouge was designated as a Technology Transfer Center in March 1986 under the Federal Highway Administration’s Rural Technical Assistance Program (RTAP). The Center is a cooperative effort between the Federal Highway Administration, Louisiana State University, and the Louisiana Department of Transportation and Development and operates under the designation of Louisiana Local Technical Assistance Program and is most commonly referred to as “LTAP”. The Center is located at the Louisiana Transportation Research Center on the campus of the Louisiana State University in Baton Rouge.



The LTAP Center Advisory Committee determines the direction for the Louisiana LTAP program. The Committee, consisting of federal, state and local government officials and other interested representatives, typically meets once a year. The Advisory Committee reviews program progress and provides direction on program needs and strategies.

The LA LTAP Center coordinates with the FHWA to draft an LTAP Work Plan based on a calendar year. FHWA reviews a draft LTAP Work Plan. Comments are incorporated into the draft and the final version is approved by FHWA. The LTAP project needs separate federal funding authorization from the SPR Part II program. Each Spring, the LTAP Centers complete and submit to FHWA a Program Assessment Report (PAR) and Center Assessment Report (CAR) for the previous calendar year program.

2. Methods of Oversight

a. Program Approval Actions

LTRC will administer the research program in accordance with the Louisiana DOT State Research, Development and Technology Transfer Program Manual, which has been reviewed and approved by the Division Office. Significant changes to this manual shall be submitted to the FHWA Division Office for approval.

The research work program is submitted to the Division Office as Part II of the LADOTD's Planning and Research Work Program. Currently, the Division Office approves the research work program on an annual basis. The LADOTD's research work program shall meet the requirements of [23 CFR, Part 420.209\(a\)-\(c\)](#).

b. Project Approval Action

LADOTD will identify and implement research projects that address high priority transportation issues. An interactive process involving LADOTD management and Research Advisory Committee (RAC) members as described in the LTRC Research Manual, last updated 2003, shall be used for the identification and prioritization of projects to be included in the research work program, as set forth in Chapter 2 of the Manual. The LTRC shall determine the funding level at which the identified and prioritized projects will be supported with FHWA research funds.

Other types of projects, including Experimental Features, Demonstration Projects, Application Projects, Test and Evaluation Projects and Special Projects, will be approved by the FHWA Division Office.

The LTAP project is funded annually on the basis of an annual work plan approved by the Division Office based on funds allocated to the LADOTD.



c. Monitoring

The LADOTD will submit, annually, to the FHWA Division Office performance and expenditure reports that meet the requirements of [23 CFR, Part 420.117, \(a\)-\(c\)](#).

The LADOTD will host a peer exchange and report their findings to the FHWA Division Office in accordance with [23 CFR, Part 420.209](#). The interval between peer reviews will not exceed three years.

FHWA participates in the LTRC RAC process which reviews research program progress and provides recommendations on program priorities and projects.

FHWA provides oversight to the LTAP project through review of the annual work plan and work plan amendments and participation in the LTAP Advisory Committee and LTAP peer exchanges.

3. Control Documents

a. Applicable Laws, Regulations, and Procedures

- 23 USC applies to all research and technology transfer activities
- Title 23, [CFR, Part 420 and 450](#) apply to State Planning and Research Program Administration
- LTRC Research, Development and Technology Transfer Program Manual

b. Approved Procedures/Agreements/Manual

- In regards to the SPR, the FHWA exercises its oversight responsibilities through review of the annual program prior to approval actions, review of SPR Work Program amendments prior to approval, and ongoing participation of its technical specialists in pooled fund study technical panels. As appropriate, FHWA personnel may participate in peer exchanges.
- The LTRC Research Manual was updated in 2003. The manual serves as guidance for the program.



4. Business Standards

- LADOTD will provide FHWA at least 30 days to review and comment on the draft and final State Planning and Research (SPR) Work Program.
- LADOTD will involve FHWA in decisions involving special and unusual circumstances at the earliest reasonable time to ensure thorough and appropriate decisions can be made collectively.
- LTRC, in cooperation with the LTAP Center, will provide FHWA at least 30 days to review and approve the LTAP annual work plan.

5. Program Responsibilities

PROGRAM APPROVAL CHART

PROJECT ACTIVITIES		AGENCY RESPONSIBLE		
Approval Action	Ref. Source	Review	Approve	Remarks
State Planning & Research (SPR) Work Program Part II	23 CFR 422.09	FHWA	FHWA	Annually developed work program
R&T projects funded with STP funds (not SPR funds)				Included in the SPR work program?? Need separate federal funding authorization.
LTAP	23 USC 504(b)(1) and (2)	FHWA	FHWA	Annually developed work plan. Needs separate federal funding authorization.



ACRONYMS	
AASHTO	American Association of State Highway and Transportation Officials
ADA	Americans with Disabilities Act
CE	Categorical Exclusion
CFR	Code of Federal Regulations
COOP	Continuity Of Operations Plan
CSS	Context Sensitive Solutions
DBE	Disadvantaged Business Enterprise
DCP	Delegated Contract Process
EA	Environmental Assessment
EIS	Environmental Impact Statement
ER	Emergency Relief
FAPG	Federal Aid Policy Guide
FHWA	Federal Highway Administration
FONSI	Finding Of No Significant Impact
HBRRP	Highway Bridge Replacement and Rehabilitation Program
HSIP	Highway Safety Improvement Program
HSP	Highway Safety Plan
IRI	International Roughness Index
ISTEA	Intermodal Surface Transportation Efficiency Act of 1991
ITS	Intelligent Transportation Systems
LADOTD	Louisiana Department of Transportation and Development
LPA	Local Public Agency
LRFD	Load and Resistance Factor Design
MOA	Memorandum of Agreement
MOU	Memorandum of Understanding
MPO	Metropolitan Planning Organization
NBI	National Bridge Inspection
NBIS	National Bridge Inspection Standards
NEPA	National Environmental Policy Act
NHS	National Highway System
NHTSA	National Highway Traffic & Safety Administration
NOI	Notice of Intent
NOPI	Notice of Project Intention
OJT	On the Job Training
PCE	Programmatic Categorical Exclusion
PMP	Project Management Plan



