

Development Guide

For Local Public Agencies and Other Sub-Recipients of Federal Funds



Maryland Department
of Transportation



U.S. Department of Transportation
Federal Highway Administration



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*The manual will be updated
for rules and procedural changes
through an established process. If a user wishes
to make comments for ongoing improvement
or to report errors, please email:*

LPAsuggestions@sha.state.md.us

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LIST OF ABBREVIATIONS

AASHTO	American Association of State Highway and Transportation Officials
ADA	Americans with Disabilities Act
APE	Area of Potential Effect
BLM	U.S. Bureau of Land Management
CAA	Clean Air Act
CE	Categorical Exclusion
CFR	Code of Federal Regulations
CMAQ	Congestion Mitigation and Air Quality Improvement Program
COMAR	Code of Maryland Regulations
CWA	Clean Water Act
DBE	Disadvantaged Business Enterprise
EA	Environmental Assessment
EEO	Equal Employment Opportunity
EIS	Environmental Impact Statement
EPA	U.S. Environmental Protection Agency
ESA	Environmental Site Assessment
E&SC	Erosion & Sediment Control
FAA	Federal Aviation Administration
FAHP	Federal-Aid Highway Program
FAP No.	Federal Aid Participation Number
FEMA	Federal Emergency Management Agency
FMIS	Fiscal Management Information System
FHWA	Federal Highway Administration
FLHP	Federal Lands Highway Program
FONSI	Finding of No Significant Impact
FTA	Federal Transit Administration
GIS	Geographic Information System
ITS	Intelligent Transportation System

LIST OF ABBREVIATIONS

JD	Jurisdictional Delineation
JPA	Joint Project Agreement
LEP	Limited English Proficiency
LPA	Local Public Agency
L RTP	Long-Range Transportation Plan
MDE	Maryland Department of the Environment
MDOT	Maryland Department of Transportation
MDR	Materials Design Report
MPO	Metropolitan Planning Organization
NAAQS	National Ambient Air Quality Standards
NEPA	National Environmental Policy Act
NHPA	National Historic Preservation Act
NHS	National Highway System
NOI	Notice of Intent
NPDES	National Pollutant Discharge Elimination System
NPS	National Park Service
OMB	U.S. Office of Management and Budget
OJT	On-the-Job Training
PCE	Programmatic Categorical Exclusion
PoCI	FHWA Project of Corporate Interest
PoDI	FHWA Project of Division Interest
PS&E	Plans, Specifications, & Estimates
QA	Quality Assurance
QC	Quality Control
ROD	Record of Decision
ROW	Right-Of-Way
SAFETEA-LU	Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users
SHA	Maryland State Highway Administration

LIST OF ABBREVIATIONS

SHSP	Strategic Highway Safety Plan
SOS	Source of Supply
SRTS	Safe Routes to School
STIP	Statewide Transportation Improvement Program
STP	Surface Transportation Program
TE	Transportation Enhancement
TIP	Transportation Improvement Program
TS&L	Type, Size & Location
Uniform Act	Uniform Relocation Assistance and Real Property Acquisition Policies Act for Federal and Federally Assisted Programs
USC	United States Code
USFS	U.S. Forest Service
USFWS	U.S. Fish and Wildlife Service
VE	Value Engineering

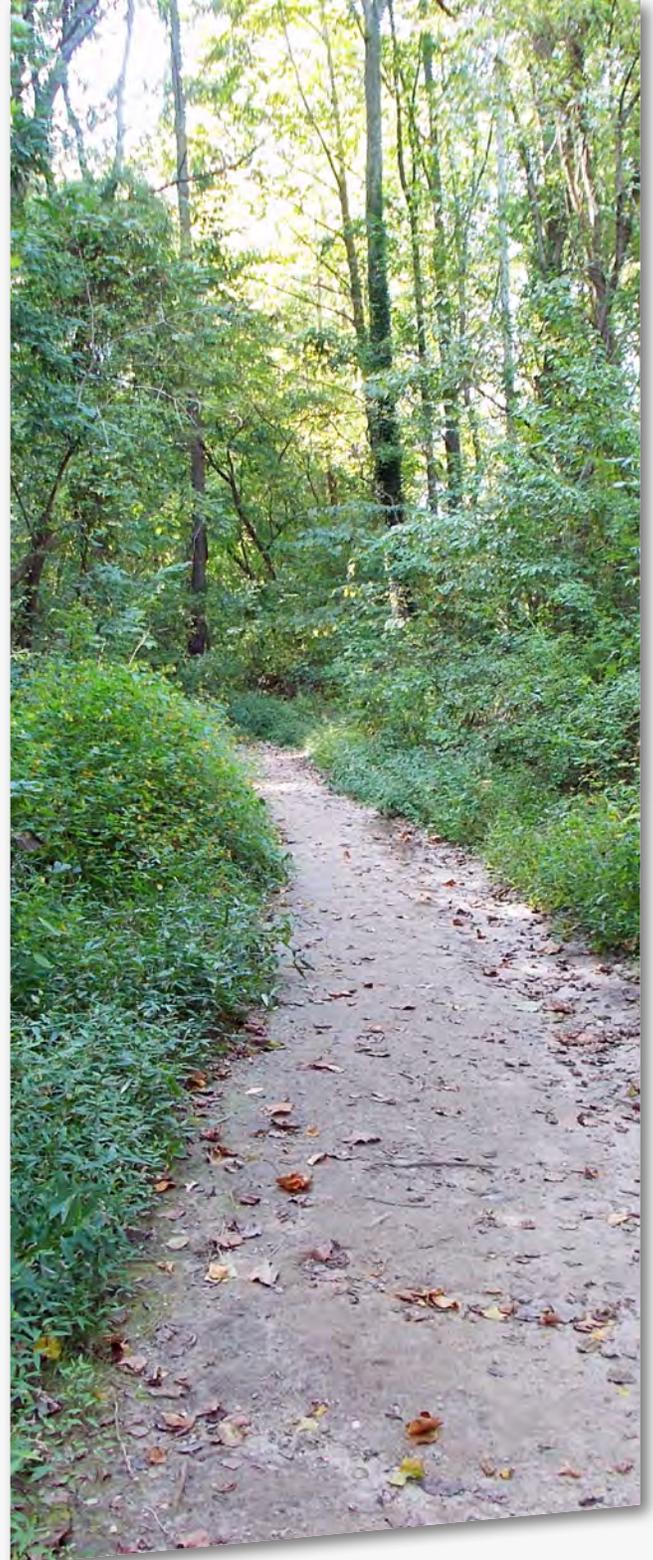
CHAPTER 1

INTRODUCTION

The Maryland Department of Transportation's State Highway Administration (SHA) is the agency responsible for planning, building, maintaining and operating Maryland's State, U.S Route, and interstate highway system. SHA is accountable to the Federal Highway Administration (FHWA) to ensure all project elements comply with Federal law and regulations. SHA is required to administer Federal transportation funds provided by the U.S. Department of Transportation through its various divisions according to all Federal and State laws, and as defined by the FHWA/SHA Stewardship and Oversight Plan dated May 2015 (See [Appendix A](#)). The SHA ensures that local projects using Federal funds made available by SHA are appropriately used in a timely manner and in compliance with all Federal and state regulations.

In accordance with the May 2015 Stewardship agreement, SHA retains responsibility under Federal law and regulations for all delegated activities, but the following program elements are not delegated to local public agencies:

- NEPA approval
- Sole Source Approval
- Approval of Force Accounts
- Design Exception approval
- Approval of Right of Way Certification
- Approval of Engineering Plans
- Approval of DBE Goals
- Approval and Audit of Labor Compliance
- Final Inspection
- Project Acceptance



INTENDED AUDIENCE

This manual is designed to assist sub-recipients in the administration of projects using Federal-aid funds. It will also assist SHA in its oversight capacity and provide guidance to SHA staff responsible for supporting these projects.

What Is an LPA?

A Local Public Agency (LPA), as defined in 23 CFR 635.102, is any city, county, township, municipality, or other political subdivision that may be empowered to cooperate with the State transportation department in highway matters. An LPA is considered to be a sub-recipient.

What Is A Sub-Recipient?

Sub-recipient, as described in 2 CFR 200.93 means a non-Federal entity that receives a sub award from a pass-through entity to carry out part of a Federal program, but does not include an individual that is a beneficiary of such program. A sub-recipient may also be a recipient of other Federal awards directly from a Federal awarding agency.

FUNDING TYPES AND PROGRAMS

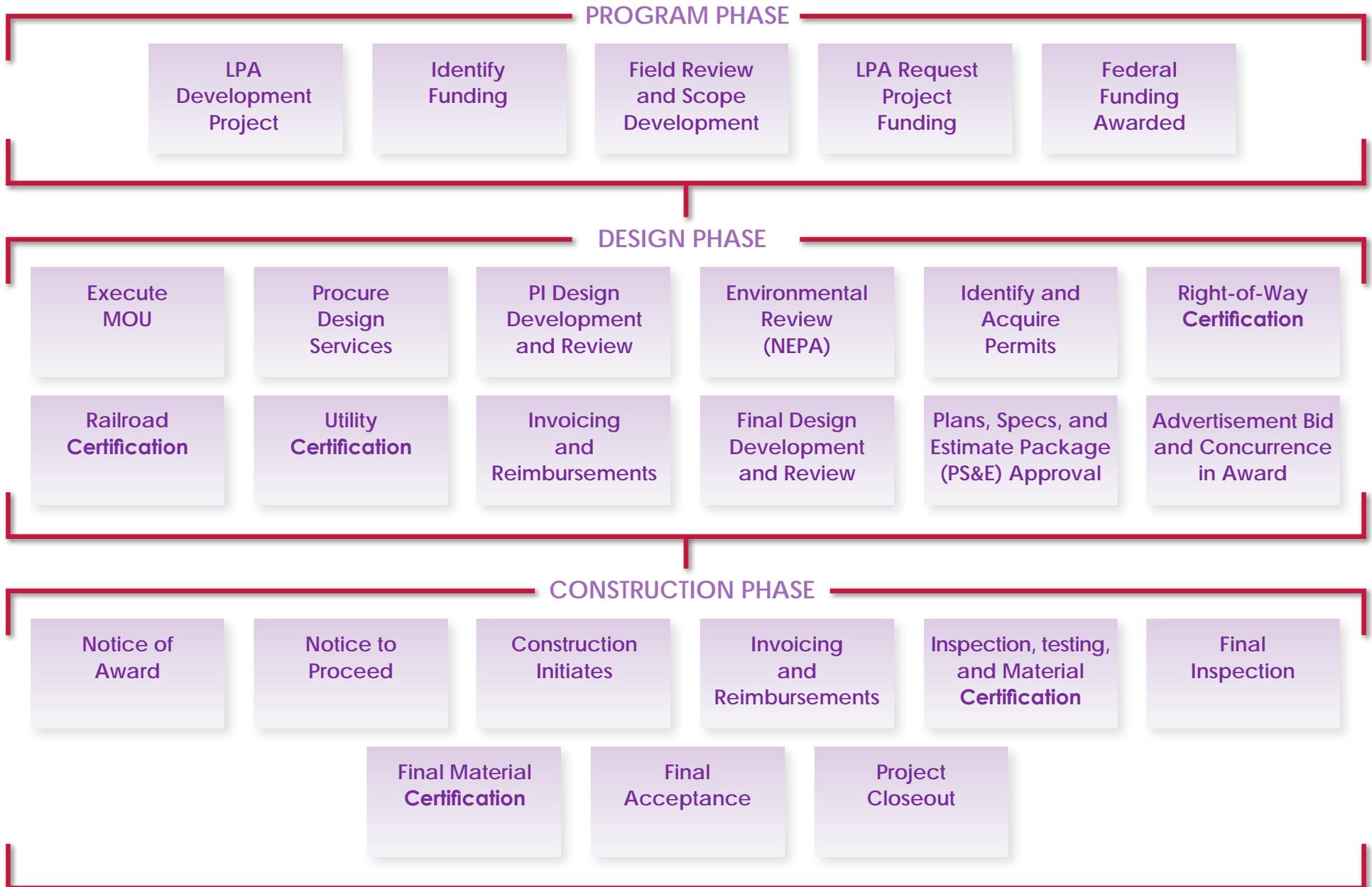
The SHA has oversight of multiple funding programs including Transportation Alternatives Program, Safe Routes to School, Federal Aid Bridge, Appalachian Regional Commission, Earmarks and any other current or future applicable programs.

HOW TO USE THE MANUAL

This manual describes the processes, procedures, documents, authorizations and approvals that are required to receive Federal-aid and/or state funds for applicable projects. Information was compiled from various sources with the intention to provide an overview of LPA activities. This manual is not a substitute for Federal and state laws, statutes, and regulations for project administration activities using Federal funds and should not be used as such. This document is intended to foster the lawful, accountable and expedited delivery of an LPA project. While every effort has been made to incorporate accurate information and sufficient detail, it may be necessary to contact SHA program or project managers with specific questions including timeframes.



FIGURE 1: LOCAL PUBLIC AGENCY PROJECT FLOW CHART



CHAPTER 2

FEDERAL AID BASICS

To have a successful Federal-aid project, it is crucial that the sub-recipient officials working on the project understand and comply with these basic requirements of the Federal-aid process.

TITLE VI

A sub-recipient is required by Title VI and related statutes that it does not discriminate in its programs, services, and activities as a condition for receiving Federal assistance. If it is found that Federal funds are involved in any form of discrimination in sub-recipient programs, the sub-recipient jeopardizes all Federal funds.

PROJECT PROGRAMMING

All Federal-aid projects must be included, or “programmed,” in the State Transportation Improvement Program (STIP). When a project is located within a local Metropolitan Planning Organization (MPO) area, it must also be included in the local Transportation Improvement Program (TIP).

Maryland’s seven MPOs charged with developing a TIP are:

- Baltimore Regional Transportation Board
- Calvert – St. Mary’s MPOI
- Hagerstown-Eastern Panhandle MPO
- National Capitol Region Transportation Planning Board
- Salisbury/Wicomico Area MPO
- Wilmington Metropolitan Planning and Coordinating Council

The sub-recipient is responsible for working with the applicable MPO to ensure that their project is included in the TIP / STIP and is programmed with an adequate amount of funds for the correct Federal Fiscal Year

(FFY). Funds should be programmed in the FFY(s) in which FHWA Authorization will need to occur, not on the basis of when actual expenditures will occur.

The TIP is the regionally agreed upon list of priority transportation projects, as required by Federal law. The TIP document must list all projects that intend to use Federal funds, along with all non-Federally funded projects that are regionally significant. The projects are multi-modal, including bicycle, pedestrian, ITS, safety, and freight-related projects, as well as the more traditional highway and public transit projects. The Federal requirement is to update TIPs every four years; however, in Maryland, MPOs update their TIPs annually to ensure that the cost and project information is as current as possible and fiscally constrained.

If the project is not within an MPO, the project would only be listed in the STIP. The STIP related transportation planning, programming, and decision making for non-metropolitan areas are undertaken by MDOT through its rural consultation process. More information on this may be found [here](#).

MEMORANDUM OF UNDERSTANDING

Another important initial step in the Federal-aid process is execution of a Memorandum of Understanding (MOU) between SHA and the sub-recipient. As soon as a project is selected for funding, the sub-recipient should submit a copy of the approved funding application, Concept Statement, or other documentation to the SHA program manager to start the development process for the MOU. Other documentation shall include, at a minimum, the name and title of the sub-recipient’s contact person, a project description that identifies the limits and



basic character of the proposed work, and a preliminary cost estimate for Preliminary Design, Final Design and/or Construction.

Upon receipt of this information, SHA will prepare a MOU and send an unsigned copy to the sub-recipient for signature. By signing the MOU, the sub-recipient agrees to follow all of the applicable Federal and State laws, regulations, and policies pertaining to the specific type(s) of Federal funds that are involved. Therefore, project development activities should not proceed until a MOU has been executed.

In general, the MOU spells out the responsibilities of both the sub-recipient and SHA. The details of the MOU will vary, depending on the type of Federal funds that are involved. The sub-recipient officials responsible for the project should thoroughly review the MOU prior to bringing it to their governing body for action. Any questions or concerns should be directed to SHA.

FHWA AUTHORIZATION

FHWA Authorization is the single most important aspect of the entire Federal-aid process. If not done correctly or in a timely manner, it can jeopardize Federal-aid reimbursement for part or all of a project.

When Is FHWA Authorization Needed?

FHWA Authorization must be obtained before beginning any project activity (Preliminary Engineering, Right of Way, Final Design, and Construction) for which Federal-aid reimbursement will be requested. If the sub-recipient does not have written confirmation from SHA that FHWA Authorization has been secured for a specific project activity, work should not begin. The cost of work occurring prior to FHWA Authorization will not be reimbursed with Federal funds. If there is any doubt about whether FHWA Authorization has been obtained, contact SHA for assistance.

Depending on the type of Federal funds and the provisions of the funding agreement, there are several different types of project activities that may be eligible for Federal-aid reimbursement. Some of these may include environmental studies, design, right-of-way acquisition, utility relocations, railroad work, construction, and construction inspection. If funds are requested for construction only, the design process must have followed the Federal process even if Federal design funds were not used. Refer to the project funding agreement for the specific types of project activities that may be reimbursed with Federal funds.

How Is FHWA Authorization Obtained?

The following is a summary of the FHWA Authorization process. This process has been generalized for the sake of clarity. The actual authorization process will vary depending on the specific type of project activity that is being authorized.

- **Step 1:** The sub-recipient sends a written request to SHA for FHWA Authorization to begin a specific type of project, including the appropriate documentation for the type of work being requested.
 - [Form 25C for construction projects.](#)
 - Ask your program manager for guidance.
- **Step 2:** The SHA reviews the sub-recipient's request and verifies that the required clearances and reviews have been completed as necessary.
- **Step 3:** If acceptable, SHA verifies the availability of Federal funds and prepares the electronic Authorization/Agreement or Amendment/Modification document, using the Fiscal Management Information System (FMIS).
- **Step 4:** The SHA sends the electronic document to the FHWA for review and approval.
- **Step 5:** The FHWA reviews the electronic document and, if acceptable, electronically signs the document. If the request is not acceptable, FHWA contacts SHA to resolve any questions or issues.
- **Step 6:** After the FHWA has signed the electronic document, SHA notifies the sub-recipient that the FHWA Authorization has been obtained and the requested work may begin.

REIMBURSEMENT

All of the Federal-aid transportation programs administered by SHA operate on a reimbursement basis. That is, the sub-recipient, after completing the necessary steps and receiving the appropriate approvals, is responsible for paying project expenses up front. In turn, the sub-recipient submits a request for reimbursement to SHA. The request shall be made using the form or format provided by SHA.

Requests for reimbursement shall be made on a periodic basis, as defined in the agreement, after costs have been incurred. This could include bi-weekly, monthly, quarterly, once at the end of the project or annually depending on the project duration and scope. If reimbursements are not submitted for a particular time period, a progress report or email must be sent from the sub-recipient to the program manager stating the project status. Written justification will be required to retain the unspent balance of Federal funds. The justification should explain why the delay in requesting Federal-aid reimbursement is beyond the control of the sub-recipient. Examples include delays resulting from environmental reviews or permits, right-of-way acquisition, utility relocations, unresolved litigation or contract claims, or compliance with other Federal-aid requirements. Failure to adequately plan for these requirements will not be considered adequate justification. If adequate justification is not provided, the unspent balance of Federal funds will be de-obligated, and as a result, may no longer be available for reimbursement. After SHA review and approval, the sub-recipient will be reimbursed by SHA at the agreed-upon Federal share for actual, reasonable, and allocable costs paid.

To prevent the project obligation from becoming inactive as per 23 CFR 630.106(a) (5), reimbursement shall be requested at least annually but not more than bi-weekly. An inactive project is a project for which no expenditures have been charged against Federal funds for the past 12 months. The Federal funds obligated for an inactive project will be revised to reflect the current cost estimate, based on the following criteria:

- (i) Projects inactive for the past 12 months with unspent balances of more than \$500,000,
- (ii) Projects inactive for the past 24 months with unspent balances of \$50,000 to \$500,000, and
- (iii) Projects inactive for the past 36 months with unspent balances less than \$50,000.

If the project becomes inactive, SHA will notify the sub-recipient that the unspent balance of Federal funds will be de-obligated if the sub-recipient cannot provide documentation within 30 days to support the remaining balance. Documentation shall include a revised cost estimate and a date by which a reimbursement request for the remaining Federal funds will be submitted.

General Match Requirements

Most Federal-aid transportation programs require some type of cost sharing or match to the Federal funds. In most cases, a minimum of 20% cash match must come from non-Federal-aid sources. Usually, this match is provided in the form of cash, that is, eligible project costs that have been paid for by entities other than the Federal government. Sources of cash may include donations of funds made by a third party, special assessments made for the project, and other non-Federal-aid sources of funds. However if the total upfront cash received for the project exceeds the required non-

Federal share, the Federal share shall be reduced or the excess cash must be returned. In other words, a sub-recipient may not make money on a Federal-aid project.

In-Kind Contributions

In exceptional circumstances (usually under the Recreational Trail Program and with prior approval), certain non-cash contributions may be counted towards the required non-Federal-aid match. These non-cash contributions are referred to as an in-kind contribution. The type of in-kind contribution that may be counted toward the non-Federal-aid match varies, depending on the timing of the contribution and the type of Federal funds that are being matched.

The sub-recipient is advised to contact the program manager for specific requirements. The valuation of donations of real property, services, materials, equipment, and use of facilities must be established at fair market value (FMV), as determined by the applicable Federal funding, administration regulations, and Federal cost principles. The costs or value of donations counting towards satisfying the non-Federal match requirement must be verifiable from the sub-recipient's records. The sub-recipient retains responsibility for the proper oversight of services donated by third parties and/or performed by its sub-grantees.

CHAPTER 3

PROCUREMENT

BACKGROUND

When Federal-aid funds are used to hire a consultant to provide engineering and design-related services, sub-recipients must follow certain Federal and State requirements. These requirements address how to hire the consultant and how to manage and administer the contract per 23 CFR 172.

23 CFR 172 defines engineering and design-related services as program management, construction management and inspection, feasibility studies, preliminary engineering, engineering, design, surveying and mapping, and architectural-related services with respect to a highway construction project.

Architectural-related services are defined as professional or creative work that is performed in connection with the design and supervision of construction or landscaping, and that requires architectural education, training, and experience. Architectural-related services include consultation, research, investigation, evaluation, planning, architectural design and preparation of related documents, and coordination of services furnished by structural, civil, mechanical, and electrical engineers, and other consultants.

Engineering-related services are defined as professional or creative work that is performed in connection with utilities, structures, buildings, machines, equipment, and processes. These services require engineering education, training, and experience in the application of special knowledge of the mathematical, physical, and engineering sciences. Engineering-related services include consultation, investigation, evaluation, planning, design, and inspection of construction for the purpose of interpreting and assuring compliance with specifications and design

within the scope of inspection services.

BROOKS ACT

The policy of the Federal Government is to publicly announce all requirements for architectural and engineering services and to negotiate contracts for architectural and engineering services on the basis of demonstrated competence and qualification for the type of professional services required and at fair and reasonable prices (40 USC 1101). The general process for procuring consultants through a qualifications-based selection procedure is:

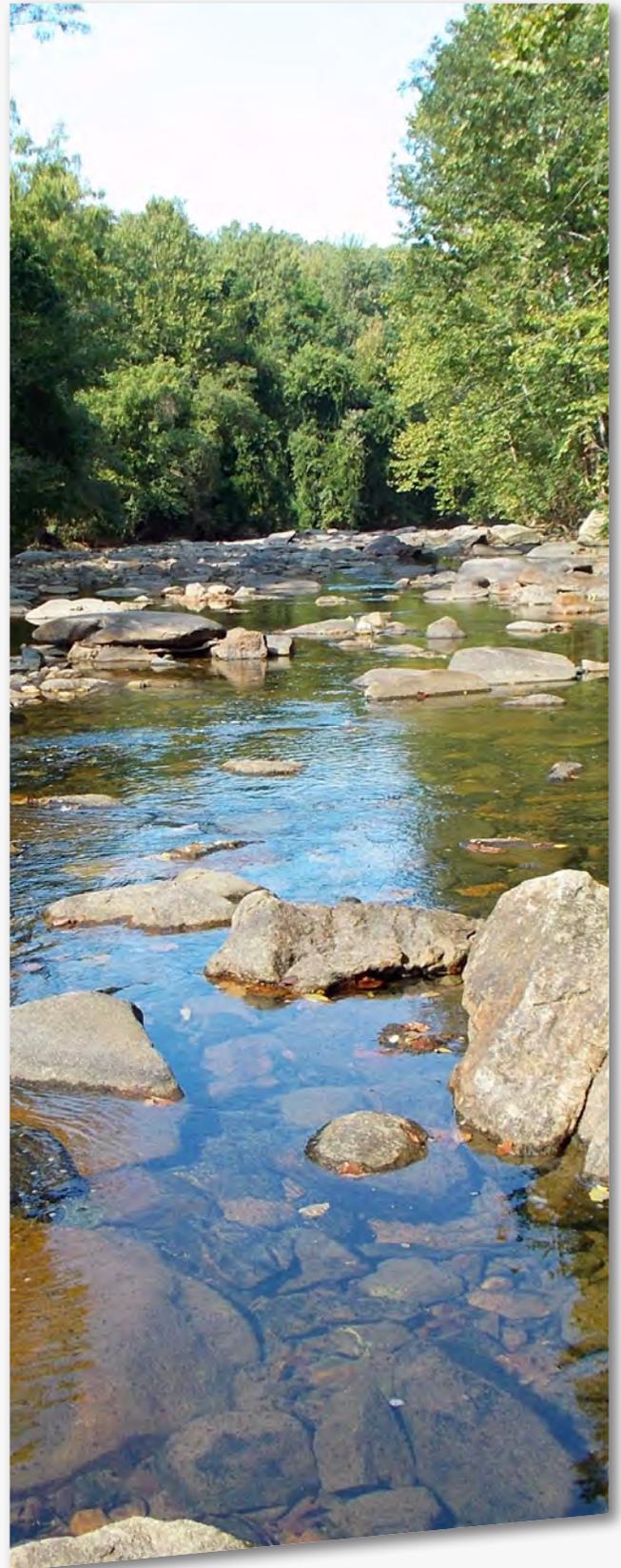
1. Issuing a Request for Proposal (RFP) to publicly solicit the need and requirements for service.
 - The RFP must be advertised for a minimum of three working days on a website or bid board in an effort to solicit proposals from as many qualified firms as possible.
 - The RFP should include:
 - Clearly defined scope of work, qualifications, responsibilities, and deliverables required from a consultant firm.
 - Estimated schedule to perform and deliver the services.
 - Method of contract payment which may include lump sum, cost plus fixed-fee, cost per unit of work, and specific rates of compensation per 23 CFR 172.9(b).
 - Clearly defined evaluation criteria used to assess and rate the qualifications of the responding consultant firms along with the scoring weight for each of the assigned criteria.

2. Evaluating and ranking all submitted proposals.

- After the advertisement period closes, sub-recipients must evaluate and rank all submitted proposals according to the evaluation criteria outlined in the RFP. Price shall not be used as a factor in the evaluation.
- Following the evaluation, sub-recipients should list at least three consultant firms in order of preference, determined to be the most qualified after the advertisement period closes.

3. Negotiating a fair and reasonable cost and contract terms with the selected consultant firm.

- As sub-recipients prepare for negotiations, they must develop an independent cost estimate that reflects the scope of work. This estimate will be used as the basis for negotiating with the selected consultant.
- Negotiations with the number-one ranked, most highly qualified consultant firm should focus on the level of effort and experience of staff required to complete the scope of work and perform the needed tasks.
- If the sub-recipient and most highly qualified consultant firm are unable to negotiate a fair and reasonable contract, the sub-recipient may formally terminate negotiations and undertake negotiations with the next most qualified consultant firm. The process will continue until an agreement is reached.



PROCUREMENT METHODS

Depending on the circumstances, one of the following procurement methods may be used to hire a consultant to provide engineering and design-related services:

- **Competitive Negotiation** (typically referred to as the Brooks Act): This is the primary method of procurement for engineering and design-related services. Due to COMAR's definition of engineering and design-related services, construction inspection must be procured through qualifications-based selection procedures to be eligible for Federal funds.
 - Consultants are selected based on qualifications and experience.
 - Based on the scope and complexity of the work, the sub-recipient and selected consultant firm must determine and agree to contract terms for fair and reasonable compensation.
- **Small Purchase/Simplified Acquisition:** Used in circumstances when the total contract costs will not exceed \$150,000.
 - Sub-recipients do not have to follow a competitive negotiation/qualifications based selection, but must follow SHA's procurement procedures.
 - Sub-recipients should take steps to ensure an adequate number of qualified consultant firms are considered. FHWA considers three sources as the minimum number to meet the adequate requirement.
 - The full amount of any contract change that would cause the total contract amount to exceed \$150,000, would be ineligible for FAHP funding.
 - FHWA may withdraw all FAHP

funding from a contract if it is modified above the \$150,000 threshold.

- **Non-Competitive Procurement:**
 - Used in limited circumstances where the service is available only from a single source, an emergency exists, or competition is inadequate after a solicitation has been made.
 - FHWA must approve the use of this procurement method.

A sub-recipient may adopt SHA's written policies and procedures on the procurement, management, and administration of engineering and design-related consultant services. Otherwise, a sub-recipient must prepare and maintain its own written policies for submission and approval by SHA's Office of Procurement and Contract Management (OPCM). In addition, a sub-recipient must submit documentation associated with each procurement to OPCM for review to ensure compliance with all applicable Federal and State laws, and regulations per 23 CFR 172.5(b).

If a sub-recipient intends to use a consultant to work on any phase of the design and/or construction inspection, SHA's open-end consultants may be used, if available. For additional information, contact OPCM.