ACRONYMS	
PR/PE	Process Review/Product Evaluation
PS&E	Plans, Specifications and Estimate
ROD	Record of Decision
QA	Quality Assurance
QAR	Quality Assurance Review
QC/QA	Quality Control/Quality Assurance
QI&A	Quality Improvement and Assurance
ROW	Right-Of-Way
SAFETEA-LU	Safe, Accountable, Flexible, Efficient Transportation Equity Act: A legacy for Users
TEA-21	Transportation Equity Act for the 21st Century
USC	United States Code
VE	Value Engineering



APPENDIX B

	DEFINITIONS
Control Document	Applicable standards, policies and standard specifications that are acceptable to FHWA for application in the geometric and structural design of highways.
Delegated Projects	Projects that do not require FHWA to review and approve actions pertaining to design, plans, specifications, estimates, contract awards, inspections, and final acceptance of Federal-aid projects on a project by project basis.
Full Oversight Projects	Projects that require FHWA to review and approve actions pertaining to design, plans, specifications, estimates, right-of-way certification statements, contract awards, inspections, and final acceptance of Federal-aid projects on a project by project basis.
Intelligent Transportation System (ITS)	Electronics, communications, or information processing used singly or in combination to improve the efficiency or safety of a surface transportation system.
ITS project	As defined in 23 CFR 940, an ITS project is 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.
Major Project	Projects with an estimated total cost greater than \$500 million, or projects approaching \$500 million with a high level of interest by the public, Congress, or the Administration.
National ITS Architecture (also "national architecture")	A common framework for ITS interoperability comprised of logical architecture and physical architecture that satisfy a defined set of user services.
Oversight	The act of ensuring that the Federal highway program is delivered consistent with applicable laws, regulations and policies, and that state-of-the-practice procedures and practices are employed.
Peer Review	Any in-depth analysis of a process or program involving a representative who is working or has worked extensively in an area of expertise directly related to the topic of review but in a different State or geographic area than where the review will be focused.



APPENDIX B

	DEFINITIONS
Process Review	An analysis of a defined process plus an examination of the products resulting from the process with the primary purpose of validating current process or solving problem areas. The defined process may be very limited in scope or be comprised of multiple and complex sub-processes. This form of review is sometimes called a process review/product evaluation or pr/pe.
Program Evaluation	An analysis of a program area of the Federal-aid process such as financial management, civil rights, roadside safety, bridge design, etc. The program area may be defined narrowly or broadly, depending on the goals of the analysis. The purpose of a program evaluation is typically to determine the program's state of compliance with regulation and/or best practices.
Project level ITS architecture	A framework that identifies the institutional agreement and technical integration necessary to interface a major ITS project with other ITS projects and systems.
Quality Assurance Review (QAR)	A systematic review of a District of the LADOTD conducted by FHWA following a prescribed outline that generally includes the following elements: Project Development and Design, Construction, Materials and Specifications, Construction Traffic Control, Operational Safety and Maintenance including bridge inspection.
Region (as applied to ITS)	The geographical area that identifies the boundaries of the regional ITS architecture and is defined by and based on the needs of the participating agencies and other stakeholders.
Regional ITS architecture	A regional framework for ensuring institutional agreement and technical integration for the implementation of ITS projects or groups of projects.
Risk Management	The systematic identification, assessment, planning, and management of threats and opportunities faced by FHWA projects and programs.
Stewardship	The efficient and effective management of the public funds that have been entrusted to the Federal Highway Administration.



APPENDIX B

DEFINITIONS	
Stewardship agreement	The agreement required by Title 23 Section 106 (c) (3) which states: <i>The Secretary and the State shall enter into an agreement relating to the extent to which the State assumes the responsibilities of the Secretary under this subsection.</i>
Sub-grantee/Sub-recipient	The government or other legal entity to which a subgrant is awarded and which is accountable to the grantee for the use of the funds provided.
Systems engineering	A structured process for arriving at a final design of a system. The final design is selected from a number of alternatives that would accomplish the same objectives and considers the total life-cycle of the project including not only the technical merits of potential solutions but also the costs and relative value of alternatives.
Unit Plan or Unit Performance Plan	An annual (fiscal year) plan of activities of the FHWA Division Office that support national and state strategies and goals. The plan is compiled by the Division Office, based on the FHWA Performance Plan, the Division Office risk assessment process, risk assessment discussions with LADOTD, and added input from Division Office staff.



FHWA Louisiana Division Authorization Procedures for Consultant Contracts to Perform Stage 0 Feasibility Studies and Environmental Studies On Federal-aid Projects

1. Oversight responsibility (Full Oversight or Delegated) will be determined in accordance with the most current version of the FHWA/LADOTD Stewardship Agreement.
2. **Full Oversight Projects** will be authorized by the FHWA Project Delivery Team Leader (or their approved delegate).

Authorization of Funds for Original Contract

- LADOTD Consultant Contract Services will send scope of services and fee package for Stage 0 Feasibility Studies and environmental studies including Categorical Exclusions (CE), Environmental Assessments (EA) and Environmental Impact Statements (EIS) to FHWA for review and approval.
- FHWA Area Engineer will review the Scope of Services and Fee Package and coordinate with Division Planner or Environmental Coordinator as appropriate.
- FHWA Project Delivery Team leader will approve scope of services and fee package and returns to LADOTD Consultant Contract Services by fax or email.
- LADOTD Project Finance will create a project authorization in FMIS.
- FHWA Financial Management Team will review project information in FMIS.
- FHWA Area Engineer will recommend for approval in FMIS.
- **FHWA Project Delivery Team Leader** will sign authorization in FMIS.