FEDERAL ACQUISITION REGULATION (FAR)

FAR is a set of rules that govern the costs of goods and services using Federal funds. Sub-recipients are required to ensure compliance with the FAR cost principles for determining allowable costs on consultant services contracts when Federal funds are used. These costs are referred to as the indirect cost rate and include those directly associated with a specific contract, as well as a consultant's

overhead costs. Indirect cost rates must be approved for use by the OPCM.

Once approved, the consultant's indirect cost rate must be used for the purposes of estimating, negotiating, and making payment on the contract.

CONFLICTS OF INTEREST

A conflict of interest occurs when a person's private interest and public duties and responsibilities diverge or are not consistent. Federal regulations focus on both direct and indirect conflicts of interest, as well as concerns regarding an appearance of a conflict of interest or bias. The three primary sources of conflict are:

- The independence of the people associated with the procurement, management, and administration of consultants or vendors.
- The independence of the people providing engineering or other professional services.
- The independence of the people involved in matters related to the acquisition of real property for a project.

DISADVANTAGED BUSINESS ENTERPRISE (DBE) PROGRAM

When using Federal funds, sub-recipients are required to give adequate consideration to DBE consultant firms in the procurement of engineering and design-related services. The DBE Program must include procedures and methods for the following:

- Establishing DBE Program participation goals.
- Setting participation goals on specific contracts.
- Monitoring and reporting on the performance of DBE participation.

Sub-recipients are not required to have their own independent DBE Program. Sub-recipients may adopt SHA's approved DBE Program. If a sub-recipient chooses this option, SHA's DBE Program and annual DBE overall goal apply to all the sub-recipient's Federal funding. If the sub-recipient chooses to have its own independent DBE Program and overall goal, the sub-recipient must obtain concurrence from FHWA, subject to SHA's approval.

CONTRACT ADMINISTRATION

Sub-recipients must maintain adequate and readily accessible project performance and financial records, supporting documents, and other records which are considered pertinent to the agreement and applicable Federal laws and regulations. These records shall be maintained for a minimum of three years after the close of a project and include, but are not limited to, the following:

- Rationale for the method of procurement.
- Contract type.
- Payment method.
- Solicitation, advertisement, and announcement for services including the scope, requirements and evaluation criteria for selection.
- Documents supporting the evaluation, discussion, ranking, and final selection of the consultant firm.
- Documents supporting the analysis, negotiation, and agreement on fair and reasonable compensation.

FHWA PROCUREMENT GUIDELINES

In addition to hiring a consultant to provide engineering and design-related services in connection with a Federal-Aid project, sub-recipients may also need to procure other goods and services. Sub-

recipients may use their own procurement procedures which reflect applicable State and local laws and regulations, provided the procurement procedures are in accordance with applicable Federal requirements. The following guidelines will help ensure compliance:

- Sub-recipients will maintain a contract administration system which ensures contractors perform in accordance with the terms, conditions, and specifications of the contract.
- Sub-recipients will maintain a written code of conduct governing the performance of their employees engaged in the award, and administering contracts with regard to conflicts of interest and accepting gifts, gratuities, or favors.
- Sub-recipients will select the most appropriate procurement method and follow the necessary procedures.
 - Micro Purchase (less than \$3,000): Purchase orders may be awarded without soliciting any competitive quotations if the sub-recipient considers the costs to be reasonable.
 - Small Purchase (less than \$150,000): Prices must be obtained from an adequate number of qualified sources and may be in writing, provided orally, by vendor price list on website, or generated via online search, and are awarded based on lowest responsible offer.
 - Sealed Bids (more than \$150,000): Bids are publicly solicited. Prices must be obtained from an adequate number of qualified sources and must be submitted in a sealed envelope, clearly marked "sealed bid," to be opened at a specified date and time, and are awarded based on lowest responsible bidder.
- Competitive Proposals (more than \$150,000): Used when conditions are not appropriate for use of sealed bids. Contractors are evaluated and selected based on qualifications, experience, and price.
- Non-Competitive Procurement: Used in special circumstances where the service is available only from a single source, an emergency exists, or competition is determined to be inadequate after a solicitation has been made.
- Sub-recipients will provide for review of proposed procurements to avoid purchasing unnecessary or duplicated items.
- Sub-recipients are encouraged to enter into State and local government agreements for procurement or using common goods and services to foster greater economy and efficiency.
- Sub-recipients are encouraged to use Federal excess and surplus property when available rather than purchase new property and equipment, whenever such use is feasible and reduces project costs.
- Sub-recipients are encouraged to use value-engineering clauses in contracts for construction projects of sufficient size to offer reasonable opportunities for cost reductions.
- Sub-recipients will make awards only to responsible contractors possessing the ability to perform successfully under the terms and conditions of the proposed procurement, with consideration given to contractor integrity, compliance with public policy, past performance, and financial and technical resources.



- Sub-recipients will maintain sufficient records to detail the significant history of the procurement.
- Sub-recipients will use time and material contracts in limited circumstances once a determination is made that no other contract is suitable and the contract has a ceiling price that the contractor exceeds at own risk.
- In accordance with good administrative practice and sound business judgment, sub-recipients alone will be responsible for the settlement of all contractual and administrative issues arising out of procurements including source evaluation, protests, disputes, and claims.
- Sub-recipients will have protest procedures in place to handle and resolve disputes relating to procurements.
- Sub-recipients will conduct all procurement transactions in a manner that provides unrestricted competition, which prohibits the following:
 - placing unreasonable requirements on firms for them to qualify to do business;
 - requiring unnecessary experience or excessive bonding;
 - having non-competitive pricing practices between firms or affiliated companies;
 - providing non-competitive awards to consultants who are on retainer contracts or have organizational conflicts of interest;
 - specifying only a brand-name product instead of allowing an equal product describing relevant performance requirements; and,
 - arbitrary action in the procurement process.
- Sub-recipients will conduct procurements in a manner that prohibits using statutorily or administratively imposed in-state or local geographical preferences in the evaluation of bids or proposals, except in cases where applicable Federal statutes expressly mandate or encourage geographical preference. Or, when contracting for architectural and engineering services provided the geographic location leaves an appropriate number of qualified firms to compete for the contract.

- Sub-recipients will have written selection procedures for procurement transactions that incorporate a clear and accurate description of the technical requirements for the material, product, or service, including requirements which providers must fulfill and the criteria used in evaluating bids or proposals.
- Sub-recipients will ensure all pre-qualified lists of persons, firms, or products which are used in acquiring goods and services are current and include enough qualified sources to ensure maximum open and free competition.
- Sub-recipients will take all necessary affirmative action steps to ensure that minority firms, women's business enterprises, and labor surplus area firms are used when possible.
- Sub-recipients will perform a cost or price analysis in connection with every procurement action, including contract modifications, to determine reasonableness of the proposed contract price.
- Sub-recipients will negotiate profit as a separate element of the price for each contract in which there is no price competition.
- Sub-recipients will only allow costs or prices based on estimated costs to the extent costs incurred or cost estimates included in negotiated prices are consistent with Federal cost principles.
- Sub-recipients will not use cost plus a percentage of cost and percentage of construction cost methods of contracting.
- Sub-recipients must make available, upon request of SHA, technical specifications, pre-award procurement documentation, such as requests for proposals or invitations for bids and independent cost estimates on proposed procurements.
- Sub-recipients must include specific language in their contract provisions to allow for required changes, remedies, changed conditions, access and records retention, suspension of work, and other clauses approved by the Office of Federal Procurement Policy.
- Sub-recipients must maintain procurement documents for a minimum of three years after the close of a project.

ADDITIONAL RESOURCES

For more information about consultant services for use by a [Federal-aid project](#), refer to [FHWA's Federal-Aid Essentials for Local Public Agencies video series](#). Topics covered include the following modules:

- Consultant Services Overview
- Hiring a Consultant Using Competitive Negotiation Procedures
- Organizational and Consultant Conflicts of Interest

For guidance that supplements Federal laws and regulations relating to procurement, management, and administration of engineering and design-related services using Federal-aid funds, refer to [FHWA's Procurement, Management, and Administration of Engineering and Design-Related Services – Questions and Answers document](#) and [23 CFR 172 Procurement, Management, and Administration of Engineering and Design Related Services](#).

CHAPTER 4

THE NATIONAL ENVIRONMENTAL POLICY ACT (NEPA)

The NEPA is a law that requires documentation of the potential environmental effects of proposed Federal agency actions. It takes into consideration the natural and socioeconomic factors within the project location vicinity. NEPA requires projects receiving Federal funds or approval to consider natural, cultural and socio-economic factors using a systematic, interdisciplinary approach. This process requires coordination with various state and Federal agencies to obtain information on cultural, socio-economic, and natural resources within the project area, documentation of any impacts upon those resources, and consideration of ways to avoid or minimize impacts. The effort required by a sub-recipient may be as minimal as completing a few forms. Or, it may include preparing environmental documentation and facilitating public involvement. NEPA coordination must occur on any project where Federal funds are used.

Under NEPA, all sub-recipients using Federal funds must comply with the requirements of Federal and state laws to ensure that the environment is protected. The sub-recipient must provide evidence of compliance with these laws and regulations before Federal funds will be authorized for a project. The major laws that must be complied with are:

- **Section 106 of the National Historic Preservation Act** requires Federal agencies to take into account the effects of their undertakings on historic properties, including historic structures and archeological resources, and afford the Advisory Council on Historic Preservation a reasonable opportunity to comment.
- **Section 4(f) of the Department of Transportation Act** stipulates that

Federal transportation agencies cannot approve the use of resources such as publicly-owned public parks, recreation areas, wildlife and waterfowl refuges, or significant historic sites for transportation purposes unless there are no prudent and feasible alternatives, and the action includes all possible planning to minimize harm to the protected resource.

- **Section 404 of the Clean Water Act**, prohibits discharge of dredged or fill material into wetlands and waterways unless proven that steps were taken to avoid and minimize wetland impacts where practicable, and unavoidable impacts are compensated through activities provided to restore or create wetlands.
- **Section 7 of the Endangered Species Act** stipulates that Federally assisted actions should not jeopardize the continued existence of any rare, threatened, or endangered (RTE) species or adversely modify their habitat. "Section 7," as it is commonly referred to, calls for interagency consultation when a Federal action may jeopardize a protected species and outlines the documentation necessary to obtain a Biological Opinion.
- **Section 6(f) of the Land and Water Conservation Fund Act (LWCFA)**, requires that Federally assisted actions that propose impacts, or the permanent conversion, of outdoor recreation property that was acquired or developed with LWCFA grant assistance, be approved by the Department of the Interior's National Park Service. Impacts to Section 6(f) lands must be mitigated through replacement lands of equal value, location, and usefulness.

- **Chesapeake Bay Critical Area and Atlantic Coastal Bays Critical Area Protection Program** established the Critical Area Commission to oversee the development and implementation of local land use programs directed towards the Critical Area that met the following goals:
 - Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have run off from surrounding lands;
 - Conserve fish, wildlife, and plant habitat in the Critical Area; and,
 - Establish land use policies for development in the Critical Area which accommodate growth and also address the fact that, even if pollution is controlled, the number, movement, and activities of persons in the Critical Area can create adverse environmental impacts.
- **Title VI of the Civil Rights Act and Executive Order 12898, Environmental Justice** "No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance." Title VI requires agencies to identify and address, as appropriate, any disproportionately high and adverse human health or environmental effects of the project on minority populations and low-income populations.

PROCESS FOR NEPA APPROVAL

The SHA is responsible for reviewing the environmental impacts of all sub-recipient Federal-aid transportation projects and

assisting the sub-recipient in complying with the NEPA requirements. This review is coordinated and ultimately approved by the FHWA, based on the established policies and procedures.

1. Contact the appropriate SHA Environmental Manager (EM) in the NEPA Compliance Division.
 - The Environmental Manager's responsibilities are to maintain a database of all sub-recipient projects that are using Federal funds and provide guidance regarding the NEPA process. SHA's EM is also responsible for the review of the NEPA document the sub-recipient has drafted (the EM may assist in drafting) and submittal to FHWA for approval.
2. Send Letter to Maryland Historic Trust (MHT) ([Appendix B](#))
 - The letter should request MHT's review and comment on the project.
 - Include a project location map.
 - Provide the project information including the location and scope of work.
 - Define the Area of Potential Effects (APE) for the project, taking into account direct and indirect impacts including physical, visual intrusions, noise, and property acquisition.
 - Determine if any significant historic structures or districts, or archeological resources are present in the APE.
 - Assess the effects (no properties affected, no adverse effect, or adverse effect) of the project on any historic resources eligible for or listed on the National Register of Historic Places (NRHP).

- A copy of the request letter sent to MHT and their response and/or concurrence on the project's effects must be provided to the EM as evidence of compliance with Section 106.
 - If the MHT determines that the project will have an adverse effect on a historic resource, the sub-recipient must consult with the MHT on ways to avoid, minimize, or mitigate these effects and to develop a Memorandum of Agreement (MOA) with the MHT and FHWA. More info is available [here](#).
3. Coordinate with the United States Fish and Wildlife Service (USFWS) and Maryland Department of Natural Resources (DNR) – Wildlife and Heritage Service and Integrated Policy Review Unit.
- Complete the online project review process through the USFWS's [Chesapeake Bay Field Office](#). This online tool provides a step-by-step process for identifying whether Federally listed threatened or endangered species are within the project area. If the outcome of the process determines that no species are within the project area, the EM will receive an official "certifying" letter via email from USFWS stating that no further coordination is necessary. However, if the project may affect species, further coordination with USFWS will be necessary.
- Send letters to DNR – Wildlife and Heritage Service and Integrated Policy Review Unit to request review and comment on the project
 - Include a project location map.
 - Provide the project information including the location and scope of work.
 - Request information regarding the presence of the following:
 - Rare, Threatened, or Endangered species or habitat.
 - Anadromous finfish species.
 - Time of year restrictions for instream work in the project area.



If any resource agencies request a survey, the results of the survey must be addressed as evidence of compliance.

- Submit a copy of the response letter sent to USFWS, DNR – Wildlife and Heritage Service, and DNR – Environmental Review Unit, and any survey reports, to the SHA Environmental Manager to include in the NEPA document as evidence of compliance.
4. Determine if any wetlands, waterways, or floodplains are present and if they will be impacted. If impacts are anticipated, coordinate with the Maryland Department of Environment and the U.S. Army Corp of Engineers to:
- Confirm field delineations
 - Avoid or minimize impacts
 - Obtain appropriate permits
 - Prepare mitigation plans, if necessary

Refer to [Environmental Permitting Section](#) for additional information.

5. Determine if the project is within the Critical Area and coordinate with the Critical Area Commission.
- If the project impacts any area within the Critical Area Boundary, coordinate with your local planning and zoning agency as appropriate to obtain necessary approvals. To check if your project is located within the Critical Area use DNR's website [Maryland Merlin](#).
 - Copies of letters to and approvals from the local planning and zoning agency or a consistency report (for local government projects) must be provided to the Environmental Manager as evidence of compliance.
 - Mitigation may be required for impacts within the Critical Area.

- Some projects, including those requiring mitigation, may require an approval letter from Critical Area Commission staff.
6. Determine a plan for [public involvement](#) and consult with the EM for approval.
- Consult with the EM early in the concept development stage to determine what is appropriate and reasonable for the project. The EM must approve the public involvement/outreach concept.
 - The requirements for public involvement and outreach are dependent on the project scope and potential for community impacts.
 - Complete public involvement activities and outreach to provide an opportunity for the public to comment on projects. There may also be a need to hold a community meeting when roadway detours are planned during construction.
 - Address any public concerns.
 - Public involvement activities must be documented in the environmental document.
 - Copies of items, such as meeting minutes, flyers, newspaper advertisements, etc., must be provided to the EM as evidence of compliance.

Some examples of public involvement activities and outreach include, but are not limited to, informal community meetings, flyers, and newspaper advertisements. Factors that will affect the requirements of the public involvement and outreach include, but are not limited to, project location, average daily traffic, length of the detour, type and extent of community impacts, and duration of the detour. The goal of involving the public is to

assure no surprises to the public when construction begins.

7. Determine need to coordinate with Emergency Services or Public Transit Agencies.

- If a detour is required for the project, notify appropriate emergency service and public transit agencies such as:
 - Fire and rescue (ambulatory) departments
 - Police departments
 - Public schools
- If the emergency service, school bus, or public bus provider determines that the detour would adversely impact their response time or routes, work to address their issues.
- If the project is on a public bus route, notify the appropriate state or local agency (ex: MTA, WMATA, Ride On, etc.)
- Copies of letters to and responses from the emergency service agencies must be provided as evidence of compliance.

8. Determine if a Section 4(f) resource is impacted.

- Coordinate with the EM to help determine which [Section 4\(f\) compliance/evaluation method](#), if any, is appropriate for the project.
- If a Section 4(f) resource will be impacted, a 4(f) Evaluation will need to be completed. Impacts to Section 4(f) resources are considered a Section 4(f) use.
- Prepare a document to demonstrate that there are no prudent and feasible alternatives to avoid impacting the Section 4(f) resource.
 - If an avoidance alternative is

determined to be feasible and prudent it must be selected.

- An alternative could be determined not feasible and prudent for the following reasons:
 - Does not meet purpose and need of the project.
 - Introduces severe operational or safety problems.
 - Requires additional unacceptable social, economic, or environmental impacts.
 - Results in serious community disruption.
 - Adds extraordinary costs to the project.
- If impacts are unavoidable, the impacts must be minimized to the greatest extent possible and mitigation must be developed to offset the effect of the impacts.
- All Section 4(f) Evaluations and Determinations must be approved by FHWA, and are normally approved concurrently with the NEPA document.

9. Determine if there are impacts to publicly-owned public parks, recreational areas, or wildlife or waterfowl refuges.

- If yes, determine if the impacted resource area received [Land and Water Conservation Fund Act of 1965 \(LWFCFA\)](#) funding for acquisition or development.
 - If yes, the impacts to the resource are also subject to separate requirements under Section 6(f).
 - Section 6(f) coordination requires approval from the Department of the Interior's (DOI) National Park



Service (NPS) acting through the DNR. Generally, impacts to Section 6(f) lands must be replaced with land of equal value, location, and usefulness, and a written agreement with DNR outlining the mitigation must be included as proof of compliance.

Similar requirements are also applicable if the affected resource was purchased or developed with State (DNR) Program Open Space money. Based on the project scope, coordination with additional agencies may be necessary for scope activities such as tree removal, hazardous waste removal, the non-applicability of Section 4(f), or the need for a U.S. Coast Guard permit. Contact the EM for information regarding additional coordination requirements specific to the project.

10. Draft Environmental (NEPA) Document

- Contact SHA EM to discuss level of environmental NEPA documentation needed.
- The environmental section of the NEPA document should discuss any environmental impacts, or lack thereof, and also summarize the results of the coordination with the environmental agencies. The following topic areas should be covered:
 - Right-of-way requirements (by type: residential, commercial, individual, etc.) and the number of displacements
 - Discussion of public involvement
 - Impacts to historic or archeological resources
 - Impacts to Rare, Threatened, or Endangered species

- Impacts to wetlands, waterways, or floodplains
 - Impacts to the Critical Area
 - Removal of existing trees
 - Removal of hazardous waste
 - Conformance with air quality and noise standards
 - Conformance with TIP/STIP
 - Impacts to publicly-owned public parks, recreation areas, or wildlife or waterfowl refuges
 - Conformance with the Smart Growth Priority Funding Areas Act of 1997
 - Secondary impacts
 - Effects on minority or low-income populations
 - Conformance with local and/or regional plans
- Responses from the emergency service agencies (if required)
 - Proof of public involvement (meeting minutes, flyers, newspaper ads, etc.)
 - Response from the MHT providing concurrence of the project's effect
 - Response from the USFWS (or online self-certification form)
 - Response from the DNR-Wildlife and Heritage Service
 - Response from the DNR- Integrated Policy Review Unit
 - Maryland Department of the Environment (MDE) permit application and/or the issued permit (if required)
 - Approvals from the local planning and zoning agency in regards to Critical Area impacts (if required)

If you have concerns that your project may have an issue with hazardous waste, impacting noise standards, impacting conformance with air quality, or smart growth priority funding areas, please contact the EM for guidance.

- **Attachments to Environmental (NEPA) Document**

- In order to provide evidence of compliance and to present a better overview of the project, the items listed below should be included as attachments to the Categorical Exclusion (CE) or Programmatic Categorical Exclusion (PCE). For more information on CEs, PCEs, and environmental documentation, refer to the SHA publication [Environmental Documentation for Local Government Projects](#).
 - Location map
 - Detour map (if required)

11. Navigate the Approval Process

- Submit draft document and attachments to the Environmental Manager for review.
- Depending on the scope of work or level of impacts to natural or historic resources, SHA may be able to approve the NEPA document.
 - If a Categorical Exclusion document ([Section II of Environmental Document](#)) or more detailed document is required, the EM will submit the NEPA document to FHWA for approval.

CHAPTER 5

ENVIRONMENTAL PERMITTING AND MITIGATION

Environmental permits and mitigation are needed when a project impacts natural resources such as established trees, forested areas, wetlands, and waterways. Permits may be required for the disturbance or development of land. Any agency developing land must provide stormwater management measures under certain thresholds that control or manage runoff from such development. Early coordination is critical as environmental permitting delays could have a negative impact on the project schedule.

Attention should be given to avoid, minimize, and mitigate impacts to sensitive natural resources in order to obtain all necessary State and Federal wetlands and waterways permits and promote environmentally sensitive project designs. Additional responsibilities for the permit may include wetland delineation, functional assessment services, wetland mitigation, stream restoration monitoring, and environmental monitoring of construction projects.

The sub-recipient is the permittee. It is responsible for the preparation, submittal, and approval of all permits to the local approving authority, if applicable, or Maryland Department of the Environment (MDE). It develops mitigation strategies to satisfy regulatory requirements including ensuring the success of any stream and/or wetland mitigation. If the project is within SHA right-of-way, an access permit may be required and coordination with the SHA District Office will be necessary. The SHA Office of Highway Development-Highway Hydraulics Division (OHD-HHD), Office of Environmental Design (OED), and other applicable offices cooperate with state, Federal and local agencies to ensure compliance with applicable laws. OHD-HHD, the owners of the Drainage and SWM

Assets Inventory Database, are responsible for design, permitting, inspections, and remediation of these facilities. OHD-HHD also performs H/H technical review for District Access Management (Access Permits and Utility Permits) when a developer proposes modification /retrofit of a SWM facility. The principal responsibility of OED during the review of plans submitted for a District Permit is to evaluate potential wetland and waterways impacts and proposed mitigation upon SHA property and easements, and to ensure that SHA resources are protected.

Once all permits are obtained, submit Environmental Permit Form in [Appendix F](#) with the project PS&E package. This form summarizes permits needed for the project with expiration dates. Maintain all records for at least three years after the closing of the project.

TYPES OF PERMITS

The following is a general listing of the permits that a sub-recipient may need before the project begins. In addition, if the project is within SHA right-of-way, the sub-recipient will need to follow the process detailed in the next section.



Wetlands and Waterways		
Necessitating Impacts/Issue	Permit/Approval/Law	Issued By
Impacts to wetlands, waters, floodplains, and wetland buffers	Wetland and waterway permits (Letter of Authorization, Authorization to Proceed, GWCP, MDSPGP, Individual Corps Permit)	Maryland Department of Environment / Army Corps of Engineers
Stormwater Management and Erosion and Sediment Control		
Necessitating Impacts/Issue	Permit/Approval/Law	Issued By
Disturbing more than 5,000 Square Feet or 100 Cubic Yards of excavation	Erosion and Sediment Control and Stormwater Management	Maryland Department of the Environment*
Disturbing more than one acre of earth	NPDES Construction NOI	Maryland Department of the Environment*
Outfalls in areas of 100,000 population or more	Municipal NPDES	Maryland Department of the Environment*
Any earth disturbance in the Severn River Watershed	Anne Arundel County Erosion and Sediment Control	AA Co. Soil Conservation District
Changes to the 100 year Floodplain elevation.	Federal Emergency Management Agency	Maryland Department of the Environment*
Modifications or restoration of man-made dams across streams or man-made dams at stormwater management facilities	Dam Safety MD Code 378	Maryland Department of the Environment *
Landscaping		
Necessitating Impacts/Issue	Permit/Approval/Law	Issued By
Pruning or felling individual trees in the right of way and/or forested areas less than 1.0 acre.	Roadside Tree Permit	Maryland Department of Natural Resources Forest Service
Impacting 1.0 acre or more of forest in a linear highway project in or outside SHA right-of-way.	Maryland Reforestation Law Approval	Maryland Department of Natural Resources Forest Service
Grading activity of 40,000 SF or more in a non-linear facility project such as building construction	Forest Conservation Act Approval	Maryland Department of Natural Resources Forest Service
Growth of prohibited noxious weeds	Maryland Noxious Weed Law	Maryland Department of Agriculture / SHA-Landscape Operations Division
Pesticide storage, mixing, and application	Pesticide Applicators Law	Maryland Department of Agriculture
Fertilizer application to State land	Nutrient Management Plan	Maryland Department of Agriculture
National Environmental Protection Act (NEPA)		
Necessitating Impacts/Issue	Permit/Approval/Law	Issued By
Federally funded projects requiring additional right of way	NEPA	United States Environmental Protection Agency /Federal Highway Administration
Disturbance within the Critical Area (1,000 ft landward from tidal waters including 100 ft buffer ground tidal wetlands)	Critical Area Commission for Chesapeake and Atlantic Coastal Bays	Critical Area Commission for Chesapeake and Atlantic Coastal Bays
Impacts to cultural resources (both historic standing structures as well as archeological sites)	Section 106 Coordination	Maryland Historic Trust
Impacts to parks and recreational facilities	Section 4(f)	Maryland Department of Natural Resources, NPS and Federal Highway Administration
Air quality issues	Air quality conformity	Maryland Department of the Environment and EPA
Maintenance and minor impacts to resources in SHA's right-of-way	NEPA	SHA Environmental Planning Division
An actual "take" of RTE wildlife or wildlife habitat	Wildlife permit/license Section 7 ESA - Biological Opinion if a Federal listed species	Maryland Department of Natural Resources if state listed FWS if Federally listed
Hazardous Materials		
Necessitating Impacts/Issue	Permit/Approval/Law	Issued By
Encounter or expose any abnormal conditions (hazardous/toxic material or spill)	MDE Approval	Maryland Department of the Environment /United States Environmental Protection Agency
Recycled Materials		
Necessitating Impacts/Issue	Permit/Approval/Law	Issued By
Recycled Materials	Approvals	Material Management Division
Navigable Waters		
Necessitating Impacts/Issue	Permit/Approval/Law	Issued By
Changes to restrictions and guidelines established in the Coast Guard permit or additional impacts to navigable waters	United States Coast Guard- Bridge Permit	United States Coast Guard

*The MDE Stormwater Management and Erosion and Sediment Control Permit Process has three phases of submittals and reviews: Concept, Site Development, and Final. All submissions go the MDE Plan Review Section or local review section with delegated authority, if applicable, to ensure compliance with the Annotated Code of Maryland, Environmental Article, Title 4, Subtitle 1, Sediment Control; and Subtitle 2, Stormwater Management; The 2011 Maryland Standards and Specifications for Soil Erosion and Sediment Control and the 2000 Maryland Stormwater Design Manual Vol I and II.

PROCESS FOR PROJECTS WITHIN SHA RIGHT-OF-WAY

Wetlands and Waterways Permit and Mitigation Plans: Office of Environmental Design, Environmental Programs Division (410) 545-8628

- Avoid and minimize construction impacts to wetlands and waterways on SHA property and easements, and restore affected areas to their preconstruction condition.
 - Impacts to Critical Area and Mitigation Plan.
 - Provide information about proposed impacts and mitigation activities within the Critical Area and Critical Area Buffer.

The “[SHA Landscape Design Guide](#)” provides information about Critical Areas, regulated impacts to areas within the Critical Area and Critical Area Buffer, and mitigation for impacts to soil and vegetation within 1,000 ft. of tidal waters.

- Impacts to Stormwater Management Facilities Plan: Many of these stormwater management features are located in areas of the SHA right of way that may be directly or indirectly damaged by construction activities.
 - Develop plans that document existing conditions and plans to restore or mitigate changes to existing stormwater management facilities impacted by construction.
 - Examples of stormwater management facilities may include sand filters, open vegetated channels, bioretention areas, filter strips, and submerged gravel filters.

Landscaping: Office of Environmental Design, Landscape Operations Division (410) 545-8590

Coordination with [local SHA district office](#) for access permit

- Determine type of access permit needed.
- Use the [SHA Environmental Guide for Access and District Permit Applicants](#) to develop plans to protect environmental resources
 - Plans should avoid and minimize construction impacts regarding tree, wetland and waterway, Critical Area and Critical Area Buffer, and current TMDL facilities within SHA ROW to ensure that SHA resources are protected and to restore affected areas to their preconstruction condition.
 - Roadside Tree Permit (RTP) and Mitigation Plan: Tree removals, tree installation, and impacts to tree branches or tree roots within SHA right of way require a RTP issued by the Maryland Department of Natural Resources Forest Service (DNR), unless an RTP is waived by DNR when an approved Forest Conservation Plan (FCP) in conformance with the Maryland Forest Conservation Act (FCA) includes work within SHA right of Way.
 - Document the species, sizes, and locations of trees to be removed, impacted, or installed, as well as the nature of any impacts to existing trees, and the proposed mitigation for tree removals on plans.
 - Mitigate the removal of all trees within SHA right

of way with trunk size two inches in diameter at breast height (DBH) or greater. The DBH is measured at 4.5 feet above the ground. SHA may request mitigation for the loss of brush, shrubs, or other ornamental plantings, and may request other landscaping or extended maintenance to restore and establish native vegetation in natural areas. Such mitigation is not required by Maryland law, but may be required as a condition for an Access Permit by SHA.