Supplemental Agreements and Modified Project Agreements (MPA)

- LADOTD Consultant Contract Services will send supplemental agreements to FHWA for review and approval.
 - FHWA Area Engineer will review the supplemental agreements.
 - FHWA Project Delivery Team leader approves supplemental agreement and returns to LADOTD Consultant Contract Services by fax or email.
 - LADOTD Project Finance will create a MPA in FMIS.
 - FHWA Financial Management Team will review project information in FMIS.
 - FHWA Area Engineer will recommend for approval in FMIS.
 - **FHWA Project Delivery Team Leader** will sign MPA in FMIS.
3. **Delegated projects** will be authorized by the FHWA Financial Management Team Leader (or their approved delegate).

Authorization of Original Contract and Modified Project Agreements (MPA)

- LADOTD Consultant Contract Services will send scope of services and fee package to FHWA for review and approval for EA and EIS environmental studies only.
- FHWA Area Engineer will review and coordinate with the Division Planner or Environmental Coordinator as appropriate.
- LADOTD Project Finance will create a project authorization or MPA in FMIS.
- FHWA Financial Management Team will review project information in FMIS.



APPENDIX C

- FHWA Area Engineer will recommend for approval in FMIS for EA and EIS environmental studies.
- FHWA Financial Management Team will recommend for approval in FMIS for CE's and Stage O feasibility studies.
- **FHWA Financial Management Team Leader** will sign authorization or MPA in FMIS.



FHWA Louisiana Division
Authorization Procedures for Consultant Design Contracts
On Federal-aid Projects

1. Oversight responsibility (Full Oversight or Delegated) will be determined in accordance with the most current version of the FHWA/LADOTD Stewardship Agreement.
2. **Full Oversight Projects** will be authorized by the FHWA Project Delivery Team Leader (or their approved delegate).

Authorization of Funds for Original Contract

- LADOTD Consultant Contract Services will send Scope of Services and Fee Package for design contract to FHWA for review and approval.
- The FHWA Area Engineer will review the Scope of Services and Fee Package.
- Project Delivery Team leader approves Scope of Services and Fee Package and returns to LADOTD Consultant Contract Services by fax or email.
- LADOTD Project Finance will create a project authorization in FMIS.
- FHWA Financial Management Team will review project information in FMIS.
- FHWA Area Engineer will recommend for approval in FMIS.
- **FHWA Project Delivery Team Leader** will sign authorization in FMIS.

Supplemental Agreements and Modified Project Agreements (MPA)

- LADOTD Consultant Contract Services will send Supplemental Agreements to FHWA for review and approval.
- The FHWA Area Engineer will review the Supplemental agreements.
- Project Delivery Team leader approves Supplemental agreement and returns to LADOTD Consultant Contract Services by fax or email.
- LADOTD Project Finance will create a MPA in FMIS.
- FHWA Financial Management Team will review project information in FMIS.
- FHWA Area Engineer will recommend for approval in FMIS.
- **FHWA Project Delivery Team Leader** will sign the MPA in FMIS.

3. **Delegated projects** will be authorized by the FHWA Financial Management Team Leader (or their approved delegate).

Authorization of Original Contract and Modified Project Agreements (MPA)

- LADOTD Project Finance will create a project authorization or MPA in FMIS.
- FHWA Financial Management Team will review project information and recommend for approval in FMIS.
- **FHWA Financial Management Team Leader** will sign authorization or MPA in FMIS.



FHWA Louisiana Division
Authorization Procedures for Right-Of-Way Acquisition
On Federal-aid Projects

The **FHWA Realty Officer** will approve authorization of funds for **all** Federal-aid Right-of-Way projects.

Authorization Procedures for Full Oversight and Delegated projects.

1. The LADOTD Headquarters Real Estate Section will prepare a cost estimate for real property acquisition and relocation.
2. The LADOTD Headquarters Real Estate Section will send a letter requesting funding to Project Finance and copy FHWA.
3. LADOTD Project Finance will create a project authorization in FMIS.
4. FHWA Financial Management Team will review project information in FMIS.
5. **FHWA Realty Officer** will review and ensure the following has been completed prior to approving the authorization in FMIS:
 - Right-of-way maps are 60% complete
 - Environment document has been cleared
 - Project is on the STIP.
6. **FHWA Realty Officer** will recommend for approval in FMIS.
7. **FHWA Realty Officer** will sign authorization in FMIS.
8. Once all right-of-way has been acquired and cleared, the LADOTD Real Estate Section will execute a Right-of-Way Certification letter and forward the certification to FHWA. Authorization of the construction project cannot be approved until the Right-of-Way Certification letter has been received.



FHWA Louisiana Division
Authorization Procedures for Utility Relocation
On Federal-aid Projects

1. **Oversight responsibility** (Full Oversight or Delegated) will be determined in accordance with the most current version of the FHWA/LADOTD Stewardship Agreement.
2. **Full Oversight Projects** will be authorized by the FHWA Project Delivery Team Leader (or their approved delegate).

Authorization Procedures

- The LADOTD Headquarters Utility Section will send a letter requesting funding to Project Finance and copy FHWA. The letter will contain the following information.
 - a. Certification that the project has environmental clearance.
 - b. Certification that the project is on the STIP.
 - c. A cost estimate with each utility listed.
 - LADOTD Project Finance will create a project authorization in FMIS.
 - FHWA Financial Management Team will review project information in FMIS.
 - FHWA Area Engineer will review and recommend approval in FMIS.
 - **FHWA Project Delivery Team Leader** will sign authorization in FMIS.
3. **Delegated projects** will be authorized by the FHWA Financial Management Team Leader (or their approved delegate).

Authorization Procedures

- The LADOTD Headquarters Utility Section will send a letter requesting funding to Project Finance and copy FHWA. The letter will contain the following information.
 - a. Certification that the project has environmental clearance.
 - b. Certification that the project is on the STIP.
 - c. A cost estimate with each utility listed.
 - LADOTD Project Finance will create a project authorization in FMIS.
 - FHWA Financial Management Team will review project information and recommend for approval in FMIS.
 - **FHWA Financial Management Team Leader** will sign authorization in FMIS.
4. Once all utility agreements have been signed the LADOTD Headquarters Utility Section will send a Utility Release letter to Project Finance and copy FHWA. Authorization of the construction project cannot be approved until the Utility Release letter has been received.

FHWA Louisiana Division
Authorization Procedures for Federal-aid Construction Projects

1. Oversight responsibility (Full Oversight or Delegated) will be determined in accordance with the most current version of the FHWA/LDOTD Stewardship Agreement.
2. **Full Oversight Projects** will be authorized by the FHWA Project Delivery Team Leader (or their approved delegate).

Authorization to advertise for receipt of bids

- LADOTD Project Finance will transmit the PS&E package to FHWA for review including:
 - a. Final Plans
 - b. Contract Proposal
 - c. Construction Estimate
 - d. ROW certification (when applicable)
 - e. Utility Release (when applicable)
- FHWA Area Engineer will review the PS&E package for accuracy and required project information and coordinate with Bridge, Safety and ITS as needed.
- LADOTD Project Finance will create a project authorization in FMIS.
- FHWA Financial Management Team will review project information in FMIS.
- FHWA Area Engineer will recommend for approval in FMIS.
- **FHWA Project Delivery Team Leader** will sign authorization in FMIS.

Modified Project Agreements (MPA)

- LADOTD Project Finance will create a MPA in FMIS.
- FHWA Financial Management Team will review project information in FMIS.
- FHWA Area Engineer will review the MPA and recommend for approval in FMIS.
- **FHWA Project Delivery Team Leader** will sign MPA in FMIS.

3. **Delegated projects** will be authorized by the FHWA Financial Management Team Leader (or their approved delegate).

Authorization to advertise for receipt of bids and MPA.

- LADOTD Project Finance will create a project authorization or MPA in FMIS.
- FHWA Financial Management Team will review project information and recommend for approval in FMIS.
- **FHWA Financial Management Team Leader** will sign the Authorization or MPA in FMIS.



**FHWA Louisiana Division
Fiscal Management Information System (FMIS) Procedures
For Authorization of Federal-aid Projects**

All Federal-aid Project Authorization and Project Modifications will originate within Project Finance at the Louisiana Department of Transportation and Development (LADOTD).

Project Finance will gather the required project information from the program offices within the LADOTD. Upon receipt of all required information, Project Finance will enter the new information into the Fiscal Management Information System (FMIS). This will create a new Authorization for new projects or a Modification for an existing project. Once the new Auth/Mod is created in FMIS, Project Finance will certify available funds by electronically signing the project in FMIS. Someone other than the initial signer will then review the project data and electronically sign the recommend approval and/or Auth/Mod request.

FMIS will then allow the FHWA Financial Management Team to review pending project Auth/Mods. The FHWA Financial Management Team will review the pending project for funds available and required project information. The reviewer will then electronically sign the project in FMIS as Project Information Reviewed.

For Full Oversight projects the FHWA Program Area responsible for the project will review the pending document. Upon approval of the project information the reviewer will electronically sign the project in FMIS as Approval/Recommended.

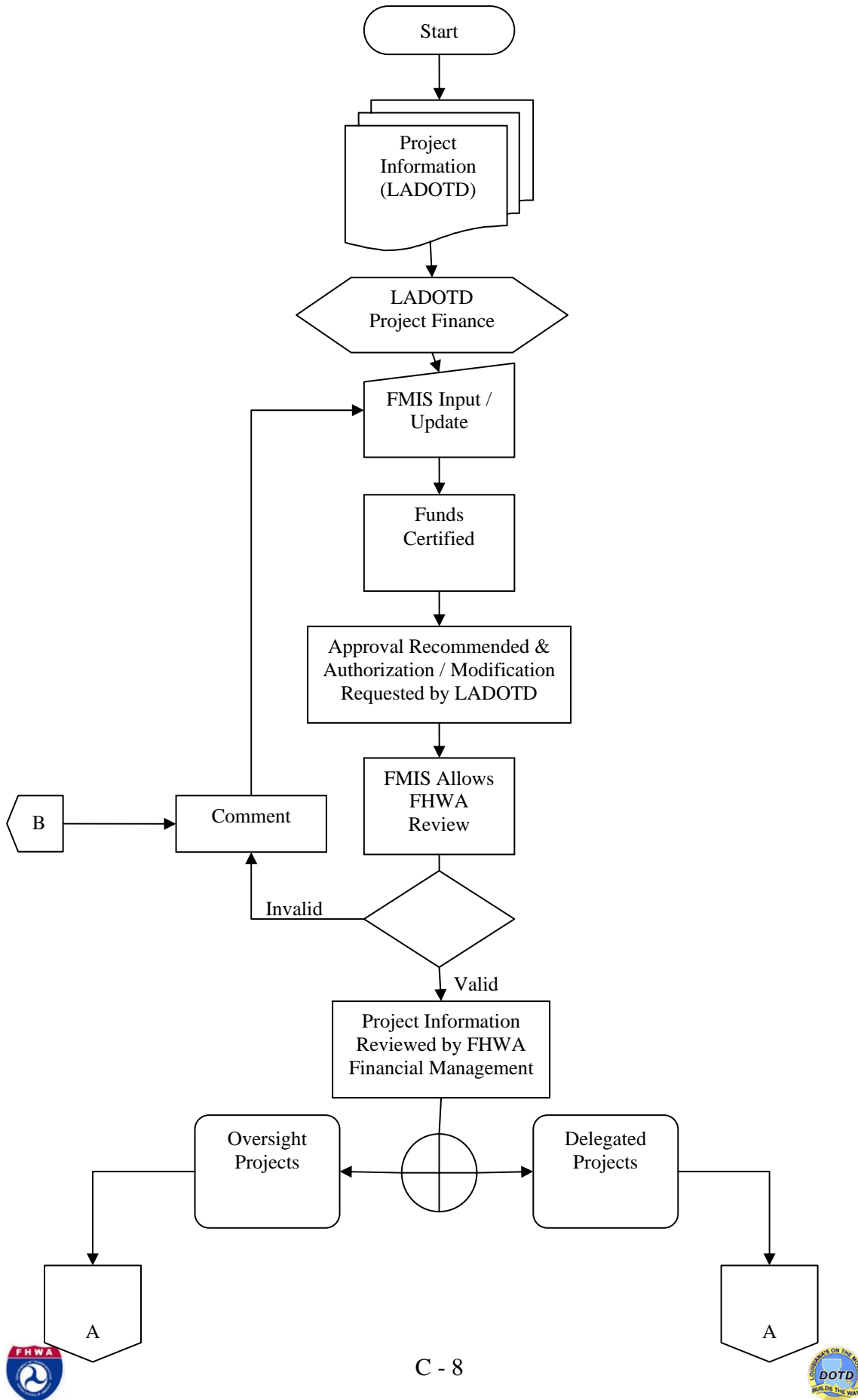
Final authorization for Full Oversight projects will be made by the Project Delivery Team Leader by electronically signing the project in FMIS as Authorization/Modification.