- Typically SHA requests 1:1 mitigation for trees and large shrubs, although additional mitigation may be required for significant or specimen trees.
- Construction of new facilities may also be required to offset the impacts of additional impervious surface, etc.
- Submit all materials for a permit application to the SHA District Office for evaluation.
- Once the request is received, the District Office will coordinate with OED to evaluate construction plans and ensure compliance with environmental laws and SHA landscape design standards. The divisions of

OED will provide a coordinated response of recommendations in a memo sent directly to the District.

- Apply and acquire the necessary agency permits for the proposed construction and associated impacts.

RECYCLED MATERIALS

[See the materials approval process](#) in Chapter 11.

Additional Resources

- [Environmental Guidelines for Construction](#) – additional permit information and details.
- SHA [Landscape Design Guide](#) - extensive information about the Maryland Roadside Tree Law, the Maryland Forest Conservation Act, and other environmental laws.
- [Maryland Stormwater Management and Erosion and Sediment Control Guidelines for State and Federal Projects](#).
- Submitting a District Permit request, See [Access Permit](#) paragraph under the Advertisement section in Chapter 10.

CHAPTER 6

RIGHT-OF-WAY

BACKGROUND

It may be necessary for sub-recipients to acquire some type of property rights in order to construct the project. The Federal Highway Administration (FHWA) requires sub-recipients to certify that requirements related to right-of-way have been fulfilled before authorizing a project for construction.

Right-of-way coordination should begin as soon as it is determined it will be required, and before construction begins. In some cases, the right-of-way coordination and certification requirements can become very complex. Acquiring right-of-way can take considerable time to conduct appraisals, negotiations, and reach an agreement with those affected by a project. Sub-recipients can help prevent unnecessary delays or costs during construction by early and complete coordination of right-of-way with Maryland State Highway Administration (SHA).

The term “right-of-way” describes physical property or specific interest in property, needed to construct a project. When sub-recipients acquire right-of-way for Federal-aid projects, they are obtaining the physical and legal possession of property or certain rights to property. These property rights may be temporary, such as a temporary construction easement. Or, they may be permanent, such as a drainage easement or title to a property, which may include the relocation of affected parties.

Regardless of the type of property rights acquired, sub-recipients must comply with all right-of-way requirements if the project will affect real property. FHWA describes “real property” as land, improvements to land, fee interests, easements, air or access rights, or the rights to control land, such as leases.

UNIFORM ACT

The primary law governing right-of-way acquisition and relocation activities on Federal-aid projects is referred to as the Uniform Act, short for Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended. The Uniform Act and other Federal right-of-way requirements are in place to protect and treat fairly those who are affected by a Federal-aid project.

When sub-recipients need to acquire property, or certain rights or interests to property in order to build the project, they must comply with the Uniform Act. The Uniform Act requirements apply when Federal-aid is used for any portion or phase of a project. For example, if local funds are used for right-of-way acquisition and Federal-aid funds are planned to be used for the construction, sub-recipients must still comply with the Uniform Act to receive any Federal funds.



RIGHT-OF-WAY CERTIFICATION

A right-of-way certification statement is a standard requirement that applies to all Federal-aid projects, even those that do not involve acquisition of any right-of-way. This requirement helps convey that all property needed to construct the project has been acquired and all persons have been relocated in accordance with the Uniform Act. Sub-recipients are responsible for working with SHA to establish a right-of-way certification for Federal-aid projects to include one of the following right-of-way statements, and if applicable, a relocation statement:

Certification Language	Condition
<i>"No right-of-way acquisition is required for the project."</i>	All proposed work for the project will occur within the sub-recipient's existing right-of-way.
<i>"All right-of-way has been acquired for the project in accordance with all applicable requirements covering the acquisition of real property."</i>	The sub-recipient has legal and physical possession of all right-of-way needed for the project.
<i>"All individuals and families have been relocated to decent, safe, and sanitary housing in accordance with all Federal requirements for administering the Relocation Assistance Program."</i>	Individuals or families have been displaced by the project.

Sub-recipients may take primary responsibility for completing the right-of-way process or utilize a private consultant to take primary responsibility. SHA's Office of Real Estate (ORE) may be available to assist with the right-of-way process. For additional information, contact SHA's ORE Program Coordination Division at (410)545-0025.

PROCESS

In accordance with the Uniform Act, the general process to acquire right-of-way to construct a project is outlined below:

1. The property must be appraised by an SHA-certified appraiser. For a list of certified appraisers, contact SHA's ORE Appraisal Review Division at (410)545-0031. Sub-recipients must offer the property owners the option of accompanying the appraiser when the property is inspected.
2. The property appraisal must be reviewed and accepted by a second, independent- certified appraiser.
3. Following the appraisal review, the negotiator may begin making offers to

property owners in order to acquire the necessary right-of-way.

- A written Letter of Offer detailing the components of each offer must be given to the property owner, along with a plan or drawing of the property to be acquired and the deed or agreement needed to transfer the property rights.
- The offer must be based on fair market value and in the full amount of the appraisal.
- The offer should be made in person; however, the offer may be made by certified mail if in-person attempts are unsuccessful.
- After the first offer, the negotiator should maintain communication with

the property owner to resolve any concerns or issues in an attempt to reach an amicable settlement as quickly as possible.

- Sub-recipients may ask the property owner to donate the right-of-way required to construct the project. However, the property owners must be informed that they have the right to be compensated for any use of their property, and by donating their property, they are waiving their right to compensation.
4. Upon successful completion of negotiations, sub-recipients and the property owner will sign a deed to transfer property rights. An option contract is sufficient for a temporary easement only. The final settlement or closing may occur later, when payment is made to the property owner.
 - A deed is a legal document transferring certain property or property rights to a sub-recipient. Upon execution, deeds must be recorded in the land records of the local jurisdiction.
 - An option contract is a legally binding contract that stipulates a sub-recipient has the option to acquire the right-of-way for an agreed-upon amount within a specified timeframe, and will include any other agreed-upon provisions.
 - A temporary easement option grants the sub-recipient the temporary use of property for a specific purpose and time.
 5. The negotiator must sign a **Negotiator's Certificate** to include the following statements:
 - "The written agreement embodies all of the considerations agreed upon between the negotiator, acting on behalf of the sub-recipient, and the property owner."
 - "The agreement was reached without coercion, promises other than those shown in the agreement, or threats of any kind by or to either party."
 - "The findings, notations, and recommendations represent my best judgment."
 - "The parcel(s) herein agreed to be conveyed is (are) being secured for use in connection with a Federal-aid project."
 - "I have no direct or indirect present or contemplated future personal interest in the parcel(s) or benefit in the acquisition of such property."
 - "I did not conduct an appraisal of the property and I was not a Reviewing Appraiser of same."
 6. All communication should be documented or summarized in a record of negotiations.
 7. Upon completion of the right-of-way acquisition, SHA's ORE will review the sub-recipient's acquisition activities and records to ensure compliance with the Federal procedures. See [Appendix C](#) for the LPA/Sub-recipient Option Assembly Review Sheet.
 - Records should include the appraisal and appraisal review, the signed deed or easement document, and a summary of the negotiation activities.
 8. If the right-of-way acquisition process complies with all Federal regulations, SHA's ORE will prepare a Right-of-Way Certification Letter and send it to the sub-recipient and FHWA. At this point, the right-of-way acquisition is cleared and the sub-recipient may proceed with advertising a project for construction.
 9. Maintain all records for at least three years after the closing of the project.

Negotiator's Certificate and Recommendation

(To be completed by the Negotiator when negotiations are successful)

I hereby certify that:

- 1) The written agreement embodies all of the considerations agreed upon between the negotiator, acting on behalf of [Name of Sub-recipient], and the property owner(s).
- 2) The agreement was reached without coercion, promises other than those shown in the agreement, or threats of any kind by or to either party.
- 3) The findings, notations, and recommendations represent my best judgment.
- 4) The parcel(s) agreed to be conveyed is (are) being secured for use in connection with a Federal-aid project.
- 5) I have no direct or indirect present or contemplated future personal interest in the parcel(s) or benefit from the acquisition of such property.
- 6) I did not conduct an appraisal of the property and I was not a Reviewing Appraiser of same.

FOR SUB-RECIPIENT'S ACKNOWLEDGEMENT

I concur with the negotiator's recommendations and certify that the acquisition is in compliance with existing rules, policies and procedures including necessary documentation and approvals.

By: _____

Title: _____

Date: _____

Negotiator

Title

Date

ADDITIONAL RESOURCES

For more information about obtaining real property for use by a Federal-aid project, refer to FHWA's [Real Estate Acquisition Guide For Local Public Agencies](#) or [FHWA's Federal-Aid Essentials for Local Public Agencies video series](#). Topics covered include the following modules:

- Introduction to Right-of-Way Requirements and the Uniform Act
- Project Development
- Property Management
- Valuation
- Acquisition and Negotiation
- Relocation Assistance



CHAPTER 7

RAILROADS

BACKGROUND

All Federal-aid projects require a railroad certification confirming that the appropriate railroad coordination has taken place. Early coordination is critical as railroad delays can have a negative impact on the project's cost and schedule. Sub-recipients should prepare this statement for all Federal-aid projects, including projects that do not involve a railroad.

IMPROVEMENT DETERMINATION

If a highway-rail crossing is located within the project limits or within 500 feet outside the project limits, sub-recipients may be required to improve an at-grade railroad crossing if the existing traffic control or warning devices do not meet current standards. To determine if a project must include any highway-rail crossing safety improvements, sub-recipients should contact the Team Leader of the Statewide Studies Team in SHA's Office of Traffic and Safety's Traffic Development and Support Division (TDSD) at (410)787-5880.

Railroads generally own the right-of-way on which they operate. In most cases, the railroad will insist that their own forces perform any work that will directly impact their tracks or equipment. A highway contractor or subcontractor may be allowed to perform work on railroad right-of-way that does not impact the railroad's facilities. In these cases, a right-of-entry permit issued by the railroad is required.

FUNDING

Modifications to railroad facilities must be included in the overall cost of the project. In addition, extra costs may be incurred in complying with the provisions of a railroad right-of-entry permit. Preliminary engineering funds must be authorized prior



to starting work on the design for federal funds to be eligible. These costs may include railroad flagging, right-of-way acquisition, insurance, and engineering. Such costs shall be identified as part of the agreement between the sub-recipient and the railroad. The agreement must be reviewed and approved by SHA prior to being executed by the sub-recipient and the railroad.

If the work to be performed by the railroad falls under Section 130 Railway-Highway Crossings Program of the Highway Safety Improvement Program, SHA may pay for the work and seek reimbursement, rather than the sub-recipient doing the same. Section 130 was established to reduce the number and severity of highway-related crashes at highway-rail grade crossings. To determine if a project falls under Section 130, sub-recipients should contact SHA's TDSD.

RAILROAD CERTIFICATION

A railroad certification statement is a standard requirement that applies to all Federal-aid projects, even if railroads are not affected by the project. Sub-recipients are responsible for working with SHA to establish a railroad certification to include one of the following statements:

Certification Language	Condition
"No railroad facilities will be affected by the project."	The project has no effect on any railroad facilities.
"All railroad work has been completed prior to the start of construction."	Railroad work was necessary and work has been completed prior to the start of construction.
"Arrangements are made to have railroad work undertaken during construction."	Railroad work is necessary but work will not be completed prior to the start of construction.

If railroad work is to be undertaken during construction, sub-recipients must indicate as part of the certification that appropriate notification will be included in the bid proposal advising all prospective bidders of any railroad work that will occur concurrently with the project construction. In addition, the Plans, Specifications, and Estimates (PS&E) package must include notification to the contractor if supplemental contractor's liability insurance is required, as well as proof of insurance documentation for the same.

PROCESS

The general process for railroad coordination that sub-recipients must follow prior to construction is outlined below:

1. Identify any railroad facilities inside the project limits, or within 500' outside the limits of the project.
2. Determine if construction activities will affect the railroad crossing.
3. Contact the Team Leader, Statewide Studies Team of TDSD to determine what work is necessary if railroad facilities will be affected.
4. Determine how the railroad work will be funded (to meet railroad certification requirements).
 - If the work will be funded under the provisions of Section 130, provide all necessary information to TDSD so they may prepare a separate PS&E. SHA will prepare an agreement with the railroad and an agreement with the sub-recipient. Mark the project plans with "WORK TO BE DONE BY OTHERS".
5. Develop railroad special provisions by determining the following:
 - Parties responsible for conducting the work.
 - Parties responsible for payment of work.
 - Liability insurance requirements.
 - Monitoring of the railroad during construction.
 - Flagger requirements.
6. Ensure all railroad provisions are compatible with project design and construction schedule sequencing, and

that these provisions will not adversely affect the project schedule.

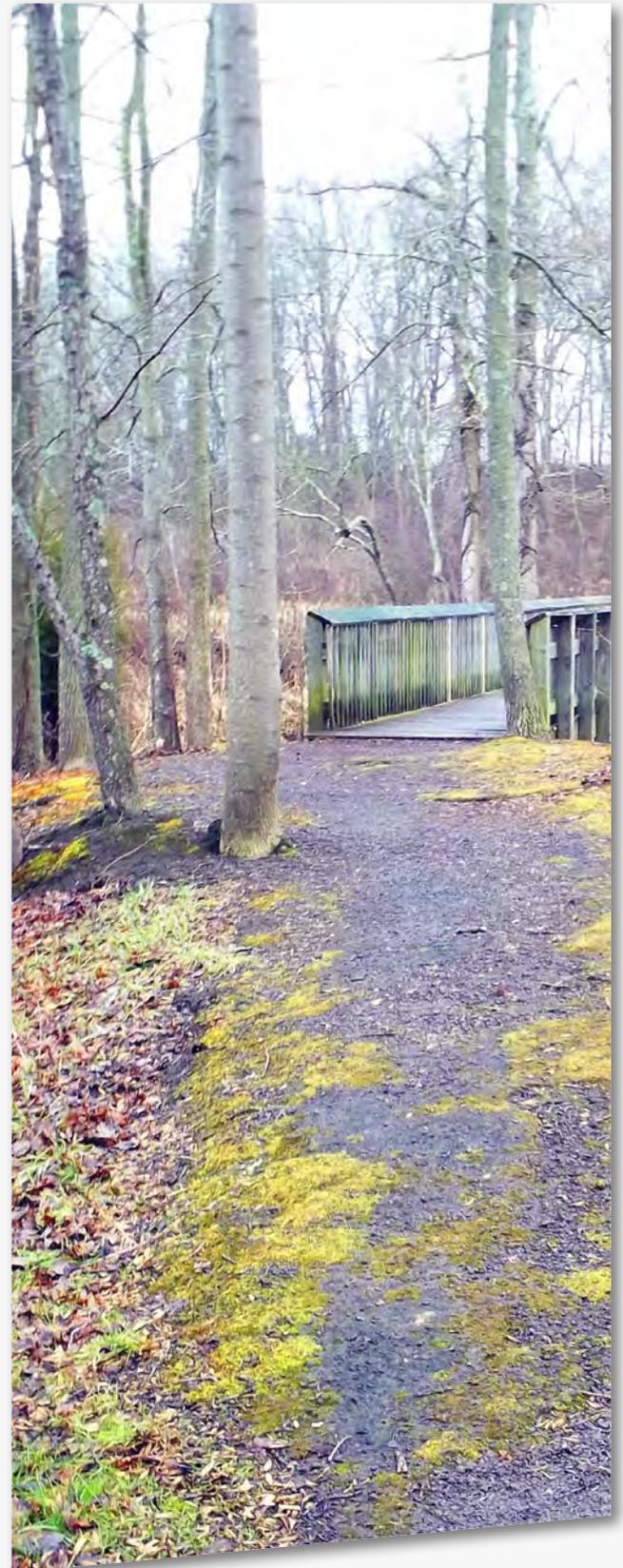
7. Prepare railroad reimbursement agreements for any railroads that have reimbursable rights and send to SHA for review and approval prior to submitting to the railroad company for signature.
8. Work with SHA to establish a railroad certification to confirm appropriate coordination has taken place, even if railroads aren't affected by the project.
9. Include the railroad certification with the PS&E.
10. Maintain all records for at least three years after the closing of the project.

ADDITIONAL RESOURCES

For more information about railroad coordination and certification requirements for use by a Federal-aid project, refer to [FHWA's Federal-Aid Essentials for Local Public Agencies video series](#). Topics covered under Project Development include the following module:

- Railroad Coordination and Certification Requirements
- 23 CFR 140 Subpart I, Reimbursement for Railroad Work
- 23 CFR 635 Subpart C, Physical Construction Authorization
- 23 CFR 646 Subpart A, Railroad-Highway Insurance Protection
- 23 CFR 646 Subpart B, Railroad-Highway Projects
- [FHWA Memo on Railroad Coordination on Federal-Aid Highway Projects dated 7-31-15.](#)

For more information on the Highway-Rail Crossing Safety Improvement Program, contact SHA's Office of Traffic and Safety's Traffic Development and Support Division at (410)787-5867.



CHAPTER 8

UTILITIES

BACKGROUND

Sub-recipients are required to coordinate projects with utility owners. Early coordination is critical as utility delays can have a negative impact on the project's cost and schedule.

A utility is defined as a privately, publicly, or cooperatively owned line, facility or system for producing, transmitting, or distributing communications, cable television, power, electricity, light, heat, gas, oil, crude products, water, steam, waste, storm water not connected with highway drainage, or any other similar commodity, including any fire or police signal system or street lighting system, which directly or indirectly serves the public. If utilities are present, involvement by utility owners can range from simply marking utility locations within the project area to relocation of utilities due to conflicts with the scope of the project.

FUNDING

Utility relocation costs are only eligible for Federal funding reimbursement when allowed under Maryland state law. Such reimbursement is dependent on the utility's location, ownership, or responsible authority. For utilities located in the public right-of-way, typically they must be moved at the utility company's expense, and are not eligible for Federal-aid reimbursement. For utilities located on the utility company's property or easement, the work performed for a project is often reimbursable, and the anticipated cost must be factored into the overall project expense.

Utility relocation costs include the direct costs of moving utilities as required within the scope of the project. In addition, costs may also include design and in some cases, the acquisition of a replacement easement,

and/or tree cutting and trimming. These costs shall be identified as part of the agreement between the sub-recipient and the utility company, and the agreement must be reviewed and approved by the Maryland State Highway Administration's (SHA) Utilities Team prior to being executed. An agreement is required for all utilities requiring relocation on a Federal-aid project regardless of who actually pays for the relocation. When reimbursement for utility relocation is being requested, Federal authorization must be received prior to the work being performed. To request this authorization, a UC-4 and UC-5 form (in [Appendix D](#)) should be submitted to the Federal Aid Programming Division in addition to the materials required in Chapter 10 under PS&E submittal.

BUY AMERICA

Current FHWA Buy America requirements are based on Section 165 of the Surface Transportation Assistance Act of 1982 as amended by the Intermodal Surface Transportation Efficiency Act (ISTEA), Section 1041 (a) defined application of coating to iron and steel as manufacturing process, and Section 1048(a) dropped cement, included iron, and codified by SAFETEA-LU, Section 1903 as 23 U.S.C. 313, and FHWA regulation, 23 CFR 635.410. This regulation requires use of domestic iron and steel in all Federal-aid construction projects. The regulation includes provisions for minimal use, alternative bids, and as a last resort, a waiver of the requirements for products which are not domestically available in sufficient quantity or quality to fulfill the project requirements.

- Minimal Use
 - Buy America does not apply to minimal use of steel/iron

materials, provided the total cost of all foreign source items used in the contract, as delivered to the project site, is less than \$2,500 or 0.1% of the total contract amount, whichever is greater.

- A log of foreign source items should be kept to ensure that the minimal use threshold is not exceeded during the life of the contract.
- Alternative Bids
 - Alternative bids for foreign versus domestic steel.
 - Foreign steel alternative must be 25% lower than the domestic alternative.
 - Based on total contract bid, not just the bid prices for items with iron or steel elements.
- Waivers
 - Project specific waivers (informal review process).
 - Nationwide waivers (rule making process could take 1-3 years).

Buy America applies when Federal-aid is used for any portion or phase of a project. If one contract within the scope of a NEPA document is awarded using Federal-aid funding, Buy America provisions apply to all contracts within the scope of the NEPA

document, regardless of the source of funding. For example, if local funds are used for utility relocation and Federal-aid funds are planned to be used for the construction, sub-recipients must still comply with Buy America to receive any Federal funds. Federally ineligible work is not subject to the Buy America requirements.

Sub-recipients must include in the utility agreement the requirement that the utility company shall comply with Buy America. As part of the SHA Material Clearance Process, the utility company's contractors will need to supply certifications to the sub-recipient from the manufacturer documenting that all iron and steel products, including protective coatings, have been manufactured in the United States. Sub-recipients must forward copies of the certifications to SHA's Office of Materials Technology for review and approval prior to such items being incorporated into the permanent work.

UTILITY CERTIFICATION

A utility certification statement is a standard requirement that applies to all Federal-aid projects, even if utilities aren't affected by the project. Sub-recipients are responsible for working with SHA to establish a utility certification to include one of the following statements:

Certification Language	Condition
"No utility facilities will be affected by the project."	The project has no effect on any utility facilities.
"All utility work will be completed prior to the start of construction."	Utility work is necessary and work will be completed prior to the start of construction.
"Arrangements are made to have utility work undertaken during construction."	Utility work is necessary but work will not be completed prior to the start of construction.

If utility work is to be completed during construction, sub-recipients must indicate as part of the certification that appropriate notification will be included in the bid proposal advising all prospective bidders of any utility work that will occur concurrently with the project construction.

PROCESS

The general process for utility coordination sub-recipients must follow to construct a project is outlined below:

1. Identify each utility company that potentially has utilities within the project area. For underground utilities, contact [Miss Utility](#) at 800-257-7777.
2. Notify each utility company affected by the project requesting a response with a description of their utilities within the project area or a response that they have no utilities within the project area.
3. Prepare project plans to include underground and above-ground utilities within the project area identified by each utility company, Miss Utility, and/or the sub-recipient.
4. Send project plans to each utility company requesting a verification that their utilities are shown correctly on the plans or requesting they provide detailed plan corrections.
5. Update project plans to include corrections to utilities if necessary.
6. Prepare and send project plans to each affected utility company identifying areas of change such as right-of-way, cut and fill, slope conditions, or any structure change for use in determining required utility revisions.
7. Coordinate with each affected utility company to fully define who is conducting the work and who is paying for the work.
8. Request relocation plans and schedules from each utility company whose lines are affected by the project.
9. Ensure the relocation plans and schedules are compatible with roadway design and construction sequencing and that all plans will not affect the project schedule.



10. Develop utility special provisions by determining the following:
 - Parties responsible for payment of relocation work.
 - Mitigation necessary by each utility company.
 - Betterment requests, if any.
 - Preliminary estimate of costs for utility relocation including Buy America material requirements.
11. Send draft utility special provisions to SHA for comment, review, and approval to include the following:
 - List of relevant utility companies.
 - Description of any utility conflicts.
 - Details regarding any work required due to utility conflicts.
 - Buy America requirements.
12. Prepare utility reimbursement agreements for any utilities that have reimbursable rights and send to SHA for review and approval prior to submitting to each affected utility company for signature.
13. Work with SHA to establish a utility certification to confirm appropriate and adequate coordination has taken place, even if utilities aren't affected by the project.
14. Include the utility certification with the project plans, specifications, and estimates package (PS&E).
15. Maintain all records for at least three years after the closing of the project.

ADDITIONAL RESOURCES

For more information about utility coordination and certification requirements or the Buy America requirements for use in a Federal-aid project, refer to [FHWA's Federal-Aid Essentials for Local Public Agencies video series](#). Topics covered under Project Development include the following modules:

- Utility Coordination and Certification Requirements
- Buy America Contract Requirements
- 23 CFR 645 Subpart A, Utility Relocations, Adjustments, and Reimbursements
- 23 CFR 645 Subpart B, Accommodations
- 23 CFR 635.410, Buy America

[FHWA Memo on Application of Buy America to non FHWA-funded Utility Relocations dated 07/11/13](#)

[FHWA's Buy America Q and A for Federal-Aid Program](#)

CHAPTER 9

PROJECT DESIGN

The design of all sub-recipient projects with a Construction phase will follow two design stages: Preliminary Engineering and Final Design. Preliminary Engineering is the level of design necessary to determine environmental impacts, minimization or mitigation of impacts, and to then complete the environmental document required to proceed with Final Design. Final Design is the preparation of construction plans and detailed specifications for the construction work. This chapter provides guidance on the methods, standards, guidelines, policies, and requirements of the project development process that must be followed to complete Preliminary Engineering and Final Design for a construction project utilizing Federal-aid.

PROJECT DELIVERY METHODS

The project delivery method is the process by which a construction project is designed, procured, and constructed. The most common project delivery methods utilized to deliver transportation projects are Design-Bid-Build (DBB), Design-Build (DB), and Construction Management at Risk (CMAR). While the focus of this manual is DBB, DB and CMAR project delivery methods are approved and may be used to develop and deliver any project. For additional information related to the other project delivery methods, the sub-recipient should contact the appropriate SHA Program Manager to coordinate with the SHA's Innovative Contracting Division in the Office of Highway Development.

Design-Bid-Build

Design-Bid-Build is the traditional project delivery method in which the owner designs, using in-house or consultant resources, and then advertises and awards a separate construction contract based on the 100%

completed construction documents. In DBB, the owner "owns" the details of design during construction and, as a result, is responsible for the cost of any errors or omissions encountered in construction.

Design-Build

Design-Build is an alternative project delivery method in which the owner procures a single contract with a Design-Build Team (consisting of a contractor and a designer), generally after completion of Preliminary Engineering, to complete the Final Design and Construction of a project. This project delivery method typically uses a two-step procurement process to award the contract. Step One establishes a Reduced Candidate List (RCL) of the most highly qualified Design-Build Teams. Step Two selects the Design-Builder from the RCL who is determined to be the most advantageous through either a low price or "best-value" award. For Design-Build projects, the Design-Build Team controls the details of design based on the requirements defined by the owner in the Request for Proposals, and is responsible for the cost of any design errors or omissions encountered in construction.

Construction Management at Risk

Construction Management at Risk (also known as Construction Manager/General Contractor (CM/GC)) is an alternative project delivery method in which the owner contracts with a Contractor during the Preliminary or Final Design phase to provide preconstruction services. The Contractor is selected during the design phase through either a one-step or a two-step procurement. The project design is then completed by the owner through its in-house or consultant resources. The selected Contractor provides preconstruction services such as constructability reviews,

value analysis, scheduling, site assessments, and cost estimating during the design phase. Once design has reached a significant level of completion, the owner will request the Contractor to submit a Guaranteed Maximum Price (GMP) to complete the construction of the project. Subject to a successful GMP reconciliation, the Contractor, through a contract amendment, will complete the construction of the project. The significant characteristic of this delivery method is a contract between the owner and a Contractor who will be at risk for the final cost and time of construction. The need for Contractor input into the design development and constructability of complex and innovative projects are the major reasons the owner may select the CMAR project delivery method. Unlike DBB, CMAR brings the Contractor into the design process at a stage where their input can have a positive impact on the project. CMAR is particularly valuable for non-standard types of designs where it is difficult for the owner to develop the technical requirements that would be necessary for DB procurement without Contractor input.

STANDARDS, GUIDELINES, POLICIES, AND REQUIREMENTS

The design of sub-recipient projects must conform to applicable standards and guidelines as follows:

- All sub-recipient projects along SHA roadways must conform with SHA approved standards, specifications, and guidelines.
- Projects off the SHA roadway system and on the National Highway System (NHS) must be designed to meet FHWA approved standards.
- Projects off the SHA roadway system and off the NHS may be designed to local standards. In the event local standards do not exist, projects are

encouraged to utilize SHA standards and guidelines. However, FHWA standards and guidelines may be utilized when SHA's standards and guidelines are more stringent.

A list of applicable standards and guidelines is provided at the end of this chapter.

*Title 49 CFR 18.36 may apply to small projects under \$100,000 and not on SHA ROW. Recreational Trail Program projects may fit this category.

Americans with Disabilities Act Policy on Sub-Recipients

Any sub-recipient that receives Federal-aid funds through SHA must comply with SHA's "Americans with Disabilities Act Sub-recipient Policy" (see [Appendix E](#)).

PRACTICAL DESIGN, DESIGN EXCEPTION AND WAIVER REQUIREMENTS

Practical Design

Practical Design is a focus on scoping projects to achieve the purpose and need, while considering the surroundings of each project. To implement Practical Design solutions, existing design standards and criteria may not be relevant or feasible in some instances. This approach requires implementing a design that is appropriate within the context of the surroundings without compromising safety. In the event the accepted criteria cannot be met, a Design Exception may be required to document the engineering decision.

Design Exceptions

A Design Exception is a documented decision to design a highway element or segment of a highway to design criteria that do not meet minimum values or ranges established for that project. Design exceptions may be considered and

necessary for various reasons including, but not limited to, impacts to the natural environment, social or right-of-way impacts, preservation of historical or cultural resources, sensitivity to context, sensitivity to community values, or construction or right-of-way costs.

Written design exceptions are required for all projects on the NHS where the minimum criteria are not met. Non-NHS projects may be designed, constructed, operated, and maintained in accordance with state or local laws, regulations, directives, and safety, design, and construction standards. Therefore, there is no federal requirement for design exceptions on highways and streets that are not part of the NHS, regardless of funding source. However, state and local agencies are encouraged to analyze situations and document design exceptions on non-NHS routes in a similar fashion when design values are used that do not meet their adopted criteria.