For delegated projects the FHWA Financial Management Team will electronically sign as the Approval/Recommended and the Authorization/Modification in FMIS.

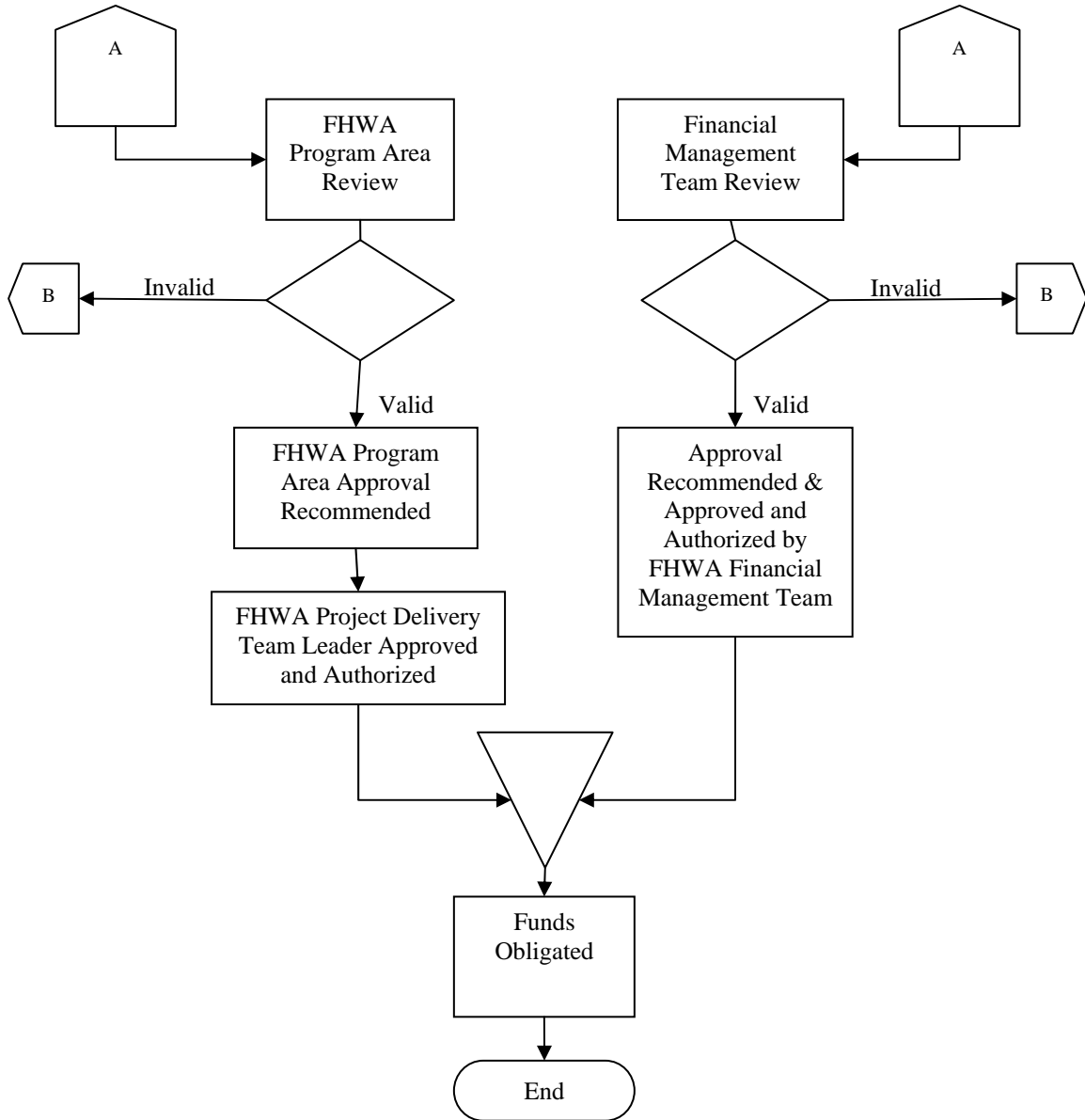
Reference:

23 C.F.R. 630.112
FMIS User Manual





APPENDIX C



**Louisiana
Project Action Responsibility
On Federal-aid Projects**

APPROVAL ACTION	AGENCY RESPONSIBLE		
	Full FHWA Oversight Projects	Delegated NHS Projects	Delegated Non-NHS Projects
PROGRAMMING			
Verify project in STIP	FHWA	LADOTD	LADOTD
Verify eligibility for proposed funding category	FHWA	LADOTD	LADOTD
FINANCIAL MANAGEMENT			
Obligate funds	FHWA	FHWA	FHWA
Project Authorization and Federal-aid Project Agreement	FHWA	FHWA	FHWA
Modified Project Agreements	FHWA	FHWA	FHWA
Approve Final Vouchers	FHWA	FHWA	FHWA
ENVIRONMENT			
Programmatic Categorical Exclusion	LADOTD	LADOTD	LADOTD
Categorical Exclusion	FHWA	FHWA	FHWA
Environmental Assessment	FHWA	FHWA	FHWA
Finding of No Significant Impact	FHWA	FHWA	FHWA
Environmental Impact Statement	FHWA	FHWA	FHWA
Record of Decision	FHWA	FHWA	FHWA
Section 4(f) Evaluation	FHWA	FHWA	FHWA
Section 106 Compliance	FHWA	FHWA	FHWA
DESIGN			
Design standards, policies and standard specifications, for applications to geometric and structural design	FHWA	FHWA	LADOTD
Consultant design contracts – Scope and Fee Package	FHWA	LADOTD	LADOTD
Supplemental Agreements to design contracts	FHWA	LADOTD	LADOTD
Extra Work Orders	LADOTD	LADOTD	LADOTD
Single source selection (Non-competitive negotiation)	FHWA	FHWA	FHWA
Design exceptions	FHWA	LADOTD	LADOTD
Value engineering	FHWA	LADOTD	LADOTD
PS&E review and approval / project authorization	FHWA	LADOTD	LADOTD
Traffic control plans	FHWA	LADOTD	LADOTD
Interstate highway new, revised, or temporary access	FHWA	FHWA	NA



APPENDIX D

APPROVAL ACTION	AGENCY RESPONSIBLE		
	Full FHWA Oversight Projects	Delegated NHS Projects	Delegated Non-NHS Projects
BRIDGE			
HBP/HBRRP Eligibility Determinations	FHWA	LADOTD	LADOTD
Major Bridge Project Feasibility Reports	FHWA	LADOTD	LADOTD
TS & L	FHWA	LADOTD	LADOTD
PS & E	FHWA	LADOTD	LADOTD
Design Exceptions (Bridge Width, structural capacity, and vertical clearance)	FHWA	LADOTD	LADOTD
Non-competitive negotiation for engineering and design related services.	FHWA	FHWA	FHWA
Bridge exempt determination from Coast Guard permit requirements	FHWA	FHWA	FHWA
Coast Guard Permit Obtained (when required)	LADOTD	LADOTD	LADOTD
Value Engineering Study (NHS >\$25M, NHS>\$20M for bridge projects).	FHWA	LADOTD	LADOTD
PS&E, ADVERTISING and AWARD			
Approve plans, specifications and estimates	FHWA	LADOTD	LADOTD
Authorize advance construction and conversions	FHWA	FHWA	FHWA
Authorize utility or railroad force account work	LADOTD	LADOTD	LADOTD
Approve utility and railroad agreements	LADOTD	LADOTD	LADOTD
Approve use of consultants by utility companies	LADOTD	LADOTD	LADOTD
Authorize advertising for receipt of bids.	FHWA	FHWA	FHWA
Approve hiring of consultant for Construction Engineering and Inspection (CEI)	FHWA	LADOTD	LADOTD
Approve consultant agreements	FHWA	LADOTD	LADOTD
Addenda	FHWA	LADOTD	LADOTD
Approve advertising period of <3 weeks	FHWA	FHWA	FHWA
Concur in award of contracts	FHWA	LADOTD	LADOTD
Concur in rejection of bids	FHWA	LADOTD	LADOTD
RIGHT-OF-WAY			
Appraisals	LADOTD	LADOTD	LADOTD
Acquisitions	LADOTD	LADOTD	LADOTD
Relocations	LADOTD	LADOTD	LADOTD
ROW Authorizations and Agreements	FHWA	LADOTD	LADOTD
ROW Certification	FHWA	FHWA	FHWA
Functional Replacement (Federal Funds in ROW)	FHWA	FHWA	FHWA
Air Rights – Interstate	FHWA	FHWA	FHWA
Airspace Leases/Joint Use Agreements	FHWA	FHWA	FHWA
Disposal of Excess ROW	FHWA	FHWA	FHWA
Federal Land Transfer	FHWA	FHWA	FHWA
Early Acquisition, Hardship, Protective Buying	FHWA	FHWA	FHWA
Administrative, Legal, and Court Awards	LADOTD	LADOTD	LADOTD
Access Control – Disposal and Changes	FHWA	FHWA	FHWA



APPENDIX D

APPROVAL ACTION	AGENCY RESPONSIBLE		
	Full FHWA Oversight Projects	Delegated NHS Projects	Delegated Non-NHS Projects
Local Public Agency Projects (Right-of-way)	FHWA	FHWA	FHWA
CONSTRUCTION and CONTRACT ADMINISTRATION			
Approve change orders (EDSM III.1.1.1)	FHWA	LADOTD	LADOTD
Approve time extensions	FHWA	LADOTD	LADOTD
Accept material certifications	FHWA	LADOTD	LADOTD
Concur in settlement of claims	FHWA	LADOTD	LADOTD
Concur in termination of contracts	FHWA	LADOTD	LADOTD
Final Acceptance/Inspection	FHWA	LADOTD	LADOTD
Construction inspections	FHWA	LADOTD	LADOTD
Determination of cost effective methods	FHWA	FHWA	FHWA
Emergency Relief	FHWA	LADOTD	LADOTD
Buy America Waivers	FHWA	FHWA	FHWA
Statement of Materials and Labor used by contractors (Form FHWA-47). (NHS > \$1M)	FHWA	LADOTD	NA
Bid Price Data (Form FHWA-45) (NHS >\$500K)	FHWA	LADOTD	NA
MAJOR PROJECTS			
Financial Plan Approval	FHWA	NA	NA
Project Management Plan Approval	FHWA	NA	NA
CIVIL RIGHTS			
All approval actions required by Federal laws and regulations. See section IV.O Civil Rights.	FHWA	FHWA	FHWA
TRAFFIC OPERATIONS – Studies and Analysis			
Traffic Signal Study	LADOTD	LADOTD	LADOTD
Capacity, Traffic and Geometric Study	LADOTD	LADOTD	LADOTD
Lighting Study	LADOTD	LADOTD	LADOTD
Pedestrian and Bicycle Facility Study	LADOTD	LADOTD	LADOTD
Crash and Countermeasure Analysis	LADOTD	LADOTD	LADOTD
Signing Study	LADOTD	LADOTD	LADOTD
Pavement Marking Study	LADOTD	LADOTD	LADOTD
Speed Study	LADOTD	LADOTD	LADOTD
Interstate System Access Revision Study	FHWA	FHWA	FHWA
Access Control Study	LADOTD	LADOTD	LADOTD
Highway- Rail Grade Crossing Study	LADOTD	LADOTD	LADOTD
Parking Facility Study	LADOTD	LADOTD	LADOTD