While it is impractical to require a design exception for every feature that does not meet the accepted minimum design criteria, projects must be evaluated for potential exceptions based on critical elements, known as the Controlling Criteria, which have

substantial importance to the operational and safety performance of any highway.

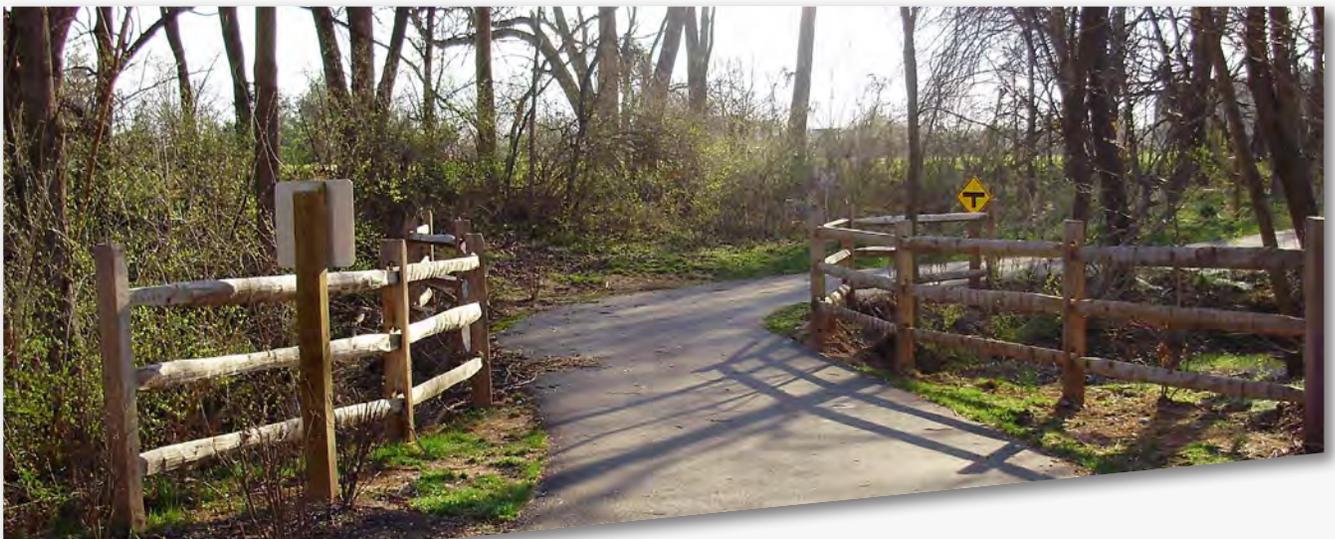
The Controlling Criteria that apply to the design of all NHS “high-speed” roads for traffic operating at 50 mph or faster, are as follows:

Controlling Criteria for High-Speed Roads

1. Design Speed
2. Lane Width
3. Shoulder Width
4. Horizontal Curve Radius
5. Superelevation Rate
6. Stopping Sight Distance (SSD)
7. Maximum Grade
8. Cross Slope
9. Vertical Clearance
10. Design Loading Structural Capacity

Note: SSD applies to horizontal alignments and vertical alignments except for sag vertical curves.

On “low-speed” non-freeway NHS roads designed for traffic below 50 mph, only two Controlling Criteria will apply:



Controlling Criteria for Low-Speed Roads

1. Design Speed
2. Design Loading Structural Capacity

For Federal-aid projects on the NHS, a formal, written design exception is required for any of the applicable Controlling Criteria which do not meet the accepted design values. Formal design exceptions are not required for non-Controlling Criteria, such as bridge width, vertical alignment, lateral offset to obstruction, clear zone, vertical curb usage on high speed roadways, or acceleration/deceleration lengths, or for temporary features during construction. However, documentation should be included in the Final Review Report for any design deficiencies, including reasoning for not pursuing corrective measures and any mitigation considered or proposed.

Preparation and Approval of Design Exceptions

Requests for design exceptions shall be made when the need first arises and as early as possible. A design exception should not be requested until reasonable and feasible alternatives have been evaluated to meet the controlling design criteria.

Documentation of design exceptions shall include a written record of the engineering decisions leading to the approval of each design element which does not meet the accepted design values, and shall clearly demonstrate that another design value is the best practical alternative. When a project contains multiple non-conforming controlling design elements or the same non-conforming controlling design element occurs at several locations, each element or location shall be addressed individually in a request for a design exception.

The following steps shall be followed for the evaluation of any design exception:

1. Determine the costs and impacts of meeting design criteria

Before considering a design exception, the following implications of fully meeting the design criteria must be evaluated:

- How well a design that meets full criteria fits with its surroundings.
- Impacts to the natural environment.
- Social impacts to neighborhoods, communities, historic, and cultural resources.
- Construction and right-of-way costs and impacts of fully meeting design criteria.
- The expected safety and operational performance of meeting the design criteria.

2. Develop and Evaluate Multiple Alternatives

If meeting the design criteria is not feasible and reasonable at a particular location, then multiple alternatives should be developed, evaluated, and compared with the alternative which fully meets the design criteria, to achieve the best balance between cost, safety, mobility, and human and environmental impacts. This will also minimize tort liability as the evaluation of multiple alternatives demonstrates the complex, discretionary choices involved in highway design.

3. Evaluate Risk

The two fundamental types of risk when dealing with design exceptions are the solution not performing as expected, and the ability to defend against potential legal actions as a result of the decisions. When designing highway improvements in areas with difficult site constraints, designers should first acknowledge that the inability to meet design criteria may increase the risk of safety and/or operational problems. The degree of risk of the operational and safety conditions should be evaluated before moving

forward with a design exception. This should include the following:

- The traffic volumes, the composition of traffic, and speeds.
- The degree/severity of the deviation of the proposed design from the criteria.
- The number of design exceptions at the same location and their interaction with one another.
- The length of area covered by the design exception.
- The expected duration of the design exception (i.e., will it be permanent or are future improvements planned to correct the deficiency?).
- The location of the design exception relative to other risk factors.
- The substantive safety at the design exception location including an evaluation of crash history, types of crashes, and their severity.

4. Evaluate Mitigation Measures

Measures to mitigate the risk shall be evaluated and implemented in the project design where reasonable and feasible. These mitigation measures should maximize the probability of a marginal design operating at a high level of substantive safety and operational efficiency.

5. Document, Review, and Approve

Once the evaluation is completed, the preparation of a request for a design exception will be the responsibility of the sub-recipient. The request for design exception must be approved by the appropriate SHA office; however, submittal should be coordinated through the Program Manager.

While the exact content of a request for a design exception will vary, documentation of the following should be included:

- The specific design criteria that will not be met.
- Existing roadway characteristics.
- Alternatives considered.
- Comparison of the safety and operational performance of the roadway and other impacts such as right-of-way, community, environmental, cost, and usability by all modes of transportation.
- Proposed mitigation measures.
- Compatibility with adjacent sections of roadway.

The documented level of analysis should be commensurate with the complexity of the project.

The criteria of Design Speed and Design Loading Structural Capacity are fundamental in the design of a highway project. Exceptions to these two criteria should be extremely rare. Design exceptions requested for these should include the following additional information;

- Design Speed exceptions:
 - Length of section with reduced design speed compared to overall length of project.
- Design Loading Structural Capacity exceptions:
 - Verification of safe load-carrying capacity (load rating) for all State unrestricted legal loads or routine permit loads, and in the case of bridges and tunnels on the Interstate, all Federal legal loads.

Agencies are encouraged to document all design decisions to demonstrate compliance with accepted engineering principles and the reasons for the decisions.

Design Waivers

Design waivers (see [Appendix E](#) for samples) will also be required for projects along SHA roadways for design features which do not meet SHA guidelines including the [Bicycle Policy and Design Guidelines](#) and the [Accessibility Policy and Guidelines for Pedestrian Facilities along State Highways](#). Please refer to the specific SHA guidelines for the process of requesting a design waiver.

Value Engineering Requirements

Value Engineering (VE) is the systematic analysis of a project by an independent multi-disciplined team to provide recommendations for:

- Providing the project functions safely, reliably, efficiently, and at the lowest overall cost
- Improving the value and quality of the project
- Reducing the time to complete the project

VE studies are required for federally funded projects only under the following conditions:

- Located on the National Highway System with an estimated total cost* of \$50,000,000 or more,
- Considered a bridge project, located on the National Highway System, with an estimated total cost* of \$40,000,000 or more,
- Considered a major project, located on or off the National Highway System, with a total cost* of \$500,000,000 or more,
- Or any other project FHWA deems appropriate.

*The estimated total cost must include the costs associated with environmental studies, preliminary engineering, final design, right-of-way acquisition, and construction.

VE studies will not be required for projects delivered using the Design-Build project delivery process.

For additional information on Value Engineering, please refer to [FHWA's website](#). If a VE Study is required for a sub-recipient, please contact the SHA Program Manager for assistance.

Work Zone Safety and Mobility Rule

Large projects that have long lasting traffic impacts are considered significant projects. A significant project is one that, alone or in combination with other nearby concurrent projects, is anticipated to cause sustained work zone impacts that are greater than what is considered tolerable based on SHA policy and/or engineering judgment. Projects which are [considered significant](#) must comply with the FHWA Work Zone Safety and Mobility Rule.

If a sub-recipient project may potentially be considered a significant project, please contact the SHA Program Manager for assistance. The determination of whether a project is significant will be made by SHA in consultation with FHWA.

For additional information on the Rule and its provisions, please refer to the following internet sites:

[SHA - Work Zone Safety and Mobility](#)

[FHWA - Work Zone Management Program](#)

DESIGN

The next two sections provide requirements for designing a typical sub-recipient project related to transportation facilities such as roadways, shared use paths, and sidewalks. Please refer to the [Transportation Alternatives Program Manual](#) for additional guidance for nontraditional projects such

as bicycle and pedestrian facilities; trails for transportation purposes; turnouts, overlooks, and viewing areas; historic preservation of historic transportation facilities; vegetation management; mitigation of water pollution from highway runoff; wildlife connectivity projects; safe routes to school projects; recreational trails; and boulevards developed within the right-of-way of former divided highways. Refer to the [Recreational Trails Project Management Guidelines](#) for additional guidance for recreational trail projects for motorized and non-motorized uses.

Preliminary design activities may be performed prior to a NEPA decision regardless of the project delivery mechanism that is used. However, final design activities may not advance until a NEPA decision has been issued and FHWA authorization has been received. If not done correctly or in a timely manner, it can jeopardize Federal-aid reimbursement.

PRELIMINARY ENGINEERING

Definition

Preliminary design defines the general project location and design concepts, and includes any activity needed to establish the parameters for the final design. Preliminary design activities include, but are not limited to, the following:

1. Primary activities such as: environmental assessments, topographic surveys, metes and bounds surveys, geotechnical investigations, hydrologic analysis, hydraulic analysis, utility engineering, traffic studies, financial plans, revenue estimates, hazardous materials assessments, general estimates of the types and quantities of materials.
2. Other activities including:
 - Design and engineering activities to

be undertaken for the purposes of defining project alternatives;

- Completing the NEPA alternatives analysis and review process;
- Complying with other related environmental laws and regulations;
- Environmental justice analyses;
- Supporting agency coordination, public involvement, and permit applications;
- Development of environmental mitigation plans;
- Development of typical sections, grading plans, geometric alignment (horizontal alignment, vertical alignment and any clearances necessary to meet approved design criteria);
- Noise wall justifications;
- Bridge type/size/location studies, temporary structure requirements, staged bridge construction requirements, structural design (substructure and superstructure), retaining wall design, noise wall design;
- Design exceptions;
- Guardrail length/layout;
- Existing property lines, title and deed research;
- Soil borings;
- Cross sections with flow line elevations and ditch designs;
- Storm/sanitary sewer design (plan/profile);
- Intersection design/configuration;
- Interchange design/configuration;
- Pavement design, pavement details, and elevation tables;
- Culvert design;
- Identification of removal items;

- Quantity estimates;
- Preliminary traffic control plans to be maintained during construction.

Project Initiation

The sub-recipient is responsible for clearly defining the project's scope, providing a reasonable and feasible schedule and budget, and providing all other necessary information. Unless otherwise specified, the sub-recipient is responsible for all project design activities. The design may be completed by the sub-recipient's own staff, by a consultant, or by an agreement with another government agency through its staff or consultants. In any case, the plans and specifications must be prepared or approved by a licensed Maryland Professional Engineer, licensed Architect, or licensed Landscape Architect as applicable unless otherwise approved by SHA. Upon approval of Federal funding, contact the SHA Program Manager to determine if a design initiation meeting should be held and who would be the appropriate attendees.

Design Speed

As stated in the American Association of State Highway and Transportation Officials' (AASHTO) A Policy on Geometric Design of Highways and Streets, the design speed is the selected speed used to determine the various geometric design features of the roadway. It should be logical with respect to the topography, anticipated operating speed, adjacent land use, and the functional classification of the highway. All of the pertinent highway features should be designed to meet or exceed the selected design speed of the highway.

Horizontal Alignment, Vertical Alignment and Typical Cross Section

The elements of roadway geometry generally consist of the three dimensions of horizontal alignment, vertical alignment

and typical cross section. The design criteria for these elements are defined in AASHTO's A Policy on Geometric Design of Highways and Streets or in A Policy on Design Standards – Interstate System in the case of a sub-recipient project on the interstate system. The criteria related to these elements include horizontal, vertical alignment, grade, stopping sight distance, lane width, shoulder width, lateral offset to obstruction, and cross slope and superelevation. The design of these elements should be completed during the Preliminary Engineering phase and be reflected on the preliminary plans.

Roadside design elements should also be developed during the Preliminary Engineering phase. The design criteria for roadside design elements are reflected in [SHA's Guidelines for Traffic Barrier Placement & End Treatment Design](#) and AASHTO's Roadside Design Guide. The roadside grading and need for traffic barriers should be evaluated during the Preliminary Engineering phase and be reflected on the preliminary plans.

Bicycle and Pedestrian Facilities

The appropriate accommodation for bicyclists and pedestrians must be considered on every project. Bicycle facilities may consist of on-road improvements, such as marked bicycle lanes or marked shared lanes, or off-road facilities, such as side paths or shared use paths. Pedestrian facilities would generally consist of sidewalks or shared use paths. Specific design requirements and guidelines for bicycle facilities are found in the [Bicycle Policy & Design Guidelines](#). These guidelines must be followed for any project along an SHA roadway. For projects not on SHA roadways, the AASHTO Guide for the Development of Bicycle Facilities may be used to define the minimum requirements.

Specific design requirements and guidelines for pedestrian facilities are found in the

Accessibility Policy and Guidelines for Pedestrian Facilities along State Highways.

These guidelines shall be met for any project along an SHA roadway. For projects that are not along an SHA roadway, Americans with Disabilities Act Accessibility Guidelines by the United States Access Board will define the minimum requirements for pedestrian facilities.

All bicycle and pedestrian facilities should be reflected on the preliminary plans.

Note: The SHA does not maintain any off road bicycle and pedestrian facilities along SHA roadways. Maryland law requires that these facilities will be maintained and repaired by the political subdivision in which they are located.

Preliminary Structures

Preliminary Type, Size & Location (TS&L) plans should be developed during the Preliminary Engineering phase and be provided with the preliminary plans.

Drainage and Stormwater Management

An important part of the design of any project is the evaluation of highway drainage. Highway drainage will typically

include items such as bridges, larger culverts, smaller culverts, drainage pipes, inlets, and open channels.

When determining the appropriate design parameters for drainage on a roadway project, things such as the functional class, AADT, importance of the route, and the needs of the local community should be combined with a good practical engineering approach to determine the best design for the project. The design should also take into consideration other drainage structures in the area when determining the appropriate design parameters for the new drainage structure. In some situations, Federal or state laws may govern some of the design parameters. Additionally, the sub-recipient may have ordinances or regulations that impact the design of these items. The engineer of record is ultimately responsible for determining the appropriate design parameters for highway drainage on projects. When a project involves highway drainage that will impact SHA right-of-way, the design of these items shall be in accordance with the **SHA's Highway Drainage Manual**.



The design of any project must also consider stormwater management requirements including the acquisition of a stormwater management permit. Stormwater management design should be in compliance with the Maryland Department of the Environment (MDE) [Maryland Stormwater Design Manual, Volumes I and II](#). For the Preliminary Engineering phase, a stormwater management concept is required and should receive concept approval before the project proceeds into the Final Design phase.

Preliminary Pavement Design

Preliminary pavement sections for roadway improvements or shared use paths should be developed as part of Preliminary Engineering. These pavement sections shall be designed in accordance with the [SHA Pavement & Geotechnical Design Guide](#) if part of or along a state highway. If the project is not along a state highway, it may be designed to the AASHTO Guide for Design of Pavement Structures.

Preliminary Maintenance of Traffic

A preliminary Maintenance of Traffic (MOT) sequence and concept plan should be developed during Preliminary Engineering. These concepts should have a sufficient level of detail to provide an overview of the general traffic control concept including any potential need for proposed detour routes. Plans shall conform with the Book of Standards, the Accessibility Policy and [Guidelines for Accommodating Pedestrians along State Highways, Bicycle Policy & Design Guidelines](#), and the [Maryland Manual on Uniform Traffic Control Devices \(MDMUTCD\)](#).

Preliminary Investigation

The preliminary plan set should be developed at the 30% stage. A Preliminary

Investigation (PI) meeting, which is a field and office review to review the 30% plan set and cost estimate, is not always required for a project. The need for a PI meeting should be discussed with the SHA Program Manager. Regardless, plans developed at 30% include all design elements previously discussed in this section. The plan set includes:

- Title Sheet including the project title, description, limits with a location map, and the design year designation informational chart including traffic data, design speeds, functional classification, and control of access
- Typical Sections and Details including the cross sectional elements, bicycle and pedestrian facilities, and pavement details
- Geometry sheet showing the centerline schematic, stationing, curve controls, benchmark references, and coordinates and bearing data
- Roadway plans including, but not limited to the following: the limits of work, directional arrows, north arrow, existing topography, existing and proposed right-of-way and easements, proposed cut and fill lines, environmental features such as wetlands or waters, widths of roadways, sidewalks, shared use paths, paving designations and legend, structures, traffic barriers, and preliminary drainage and stormwater management
- Roadway profiles including existing ground and proposed grades, vertical curves and curve data, and existing and proposed utilities and drainage pipes
- Preliminary Maintenance of Traffic plans
- If a PI meeting is held, a report shall be prepared to document the status of the project, decisions reached, and all comments and follow-up

responses from the milestone. The PI Report will address the following, as applicable, for the project:

- Project Description including purpose and need
- Major Scope Changes
- Proposed Typical Sections
- Programmatic Data/Functional Classification
- Cost Estimates
- Proposed Schedule
- Compliance with AASHTO/SHA Design Guidelines & Policies
- Pedestrian/ADA/Bicycle Issues
- Traffic Barrier
- National Environmental Policy Act/ Environmental Approval Status
- Permits/Approvals
- Wetland Mitigation
- Stormwater Management/ Erosion & Sediment Control
- Drainage Design
- Pavement and Geotechnical Issues
- Earthwork
- Structures
- Landscape Architecture including impacts to scenic byways, reforestation plantings and related concerns
- Signing & Marking/Lighting/ Signalization
- Maintenance of Traffic
- Bus/Transit Use
- Right-of-Way
- Utilities
- Maintenance
- Interstate Access Point Approval
- Value Engineering

- Memoranda/um of Understanding/Agreements
- Railroad Coordination
- Significant Issues Discussed/ Resolved

The report will be submitted for approval through the Program Manager. The report will include an AASHTO Geometric Data Sheet detailing compliance with the Controlling Criteria and listing of all comments submitted from the review. The report will also include comments generated at the PI meeting and follow-up responses discussing how the comment was or will be addressed and incorporated into the project. This report should be approved before beginning the Final Design phase.

Type, Size, and Location

Following the approval of the PI Report (if a PI meeting is held), a Type, Size, and Location (TS&L) submittal for any structures will be made to the Office of Structures (OOS). This submission will include all comments and revisions resulting from the PI and the plans will contain the following basic information in addition to that submitted with the PI:

Design Data

- Present and Future Average Daily Traffic
- Design Speed

Maintenance of Traffic (MOT)

- Detour Plan or MOT Plan
- Bridge Stages of Construction

Approach Roadway

- Existing and Proposed Typical Sections
- Roadway Plan

Bridge General Plan and Elevation

- Existing and Proposed Structures
- Existing Utilities and their Disposition
- Stream Invert and Normal Water

Surface Elevations at Structure

- Water Surface Elevations for 10-year storm, 25-year storm, design-year storm, etc.

Bridge Typical Section

- Lane, shoulder, sidewalk, barrier, etc. widths
- Proposed fencing or railing
- Type of superstructure and spacing of elements
- Type of Crash Tested Barrier

Bridge Substructure

- Typical Sections of Abutment and Pier

The sub-recipient will forward three sets of the TS&L, along with a cover letter to the OOS requesting review and comments. Following completion of the reviews, the OOS will send a letter to the sub-recipient noting that the OOS reviewed the bridge portion of the TS&L. Included with the letter may be a marked up set of plans, indicating the OOS's comments. The OOS may also note at this time for the sub-recipient to proceed with the preparation of the Scour and Foundation Review Report, provided that the comments from the OOS on the TS&L are addressed. The sub-recipient should not proceed without approval from the OOS.

In order to expedite the review process, a combined TS&L/Foundation/Scour review may be made if all of the necessary data is available.

Bridge Scour and Foundation Review

Following OOS's approval of the TS&L, it is then necessary for the sub-recipient to prepare a Scour and Foundation Review submittal for the structures. SHA policy requires that a scour evaluation be performed for any bridge over a waterway that will be rehabilitated or replaced with Federal or State funds. Box culverts and

other structures with paved bottoms do not require a scour evaluation. The review will contain the following basic information in addition to that submitted for the TS&L:

Boring and Drive Tests

- Boring Location Plan
- Boring(s) at each foundation element and in the channel
- Borings plotted with the following information:
 1. Elevation of ground surface
 2. Bottom of Footing Elevations or
 3. Pile Tip Elevations
 4. Datum Elevation

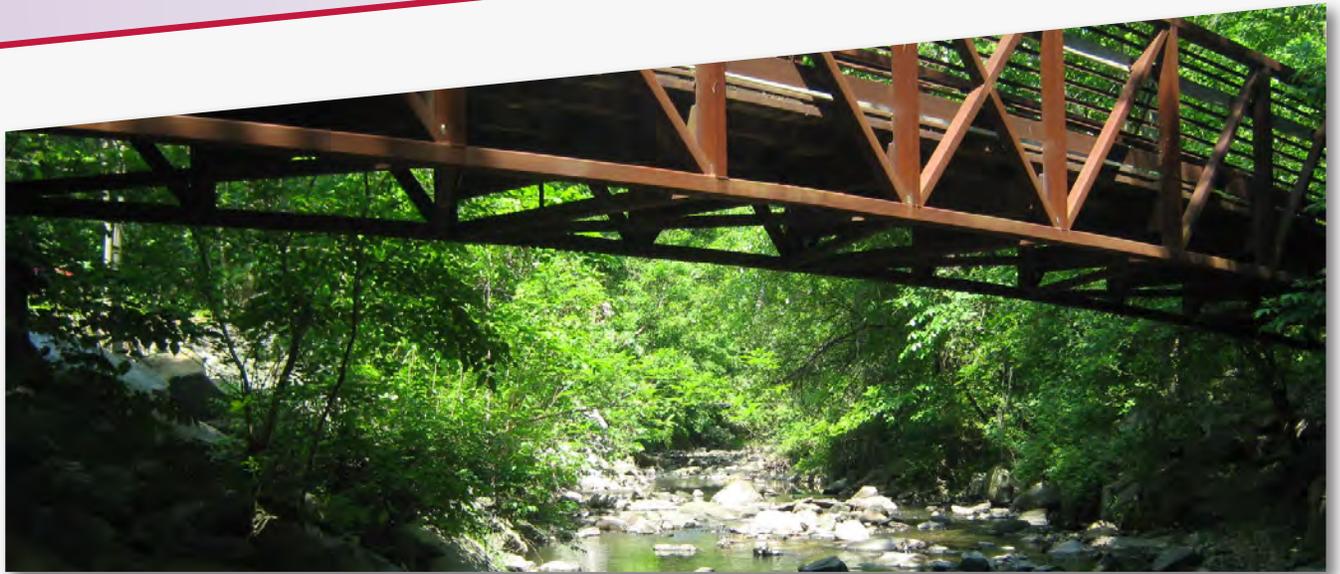
Foundation/Scour Report

- Recommended foundation type
- Type of pile, if applicable
- Allowable bearing pressure or
- Pile capacity
- Depth of scour

Chapter 11 of the [OOS Manual of Hydrologic and Hydraulic Design](#) provides detailed policies and procedures regarding the scour evaluation process and the design of scour countermeasures. The sub-recipient is to use the latest version of the Manual and associated computer programs in conducting the scour evaluation. Studies in support of the scour evaluation include:

- Hydrology Report
- Geomorphology Study
- Hydraulics (HEC-RAS) Study

The scope and content of these studies as well as the scour evaluation study should be comparable to the studies prepared by the OOS. For certain types of projects, such as rehabilitation projects, or for particular bridge crossing



conditions, a scour assessment may be appropriate instead of a scour evaluation (See Chapter 11 of the OOS Manual of Hydrologic and Hydraulic Design). The sub-recipient is encouraged to meet with OOS personnel prior to commencement of detailed studies to discuss formation of an interdisciplinary team and to define the scope of studies necessary for the scour assessment or evaluation.

The sub-recipient will forward two sets of the Scour and Foundation Review submittal along with a cover letter to the OOS requesting review and comments. After completing the review, the OOS will send a letter to the sub-recipient noting that the OOS reviewed and provided comments/approval of the Scour and Foundation submittal. The OOS may also note at this time that the sub-recipient may proceed with the Structural Review provided that the Scour and Foundation Review comments are addressed. Under no circumstances should the sub-recipient proceed to Structural Review prior to receiving Foundation/Scour approval.

Accelerated Bridge Construction (ABC)

The Federal Highway Administration (FHWA), as part of their Every Day Counts Initiative, has been actively promoting the advantages of ABC. Proven benefits include

minimized traffic disruption, improved work zone safety, and reduced on-site environmental impacts. Local governments are encouraged to explore ABC alternatives as part of their bridge projects. Some of the major ABC technologies with widespread use are listed below. More information is available on the [Every Day Counts Initiative](#).

Prefabricated Bridge Elements

Prefabricated bridge elements are a commonly used ABC method and can be incorporated into most bridge projects as a form of accelerated construction. Concrete bridge elements are prefabricated, transported to the construction site, placed in the final location, and tied into the structure. An entire bridge can be composed of prefabricated elements, or single bridge elements can be prefabricated as the need arises. Prefabricated bridge elements can also be used in combination with other accelerated bridge construction methods.

Prefabricated bridge elements are used to mitigate the on-site time required for concrete forming, rebar tying and concrete curing, saving weeks to months of construction time. Deck beam elements eliminate conventional onsite deck forming activities. To reduce onsite deck

forming operations, deck beam elements are typically placed in an abutting manner. Prefabricated elements are often of higher quality than conventional field-constructed elements, because the concrete is cast and cured in a controlled environment. The elements are often connected using high strength grout and post-tensioning or pretensioning.

Geosynthetic Reinforced Soil-Integrated Bridge Systems (GRS-IBS)

Geosynthetic Reinforced Soil-Integrated Bridge Systems (GRS-IBS) are composed of two main components: Geosynthetic Reinforced Soil (GRS) and Integrated Bridge Systems (IBS). GRS is an engineered fill of closely spaced alternating layers of compacted fill and geosynthetic reinforcement that eliminates the need for traditional concrete abutments. IBS is a quickly-built, potentially cost-effective method of bridge support that blends the roadway into the superstructure using GRS technology. This integration system creates a transition area that allows for uniform settlement between the bridge substructure and the roadway approach, alleviating the “bump at the bridge” problem caused from uneven settlement. The result of this system is a smoother bridge approach.

Bridge Slides

Bridge placement using lateral sliding is another type of ABC where the entire superstructure is constructed in a temporary location and is moved into place over a night or weekend. This method is typically used for a bridge superstructure replacement of a primary roadway where the new superstructure is constructed on temporary supports adjacent and parallel to the bridge being replaced. Once the superstructure is fully constructed, the existing bridge superstructure is demolished, and the new bridge superstructure is moved

transversely into place. In some instances, a more complicated method known as a bridge launch has been used which involves longitudinally moving a bridge into place.

Self Propelled Modular Transporters (SPMTs)

SPMTs are remote-controlled, self-leveling (each axle has its own hydraulic cylinder), multi-axle platform vehicles capable of transporting several thousand tons of weight. SPMTs have the ability to move laterally, rotate 360° with carousel steering, and typically have a jack stroke of 18 to 24 inches. They have traditionally been used to move heavy equipment that is too large for standard trucks to carry. SPMTs allow a bridge or portions of a bridge such as the superstructure to be built away from the site at a nearby location such as roadway median without disruption of traffic. Once complete, the old bridge can be removed and the new bridge installed over night with a short full closure of the roadway.

FINAL DESIGN

Final Horizontal Alignment, Vertical Alignment and Typical Cross Section

As part of the Final Design, the horizontal alignment, vertical alignment, and typical cross sections shall be completed. All necessary details and construction notes documenting the design of these elements will be shown on the typical sections, roadway plans, and roadway profiles. Additional details will be needed when non-standard items are utilized as part of the design. Any design exceptions or waivers for these elements should be approved prior to completion of the final plans.