APPENDIX D

EMERGENCY RELIEF		
Activity	Generated By	Agency Responsible For Approval
Letter of intent to seek ER funds.	LADOTD	FHWA with Letter of Acknowledgement
Damage Inspection Reports	LADOTD/FHWA	FHWA
Request for Environmental approval for permanent repairs.	LADOTD	FHWA

INTELLIGENT TRANSPORTATION SYSTEMS (ITS)		
Project Activities		Agency Responsible
Approval Action	Reference Document	
Regional Architecture Conformity Determination	23 CFR 940.11	FHWA and LADOTD
Systems Engineering Analysis Determination	23 CFR 940.11	FHWA and LADOTD
ITS Standards Determination	23 CFR 940.11	FHWA and LADOTD
PS&E Approval	23CFR 635.104 & 635.204	FHWA
Project Authorization	23 CFR 635.112	FHWA
Contract Administration		See Project and Program Responsibilities Chart in the Construction and Contract Administration section for Full Oversight projects.

Notes:

- 1. For more details on each approval action see the Program Area Stewardship plans in section IV.**



**Louisiana
Program Action Responsibility
On Federal-aid Programs**

PLANNING				
PROGRAM ACTIVITIES		AGENCY RESPONSIBLE		
Approval Action	Ref. Source	Review	Approve	Remarks
20-YR Statewide Transportation Plan	23 CFR 450.214	FHWA	LADOTD	FHWA reviews and comments on LRTP but no official approval action is taken.
Statewide Transportation Improvement Prog. (STIP)	23 CFR 450.216	FHWA	FHWA/FTA	4 year period; update required every 2 years.
State Planning & Research (SPR) Work Program	23 CFR 420.11	FHWA	FHWA	LADOTD annually develops work program.
Highway Performance Monitoring System (HPMS) Annual Data Submittal from State and Field Verification Review and Report	23 U.S.C. 307 (h)	FHWA	None	FHWA HQ required Field Verification review to be conducted by the Division Offices. Based on this review, the Division Office recommends the acceptance of the HPMS data for funding apportionment and allocation purposes.
Certification of Public Road Mileage	23 CFR 460.3	FHWA	None	Due by June 1 st of each year.
Heavy Vehicle Use Tax Annual Certification by State & Triennial Division Office Review	23 CFR 669.21	FHWA	None	State Department of Revenue required to certify that HVUT is being collected. FHWA HQ recommends a review be completed every 3 years.
Highway Statistics: 500 Series Reports	23 CFR 420.105	FHWA	None	LADOTD is required to submit several Highway Statistics forms annually.
Traffic volume Monthly Automated Traffic Recorder Data	23 CFR 1.5	FHWA	None	LADOTD submits required ATR data reports directly to FHWA HQ.
Annual Truck Weight Characteristics Data	23 CFR 1.5	FHWA	None	LADOTD annually submits required data directly to FHWA HQ.
Metropolitan 20-Year Long Range Transportation Plan (LRTP)	23 CFR 450.322	FHWA & LADOTD	MPO	FHWA & LADOTD reviews and comments on Metropolitan LRTPs but no official approval action is taken by FHWA.
Metropolitan Transportation Improvement Program (TIP)	23 CFR 450.324	FHWA & LADOTD	Governor or Designee	Minimum 4 year period; updated at least every 2 years. FHWA reviews and comments on TIPs. All TIPs are developed by the MPO and included in the STIP by reference which is approved by FHWA.



APPENDIX E

PLANNING (continued)				
Metropolitan Unified Planning Work Program	23 CFR 450.314	FHWA & LADOTD	FHWA/ LADOTD	MPOs annually developed and submitted work program by MPO. FHWA & LADOTD reviews and comments on UPWPs from each MPO.
Vehicle (Truck) Size and Weight Enforcement Certification	23 CFR Part 657	FHWA	FHWA	State is responsible for enforcing vehicle size and weight laws. State is required to develop a plan for maintenance of an effective enforcement process. Each State plan is approved by FHWA and will then serve as a basis by which the annual State certification of enforcement will be judged.