Final Drainage, Stormwater Management, and Erosion and Sediment Control

As part of the Final Design, the drainage will be completed. This includes all

computations, details, drainage structure sizing and profiles required for the project. After the stormwater management concept has received approval from MDE or the appropriate regulatory approval authority, design should be progressed to a 65% level and submitted for Site Development review. The level of design should address the stormwater management detailed design, MD 378 Pond and Dam Safety applicability, and erosion and sediment control sequence of construction. Upon Site Development approval, the design should be progressed to the 90% level for final submission. This final submission will address all final details for the stormwater management design and erosion and sediment control including final limits of disturbance, grading, and sequence of construction. This final submission should be made concurrently with the final plans. Upon approval of the final submission, the stormwater management and erosion and sediment control approval would be issued.

Structural Review

After SHA approval of the Scour and Foundation Review submittal, the sub-recipient will proceed with Final Design of the structures. With the plans 80% complete, the sub-recipient will submit the Structural Review for the project. The Structural Review will contain the complete set of plans for the road and bridge. The sub-recipient will forward two sets of the Structural Review submittal along with a cover letter to the OOS requesting review and comments. After completing the review, the OOS will send a letter and marked-up set of plans to the sub-recipient noting that the OOS reviewed the Structural Review plans which are approved subject to the attached comments.

At this review stage, the sub-recipient needs only to submit a list of the OOS Structural Standards which are to be used on this project. If requested by the sub-recipient, the OOS will provide the Standard Detail

Plates on a reproducible sheet with the sub-recipient's border, title block, etc. When using OOS's Standard Details, it is imperative that the word "STANDARD," and all signature and approving blocks, be deleted.

In order to expedite the review process, a combined Structural/Final Review may be requested.

Final Maintenance of Traffic

Final Maintenance of Traffic sequence plan sheets for each stage of construction should be provided with the final plans. These plans will include all signing and marking and references to appropriate standards required to safely maintain all traffic (motor vehicles, bicycles, pedestrians, etc.) during the construction of the project. These final plans must be submitted to the appropriate SHA Assistant District Engineer for Traffic for approval of the Traffic Control Plan. If not along an SHA roadway, the approval will also be required from the roadway owner.

Final Pavement and Geotechnical Details

Final pavement details will be provided as part of the final plans. Additionally, any geotechnical details required for the project will be shown on the plans as well as any boring logs.

Signing & Marking/Lighting/Signalization

Signing and Marking, Lighting and Signalization plans will be prepared for the final plans as required for the project's scope. These plans must be designed to the requirements of the [MDMUTCD](#), the [SHA Traffic Control Devices Design Manual](#), the [Maryland Standard Sign Book](#), and all other applicable standards and guidelines. Final plans will need to be submitted to the Office of Traffic and Safety for review and approval.

Landscape and Environmental Plans

Landscape plans affecting SHA property, which may also include plans and specifications for vegetation installation within stormwater facilities or other environmental restoration or mitigation, will be completed for all projects which involve any of the following impacts:

- Tree branch pruning
- Tree or brush removal;
- Tree or other ornamental landscape installation
- Pavement removal in preparation for landscape restoration
- Soil disturbance or grading
- Projects which require mitigation plantings on SHA property

Landscape plans will utilize the [SHA Environmental Guide for Access Permit Applicants](#) in conjunction with the [SHA Landscape Design Guide](#) and the [SHA Landscape Estimating Manual](#).

Final Review

The Final Review plan set and Invitation for Bids (IFB) set should be developed at the 90% stage. The IFB set will include all necessary contract provisions and specifications required for the project.

An IFB must contain all required Federal contract provisions applicable to a particular project and any special provisions needed to complete the construction of the project. All standard contract provisions and special provisions are available [here](#).

All contract provisions applicable for the type of Federal-aid project must be provided in the IFB. Generally, the contract provisions for Federal-aid Construction Contracts [Form FHWA-1273](#) will be utilized. If the project is located in the Appalachian region,

additionally include the contract provisions Attachment A, Form [FHWA-1273A](#). The special provisions and special provisions inserts for any applicable items used in the project must be included in the IFB. If additional special provisions are needed for items of work not covered in the standard specifications, special provisions, or special provision inserts, the special provisions must be developed by the sub-recipient and included in the final IFB.

A Final Review meeting will typically be held to review the plans, the complete Invitation for Bids, and line item cost estimate. The sub-recipient should discuss the need for a Final Review meeting with the SHA Program Manager. If a Final Review meeting is held, a Final Review Report will be prepared after the meeting. It will be an updated status of the project information with the same content as the PI Report except Typical Sections. The approval of the Final Review Report will follow the same process as the PI Report.

Plans, Specifications, and Estimates

Upon completion of all Final Design activities, the Plans, Specifications and Estimates (PS&E) package will be assembled. Refer to the chapter for Advertise, Bid and Concurrence in Award for the requirements of the PS&E package. Verify the amount of copies needed with the Program Manager.

Standards and Guidelines

SHA Standards and Guidelines

- [Transportation Alternatives Program Manual](#)
- [Environmental Documentation for Local Government Projects](#)
- [Recreational Trails Project Management Guidelines](#)
- [Maryland Manual on Uniform Traffic](#)

Control Devices (MDMUTCD)

- **Traffic Control Devices Design Manual**
- **Bicycle Policy and Design Guidelines**
- **Accessibility Policy and Guidelines for Pedestrian Facilities along State Highways**
- **Book of Standards for Highway & Incidental Structures**
- **Standard Specifications for Construction and Materials**
- **Supplemental Specifications and Provisions**
- **Highway Drainage Manual**
- **Guidelines for Traffic Barrier Placement & End Treatment Design**
- **Pavement & Geotechnical Design Guide**
- **Landscape Design Guide**
- **Environmental Guide for Access & District Permit Applicants**
- **Landscaping Estimating Manual**
- **Utility Policy**
- **Design-Build Manual**

FHWA Standards and Guidelines

(a complete list is provided in 23 CFR 625.4 & 49 CFR 37.9)

- A Policy on Geometric Design of Highways and Streets by American Association of State Highway and Transportation Officials (AASHTO)
- Roadside Design Guide by AASHTO.
- A Policy on Design Standards – Interstate System (AASHTO).
- Guide for the Development of Bicycle Facilities by AASHTO.
- Americans with Disabilities Act Accessibility Guidelines by United States Access Board.
- Load and Resistance Factor Design

(LRFD) Bridge Design Specifications by AASHTO.

Note: The sub-recipient shall utilize the latest adopted version of the above Standards and Guidelines.

Other Standards and Guidelines

- **US Access Board's Guidelines for Outdoor Developed Areas**
- **Maryland Department of the Environment (MDE) Maryland Stormwater Design Manual, Volumes I and II**
- **MDE Maryland Standards and Specifications for Soil Erosion and Sediment Control**

Additional Resources

For additional information related to Project Design, please refer to the following:

- 23 CFR 636.103 – Definition of Preliminary Engineering and Final Design
- 23 CFR 625.4 & 49 CFR 37.9 – List of FHWA approved standards
- 23 CFR 627 – Value Engineering
- FHWA Value Engineering (VE) Policy dated 8-28-13

CHAPTER 10

ADVERTISE, BID AND CONCURRENCE IN AWARD

BACKGROUND

The sub-recipient is required to submit a written request for SHA's approval to advertise, i.e., to solicit vendors for bids to provide materials and/or services needed for a project. The contractors responding to the advertisement are required to submit sealed bids in competition with other contractors to win the right to construct the project. The sub-recipient may proceed with the award after receiving the Concurrence-in-Award (CIA) letter from SHA.

For projects involving construction, a ready to advertise Plans, Specifications & Estimates (PS&E) or "Bid Package," must accompany the request for approval to advertise. When sending the PS&E package for approval to advertise, please include the PS&E Checklist (see PS&E Checklist or Column A for Appalachian Regional Commission Projects).

*Title 49 CFR 18.36 may apply to small projects under \$100,000 and not on SHA ROW. Recreational Trail Program projects may fit this category.

PS&E SUBMITTAL

The Invitation for Bids package should be sent by the sub-recipient's Project Manager to the corresponding Fund Program Manager at SHA, who reviews and then forwards it to the Chief, Federal Aid Programming, Office of Finance. Verify the amount of copies needed with the Program Manager.

The PS&E package should contain:

- 100% Final Plans and Invitation for Bids Book that provide all details necessary to bid on and construct the proposed project;

- Engineer's Estimate itemizing all construction items and estimated costs;
- Environmental Permit Form indicating the required permits on this project ([see Appendix F](#));
- For TAP projects only, letter/documentation describing how the public was informed of the proposed construction and the majority position on the project;
- Approved Final Review Report reflecting edits and comments presented at the final review meeting or approved Final Review Waiver;
- Executed Memorandum of Understanding or Supplemental Letter to Master Agreement;
- Traffic Control Plan and SHA District Office concurrence, if applicable;
- Utilities Certification/Statement including who is responsible for utilities modifications and proposed schedule;
- Buy America contract requirements;
- FHWA approved PCE, CE, EA, or Environmental Impact Statement;
- Right-of-Way Certification Request or Letter;
- Railroad Certification Special Provision;
- Design Exception approvals, if applicable; and
- Other project specific approvals and concurrences, for example SHA Office of Structures, Maryland Historical Trust concurrence etc.

A sample PS&E Checklist is included in [Appendix F](#)

As part of the PS&E approval process, the SHA obtains FHWA Authorization for the costs of the proposed construction contract. FHWA Authorization will be requested based on the plans, specifications, and estimates submitted by the sub-recipient. The SHA requires that the sub-recipient budget sufficient funds and be prepared to award a contract for bids that are up to 110% of the sub-recipient's estimate.

The SHA provides written approval to the sub-recipient to advertise the project after review of the PS&E package and FHWA's authorization. The sub-recipient shall not advertise the project prior to obtaining written approval of Federal funds.

ADVERTISEMENT

The sub-recipient advertises the project for competitive bidding and awards the contract to the lowest responsible and responsive bidder. Sub-recipients are required to use the Maryland Department of General Services website for advertising (see the [eMaryland Marketplace website](#)). Projects must be advertised for a minimum of 21 calendar days. The advertisement should include the project title, the FHWA

and SHA project numbers, and the sub-recipient's contact information.

Any modifications to the contract after advertisement must be approved by SHA prior to issuing the modification as an addendum. FHWA Projects of Division Interest (PoDI) or Projects of Corporate Interest (PoCI) require FHWA approval. After receiving approval, the sub-recipient must then provide the approved addendum to all purchasers of bid documents and include it as part of the contract document.

Access Permit

An access permit will be required when a sub-recipient project is within SHA right of way. Concurrently with advertisement, the sub-recipient will submit an access permit request to the appropriate SHA district office. The request will include a copy of SHA's approval to advertise the project. This approval serves as SHA's approval of the PS&E package and no further reviews will be required for issuance of the permit. The access permit must be issued to the sub-recipient prior to issuing notice to proceed for any work within SHA's right of way.



BID OPENING / ANALYSIS

The sub-recipient must conduct a public opening of the sealed bid proposals at which time the bids will be opened and read aloud. The sub-recipient should notify SHA's Office of Finance, Federal Aid Programming Section and invite the SHA's Assistant District Engineer – Construction to attend the bid opening. SHA District contact information may be found [here](#).

It is the sub-recipient's responsibility to review and evaluate all bid documents to determine the lowest responsive and responsible bid. The lowest responsive and responsible bid is the lowest bid submitted that conforms to the requirements contained in the Invitation for Bids book and design plans. The sub-recipient must conduct a bid analysis to ensure the following items are acceptable:

- A through M of the Bid/Proposal Affidavit are filled out and the Acknowledgement is signed.
- Comprehensive Signature page is filled out.
- Affidavit of Agreement – Living Wage is signed.
- MDOT Forms A and B (if applicable) are signed. (Even if there is a 0% goal, the pages must be signed.)
- MBE percentages are added up to make sure the contractor(s) have met the goal.
- If bid security is required, also check the bid bonds.

If the sub-recipient rejects all bids, the project may be re-advertised. Prior to re-advertisement, sub-recipients must submit a written request and receive SHA approval. An updated PS&E package must accompany the written request, as well as copies of rejection letters outlining the reason(s) for rejection. The sub-recipient should modify the PS&E package to address

reasons for the rejection of all bids to improve competitive bidding.

CONCURRENCE IN AWARD

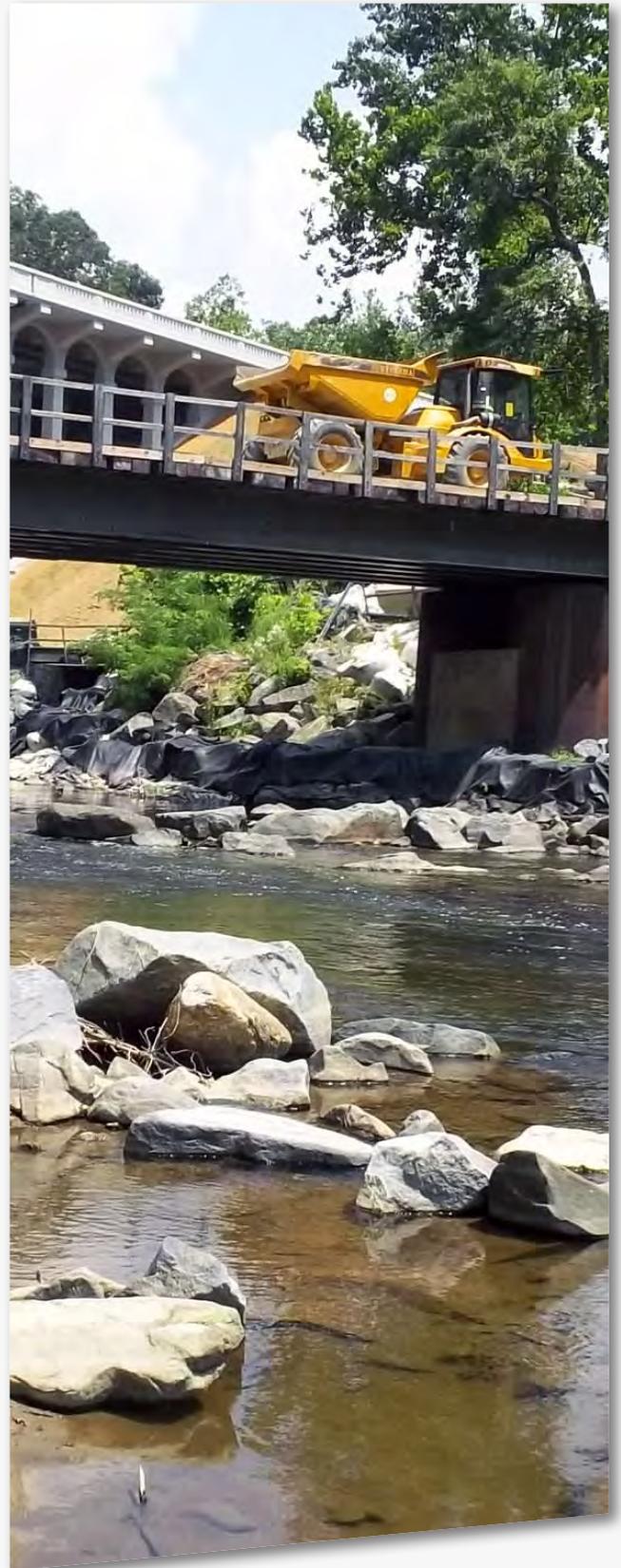
Concurrence in Award (CIA) is SHA's written concurrence with the bid analysis leading to the contract selection and the corresponding bid proposal. A CIA must be requested after opening and evaluating bids and prior to awarding the contract and issuing the Notice to Proceed (NTP). The sub-recipient shall submit a formal request as one packet for CIA for SHA approval which takes a minimum of four weeks. The sub-recipient should submit the following for SHA review:

- Cover Letter
- Complete copy of the successful bidder's proposal (two copies).
- Tabulation of Bids
 - [See example](#)
 - Must be verified and certified true and correct by the sub-recipient (two copies).
 - Should there be more than three bidders to any bid, the bid tab should show only the three lowest bidders with their respective bids.
 - The names and addresses of those remaining bidders and their accepted bids will be included on the last page of the bid tab or on an attached sheet.
- Bid Analysis (two copies) must be verified and certified true and correct by the sub-recipient.
 - See example in [Appendix F](#).
- Contractor's signed non-collusion affidavit (two copies)
 - If not signed by the president of the company, then submit a copy of the company's by-laws indicating the appropriate the signing authority)

- Experience and Equipment form (two copies)
- ROW Certification (two copies)
- Minority/Disadvantaged Business Enterprises (DBE) Affirmative Action Plan approved by the sub-recipient, and DBE Form C and Form D (original plus one copy)
- Copies of advertisements of bid opening
- Should the Lowest Responsive Responsible Contractor's Bid be more than 10% over, or 15% under the final approved engineer's estimate, a "Letter of Justification" will be needed
 - See example in [Appendix F](#).
 - The letter will be written by the sub-recipient to the SHA's Chief, Construction Contracts Section (CCS) and included in the CIA package, and forwarded to SHA's Office of Finance, Federal Aid Programming Section.

If acceptable, SHA's Office of Construction prepares the CIA letter and sends it back to the Federal Aid Office. The Federal Aid Office finalizes funding details and then distributes the CIA letter to the sub-recipient with a copy going to the District Construction Office.

The sub-recipient is required to contact the applicable SHA District noting that the CIA has been issued. The District office will be the point of contact for all subsequent phases of the project.



CHAPTER 11

CONSTRUCTION MANAGEMENT

BACKGROUND

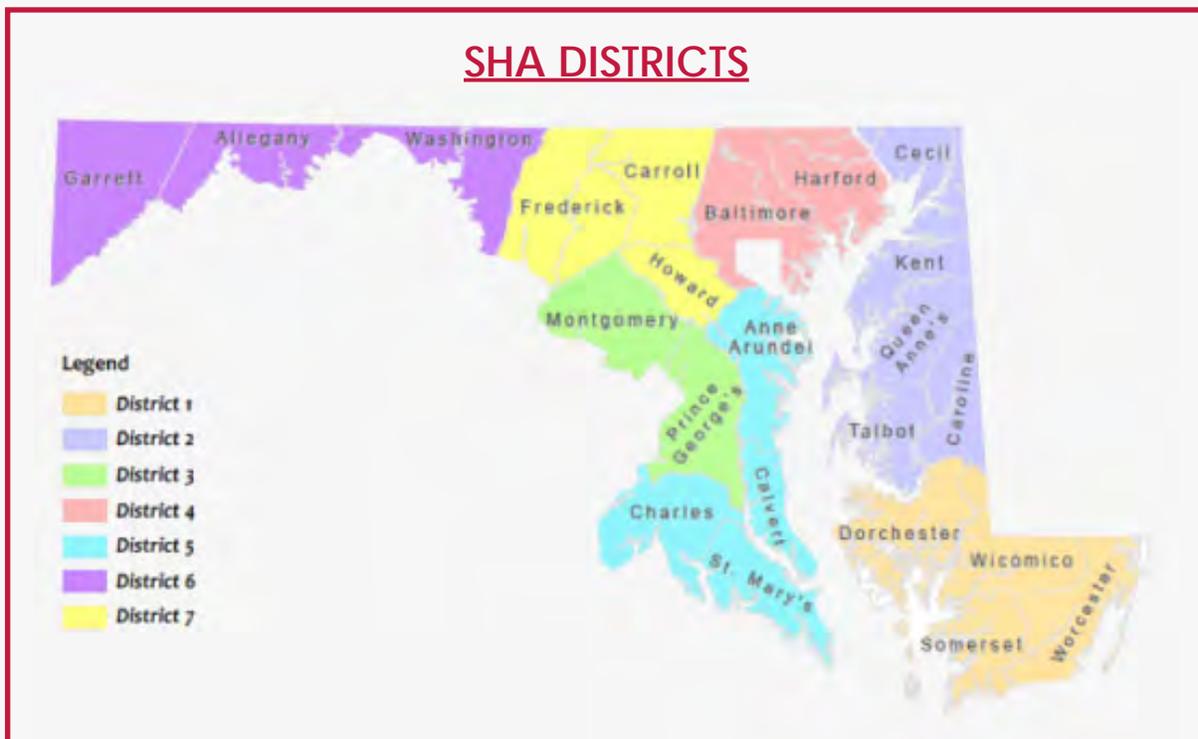
This chapter details the processes after the project has been bid and moves into the construction phases.

The SHA's Office of Construction (OOC) has assigned the construction oversight responsibilities to the individual SHA District offices that administer and manage SHA construction in Maryland's 23 counties. The OOC will maintain oversight of projects in Baltimore City. The SHA will oversee and audit all sub-recipients' construction projects with Federal-Aid funding.

Roles and responsibilities of SHA, the sub-recipient, and FHWA are briefly described below:

SHA: Prior to the construction stage, the sub-recipient would have been in contact

with the SHA Program Manager, Federal Aid Office, and others through design and development of the bid package. During construction, each SHA District Engineer (DE) and Assistant District Engineer of Construction (ADE-C) will be the initial point of contact for the sub-recipients to establish the oversight expectations for each project located within their District. The ADE-C will assign various field managers who will be authorized as SHA construction compliance reviewers. These individuals will serve as SHA representatives to the sub-recipients regarding compliance reviews, technical questions, and other information during the course of the project. The Area Material Engineer (AME), the District's Office of Equal Opportunity (OEO) Compliance Officer, and the District's Contract Finals Personnel will also be key points of contact. The geographical areas of responsibility are shown in Figure 1.



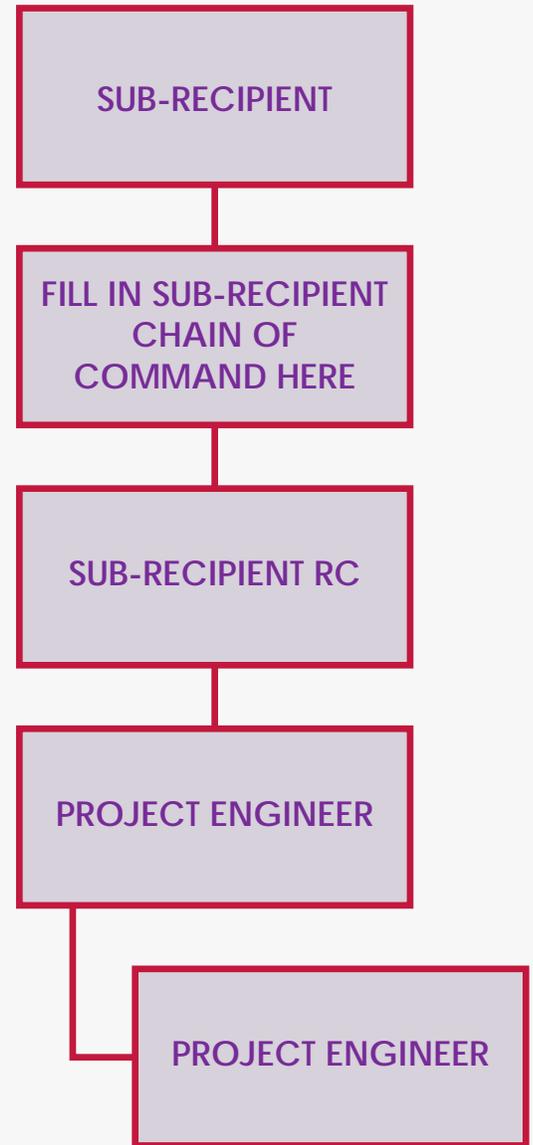
SUB-RECIPIENT: The sub-recipients shall provide SHA with a project and organizational/hierarchical chain of command including a person in “responsible charge” (RC) of the administration and construction inspection for the project. This person must be a full-time employee of the sub-recipients’ agency who is accountable for the project per FHWA Memorandum dated August 4, 2011, that is included in [Appendix G](#). A consultant cannot be designated as the RC. If a consultant is hired to oversee the project, the RC must be available to respond to any issues on the project and be informed on the day-to-day activities. The RC and/or designated on-site consultant, if assigned for the daily inspection, must have the necessary experience, training, certifications, and knowledge to ensure that project construction and administration follows all requirements as described in the project documents, this manual, and standard construction practices. The RC will be the primary contact for SHA regarding contract administration issues. A sample sub-recipient chain of command is shown in Figure 2.

The RC is ultimately responsible to ensure the requirements described in this manual are followed and documented as a stipulated condition for receiving the Federal Aid associated with the project.

FEDERAL HIGHWAY ADMINISTRATION (FHWA): The FHWA shall provide general policy and regulatory guidance for use of the Federal Transportation funds. It is likely that the FHWA Area Engineer with additional staff will audit the project. SHA can assist the sub-recipient in preparing for a FHWA audit.

To maintain SHA’s oversight responsibilities, SHA offices would typically be the intermediary between FHWA and the sub-recipient. If applicable, SHA shall be copied

FIGURE 2: Sample Sub-recipient Chain of Command



*In some cases, the RC could be on the project level.

on any direct correspondence between FHWA and the sub-recipient.

NOTICE OF AWARD (NOA)

After receiving the Concurrence in Award (CIA) Letter from SHA, the sub-recipient may issue the Notice of Award (NOA) letter for the project. A sample NOA letter is included in [Appendix G](#).

- **Sub-recipient:** Issue the NOA letter to the contractor. Provide copy to SHA District Office.
- **SHA:** District Office will track award progress and add project to the District's SHA Assignment List.

NOTICE TO PROCEED (NTP)

After receiving all necessary insurance, traffic control plan acceptance, and/or any other information from the contractor that the sub-recipient may require, the sub-recipient may issue the Notice to Proceed (NTP) letter for the project. A sample NTP letter is included in [Appendix G](#).

- **Sub-recipient:** Issue the NTP letter to the contractor. Provide copy to SHA District Office.
- **SHA:** District Office will track progress towards starting construction and update project information on the District's SHA Assignment List.

PRE-CONSTRUCTION MEETING

After a contract is awarded, the sub-recipient shall arrange a pre-construction conference in conjunction with the contractor. The sub-recipient shall notify the SHA ADE-C of the time and place of the conference and invite the SHA ADE-C, Contract Finals Personnel, AME, OEO, Program Manager; FHWA Area Engineer; as well as other typical groups with project involvement to include the sub-recipient's applicable representatives.

On large, complex projects, a Pre-Construction conference should be held before each construction phase. A sample SHA pre-construction conference agenda template is included in [Appendix G](#). The meeting should be documented and copies of the minutes transmitted to all invitees and other attendees.

- **Sub-recipient:** Schedule Pre-Construction conference. Invite applicable parties noted above. Record and distribute minutes.
- **SHA:** Attend and participate in the Pre-Construction conference.

CONSTRUCTION SCHEDULE

The contractor is required to submit and maintain an approved construction schedule according to the contract specifications. The sub-recipient is responsible to review and approve the schedule. SHA can provide guidance if requested and may also review the schedules. There are two types of schedules:

1. Critical Path Method Project Schedule (CPM) – Maryland SHA Standard Specifications for Construction and Materials, Section 109. (This type is used on complex jobs with multiple phases.)
2. Activities Chart Project Schedule – Maryland SHA Standard Specifications for Construction and Materials, Section 110. (This type is used on most standard projects.)

The contractor SHALL NOT begin work without an approved construction schedule in hand. The contractor shall update the schedule monthly. A copy of the most recently approved schedule will be posted and maintained in the Field Office and/or in the project files when there is no field office. Schedule reviews must be a topic of discussion at monthly Progress/Partnering meetings.

Every day from the Notice to Proceed through stopping time, charges must be accounted for by project staff as time charges will be reviewed in project closeout. This can be tracked as SHA does by using the Maryland Construction Management System (MCMS) software.

Note: The sub-recipient may use any accounting software to develop the estimate to submit to SHA. SHA uses the proprietary MCMS software to track quantities, time, and then develop estimates. Although not required, some sub-recipients obtain MCMS and have an agreement for support services. This significantly helps standardize SHA and FHWA audits for these projects. Because of familiarity and ease of use, some sub-recipients then use MCMS on their non-Federally funded jobs.

Time can also be accounted for by something as simple as a tracking spreadsheet like the OOC78 form, Monthly Summary of Construction Time Charges included in [Appendix G](#).

- **Sub-recipient:** Ensure contractor does not begin work without an approved schedule. Review and approve or reject all schedule submittals as necessary based on SHA requirements. Provide SHA with copies of approved schedules and correspondence. Track all time charges accordingly.
- **SHA:** District Office will track schedule reviews to ensure monthly updates are being submitted and reviewed by the sub-recipient. Available for technical support or guidance.

FIELD OFFICE

If required for the project, the Field Office (or Engineer's Office), which is set up at an approved location within the immediate

vicinity of the project, must be established, clean, furnished, and fully functional (power, internet, phones, supplies, etc.). Section 103 of SHA's Standard Specifications note that the Field Office must be separate from any contractor's office and/or storage space and for the exclusive use of the sub-recipient's engineers and inspectors. The contractor SHALL NOT begin work until the Field Office is ready.

- **Sub-recipient:** Ensure contractor does not begin work until the Field Office is established and fully functional. Notify SHA and provide Field Office information on the Field Office and General Information Form. A copy of the form is provided in [Appendix G](#).
- **SHA:** District Office will track notification of Field Office establishment and publish applicable addresses, phone/fax numbers, etc. on the District Assignment List.

SUBCONTRACTOR REQUESTS

All subcontractors must be approved by the sub-recipient and forwarded to SHA OOC for concurrence. Subcontractors SHALL NOT begin work until approved by the sub-recipient.