BRIDGE PROGRAM		
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PROGRAM	REFERENCE	AGENCY RESPONSIBLE
NBIS Compliance Review	23 CFR 650 Subpart C	FHWA
Annual NBI Submittal	23 CFR 650 Subpart C	LADOTD
Annual Construction Unit Cost Submittal	23 CFR 650 Subpart D	LADOTD
Discretionary Bridge Program Submittal	23 CFR 650 Subpart G	LADOTD
Innovative Bridge Research and Deployment (IBRD) Program Submittals	23 USC 503 (b)	LADOTD
Scour Critical Bridge Plan of Action (POA)	23 CFR 650 Subpart C	LADOTD
Semi-Annual scour updates	T 5140.23	LADOTD
Bridge Construction Inspections	FAPG G 6042.8	FHWA/LADOTD
Buy America Requirements	23 CFR 635.410	FHWA
Bridge Load Rating and/or Posting, Fractural Critical Bridge Element and Inspection Frequency	23 CFR 650 Subpart C	LADOTD
Bridge Preventive Maintenance Program (if HBP funds are proposed and an acceptable systematic process does not exist)	23 USC 144	FHWA
Use of Debris from Demolished Bridges and Overpasses for “Beneficial use”	P.L. 109-59 Section 1805	LADOTD



PAVEMENTS and MATERIALS – Quality Assurance Program				
	All NHS Exemption Not Applicable		Non-NHS Exempt	
Activity/Item	LADOTD Action	FHWA Action	LADOTD Action	FHWA Action
Quality Assurance Program Materials Test Procedures and Materials Sampling Manual updates.	Maintain (on going)	Review and Act Upon (10 Working Days)	LADOTD prepares and approves	No action
Inspector/Technician Certification and Qualification Program	Develop and implement	Review and Act Upon when updated (10 Working Days)	Required by LADOTD	No action
AASHTO On-Site Assessment of Materials Testing Laboratory	Maintain accreditation, submit inspection report, approve District Laboratory testing facilities	Review, make recommendations for consideration (as necessary)	Required by LADOTD	No action
Louisiana’s Standard Specifications for Road and Bridge Construction (Supplemental and Special Provision Issues)	Maintain (on going)	Review and Act Upon (10 Working Days)	Required by LADOTD	No action
Project Structural Designs	Develop	Review and Act Upon (10 Working Days)	Required by LADOTD	No action
CIVIL RIGHTS				
Programs Plans/Reports	Authorities	Due to FHWA	FHWA Actions	
Program: Title VI, Environmental Justice, Limited English Proficiency & ADA				
Title VI Program Plan	23 CFR 200.9	Annually – Approved on 9/29/2005	Review/Approve	
Title VI Program Updates w/accomplishments & next yr goals w/time tables	23 CFR 200.9	Annually (Due July 1 st)	Review/Approve	
Limited English Proficiency Report	Congress and OMB	Annually (Due October 15 th). Date subject to change. Based on Federal FY.	Review/Approve	
Title VI Complaints & Investigative Reports	23 CFR 200.9	Annually (60 days from the date complaint was received)	Review/Concur	
Title VI Review Reports	23 CFR 200.11	Quarterly – As submitted by SHA. Based on federal FY.	Review/Concur	



APPENDIX E

CIVIL RIGHTS (continued)			
ADA/Section 504	29 USC, 42 USC	Forward ADA complaints received to FHWA.	Investigate and coordinate with FHWA HQ as needed.
Program: External Contractor Compliance Program			
Contractor Compliance Program Plan	23 CFR 230, Subpart C, Appendix A, Part I	Annually-(Due October 1 st)	Review/Approve
Contractor Compliance Program Updates w/accomplishments & next yr goal w/time tables	23 CFR 230, Subpart C, Appendix A, Part I	Annually-(Due October 1 st)	Review/Approve
Annual Contract Compliance Report 1392 w/backup inf.	23 CFR 230.121 (a)	Annually-(Due September 25)	Review/File Submit to HQ.
Compliance Review Schedules	23 CFR 230	Annually by Oct 1. Based on Federal FY.	Review/Concur
Contractor Compliance Review Reports	23 CFR 230.409 23 CFR 230.413	Within 15 days of compliance review completion.	Review/Concur
Program: Disadvantaged Business Enterprises (DBE) & DBE Supportive Services (DBE/SS)			
DBE Awards & Commitments Reports	49 CFR 26, Appendix B	<u>Semi-Annual</u> Due June 1 st (Oct 1– Mar 31) Due Dec 1 st (Apr 1– Sept 30)	Review/Approve Submit to DOT/HQ
DBE Program Goals & Methodology	49 CFR 26.41	Annually (Due August 1 st)	Review/Approve Submit to DOT/HQ
DBE Program Plan	49 CFR 26.21 (b)	Based on Revisions to Plan	Review/Approve
EMERGENCY RELIEF			
Activity	Generated By	Agency Responsible For Approval	
Letter of intent to seek ER funds.	LADOTD	FHWA with Letter of Acknowledgement	
Damage Inspection Reports	LADOTD/FHWA	FHWA	
Request for Environmental approval for permanent repairs.	LADOTD	FHWA	
EMERGENCY/SECURITY			
EMERGENCY/SECURITY ACTIVITIES		AGENCY RESPONSIBLE	
Activity	Reference Document		
Data collecting and reporting	FHWA Order 5181.1	LADOTD	
Submitting Alert Bulletins	FHWA Order 5181.1	FHWA	
Maintain emergency contact list	FHWA Order 5181.1	FHWA/LADOTD	
Emergency Communications	FHWA Order 1910.2C	FHWA	
Maintain the FHWA Division COOP	FHWA Order 1910.2C	FHWA	
National Security Coordination	FHWA Order 1910.2C	FHWA	
Federal Response Plan Participation	FHWA Order 1910.2C	FHWA	
LADOTD Emergency Plan	EO 12656	LADOTD	



RESEARCH, DEVELOPMENT AND TECHNOLOGY				
Program Activities		Agency Responsible		
Approval Action	Ref. Source	Review	Approve	Remarks
State Planning & Research (SPR) Work Program Part II	23 CFR 422.09	FHWA	FHWA	Annually developed work program
R&T projects funded with STP funds (not SPR funds)				Included in the SPR work program?? Need separate federal funding authorization.
LTAP	23 USC 504(b)(1) and (2)	FHWA	FHWA	Annually developed work plan. Needs separate federal funding authorization.

Notes:

1. For more details on each approval action see the Program Area Stewardship plans in section IV.