The request form (SHA Form OOC42 and OOC43 for lower tier subs) is completed by the contractor for each subcontractor. One hardcopy with original signatures is required for the file as well as copies of the subcontract agreement. After the sub-recipient approves the subcontractor, the documents are forwarded for concurrence to:

Contracts Award Team
Office of Construction, Building 4
7450 Traffic Drive, Hanover, MD 21076
Phone #: 443-572-5214

- **Sub-recipient:** Ensure subcontractor does not begin work until request is submitted along with a copy of the

subcontractor agreement. Review and approve subcontractor request forms (SHA Form OOC42 and OOC43 for lower tier subs). Forward to SHA OOC Contracts Award Team for concurrence with a carbon copy to the SHA District Office. A copy of the approved subcontractor request with copy of the subcontract shall also be kept in the Field Office. Refer to [Appendix G](#) for copies of the applicable forms as well as some general guidance for approving subcontractor requests.

- **SHA:** OOC will review and concur if acceptable. District Office will track submittals and is available for technical support or guidance.

COMPLIANCE REQUIREMENTS

All project work shall comply with terms and conditions in the contract documents. The sub-recipient RC and project inspection staff shall ensure that project is in compliance with all Local, State, and Federal permits listed in these documents.

- **Sub-recipient:** Ensure and document compliance.
- **SHA:** Various offices are available for technical support or guidance. (Typically start with District and/or Program Manager.) Reviews compliance documentation.

RIGHT OF WAY (ROW)

A copy of Right of Way (ROW) Plats, Easements, and Right of Entry agreements needed to execute the project shall be kept on file for review and project records.

- **Sub-recipient:** Ensure documents are available in project files and ensure compliance with documents.
- **SHA:** District Construction Office, Program Manager, and/or the Office of Real Estate are available

for technical support or guidance.
Reviews compliance documentation.

PERMITS

All permits listed in the contract must be obtained and active prior to commencement of work. A copy of all the permits shall be kept on site in the project files and could also be displayed on the wall of the Field Office and/or the contractor's Bulletin Board.

- **Sub-recipient:** Ensure permits are active and available on site and ensure compliance with permit terms and conditions.
- **SHA:** District Construction Office and the Program Manager are available for technical support or guidance. Reviews compliance documentation.

DISADVANTAGED BUSINESS ENTERPRISE (DBE)

The DBE Program is a Federal mandate with strict requirements that are listed below:

Schedule of Participation: The Disadvantaged Business Enterprise (DBE) schedule of participation is the prime contractor's submittal stating what DBEs they intend to use to meet the DBE goal established in the Invitation for Bids proposal for the Federally funded project. The DBE schedule of participation Construction Directive 07220.100.19 and the associated forms are included in [Appendix G](#).

Field Meeting: The Invitation for Bids Proposal requires that a DBE Field Meeting be held within 2 weeks of starting the project work. This meeting may be waived by the SHA Office of Equal Opportunity (OEO) Compliance Officer, but it needs to be documented in writing and on file at the project site. This would require a written request from the contractor and a written response from the SHA OEO Compliance Officer.

Posting Chart: The sub-recipient must post a DBE chart in the field office. The chart shall be prominently displayed for all to see and for inspectors to use. The name of the DBE contractor and the work item number of the work performed by the contractor will be entered in the chart as each contractor begins work on the project. The posting chart is included in [Appendix G](#).

Inspector's Daily Report (IDR): Information needs to be listed on every IDR when a DBE is performing work on a sub-recipient project. The IDR will include the following information:

- Name of superintendent/foreman responsible for the DBE
- Equipment – Owned (O) rented (R), active and idle
- DBE number from DBE posted chart

On the first and last IDR, indicate when work began and when work was completed respectively. Make an extra copy of all DBE IDR's and keep in separate file. This will assist SHA with compliance reviews, revisions, and potential claims or legal action.

Subcontractor Request (OOC42): A signed copy of the subcontractor request form must be kept with the project records. A copy of the agreement between the prime contractor and any subcontractors, services and suppliers must be made available upon request.

Trucking Activities: Documentation is also required for the trucking activities for the DBE contractors, which should include:

- A weekly report must be submitted by the contractor when three or more trucks are on site or whenever requested by SHA
- Keep in a separate file for compliance reviews

- At least one truck on site must be owned by the DBE
- Copies are sent to OEO officer

A sample of the DBE trucking activities report form is included in [Appendix G](#).

Suppliers: The Prime contractor must provide a copy of the original delivery ticket as well as a copy of the invoice for the materials/supplies provided by the DBE firm. This documentation must be maintained at the project level.

Commercially Useful Function (CUF): A CUF form (OOC39) must be completed on all DBE firms working on the project. Include pictures of the DBE firm's equipment as per Construction Directive 07220.100.19. A copy of the CUF form (OOC39) and Construction Directive 07220.100.19 are included in [Appendix G](#).

Monthly Subcontractor / DBE Subcontractor Payment Report: Must be completed by the prime contractor, verified by the sub-recipient, and submitted to the SHA Equal Opportunity Officer by the 10th of the month following the reporting period. A blank template is included in [Appendix G](#).

- **Sub-recipient:** Ensure all required forms are completed/submitted when due and the overall DBE program is properly documented.
- **SHA:** SHA OEO Compliance Officer has a very active role in this process by leading the DBE Meeting, conducting audits, and receiving/reviewing the various forms/reports listed above. OEO and other SHA offices are available for technical support or guidance.

LABOR / PREVAILING WAGE RATES

Requirements for when prevailing wage rates apply to a sub-recipient project are described in the Contract Administration Core Curriculum Manual (FHWA-NHI-134077), most recent update published in October 2014. Page 77 of this manual identifies when prevailing wage rates apply:

Applies to all Federal Aid construction contracts within Federal highway right of way when the prime contract value is in excess of \$2,000, and all related subcontracts.

Note: Prevailing wage rates would not normally apply to a Federal Aid highway construction project on a local road or rural minor collector, or for work done outside Federal Aid highway right-of-way. However, if the project is linked to or required by a Federal Aid construction project on a Federal Aid route (through NEPA or other contract requirements), prevailing wage rates will apply to the off-system project. Examples would be the separate construction of a required wetland mitigation site, or construction of a required bicycle path.

When applicable, the Labor / Wage Rate Program is a Federal mandate with strict requirements that are listed below:

Contractor and Subcontractor Payrolls:

Prevailing wage instructions for the contractor are stated in the contract provisions. The Prime Contractor and each Subcontractor shall submit one copy of the certified payroll to the Project Engineer within seven calendar days after the end of each payroll period. The sub-recipient must be aware of this requirement and ensure that the documents are submitted and kept in the project files. The following are requirements of this section and the Project Engineer and/or sub-recipient's designee must review for compliance:

- Each payroll shall be numbered beginning with number 1 and consecutively numbered through the end of the contract.
- Each payroll must include a signed/ dated statement of compliance.
- Contract and Federal Aid Participation (FAP) numbers shall be shown on all payrolls.
- All payrolls shall include the employee's name, classification and employee identification number (Not Social Security Number).
- All payrolls shall show the employee's basic hourly wage rate, overtime rate and the number of hours worked (tabulated both daily and weekly).
- All payrolls shall identify and include any fringe benefit funds and /or programs.
- All payrolls shall show the employee's net pay and itemized deductions.

Additional Classifications: Any necessary classification not listed in the contract wage rate decision shall be requested on Standard Form 1444 (including a copy of the contract's wage rate decision with the submittal package). A copy of the form is included in [Appendix G](#). This request form shall be submitted by the contractor, through the sub-recipient, to the SHA Wage and Hour Team. Copy the SHA District and OEO Compliance Officer.

Wage and Hour Team
Office of Construction, Building 4
7450 Traffic Drive, Hanover, MD 21076
Phone #: 443-572-5215

Requests will be forwarded from the Wage and Hour Team to the United States Department of Labor (U.S. DoL) for processing. The requested wage rate will be paid until the decision is received. The



decision will be transmitted to all parties as soon as it is received from the U.S. DoL.

Project Bulletin Board: The Contract Provisions require that the contractor place a 4' x 8' waterproof bulletin board displayed visibly on project and where employees gather that is publically accessible. The required information is given to the contractor at the Pre-Construction Meeting and/or at the DBE meeting with the Equal Opportunity Officer. The wage rates shall also be posted on the bulletin board.

Payroll Compliance Requirements: The sub-recipient is responsible for ensuring that the Prime and Subcontractor(s) payroll documentation is complete and maintained in the project files. The District or other designated representative will have the authority to inspect the documentation for compliance during any visit or audit. The sub-recipient is responsible to ensure that the following items or actions are completed during the project:

- Payrolls are checked and a copy is stored in the project files.

- Employee payroll compliance interviews are conducted as described in the paragraph below, documented on SHA Form OOC52, and checked against Contractor Payrolls.
- Additional classification requests are made and replies from the U.S. DoL are complied with.
- Any discrepancies are addressed with appropriate Contractor while informing the SHA OEO Officer and District Office.

Payroll Compliance Directive 07220.100.18 details the administrative requirements for Payroll Compliance. This directive is included in [Appendix G](#).

In the field, an inspector shall perform a payroll compliance interview for every contractor employee (except supervisory) as soon as possible after they begin work. Every three months, a follow up interview shall be performed. Use the SHA Form OOC52, Payroll Compliance Check, and have it signed by each respective employee. The sub-recipient should verify that the OOC52 has been completed and the form should be used to compare to the contractor's certified payroll when received. The SHA Form OOC52, Payroll Compliance Check, is included in [Appendix G](#).

SHA Form OOC53 Payroll Compliance Report must be used as a checklist when verifying certified payrolls. In addition, Form OOC54 Payroll Summary Report must be used to keep record of each payroll received, when checked/verified and discrepancies found. These forms are included in [Appendix G](#).

A statement of compliance should be attached to each payroll. The sub-recipient is also responsible to ensure that the following requirements are followed:

- Ensure that the prevailing wage rate is paid.
- Verify that the proper classification listed is approved for contract.
- Ensure that payrolls are received in a timely manner.

Any non-compliant issues should be referred back to the contractor for corrections and notify OEO when necessary.

Work Force Analysis: The contract provisions require that the prime contractor submit a monthly workforce utilization report to the SHA District OEO Compliance Officer, which is required for the first three months of construction.

- **Sub-recipient:** Ensure the overall Wage / Labor Rates and program requirements are followed, all required forms are completed/ submitted when due, and proper documentation is kept in an organized filing system.
- **SHA:** SHA OEO Compliance Officer and other SHA offices are available for technical support or guidance.

ON THE JOB TRAINING (OJT) REQUIREMENTS

SHA addresses this FHWA requirement with state administered contracts and will therefore not be required on sub-recipient projects.

- **Sub-recipient:** None.
- **SHA:** Meet FHWA required OJT goals on SHA projects.

EROSION AND SEDIMENT CONTROL (E&SC)

Erosion and sediment controls are required by law for most projects. Additional references are the 2011 Maryland Standards

and Specifications for Soil Erosion and Sediment Control and Field Guide for Erosion and Sediment Control, and can be found on SHA's website.

All permits listed in the contract must be obtained by the sub-recipient and active prior to commencement of work. A copy of all the permits shall be kept on site. The terms of the Erosion and Sediment Control (E&SC) permit must be strictly followed. The sub-recipient will need to partner with the Maryland Department of the Environment (MDE) and/or other permitting authority. The sub-recipient must notify MDE of the impending project before commencement of work. Permit requirements may include:

- Ensuring the contractor submits the name and qualifying credentials of their designated Erosion and Sediment Control Manager (ESCM). Certifications include:
 - Maryland Department of Environment (MDE) Responsible Personnel Certification (RPC), formerly called "Green Card" Certification
 - MD SHA "Yellow Card" Certification when on SHA Right of Way
- Hosting an "E&SC pre-construction meeting" prior to any soil disturbance.
 - Discuss the proposed E&SC Plan
 - Discuss sequence of construction and any specific permit conditions.
 - Invite appropriate MDE or permitting authority representatives.
- Conducting inspections of E&SC and documenting findings (frequency determined at meeting).

- The contractor will perform Quality Control (QC) inspections.
- The sub-recipient will perform Quality Assurance (QA) inspections.

The sub-recipient is the permittee because they obtain the required environmental permits to include the E&SC permit. Therefore, SHA's Office of Environmental Design (OED) Quality Assurance inspection team will not inspect these projects as they do for standard SHA projects. However, SHA would be available for technical guidance if requested by the sub-recipient.

- **Sub-recipient:** Ensure permits are active and available in project files on site and ensure compliance with permit terms and conditions.
- **SHA:** District Construction Office, Office of Environmental Design, and/or Highway Hydraulics Division are available for technical support or guidance. Reviews compliance documentation.

MAINTENANCE OF TRAFFIC (MOT)

Traffic control for motorists, pedestrians, and bicyclists must be considered for every project. Maintaining a safe flow of traffic is critical. The contractor is required to submit the name and qualifying credentials of their designated Traffic Control Manager (TCM) prior to the start of any work involving traffic control. The TCM must possess a current Temporary Traffic Control Managers Certification as provided by the Maryland Transportation Builders and Materials Association (MTBMA). A copy of this certification card will be kept in the project file for all project TCMs. The contractor is also required to use Maryland certified flaggers with the appropriate Flagging Certification card.

The TCM shall be on site whenever the contractor's operations involve daily lane closures, flagging operations, or any disruption to normal flow of traffic. The TCM will be the direct contact to the sub-recipient RC and/or designated on-site project staff for any traffic control issues and will have the authority to direct employees as needed to remedy any MOT deficiencies without delay. The TCM will request lane closure permits through the SHA District Office when working on or adjacent to SHA roadways. The TCM will prepare daily inspections reports documenting all activities pertaining to MOT including use of lane closures, flagging operations, traffic accident/incidents within project limits, etc. if required by the sub-recipient. If required, the sub-recipient RC and/or designated on-site project staff shall receive copies of the MOT Reports on a daily basis and will maintain copies of MOT Reports at the field office.

- **Sub-recipient:** Ensure contractor has a designated TCM with current certifications, who is on site anytime the project requires disruption to the normal flow of traffic. Perform Traffic Control Quality Assurance inspections as necessary. Document daily Maintenance of Traffic set-ups on IDRs.
- **SHA:** District Traffic Office is available for technical support or guidance.

SAFETY

Safety, in a variety of forms, must be the highest priority on any project. The sub-recipient shall be aware of safety requirements and inspect to ensure the proper measures are being taken.

Safety of the jobsite and for the workers/inspectors carries many mandatory requirements. The contractor is required to be aware of and abide by all U.S. Department of Labor Occupational Safety and Health Administration (OSHA) and

Maryland Occupational Safety and Health (MOSH) standards and requirements.

- The contractor and subcontractor shall permit inspection without delay and at any reasonable time on all premises where the work is being performed, by a Federal or state inspector authorized to investigate compliance with associated Federal and state statutes and regulations.
- The contractor shall agree to correct any violations found to exist during such inspection within a reasonable time after the issuance of any citation, unless he contests the validity thereof through the appropriate administrative and judicial process.



The contractor shall submit the name and qualifications for their company's "Competent Person" in charge of safety.

Safety for the public (motorists, pedestrians, bicyclists, nearby residents, etc.) is also a primary concern. The contractor shall conduct the work to ensure the least practicable obstruction/disturbance. Accommodations made to provide safe travel through a construction area shall be implemented.

- **Sub-recipient:** Ensure proper safety measures according to the Contractors Safety Plan and accommodations according to the design are implemented.
- **SHA:** Available for technical support or guidance. OOC Safety Inspectors will also periodically visit jobsites to inspect and are available to assist with any questions.

MATERIAL CLEARANCE

Overview

A critical element of any project with Federal funding is Material Clearance. Material Clearance is required to assure that the quality of the materials used are designed, produced and placed to meet Federal requirements, as well as the system preservation, safety and environmental needs of the state's communities. The project cannot be closed out until it receives "Material Clearance."

All materials must be sampled, tested, and inspected to comply with details as published in SHA specifications at the time of award. The sub-recipient must perform the Monthly Material Clearance Procedures in accordance with the State QA Program. The requirements for each material are established and deviations from these limits are prohibited except when, in the

judgment of the Engineer, the deviation will not be detrimental to the work. In these cases, refer to the appropriate specification governing price adjustments for nonconformance.

By the time the project reaches the construction phase, the sub-recipient must have already contacted SHA's OMT prior to executing the project to determine materials testing requirements and associated expenses. SHA would have provided general requirements and an associated cost estimate with the sub-recipient agreeing to those costs.

Within 30 days after receipt of notification of award of the contract the contractor shall submit in writing, to the SHA Office of Materials Technology (OMT), the proposed sources of all materials to be incorporated into the project. Update and submit all nursery stock sources to OMT 45 days prior to the planting season in which the planting is to begin. Do not introduce material into the work until sources are approved. All source approvals are made subject to continuing production of materials conforming to these specifications. Material sources may be rejected where it is evident that the material tends to be of marginal quality when compared to the limits in any of its specified properties. The sub-recipient must sample according to the SHA's Sample Testing and Frequency Guide unless otherwise directed. SHA also reserves the right to inspect and/or test any material on the project for specification compliance at any time during construction.

Source of Supply

The prime contractor and SHA's OMT complete a majority of the workload associated with materials clearance. The contractor must submit a Source of Supply (SOS) listing for all items used on the project, which identifies the manufacturer

and supplier for each material. SHA's OMT representatives review the SOS listing. This is accomplished by two possible methods depending on the type and size of the project:

- For larger projects (Federal Aid Bridge, Appalachian Regional Commission, etc.), the SOS is submitted using SHA's web-based Materials Management System (MMS).
 - After creating an MMS account and designating authorized company representatives, the contractor will enter the SOS information into MMS.
 - SHA's OMT Area Materials Engineer and their staff are the primary representatives to review the submittals and approve if acceptable, or reject with explanation to the contractor of what needs to be changed/included.
 - The contractor would continue to work through the submittal process for each material until approved.
 - Note: SHA's OMT staff is available to provide a tutorial for new contractors and help walk them through the process.
- For smaller projects (Safe Routes to School, Transportation Alternative Program, Recreational Trails, etc.), an SOS letter is sent to SHA's OMT Materials Management Division in Hanover according to the process described in the "Format and General Instructions For Source of Supply Submittals" document included in [Appendix G](#).
 - The contractor will write the SOS letter and gather associated materials data paperwork for submittal.

- SHA's OMT Materials Management Division representative in Hanover will review the submittals and approve if acceptable or reject with explanation to the contractor of what needs to be changed/included.
- The contractor would continue to work through the submittal process for each material until approved.
- SHA's OMT Materials Management Division representative in Hanover will respond to the letter by returning it with notations, which will indicate acceptance procedures.

When performing the source of supply reviews, SHA's OMT representatives will acknowledge that these are sub-recipient projects and may contain some local characteristics not on SHA's Qualified Product List (QPL). (The [QPL](#) is available on the SHA website in the Business Standards and Specifications section.) For example, having a green signal pole to match the décor of all other signal poles in the city or use of a locally produced stone aggregate on a trail project to match the regional terrain could be perfectly acceptable. As long as the requests are off the state system (not going back to SHA for ownership and maintenance after project completion), would not compromise the integrity (structural or otherwise) of the project, and are not considerably more expensive, then SHA will work with the sub-recipients to meet the aesthetic and other local characteristic goals of the project. This can be accomplished with an SHA Form 14 or by working directly with the Area Materials Engineer and/or Materials Management Division Chief for approval. FHWA coordination in obtaining an approved

certification or Public Interest Finding (PIF) may also be required and should be discussed with SHA District, OMT, and Program Manager in these rare instances.

The sub-recipient project inspection staff must ensure that a source of supply is submitted for all materials and **approved PRIOR TO USE** on the project. The sub-recipient must keep also copies of all records of SOS on the site for review. The project inspection staff will then also ensure the materials come to the jobsite with the required paperwork/stamp indicated on the source of supply approval. The sub-recipient RC must ensure that this procedure is followed and that no payments are made for any work that may have been completed without material approval. It is acceptable and expected to withhold payment for items of work that do not yet have material approval.

Atypical Roadway Materials Requests

Some projects may contain materials that are not used on standard roadway projects. These materials would not be items SHA typically uses. In this case, the material to be used shall either be specified in the plans/contract documents or the designer of record kept on board to review and approve these types of material submittals.

Materials Testing

Materials QA/QC testing procedures must follow SHA protocol. The sub-recipient will follow all procedures for material testing and acceptance as outlined in the State Quality Assurance Manual, including Material Testing Frequencies, Standards, and Personnel Qualifications. Some examples are:

- SHA Materials Inspector checking a steel beam in the manufacturing plant and stamping it prior to shipment to the jobsite.

- A certified project inspector taking concrete cylinders or HMA box samples according to the frequency guidelines and sending in for testing when ready.
- SHA's Pavement Marking Technician coming out to test retro-reflective properties prior to final acceptance.
- A certified project inspector with a nuclear badge taking a compaction reading with the nuclear gauge.

The sub-recipient's inspection staff must verify the material on site is approved by following the acceptance procedure noted on the SOS. This may require testing, collecting manufacturer's certification, or visual inspection etc.

The sub-recipient can use SHA's lab for QA testing of many standard materials (at a cost to the project), or contract with a certified third party materials testing agency. This must be discussed with SHA prior to execution of the contract and should be discussed at the Pre-Construction Meeting to ensure all parties understand the predetermined testing process.

Materials Tickets and Invoices

Records of all materials used on the project must be kept on file as follows:

- Material tickets that are the basis for Item payments (i.e. Tons, CY, etc.), which shall be signed and dated by the sub-recipient inspector and include Item Number, Description, Payment, Date and Location where it is installed.
- Any adding machine check and tape must also be attached to the forms. It is also recommended that the inspector attach an identification slip to all tickets that include Contract Number, Item Number, Item Description,

Material Description, Quantity Paid, Date, and Inspector Signature.

- The Inspector Daily Report (IDR) shall document any material received and used on the project and include the ticket numbers.
- Material tickets should be filed under a particular pay item for easy access and review during an audit.

Clearance Reporting and Materials Clearance Letter

The sub-recipient shall submit regular material clearance reports to OMT. (If completed prior to finalizing an estimate, the sub-recipient can ensure materials are cleared before making payment to contractor.) The sub-recipient must follow up on any materials that may not have been cleared on previous reports. A Materials Clearance Report and Materials Approval Status Report are included in [Appendix G](#).

At the conclusion of the project, all materials must be cleared. When that is complete, SHA will issue a Materials Clearance letter, which is a requirement for project closeout.

- **Sub-recipient:** Ensure that the SOS is promptly submitted to SHA's OMT. Ensure materials are approved before use on project. Perform materials sampling, testing, etc. as specified. Collect tickets and invoices as described. Submit monthly Materials Clearance Report.
- **SHA:** OMT will review and approve SOS. OMT will review the monthly Materials Clearance Report and generate the Materials Approval Status Report. OMT will issue the Materials Clearance letter when all material issues are resolved. OMT and the District Construction staff are available for technical guidance.

INSPECTION REQUIREMENTS

Adequate construction inspection staff must be present during all construction activities. Personnel assigned to inspect these projects with Federal funds are required to have and maintain proper experience and credentials throughout the duration of the project. In addition to construction inspection experience, inspectors must have the required certifications related to the specific elements of each project.

Maryland participates in the Mid-Atlantic Region Technician Certification Program (MARTCP) to certify inspectors in several material related areas. MARTCP currently develops and administers core training programs in hot mix asphalt, concrete, soils and aggregates, and pavement markings. These certifications are required for inspectors/technicians performing hands-on testing of products used on projects.

The Maryland Department of the Environment (MDE) Responsible Personnel Certification (RPC), formerly called Green Card, certification is offered online. This certification is required for inspectors/technicians performing duties on any project with any form of Erosion and Sediment Controls.

The Maryland Transportation Builders and Materials Association (MTBMA) offers courses for certification in Erosion and Sediment Control "Yellow Card" training (required for inspectors/technicians performing duties on any project with any form of Erosion and Sediment Controls on SHA Right of Way), as well as Temporary Traffic Control Manager's training (required for inspectors/technicians performing duties on any project with any form of Maintenance of Traffic).

Although not a core requirement, the U.S. Department of Labor Occupational Safety & Health Administration (OSHA) 10-hour

Construction Safety certification is also fundamental for inspectors.

Possible inspection sources include the sub-recipient's in-house forces, a consultant hired from a contract with the sub-recipient, and/or a consultant working on the SHA's District Construction Inspection contracts.

Note: If the sub-recipient planned to use a consultant working on SHA's District Construction Inspection contract, they would have first discussed availability with the District ADE-C. If the District had inspector(s) available, a separate estimate would have been drafted and agreement signed for the sub-recipient to reimburse SHA for the inspector's expenses while working on the project. These discussions would have occurred weeks prior to the start of construction.

- **Sub-recipient:** Determine who will be inspecting the work on the project. Ensure adequate construction inspection staff is present during all construction activities. Ensure inspectors assigned to projects have the required experience, credentials, and certifications. If applicable and inspectors are available, reach agreement with SHA on using their inspection services.
- **SHA:** Available for technical support or guidance in determining what inspector certifications are required for each project. If inspection services are requested, and inspectors are available, the District will reach an agreement with the sub-recipient to provide inspectors.

CULTURAL RESOURCES

The contractor shall be aware of the potential effect of the discovery of cultural resources on projects. During construction, if anything appears to be a cultural resource of a historical, archeological, or paleontological nature, work shall be stopped and contact made with the RC and SHA District Office. Depending on the location of the potential finding, SHA's Cultural Resources team from the Environmental Planning Division (if on SHA ROW), Maryland Historical Trust, or other comparable local cultural resources/historical office would need to visit the site for determination of how to continue.

- **Sub-recipient:** Be aware of potential cultural resources and respond as described above if findings are discovered.
- **SHA:** Available for technical support or guidance. Cultural Resources team from the Environmental Planning Division can respond if necessary.

RECORD KEEPING

The project files to be maintained by the sub-recipient must be complete and available at a single location. The files must be organized and maintained in a manner that permits inspection by SHA and FHWA personnel during project inspections, process reviews, or random checks. (Record retention is covered in Section 5.5.)

Whenever the sub-recipient is unable to produce requested data or information, it will be assumed by reviewing personnel the required actions were either never performed or not properly documented. This could be sufficient reason to withhold reimbursement. Insufficient record keeping can result in non-participation of Federal funds on either the entirety or part of the project. Organized project files can eliminate these negative consequences.

The SHA District Engineer or designee (typically the District Contract Finals Personnel) shall periodically inspect during construction, the sub-recipient's project files for compliance with Federal requirements. Organization and content of the project file is one indicator of the effective and efficient management of the project by the sub-recipient RC. It also minimizes resources necessary for conducting process reviews.

INSPECTOR DAILY REPORTING (IDR)

The sub-recipient may use SHA's IDR form or their existing IDR for recording the work, if their report form includes all the necessary elements and sections required by SHA. The daily recorded information on the report must follow the Directives and Memorandums on procedures as outlined in the IDR Memorandum 07210.100.14. It is important to note that all payments to the Item Ledger and Item Summary must originate from the IDR. The IDR Memorandum 07210.100.14 contains a detailed listing of the required elements for the IDR and a sample of the form used by SHA. This form can be copied and used on projects. The IDR Directive (Construction Directive 07220.100.16) and Construction Memorandum 7210.100.14 concerning IDR's are included in [Appendix G](#).

ITEM LEDGER AND ITEM SUMMARY

The Item Summary Book must have a title sheet page, Inspector Signature Sheet, and an Item Summary Page for each Item. The Item Summary must contain the final payment quantities only. No estimated payments can be entered into the Item Summary. All Contract Payments that are area or volume payments must be sketched, and show the formula and the calculations for the payment quantity. Linear foot payments may have to be sketched if station locations do not match payments. The OOC4 Sketch Book Title

Sheet, OOC5 Signature Sheet, and OOC6 Summary of Final Quantities forms will be used to document the item ledger. These forms are included in [Appendix G](#).

- **Sub-recipient:** Ensure records are kept in an organized manner as described above.
- **SHA:** Available for technical support or guidance in record keeping. The District Contract Finals Personnel periodically inspects project records during construction.

PROGRESS/PARTNERING MEETINGS

Projects will continually make progress throughout the life of a job. While the project staff observes this movement on a daily basis, others also need to be updated on the progress and any issues that may arise. Progress meetings are an excellent way to update all those involved in a project. During busy construction periods, once a month is a good timeframe to hold meetings. During the winter or other slow periods, less frequently held meetings may be appropriate.

Project partnering, both formal and informal, is another way to make a project successful. Partnering creates an atmosphere of open communication, trust, and honest dialog among all stakeholders who are involved in the project. The partnering process is an effort encouraged by the Maryland Quality Initiative (MdQI). Partnering resources including a detailed [Partnering Manual](#) can be found on MdQI's website. Several key partnering tools (listed below) are included in [Appendix G](#):

- Sample Agenda
- Sample Meeting Minutes
- Issue Resolution Chart

These update sessions are commonly referred to as Progress/Partnering Meetings and have become standard practice. Sending out

agendas and taking accurate minutes for distribution afterwards are key components. Issues should be assigned to appropriate parties and tracked through resolution.

- **Sub-recipient:** Identify stakeholders and invite to regular Progress/ Partnering Meetings. Lead meetings by sending out agendas prior to meeting and distributing minutes afterwards. Track issues through resolution.
- **SHA:** Participate in Progress/ Partnering Meetings and be available for technical support or guidance.



DOCUMENT FILING SYSTEM

The filing system should be an orderly arrangement that will make all documentation readily available. This organization can be done with hardcopies and/or electronically. More than one person should be able to produce the documentation in the filing system. Some critical documents include, but are not limited to, the following:

- Contract Plans
- Contract Specifications
- Notice of Award, Notice to Proceed
- Permits
- Agreements with Others (i.e. ROW, Utilities, Railroads, etc.)
- Disadvantaged Business Enterprise (DBE) Schedule of Participation & Documentation
- Certified Payrolls
- Contractor's Liability Insurance
- Subcontractor Approvals and Copies of Subcontracts
- Approved Initial Construction Schedule and Subsequent Schedule Updates

For a detailed organizational structure for an SHA documentation filing system used for Federally funded projects, please refer to [Appendix G](#). Every project's documentation files will be somewhat unique due to the specific project aspects.

- **Sub-recipient:** Ensure proper document filing system is implemented.
- **SHA:** Available for technical support or guidance.

REQUESTS FOR INFORMATION (RFI)

Quite often design or material questions will arise during construction. These questions can be formalized using the Request for Information (RFI) process, so that all parties have definitive timelines and written requests/responses.

Design related questions will usually have to be coordinated with the designer of record. In most cases, the RC will have to maintain some type of service from the designer to assist in answering these questions. The designer may also have input in materials related questions. SHA's Office of Materials Technology will also be able to assist with materials questions if needed.

- **Sub-recipient:** Take the lead in receiving/responding to RFIs. Maintain designer services to assist with responses.
- **SHA:** Available for technical support or guidance. Will need to review responses that will result in a change order that documents more detail.

CHANGE ORDERS

Change orders are inevitable to occur for a variety of reasons. The sub-recipient should begin discussing the potential of a change order and the circumstances involved (reasoning, timing, cost implications, etc.) with SHA (District Office and the Program Manager) as soon as it becomes evident that one may be necessary. SHA's Program Manager would give the verbal consent to continue with the CO process. Approval from SHA is necessary prior to executing the change order.

Process

Step 1: When the contractor or Project Engineer informs the RC of a situation for which a change order will be necessary, a written request for prices and/or schedule

impacts is sent to the contractor. (If this will be a lump sum item, an itemized breakdown must accompany the contractor's price).

Step 2: While awaiting the submission of prices and/or schedule impacts, the sub-recipient should compile an independent cost estimate for future comparison to determine if the contractor's price is reasonable. Normally, the SHA Price Index is used to compile this estimate, as it contains bid prices for all types of work on various contracts throughout the state. The Price Index is available on the SHA website in the [Business Standards and Specifications section](#).

Step 3: When the contractor's price is received, it should be compared to the cost estimate to determine if further discussions or negotiations will be necessary.

- If a price is particularly low, a discussion with the contractor is necessary to ensure they understand the scope of work.
- If a price is too high and a lower price will be sought, a letter should be sent to the contractor requesting a lower price or a price breakdown.
- If a higher than average price is submitted, but is reasonable for the situation (small quantity, extra mobilization, etc.), then the justification must be noted.

If the contractor requests a time extension, the duration request will also need to be justified. A time extension will only be considered and/or approved if the work or impact affects the critical path or controlling item of work. Delays caused by utility, permit, railroad, etc., that require a time extension would not typically be eligible for Federal funds.

Step 4: Once agreement has been reached on price and time, the sub-recipient must get a confirmation approval from the SHA Program Manager that funds are available and obtain their endorsement before further processing. After getting this confirmation, the sub-recipient must prepare the following SHA forms that are included in [Appendix G](#) with samples:

- Change Order Cost Estimate, OOC25 (Available as an Excel file.)
- Change Order (Available as a fillable pdf.)
 - Ensure form is completely filled out to include: Item #, Description, Quantity, Reason Code (See Change Order Reason Code Description Sheet in [Appendix G](#)), and Value
- Prior Approval form, OOC23 (Available as a Word file.)
 - Note – This form is required only if one of the following apply:
 - Any single CO > \$500,000
 - Any CO that results in a project cumulative CO dollar amount > \$500,000
 - Any CO > 10% of bid amount and every CO after that
 - Any CO > 10% of contract time and every CO after that
- Initial Notification of Apparent Design Error and/or Omission form, OOC21 (Available as a Word file.)
 - Note – Only required if the CO is a result of an apparent design error and/or omission.
 - See Design Error and/or Omission Requirements section below for additional information.

The SHA District Construction Office will be able to provide guidance if there are questions in filling out these forms. The forms should be packaged together with supporting documentation.

Step 5: If project is classified as FHWA “Non-Exempt,” “Project of Division Interest (PoDI),” or “Project of Corporate Interest (PoCI),” then the next step (before obtaining SHA Prior Approval) is to obtain FHWA Area Engineer approval. The Change Order package will be scanned and emailed to the FHWA Area Engineer for review. (Copy the District Construction Office.) If acceptable, they will stamp as “Approved,” sign/date, scan and email back. (Projects not in one of these categories will skip this step.)

Step 6: If SHA Prior Approval is needed for one of the four bullets listed under Step 4 above, the complete Change Order

package will be scanned and emailed to the SHA District Office, who will give a brief cursory review before sending to the SHA Office of Construction's Engineering Support Section. The Engineering Support Section will review and obtain the appropriate level of Prior Approval on the Prior Approval Form, OOC23. The package will then be scanned and emailed back to the District for distribution to the sub-recipient.

Step 7: The Change Order will then be sent to the contractor for their signature in the appropriate block.

Step 8: When the original signed Change Order is received from the contractor (no e-mails or faxes are permitted), the hardcopy package will be delivered to the District Construction Office. The District Engineer will sign and the District Construction Office will send the package



to the SHA Office of Construction's Engineering Support Section for approval.

Step 9: The SHA Office of Construction's Engineering Support Section will review and obtain the final approval signatures before sending back to the District for distribution to the sub-recipient. Review and approval of the change order will normally take two to four weeks at this step, depending on the complexity and cost.

Step 10: The Change Order is now fully approved and the Project Engineer will be able to pay for the work associated with the change order on the next progress estimate after the work has been completed.

Note: Sub-recipient must have SHA's prior approval in order to change the project limits, regardless if Federal funds are used.

Local Sub-recipient Approval

It is acknowledged that sub-recipients may also need to get a change order approved through their leadership (County Commissioners, Mayor, etc.) in accordance with their local policies and procedures. This would be accomplished in addition to the SHA required process described above.

Force Account

In the event that a contractor is required to perform work for which there are no contract pay items, the work has been deemed non-incidental in any way to the original contract, and the sub-recipient and the contractor cannot come to an agreement on price, it may be necessary to keep force account records, as per Section TC-7.03, of the Standard Specifications for Construction and Materials. Note that when utilizing formal force account procedures, the owner (sub-recipient) has certain authority regarding regulation of the work (i.e., number of laborers and foremen engaged in the work, etc.). In addition, very

detailed records must be kept, including but not limited to, pay rate, fringe benefits, payroll burden, overhead/profit, materials, and equipment (i.e., make, model, year, owned, rented, idle, etc.). It is highly recommended that the sub-recipient read TC-7.03 very thoroughly before choosing to utilize this specification. An alternative is to keep force account type records for informational purposes while negotiating a mutually acceptable settlement, without formally implementing the force account specification. Force Account work should be documented with SHA's Daily Force Account Report form, OOC79 (Available as an Excel file in [Appendix G](#)).

Design Error and/or Omission Requirements

In the event that there is an apparent design error and/or omission that will result in a change order, the issue should be brought to the attention of the District Construction Office and the Program Manager. SHA has published guidance (Construction Directive 07220.100.24, included in [Appendix G](#)) to establish procedures for identifying and documenting apparent design errors and/or omissions. After notification, the District Construction Office and the Program Manager will work with the sub-recipient to make these procedures fit the specific design conditions of the project and jointly determine if reimbursement from a design consultant will be pursued.

Materials Clearance Requirements

Materials Clearance is required on change order materials comparable to all other contract items. If a source of supply needs to be submitted for any material used in the Change Order work prior to final approval, the sub-recipient shall contact the SHA Office of Materials Technology Area Materials Engineer or their designated representative to establish a new item identification number and add to the tracking database.

- **Sub-recipient:** Coordinate with SHA as soon as it is known a change order is necessary. Prepare independent cost estimate. Obtain prices from contractor. Determine if negotiations are necessary and proceed as appropriate towards price agreement. Document on SHA Change Order Form and submit to SHA.
- **SHA:** District Construction Office is available for technical support or guidance throughout process and serves as a pass through for documents going to the OOC. OOC's Engineering Support Section obtains prior approval and final approval. Return to sub-recipient for execution.

Audits

As mentioned in the Record Keeping Section, the SHA District Engineer or designee shall periodically inspect, during construction, sub-recipient's project files for compliance with Federal and State requirements. Audits could be performed by the following:

- District Contract Finals Personnel, who primarily checks estimates, IDRs, and close out records.
- OEO Officer, who primarily checks for certified payrolls, DBE, OJT, etc. requirements.
- District Construction Staff Members, who may check any aspect of the project.
- Program Manager's Office, who may check any aspect of the project.
- Federal Highway Administration, who may check any aspect of the project.
- U.S. Department of Labor, who primarily checks labor related areas.

For this reason, it is imperative that files must be complete, available at a single location,

and organized/maintained in a manner that permits inspection by SHA and FHWA personnel during an audit.

Whenever the sub-recipient is unable to produce requested data or information, it will be assumed by reviewing personnel the required actions were either never performed or not properly documented. This could be sufficient reason to withhold reimbursement. Insufficient record keeping can result in non-participation of Federal funds on either the entirety or part of the project. Organized project files can eliminate these negative consequences.

A tool to prepare for audits is the FHWA Construction Inspection Checklist or Audit Checklist, which is included in [Appendix G](#).

A project closeout audit is required by the District Contract Finals Personnel prior to processing of final reimbursements and contract closeout. The District Contract Finals Personnel will primarily check estimates, IDRs, pay quantities, and all applicable closeout records identified above. Any discrepancies will be noted and must be corrected before the project can be closed out. Once any/all discrepancies have been addressed, the District Contract Finals Personnel will complete a modified District Engineer's Certification (OOC3, District Engineer's Certificate of Completion of Work) to cover topics applicable to sub-recipient's project. A copy of this certification will go to the sub-recipient. This District Engineer's Certification will be submitted as part of the final payment package.

- **Sub-recipient:** Ensure records are kept in an organized manner and ready for an audit. Project staff shall be available during an audit to provide all requested information to auditors.
- **SHA:** Periodically inspect project records during construction. Assist

sub-recipient in preparation for Federal Audit. District Contract Finals completes closeout audit and a modified District Engineer's Certification prior to processing of final reimbursements and contract closeout.

Punchlist / Incremental Acceptance for Maintenance

As the project nears completion, the Project Engineer should be generating a project punchlist in coordination with the contractor, and the contractor should then be working to complete these items.

When the RC and project staff believe the project is ready, they will setup a project semi-final or final inspection meeting according to the specifications. The sub-recipient shall invite all key project personnel (to include SHA District staff, the Program Manager, and the FHWA Area Engineer) for a project walk-through.

- If there are too many open items of work remaining, a more formal punchlist will be developed and provided to the contractor for follow-up and completion.
 - Time charges would likely continue at this point.
 - The contractor will be given a timeframe to make the required corrections/complete the remaining items.
- If the work completed is found to be satisfactory and only inconsequential or minor work items remain, then a partial acceptance on the entire project with the exception of the uncompleted work items can be granted.
 - The job would likely be substantially complete at this point, and time charges would be stopped.

- The contractor will be given a timeframe to make the required corrections and complete the remaining items. If they are not completed, time charges for that period could be reinstated.
- Final Acceptance for Maintenance is then granted if there are no remaining work items at the time of the walk-through or when these items are completed.
 - The job would be substantially complete at this point and time charges would have stopped previously.

After receiving concurrence from SHA District Office, the sub-recipient shall send letters notifying the contractor of either Partial Acceptance for Maintenance (noting the exceptions) or Final Acceptance for Maintenance. SHA and FHWA should be carbon copied on these letters as these are key milestone dates.

- **Sub-recipient:** Develop punchlist and track completion of items. Schedule final inspection meeting / walk-through. Send letter(s).
- **SHA:** District Construction staff must participate in the project final as SHA must approve project acceptance according to 2015 Stewardship and Oversight Agreement. District Construction staff is available for technical support or guidance.

Additional Resources

For more information about the construction process, please reference the SHA OOC's [LPA Construction Manual](#).

CHAPTER 12

REIMBURSEMENT

BACKGROUND

The Federal Aid programs administered by the Maryland State Highway Administration (SHA) operate on a reimbursement basis. That is, the sub-recipient pays project expenses before requesting reimbursement for eligible activities. Any costs incurred before Federal Highway Administration (FHWA) authorization, the effective date of the project agreement, or outside the scope of the approved project are not allowable reimbursable costs and are the sole responsibility of the sub-recipient.

REIMBURSEMENT REQUEST FREQUENCY

Requests for reimbursement shall be submitted as defined in the agreement. This could include bi-weekly, monthly, quarterly, once at the end of the project, or annually depending on the project duration and scope. If reimbursements are not submitted for a particular time period, a progress report or email must be sent from the sub-recipient to the program manager stating the project status. Project status examples include: still active, in the process of closing, in the warranty period, no activity, etc. This letter must be signed by the sub-recipient's financial or project manager.



PROCESS

Sub-recipient projects will have a variety of eligible reimbursable costs in three general categories:

1. Planning and Design
2. Construction
3. Other: Equipment Purchases and Rentals, Education or Outreach Efforts, Publication Costs.

The reimbursement process is similar regardless of expenditure category.

In all cases, costs need to be clearly documented and thoroughly evaluated prior to making payment and then seeking reimbursement. Direct and overhead costs are allowable with the proper documentation and prior approval from the SHA Program Manager.

The sub-recipient should submit requests for reimbursement including the following information as defined in the project agreement:

Cover Letter	<ul style="list-style-type: none"> • Original with the current date • Signed by the project manager • Description of the project • Details the covered time period • Details work performed, equipment purchased, etc. • Includes the contract number, FAP number, and the SHA project number, if available.
Proof of Payment to the vendor	<ul style="list-style-type: none"> • Copy of the front and back of a cancelled check, or • For electronic payment, a bank sheet identifying the bank, the sub-recipient as the source of the payment, the vendor as the recipient, the amount of, and the date of the transfer <ul style="list-style-type: none"> • If either of the above cannot be obtained, an original, signed, and dated letter from the vendor stating the vendor received payments is acceptable. This letter must list invoices, date payment received, check number, check amount.
Cost Breakdown	<ul style="list-style-type: none"> • Showing costs the sub-recipient is responsible for and what costs are being requested as reimbursement
Payment method	<ul style="list-style-type: none"> • Detailing the method of payment for SHA to use to reimburse the sub-recipient • Normally includes the bank name, routing number, account number, and their Federal tax identification number

Once received, the Program Manager will review the request to determine the following:

- The invoice/estimate has been properly reviewed and approved by the sub-recipient.
- The sub-recipient has made payment.
- The amounts billed are adequately supported by work completed during the dates covered.
- The invoice or construction estimate is submitted within a reasonable timeframe.
- The breakdown percentages split between sub-recipient and reimbursement request follow the agreement.

After review and approval by the SHA District Office, SHA's Federal Aid Billing Section processes the payment through the Maryland Comptroller's Office to the sub-recipient's account.

For consultant service fees, the sub-recipient project manager shall ensure invoices are thoroughly reviewed, charges are correct and accurate, overhead rates are correct, work was performed, the work is within scope, fixed fee is correct, any direct expenses (mileage, parking, meals) are valid and follow current reimbursement rates and allowances.

For construction projects, the Program Manager will send the request to the District who will review invoices to verify the work claimed is complete. The project engineer and/or contractor shall develop the payment estimate, including the American Institute of Architects (AIA) summary sheet, and compare with project quantity records based on the contract payment items. The parties must agree on the estimate totals. Any costs incurred prior to approval

by SHA and FHWA, outside the scope of the approved project, and claims that are the result of prime contractor's lack of executing the work in accordance with the contract, would be considered unacceptable project costs and cannot be reimbursed. The District Engineer at the respective district office then prepares a memo to Federal Aid Billing Section indicating the invoice has been reviewed and is eligible for reimbursement per the MOU.

The sub-recipient may use their accounting software to develop the construction estimate in their standard format to submit to SHA, or the sub-recipient can obtain SHA's system, the Maryland Construction Management System (MCMS). Although not required, some sub-recipients have obtained MCMS and support services. This has helped to standardize audits, and sub-recipients are also able to use it on non-Federal funded jobs.

FINAL REIMBURSEMENT

Final reimbursement follows the same guidelines as other reimbursement requests; however, the cover letter should clearly state "Final" request. The sub-recipient should schedule the final inspection in coordination with the SHA District office to validate all work was completed based on the Federal regulations and codes, and determine any work needed to finalize a project. The final contractor payment of retainage shall be held until the final SHA audit is complete. Once this is complete, the contractor should promptly be paid. The sub-recipient can then compile all items necessary to submit the Final Reimbursement request.

APPENDIX A

GENERAL



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

SECTION I. BACKGROUND AND INTRODUCTION

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

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

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

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

estimates, contract awards, and inspections unless the State determines that such assumption is not appropriate. (23 U.S.C. 106(c)(2))

For all other project activities which do not fall within the specific project approvals listed in Section 106 or are not otherwise authorized by law, the FHWA may authorize MDOT to perform work needed to reach the FHWA decision point, or to implement FHWA's decision. However such decisions themselves are reserved to FHWA.

The authority given to MDOT under Section 106(c)(1) and (2) is limited to specific project approvals listed herein. Nothing listed herein is intended to include assumption of FHWA's decision-making authority regarding Title 23, U.S.C. eligibility or Federal-aid participation determinations. The FHWA always must make the final eligibility and participation decisions for the Federal-aid Highway Program.

Section 106(c)(3) requires FHWA and MDOT to enter into an agreement relating to the extent to which MDOT assumes project responsibilities. This Stewardship and Oversight Agreement (S&O Agreement), includes information on specific project approvals and related responsibilities, and provides the requirements for FHWA oversight of the FAHP (Oversight Program), as required by 23 U.S.C. 106(g).

SECTION II. INTENT AND PURPOSE OF S&O AGREEMENT

The intent and purpose of this S&O Agreement is to document the roles and responsibilities of the FHWA's Maryland Division Office (FHWA or Division) and Maryland Department of Transportation (MDOT) and its modal administrations, specifically the Maryland State Highway Administration (SHA), the Maryland Motor Vehicle Administration (MVA) and collectively known as MDOT herein with respect to project approvals and related responsibilities, and to document the methods of oversight which will be used to efficiently and effectively deliver the FAHP.

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

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

- A. MDOT *may assume* the FHWA's Title 23 responsibilities for design; plans, specifications, and estimates (PS&E); contract awards; and inspections, with respect to *Federal-aid projects on the National Highway System (NHS)* if both MDOT and FHWA determine that assumption of responsibilities is appropriate.

- B. Approvals and related activities for which MDOT has assumed responsibilities as shown in Attachment A will apply program wide unless project specific actions for which the Division will carry out the approval or related responsibilities are documented in accordance with the FHWA Project of Division Interest/Project of Corporate Interest Guide (FHWA PoDI/PoCI Guide) located at:
<http://www.fhwa.dot.gov/federalaid/stewardship/>
- C. MDOT may not assume responsibilities for Interstate projects that are in high risk categories. (23 U.S.C. 106(c)(1))
- D. MDOT is to exercise any and all assumptions of the U.S. Secretary of Transportation responsibilities for Federal-aid projects on the NHS in accordance with Federal laws, regulations and policies.

SECTION IV. ASSUMPTION OF RESPONSIBILITIES FOR FEDERAL-AID PROJECTS OFF THE NATIONAL HIGHWAY SYSTEM

- A. MDOT *shall assume* the FHWA’s Title 23 responsibilities for design, PS&Es, contract awards, and inspections, with respect to *Federal-aid projects off the NHS (non-NHS)* unless MDOT determines that assumption of responsibilities is not appropriate. (23 U.S.C. 106(c)(2))
- B. Except as provided in 23 U.S.C.109(o), MDOT is to exercise the U.S. DOT Secretary’s approvals and related responsibilities on these projects in accordance with Federal laws.
- C. MDOT, in its discretion, may request FHWA carry out one or more non-NHS approvals or related responsibilities listed as “State” in Attachment A on a program-wide basis. For a project specific request, MDOT may request that FHWA carry out any approval or related responsibility listed in Attachment A off the NHS. Such project-specific requests shall be documented in accordance with the FHWA PoDI/PoCI Guide.
- D. Pursuant to 23 U.S.C. 109(o), non-NHS projects shall be designed and constructed in accordance with State laws, regulations, directives, safety standards, design standards, and construction standards.

SECTION V. ASSUMPTION OF RESPONSIBILITIES FOR LOCALLY ADMINISTERED PROJECTS

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

- A. MDOT may, pursuant to 23CFR 1.11 and 635.105, delegate certain Federal-aid project authorities to a well-qualified and suitably equipped local public agency (LPA). The MDOT is responsible for ensuring that appropriate procedures and guidelines are in place

to facilitate the compliance of local public agency administered Federal-aid projects. FHWA will review and approve these practices and procedures for Federal-aid projects.

- B. MDOT will review the local public agency's ability to administer Federal-aid projects or specific activities on a case-by-case basis, and the extent of delegation will be dependent on their current staffing level and experience, and past performance. The MDOT retains responsibility under Federal law and regulations for all delegated activities. The following program elements will not be delegated to local public agencies:
- NEPA approval
 - Sole Source Approval
 - Approval of Force Accounts
 - Design Exception approval
 - Approval of Right of Way certification
 - Approval of Engineering Plans
 - Approval of DBE Goals
 - Approval and Audit of Labor compliance
 - Final Inspection
 - Project Acceptance
- C. An Agency Agreement will be executed between MDOT and the local public agency to outline the responsibilities of both MDOT and the local public agency on Federal-Aid projects. The agreement will require FHWA concurrence and must be updated as necessary.
- D. MDOT will have written procedures/manuals established for the local public agency that provide the necessary processes, approvals, oversight and review to ensure the delegated projects receive adequate supervision and inspection, and are completed in conformance with approved plans and specifications and applicable federal requirements.
- E. MDOT will offer any training, advice, or other assistance as may be needed by a local public agency to aid in its successful completion of its Federal-aid project.
- F. If a LPA project is selected as a PODI, an individual project oversight plan will be prepared specifying those approval actions retained by FHWA, in which MDOT will be responsible for coordinating with FHWA.
- G. Section XII of the Agreement details MDOT's oversight and reporting requirements when administering its LPA program.

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

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

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

SECTION VII. FEDERAL APPROVALS AND RELATED RESPONSIBILITIES THAT MAY NOT BE ASSUMED BY THE MDOT

- A. Any approval or related responsibility not listed in Attachment A cannot be assumed by MDOT without prior concurrence by FHWA Headquarters. The following is a list of the most frequently-occurring approvals and related responsibilities that may not be assumed by MDOT:
 - Civil Rights Program approvals;
 - Environmental approvals, except those specifically assumed under other agreements. (23 U.S.C. 326 and 327; programmatic categorical exclusion agreements);
 - Federal air quality conformity determinations required by the Clean Air Act;
 - Approval of current bill and final vouchers;
 - Approval of federally-funded hardship acquisition, protective buying, and 23 U.S.C. 108(d) early acquisition;
 - Project agreements and modifications to project agreements and obligation of funds (including advance construction);

- Planning and programming pursuant to 23 U.S.C. 134 and 135;
 - Special Experimental Projects (SEP-14 and SEP-15);
 - Use of Interstate airspace for non-highway-related purposes;
 - Any Federal agency approval or determination under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (Uniform Act), as amended, and implementing regulations in 49 CFR Part 24;
 - Waivers to Buy America requirements;
 - Approval of Federal participation under 23 CFR 1.9(b);
 - Provide pre-approval for preventive maintenance project (until FHWA concurs with MDOT procedures);
 - Requests for credits toward the non-Federal share of construction costs for early acquisitions, donations, or other contributions applied to a project;
 - Functional replacement of property;
 - Approval of a time extension for preliminary engineering projects beyond the 10-year limit, in the event that actual construction or acquisition of right-of-way for a highway project has not commenced;
 - Approval of a time extension beyond the 20-year limit for right of way projects, in the event that actual construction of a road on the right-of-way is not undertaken;
 - Determine need for Coast Guard Permit;
 - Training Special Provision – Approval of New Project Training Programs; and
 - Any other approval or activity not specifically identified in Attachment A unless otherwise approved by the FHWA, including the Office of Chief Counsel.
- B. For all projects and programs, MDOT will comply with Title 23 and all applicable non-Title 23, U.S.C. Federal-aid program requirements, such as metropolitan and statewide planning; environment; procurement of engineering and design related service contracts (except as provided in 23 U.S.C. 109(o)); Civil Rights including Title VI of the *Civil Rights Act*, and participation by Disadvantaged Business Enterprises; prevailing wage rates; and acquisition of right-of-way, etc.
- C. This Agreement does not modify the FHWA's non-Title 23 program approval and related responsibilities, such as approvals required under the Clean Air Act; National Environmental Policy Act, Executive Order on Environmental Justice (E.O. 12898), and other related environmental laws and statutes; the Uniform Act; and the Civil Rights Act of 1964 and related statutes.

SECTION VIII. PROJECT ACTION RESPONSIBILITY MATRIX

Attachment A, Project Action Responsibility Matrix, to this S&O Agreement identifies FAHP project approvals and related responsibilities. The Matrix specifies which approvals and related responsibilities are assumed by MDOT under 23 U.S.C. 106(c) or other statutory or regulatory authority, as well as approvals and related responsibilities reserved to FHWA. Assumptions of project approvals specified in this matrix will apply program wide. Deviations will be documented on a project by project basis through the development of individual PoDI oversight plans.

SECTION IX. IDENTIFYING PROJECTS OF DIVISION INTEREST

- A. In February/March of each year, FHWA and MDOT will assess the current list of PoDI in planning for the upcoming federal performance year. Existing PoDI may be removed if the identified risk areas have been either mitigated or surpassed. New PoDI will be identified for consideration through (but not limited to) a review of active PE and construction projects, the current STIP, and the outcome of process/program reviews and project inspections completed in the year.
- B. In general, all major projects (over \$500M) will be PoDI and consideration will be given to other projects having (1) regional significance or substantial traffic impacts, (2) controversy or community interest, (3) innovative financing or contracting techniques, and (4) environmental and permit compliance concerns.
- C. FHWA and MDOT agree that additional PoDI may be added during the year as new projects or risk elements are identified.
- D. An updated PoDI list will be maintained in a manner that is easily accessible and readily available to both FHWA and MDOT project staff.

SECTION X. HIGH RISK CATEGORIES

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

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

- A. In 23 U.S.C. 106(g), Congress directs that the U.S. Secretary of Transportation shall establish an oversight program to monitor the effective and efficient use of funds authorized to carry out the FAHP. This program includes FHWA oversight of MDOT's processes and management practices, including those involved in carrying out the approvals and related responsibilities assumed by the State under 23 U.S.C. 106(c). Congress defines that, at a minimum, the oversight program shall be responsive to all areas relating to financial integrity and project delivery.
- B. The FHWA shall perform annual reviews that address elements of MDOT's financial management system in accordance with 23 U.S.C. 106(g)(2)(A). FHWA will periodically review MDOT's monitoring of sub-recipients pursuant to 23 U.S.C. 106(g)(4)(B).

- C. The FHWA shall perform annual reviews that address elements of the project delivery systems of MDOT, which elements include one or more activities that are involved in the life cycle of project from conception to completion of the project. The FHWA will also evaluate the practices of MDOT for estimating project costs, awarding contracts, and reducing costs. 23 U.S.C. 106(g)(2) and (3).
- D. To carry out the requirements of 23 U.S.C. 106(g), the FHWA will employ a risk management framework to evaluate financial integrity and project delivery, and balance risk with staffing resources, available funding, and the State's transportation needs. The FHWA may work collaboratively with MDOT to assess the risks inherent with the FAHP and funds management, and how that assessment will be used to align resources to develop appropriate risk response strategies

Techniques the Division and MDOT may use to identify and analyze risks and develop response strategies include the following:

- Program Assessments;
- FIRE Reviews;
- Program Reviews;
- Certification Reviews;
- Recurring or periodic reviews such as the Compliance Assessment Program (CAP); and
- Inspections of project elements or phases.

These techniques will be carried out in a manner consistent with applicable Division Standard Operating Procedures or other control documents relating to program assessments, FIRE, program reviews, CAP, etc. Reviews may be conducted by individual FHWA staff or by teams including MDOT staff participation.

E. **Program Responsibility Matrix**

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

F. **Manuals and Operating Agreements**

MDOT manuals, agreements and other control documents that have been approved (or pending) for use on Federal-aid projects are listed in Attachment C to this S&O Agreement. Any modification/revisions to these documents require FHWA review and approval.

G. **Stewardship and Oversight Indicators**

FHWA Division and MDOT may use a series of Stewardship and Oversight Indicators (Indicators) as tools to assess whether the assumptions of responsibility outlined in this Agreement are functioning appropriately. The Indicators will be risk-based and will

continue to evolve to meet the needs of FHWA and MDOT. Stewardship and Oversight Indicators will be reviewed on an annual basis.

Reporting on the Indicators will be through the reporting requirements as stipulated in Section XII below. The Stewardship and Oversight Indicator data will be evaluated as a means to effectively manage and improve program delivery. The data will be used to determine if actions (i.e., new processes or procedures, program reviews, etc.) are needed to be considered as FHWA and MDOT develop their forthcoming performance business plans.

If there are no indicators identified, no reporting will be required.

SECTION XII. MDOT OVERSIGHT AND REPORTING REQUIREMENTS

A. MDOT Oversight and Reporting Requirements

The MDOT is responsible for demonstrating to the FHWA how it is carrying out its responsibilities in accordance with this S&O Agreement on Federal-aid projects. In order to fulfill this responsibility, MDOT and its modal administration SHA will:

A.1. For all projects, FHWA and MDOT work together in the project planning phase to ensure compliance with NEPA and other applicable laws before FHWA selects an alternative (location approval). The level of involvement is commensurate with the level of the environmental impacts or project complexity and follows a set procedure depending on environmental documentation class.

A.2. For Programmatic Categorical Exclusions, MDOT will follow the terms and conditions of the "Programmatic Agreement Between the FHWA, MD Division and the SHA Regarding the Processing of Certain Categorical Exclusion Actions" and subsequent amendments.

A.3. For Cultural Resources, MDOT will follow the "Programmatic MOA for Minor Projects between FHWA, SHA, MHT, and the ACHP" and the "Programmatic Agreement among FHWA, SHA, ACHP and MHT regarding SHA's Historic Highway Bridges" for carrying out the responsibilities of Section 106 of the National Historic Preservation Act.

A.4. Prepare construction documents, for all Federal-aid projects, in accordance with SHA's "Project Development Process Manual";

A.5. Carry out design Quality Assurance (QA) reviews on all Federal-aid projects prior to advertisement;

A.6. Develop construction cost estimates per SHA's "Cost Estimating Manual" guidelines;

A.7. Award construction contracts as set forth in SHIA's Internal Procedures for Award and Rejection of Bids per COMAR;

A.8. Conduct construction activities as set forth in the project's construction documents and in accordance with SHIA's Construction Manual and Directives; and

A.9. Conduct and document Regional Construction Engineer (RCE) inspections on a reasonable sample of active construction projects.

MDOT will maintain individual Federal-aid project files that will include documentation of all required FHWA actions and MDOT's assumed project approvals as set forth in this Agreement. MDOT will provide FHWA access to the project files when requested.

On a biannual frequency, MDOT will provide FHWA with reports summarizing how MDOT is providing S&O on preconstruction and construction phases of federal-aid projects. These reports will provide the necessary data to analyze an agreed upon set of Stewardship and Oversight Indicators in a manner similar to the following:

- The preconstruction report is to provide sufficient data that substantiates Federal-aid projects in the respective lettings of the period (6 months) were prepared in accordance with the procedures set forth above. While other Indicators may be identified and assessed to meet the needs of either FHWA or MDOT, each biannual report should typically provide data on (1) point by point responses to Final Review comments at PS&E, (2) number of design exceptions approved, and (3) number of addendums issued per project.
- The construction report should summarize the status of active construction projects (projects that have not reached substantial completion) to include work completed, time expended, contract change orders, active contract claims, and findings of inspections performed by RCEs. In addition, a bid data summary will be provided for the lettings in the respective 6 month period to include: advertisement date, bid opening date, engineer's estimate, low bid amount, numbers of bids received, notice to proceed date, bid protest or bid rejection, and narrative to include delays due to permits and ROW.

B. MDOT Oversight of Locally Administered Projects

B.1. MDOT is required to provide adequate oversight of sub-recipients including oversight of any assumed responsibilities MDOT delegates to a LPA.

B.2. Pursuant to 23 U.S.C. 106(g)(4), MDOT shall be responsible for determining that sub-recipients of Federal funds have adequate project delivery systems for locally administered projects and sufficient accounting controls to properly manage such Federal-aid funds. The MDOT is also responsible for ensuring compliance with

reporting and other requirements applicable to grantees making sub-awards, such as monthly reporting requirements under the Federal Funding Accountability and Transparency Act of 2006, PL 109-282 (as amended by PL 110-252).

B.3. MDOT acknowledges that it is responsible for sub-recipient awareness of Federal grant requirements management of grant awards and sub-awards, and is familiar with and comprehends pass through entity responsibilities (2 C.F.R 200.331 Requirements for Pass-thru Entities). MDOT will:

- Maintain a sufficiently staffed unit responsible for the administration and oversight of locally administered projects.
- Maintain updated and accessible guidance for LPAs to develop, implement, and administer Federal-aid projects in accordance with all appropriate Federal requirements.
- Maintain a written process that allow for program improvements resulting from feedback from LPAs and which communicate changes/revisions to the LPA guidance to all appropriate stakeholders and/or users.
- Administer the LPA Program in conformance with FHWA approved processes and approved sub-recipient manual and LPA guidance. This manuals and guidance must include a comprehensive LPA qualification process, a documented plan for oversight of LPA administered projects, must establish how project actions will be administered, etc.

MDOT and FHWA will assess the LPA program every 3 years to determine if there are opportunities for improvements in the processes outlined below. MDOT agrees to have in place and maintain the following processes to:

- B.4. The MDOT shall assess whether a sub-recipient has adequate project delivery systems and sufficient accounting controls to properly manage projects.
- B.5. The MDOT shall assess whether a sub-recipient is staffed and equipped to perform work satisfactorily and cost effectively, and that adequate staffing and supervision exists to manage the Federal project(s).
- B.6. The MDOT shall assess whether sub-recipient projects receive adequate inspection to ensure they are completed in conformance with approved plans and specifications.
- B.7. The MDOT shall ensure that when LPAs elect to use consultants for engineering services, the LPA, as provided under 23 CFR 635.105(b), shall provide a full-time employee of the agency to be in responsible charge of the project.
- B.8. The MDOT shall ensure that project actions will be administered in accordance with all applicable Federal laws and regulations.

MDOT- SHA's Federal Aid Office will maintain a project filing system that will include documentation of all required FHWA actions and MDOT's assumed project approvals as set forth in this Agreement. SHA will provide FHWA access to the project files when requested.

B.9. The SHA shall document its oversight activities for LPA-administered projects and findings, and how it will share this information with the FHWA.

- Annually, MDOT will provide FHWA with a status report summarizing its LPA Program. The report should include, as a minimum, the status of each active LPA project.

SECTION XIII. IMPLEMENTATION AND AMENDMENTS

- A. This S&O Agreement will take effect as of the effective date of the signature of the FHWA Maryland Division Administrator, who shall sign this S&O Agreement last.
- B. This Agreement supersedes the Stewardship and Oversight Agreement between SHA and the DelMar Division, Maryland Office of April 2007 and all corresponding Supplements.
- C. The Division and MDOT agree that updates to this Agreement will be considered periodically on a case-by-case basis or when:
 - Significant new legislation, Executive orders, or other initiatives affecting the relationship or responsibilities of one or both parties to the S&O Agreement occurs;
 - Leadership, or leadership direction, changes at MDOT or FHWA; or
 - Priorities shift as a result of audits, public perception, or changes in staffing at either MDOT or Division Office.
- D. The Division and MDOT agree that changes may occur to the contents of the Attachments to this S&O Agreement and documents incorporated by reference into the S&O Agreement. Except as provided in Section XIII E., changes to the Attachments and documents incorporated by reference will not require the Division and MDOT to amend this S&O Agreement. The effective date of any revisions to one of these documents shall be clearly visible in the header of the revised document. This Agreement and any revised document shall be posted on the Division's S&O Agreement internet site within five (5) business days of the effective date.
- E. Any changes to the high risk categories must be documented by an amendment to this S&O Agreement.
- F. Any changes to the Project Action Responsibility Matrix must be approved by the FHWA Office of Infrastructure in writing and documented by an amendment to this S&O Agreement.

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EXECUTION BY THE FHWA MARYLAND DIVISION OFFICE

Executed this 14th day of May, 2015.



Gregory Murrill
Division Administrator

EXECUTION BY THE MARYLAND DEPARTMENT OF TRANSPORTATION

Executed this 21st day of May, 2015.


for Pete K. Rahn Day Secretary
Secretary

EXECUTION BY THE MARYLAND STATE HIGHWAY ADMINISTRATION

Executed this 17th day of May, 2015.



Douglas H. Simmons
Acting Administrator

EXECUTION BY THE MARYLAND MOTOR VEHICLE ADMINISTRATION

Executed this 18th day of May, 2015.



Milton Chaffee
Administrator

**ATTACHMENT A
PROJECT ACTION RESPONSIBILITY MATRIX
(As of April 8, 2015)**

The following matrix identifies Federal-aid highway program (FAHP) project approvals and related responsibilities. The matrix specifies which ones are subject to State assumption under the provisions of 23 U.S.C. 106(c) or other statutory or regulatory authority, as well as those which are reserved to FHWA.

In the column entitled "Projects on the NHS" if an item is marked "FHWA or State," it means the State may assume the specified approval and related responsibilities if the Division determines the assumption is appropriate. For projects on the NHS, the FHWA may retain any approval or related action in any box marked "FHWA or State" as deemed appropriate by the Division. If the FHWA retains any approval or related action in any box marked "FHWA or State", the project is a PoDI, and will require a PoDI plan.

For the column marked "Projects off the NHS", the State must assume all items marked "State" unless the State determines the assumption of a particular item by the State is not appropriate.

Except as expressly stated in notes to the matrix below, the State cannot assume any item marked only as "FHWA" in either column. Any item marked only "FHWA" is reserved to FHWA because it is outside the scope of 23 U.S.C. 106(c), or otherwise is reserved to FHWA by law. The MDOT is responsible for ensuring all individual elements of the project are eligible for FAHP funding, but all final eligibility and participation determinations are retained by FHWA. While FHWA may not delegate decision-making authority to a State unless authorized by law, FHWA may authorize a MDOT to perform work needed to reach the decision point, or to implement the decision.

* Actions retained by FHWA that could have been delegated.

PROJECT ACTION RESPONSIBILITY MATRIX (as of February 6, 2015) (Excluding PoDIs, which are subject to separate PoDI Plans)		
ACTION	AGENCY RESPONSIBLE	
	PROJECTS ON THE NHS	PROJECTS OFF THE NHS
PROGRAMMING (All phases)		
Ensure project in Statewide Transportation Improvement Program (STIP)/Transportation Improvement Program (TIP)	STATE	STATE
Identify proposed funding category	STATE(1)	STATE(1)
FINANCIAL MANAGMENT (All phases)		

PROJECT ACTION RESPONSIBILITY MATRIX (as of February 6, 2015)
(Excluding PoDIs, which are subject to separate PoDI Plans)

ACTION	AGENCY RESPONSIBLE	
	PROJECTS ON THE NHS	PROJECTS OFF THE NHS
Obligate funds/approve Federal-aid project agreement, modifications, and project closures (project authorizations) (Note: this action cannot be assumed by State)	FHWA	FHWA
Authorize current bill (Note: this action cannot be assumed by State)	FHWA	FHWA
Review and Accept Financial Plan and Annual Updates for Federal Major Projects over \$500 million [23 U.S.C. 106(h)] (Note: this action cannot be assumed by State)	FHWA	FHWA
Review Cost Estimates for Federal Major Projects over \$500 million [23 U.S.C. 106(h)] (Note: this action cannot be assumed by State)	FHWA	FHWA
Develop Financial Plan for Federal Projects between \$100 million and \$500 million. [23 U.S.C. 106(i)]	STATE	STATE
ENVIRONMENT (All phases)		
All EA/FONSI, EIS/ROD, 4(f), 106, 6(f) and other approval actions required by Federal environmental laws and regulations. (Note: this action cannot be assumed by STATE except under 23 U.S.C. 327)	FHWA(2)	FHWA(2)
Categorical Exclusion approval actions (Note this action cannot be assumed by the State except through an assignment under 23 U.S.C. 326 or 327, or through a programmatic agreement pursuant to Section 1318(d) of MAP-21 and 23 CFR 771.117(g))	FHWA(2)	FHWA(2)

PROJECT ACTION RESPONSIBILITY MATRIX (as of February 6, 2015) (Excluding PoDIs, which are subject to separate PoDI Plans)		
ACTION	AGENCY RESPONSIBLE	
	PROJECTS ON THE NHS	PROJECTS OFF THE NHS
PRELIMINARY DESIGN (Design Phase)		
Consultant Contract Selection	STATE (3)	STATE (3)
Sole source Consultant Contract Selection	FHWA * (3)	STATE (3)
Approve hiring of consultant to serve in a "management" role (Note: this action cannot be assumed by State) [23 CFR 172.9]	FHWA	FHWA
Approve consultant agreements and agreement revisions (Federal non-Major Projects) [23 CFR 172.9]	STATE	STATE
Approve consultant agreements and agreement revisions on Federal Major Projects [23 CFR 172.9] (Note: this action cannot be assumed by State)	FHWA	FHWA
Approve exceptions to design standards [23 CFR 625.3(f)]	STATE	STATE
Interstate System Access Change [23 USC 111] (Note: this action cannot be assumed by State)	FHWA	N/A
Interstate System Access Justification Report [23 USC 111] (Note: action may be assumed by State pursuant to 23 USC 111(e))	FHWA *	N/A
Airport highway clearance coordination and respective public interest finding (if required) [23 CFR 620.104]	STATE	STATE
Approve Project Management Plan for Federal Major Projects over \$500 million [23 USC 106(h)] (Note: this action cannot be assumed by State)	FHWA	FHWA

PROJECT ACTION RESPONSIBILITY MATRIX (as of February 6, 2015) (Excluding PoDIs, which are subject to separate PoDI Plans)		
ACTION	AGENCY RESPONSIBLE	
	PROJECTS ON THE NHS	PROJECTS OFF THE NHS
Approve innovative and Public-Private Partnership projects in accordance with SEP-14 and SEP-15 (Note: this action cannot be assumed by State)	FHWA	FHWA
Provide pre-approval for preventive maintenance project (until FHWA concurs with STATE procedures) (Note: this action cannot be assumed by State)	FHWA	FHWA
DETAILED / FINAL DESIGN (Design Phase)		
Provide approval of preliminary plans for unusual/complex bridges or structures on the Interstate. [23 USC 109(a) and FHWA Policy]	FHWA (4)	N/A
Provide approval of preliminary plans for unusual/complex bridges or structures (non-Interstate). [23 USC 109(a) and FHWA Policy]	State (4)	STATE
Approve retaining right-of-way encroachments [23 CFR 1.23 (b) & (c)]	STATE(4)	STATE
Approve use of local force account agreements [23 CFR 635.104 & 204]	FHWA *	STATE
Approve use of publicly owned equipment [23 CFR 635.106]	STATE	STATE
Approve the use of proprietary products, processes [23 CFR 635.411]	STATE	STATE
Concur in use of publicly furnished materials [23 CFR 635.407]	STATE	STATE
RIGHT-OF-WAY (Design and Operational Phases)		
Make feasibility/practicability determination for allowing authorization of construction prior to completion of ROW clearance,	FHWA for Interstate STATE for non-Interstate	STATE

PROJECT ACTION RESPONSIBILITY MATRIX (as of February 6, 2015) (Excluding PoDIs, which are subject to separate PoDI Plans)		
ACTION	AGENCY RESPONSIBLE	
	PROJECTS ON THE NHS	PROJECTS OFF THE NHS
utility and railroad work [23 CFR 635.309(b)]		
Make public interest finding on whether State may proceed with bid advertisement even though ROW acquisition/relocation activities are not complete for some parcels [23 CFR 635.309(c)(3)]	FHWA for Interstate STATE for non-Interstate	STATE
Ensure compliant ROW certificate is in place [23 CFR 635.309(c)]	FHWA *	STATE
Approve Hardship and Protective Buying [23 CFR 710.503] (If a Federal-aid project) (Note: this action cannot be assumed by State)	FHWA	FHWA
Approve Interstate Real Property Interest Use Agreements [23 CFR 710.405] (Note: this action cannot be assumed by State)	FHWA	N/A
Approve non-highway use and occupancy [23 CFR 1.23(c)]	FHWA for Interstate STATE for non-Interstate (3)	STATE (3)
Approve disposal at less than fair market value of federally funded right-of-way, including disposals of access control [23 U.S.C. 156] (Note: this action cannot be assumed by State)	FHWA	FHWA
Approve disposal at fair market value of federally funded right-of-way, including disposals of access control [23 CFR 710.409] (Note: 23 CFR 710.201 authorizes FHWA and STATE to agree to scope of property-related oversight and approvals for all actions except those on the	FHWA for Interstate STATE for non-Interstate (3)	STATE (3)

PROJECT ACTION RESPONSIBILITY MATRIX (as of February 6, 2015) (Excluding PoDIs, which are subject to separate PoDI Plans)		
ACTION	AGENCY RESPONSIBLE	
	PROJECTS ON THE NHS	PROJECTS OFF THE NHS
Interstate System)		
Requests for credits toward the non-Federal share of construction costs for early acquisitions, donations or other contributions applied to a project (note: this action cannot be assumed by State)	FHWA	FHWA
Federal land transfers [23 CFR 710, Subpart F] (Note: this action cannot be assumed by State)	FHWA	FHWA
Functional replacement of property [23 CFR 710.509] (Note: this action cannot be assumed by State)	FHWA	FHWA
SYSTEM OPERATIONS AND PRESERVATION (Design Phase)		
Accept Transportation Management Plans (23 CFR 630.1012(b))	FHWA *	STATE
Approval of System Engineering Analysis (for ITS) [23 CFR 940.11]	FHWA *	STATE
PS&E AND ADVERTISING (Design Phase)		
Approve PS&E [23 CFR 630.201]	STATE	STATE
Authorize advance construction and conversions [23 CFR 630.703 & 709] (Note: this action cannot be assumed by State)	FHWA	FHWA
Approve utility or railroad force account work [23 CFR 645.113 & 646.216]	STATE	STATE
Approve utility and railroad agreements [23 CFR 645.113 & 646.216]	STATE	STATE
Approve use of consultants by utility companies [23 CFR 645.109(b)]	STATE	STATE
Approve exceptions to maximum	STATE	STATE

PROJECT ACTION RESPONSIBILITY MATRIX (as of February 6, 2015) (Excluding PoDIs, which are subject to separate PoDI Plans)		
ACTION	AGENCY RESPONSIBLE	
	PROJECTS ON THE NHS	PROJECTS OFF THE NHS
railroad protective insurance limits [23 CFR 646.111]		
Authorize (approve) advertising for bids [23 CFR 635.112, 309]	STATE	STATE
CONTRACT ADVERTISEMENT AND AWARD (Design Phase) All contracts to be done by competitive bidding unless otherwise authorized by law		
Approve cost-effectiveness determinations for construction work performed by force account or by contract awarded by other than competitive bidding [23 CFR 635.104 &.204]	FHWA *	STATE
Approve emergency determinations for contracts awarded by other than competitive bidding [23 CFR 635.104 &.204]	FHWA *	STATE
Approve construction engineering by local agency [23 CFR 635.105]	STATE	STATE
Approve advertising period less than 3 weeks [23 CFR 635.112]	FHWA *	STATE
Approve addenda during advertising period [23 CFR 635.112]	STATE	STATE
Concur in award of contract [23 CFR 635.114]	STATE	STATE
Concur in rejection of all bids [23 CFR 635.114]	STATE	STATE
Approval of Design-Build Requests-for-Proposals and Addenda [23 CFR 635.112]	STATE	STATE
CONSTRUCTION (Construction Phase)		
Approve changes and extra work [23 CFR 635.120]	STATE	STATE
Approve contract time extensions [23 CFR 635.120]	STATE	STATE
Concur in use of mandatory borrow/disposal sites	STATE	STATE

PROJECT ACTION RESPONSIBILITY MATRIX (as of February 6, 2015) (Excluding PoDIs, which are subject to separate PoDI Plans)		
ACTION	AGENCY RESPONSIBLE	
	PROJECTS ON THE NHS	PROJECTS OFF THE NHS
[23 CFR 635.407]		
Accept materials certification [23 CFR 637.207]	STATE	STATE
Concur in settlement of contract claims [23 CFR 635.124]	STATE	STATE
Concur in termination of construction contracts [23 CFR 635.125]	STATE	STATE
Waive Buy America provisions [23 CFR 635.410] (Note: this action cannot be assumed by State)	FHWA	FHWA
Final inspection/acceptance of completed work [23 USC 114(a)]	STATE	STATE
CIVIL RIGHTS (All phases)		
Approval of Disadvantaged Business Enterprise (DBE) Project Contract Goal set by the MDOT under 49 CFR 26.51(d). [49 CFR 26.51(e)(3)]	STATE	STATE
Acceptance of Bidder's Good Faith Efforts to Meet Contract Goal [49 CFR 26.53] or of Prime Contractor's Good Faith Efforts to Find Another DBE Subcontractor When a DBE Subcontractor is Terminated or Fails to Complete Its Work [49 CFR 26.53(g)] (Note: this action cannot be performed by the FHWA)	STATE	STATE
Equal Employment Opportunity (EEO) Contract Compliance Review [23 CFR Part 230, Subpart D]).	STATE	STATE
Training Special Provision – Approval of Project Goal for training slots or hours [23 CFR Part 230, Subpart A]	STATE	STATE

**PROJECT ACTION RESPONSIBILITY MATRIX (as of February 6, 2015)
(Excluding PoDIs, which are subject to separate PoDI Plans)**

ACTION	AGENCY RESPONSIBLE	
	PROJECTS ON THE NHS	PROJECTS OFF THE NHS
Training Special Provision – Approval of New Project Training Programs (Note: this action cannot be assumed by State) [23 CFR 230.111(d), (e)]	FHWA	FHWA
FOOTNOTES:		
<p>(1) State is responsible for ensuring that all individual elements of the project are eligible. FHWA will check that the scope of the project as described in submitted project agreement is eligible for the category of funding sought. All final eligibility and participation determinations are retained by FHWA.</p> <p>(2) If there is a 23 U.S.C. 326 or 325 assignment or PCE agreement, decisions are handled in accordance with those assignments or agreements.</p> <p>(3) State’s process and modifications to, or variation in process, require FHWA approval.</p> <p>(4) Unusual/Complex bridges and structures are those that the Division determines to have unique foundation problems, new or complex designs, exceptionally long spans, exceptionally large foundations, complex hydrologic (including climate change and extreme weather events) aspects, complex hydraulic elements or scour related elements, or that are designed with procedures that depart from currently recognized acceptable practices (i.e., cable-stay, suspension, arch, segmental concrete, moveable, truss, tunnels, or complex geotechnical walls or ground improvement systems)</p>		

**ATTACHMENT B
PROGRAM RESPONSIBILITY MATRIX
(As of April 8, 2015)**

PROGRAM ACTION RESPONSIBILITY

The following matrix is an example list of program actions. The Division should refer to <http://our.dot.gov/office/fhwa.hq/OfficeofInfrastructure/hipa/SO/Resources/> for the latest updated version which can be incorporated into the agreement or referenced as a control document. Modify the matrix to reflect the Division and State "Responsible Program Office." The primary office of contact should be listed, rather than an individual or the approving official.

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	FHWA Division Responsible Program Office	MDOT Responsible Program Office	Remarks
Appropriations, Allotments, Obligations	31 USC 1341(a)(1)(A)& (B); 31 USC 1517(a); 23 USC 118(b), 23 USC 121	As needed	Not Applicable	Office of Chief Financial Officer	Finance	SHA, Office of Finance	State will monitor appropriations, allotments and obligations to ensure that all funding is used efficiently within each quarter and use all Obligation Authority (OA) by the end of the year.
Approval of Indirect Cost Allocation Plans (ICAPs)	2 C.F.R Part 200, Subpart E;ASMBC-10	As needed	Not Applicable	Office of Chief Financial Officer	Finance	SHA, Office of Finance	The State will certify that the ICAP was prepared in accordance with 2 CFR 200 Subpart E.

FIRE Program Activities	FHWA Order 4560.1C (or as superseded)	Ongoing		Office of Chief Financial Officer	Finance	SHA, Office of Finance	State will continue to provide oversight and conduct reviews to ensure Federal-aid compliance. FHWA will review and monitor State responsibilities include multiple tasks in support of risk assessments, conducting reviews and implementation of recommendations.
Audit Coordination/FHWA Financial Statement Audit/State External Audit Reviews/State Internal Audit Reviews	FMFIA, 2 C.F.R Part 200, Subpart F; GAAP, CFO Act of 1990; DOT Order 8000.1C	As needed	Not Applicable	Office of Chief Financial Officer	Finance	SHA, Office of Finance	State assures corrective action is taken to resolve audit findings and FHWA will monitor activities to ensure implementation.
Improper Payments Review	Improper Payments Information Act of 2002, PL 107-300, Improper Payments Elimination and Recovery Act of 2010, PL 111-204, Improper Payments Elimination and Recovery Improvement Act of 2012, PL 112-248	Annually		Office of Chief Financial Officer	Finance	SHA, Office of Finance	State will provide all information necessary to document sampled payments and FHWA offices will review and complete appropriate data submittal forms
Transfer of Funds between programs or to other FHWA offices or agencies as requested by State	23 USC 126, 23 USC 132, and FHWA Order 4551.1	As needed	Not Applicable	Office of Chief Financial Officer	Finance	SHA, Office of Finance	State will submit requests for transfer and FHWA approves and processes the funding transfers between programs, to other States, to other agencies, and to FHWA HQ, Federal Lands, or Research offices

Reviews of State Transportation Departments Financial Management Systems - Financial Integrity	23 USC 106(g)(2)(A)	Annually	Not Applicable	Office of Chief Financial Officer	Finance	SHA, Office of Finance	23 USC 106(g)(2)(A) states that the Secretary shall perform annual reviews that address elements of the State transportation departments' financial management systems that affect projects approved under subsection (a).
Review Adequacy of Sub-recipient Project Delivery Systems and Sufficient Accounting Controls to Manage Federal Funds	23 USC 106(g)(4)(A)(i)	As needed	Not Applicable	Office of Chief Financial Officer	Finance	SHA, Office of Finance	
Periodic Reviews of States Monitoring of sub-recipients	23 USC 106(g)(4)(B)	As needed	Not Applicable	Office of Infrastructure	Project Delivery & Environment Team	SHA, Office of Finance	
Approval of Increased Federal Share Agreement (Sliding Scale)	23 USC 120(b)(2)	As determined by the Federal Share Agreement	Not Applicable	Office of Chief Financial Officer	Finance	SHA, Office of Finance	A State must enter into an agreement with FHWA for use of the increased Federal share allowable under this section, which must be reviewed and updated periodically as agreed to in the agreement. States must demonstrate that they are in compliance with the statute and the agreement.
Prepare / Review Title VI Plan Accomplishments and Next Year's Goals	23 CFR 200.9(b)(10)	Annually	1-Oct	Office of Civil Rights	Civil Rights	SHA, Office of Equal Opportunity	Division office reviews and comments.
Prepare / EEO Contractor Compliance Plan accomplishments and next year's goals	23 CFR 230, Subpart C, Appendix A, Part I, III	Annually	1-Oct	Office of Civil Rights	Civil Rights	SHA, Office of Equal Opportunity	Division office reviews and comments.
Prepare / Review State Internal EEO Affirmative Action Plan (Title VII) Accomplishments and Goals	23 CFR 230.311	Annually	1-Oct	Office of Civil Rights	Civil Rights	SHA, Office of Equal Opportunity	Courtesy copy to HQ.
Review DBE Program Revisions	49 CFR 26.21(b)(2)	As needed	Not Applicable	Office of Civil Rights	Civil Rights	MDOT, Office Diversity and Equity	Division sends to HCR for review and approval

Prepare / DBE Uniform Awards and Commitment Report	49 CFR 26, Appendix B	Semi-Annual	June 1st December 1st	Office of Civil Rights		SHA, Office of Equal Opportunity	Division Office reviews and sends to HCR
Prepare / Annual Analysis and Corrective Action Plan (if necessary)	49 CFR 26.47(c)	Annual (as necessary)	December 31st	Office of Civil Right	Civil Rights	SHA, Office of Equal Opportunity	Division Office approves sends copy to HCR
Prepare / State DBE Program Goals	49 CFR 26.45(f)(1)	Triennial	August 1st	Office of Civil Rights	Civil Rights	MDOT Office Diversity and Equity	Division reviews and approves; HCC provides legal sufficiency review and approval sends copy to HCR
Prepare / Review On-the-Job-Training (OJT) goals & accomplishments	23 CFR 230.111(b)	Annually	TBA	Office of Civil Rights	Civil Rights	SHA, Office of Equal Opportunity	Division office reviews and comments.
Approval of OJT and DBE Supportive Services fund requests	23 CFR 230.113 & 23 CFR 230.204	Annual	TBA	Office of Civil Rights	Civil Rights	SHA, Office of Equal Opportunity	Division recommends approval submits to HCR for final approval
Return of any unused discretionary grant program funding	23 CFR 230.117(2)	Annual	TBA	Office of Civil Rights	Civil Rights	SHA, Office of Equal Opportunity	Division works with HCR and CFO
Prepare / Review of Report on Supportive Services (OJT & DBE)	23 CFR 230.113(g), 230.121(e), 230.204(g)(6)	Quarterly		Office of Civil Rights	Civil Rights	SHA, Office of Equal Opportunity	Division office reviews and comments.
Prepare / Review Annual Contractor Employment Report (Construction Summary of Employment Data (Form PR-1392)	23 CFR 230.121(a); Appendix D to Subpart A, Part 230, General Information and Instructions	Annually	1-Dec	Office of Civil Rights	Civil Rights	SHA, Office of Equal Opportunity	Recommendation sent to HQ for approval.
Prepare / Review MDOT Employment Statistical Data (EEO-4)	23 CFR, Subpart C, Appendix A	Biannual	1-Dec	Office of Civil Rights	Civil Rights	SHA, Office of Equal Opportunity	Report sent to HQ quarterly for informational purposes and recommendation sent to HQ annually for approval.
Prepare / Review Annual Federal Projected Awards Reports - Historically Black Colleges & Universities/Tribal Colleges & Universities/Hispanic Serving Institutes, American Indian Alaskan Native, Asian Pacific & American Islander.	Presidential Executive Orders: 13230, 13256, 13270, 13361, 13515	Annual	TBA	Office of Civil Rights	Civil Rights	SHA, Office of Equal Opportunity	Divisions submit data to HCR who prepares report for DOCR

Prepare / Review ADA Complaint Reports of Investigation	28 CFR 35.190	As needed	Not Applicable	Office of Civil Rights	Civil Rights	SHA, Office of Equal Opportunity	Division office reviews. FHWA HQ approves and issues finding.
Review Americans with Disabilities Act (ADA) /Sec. 504 Program Plan accomplishments and next year's goals	49 CFR 27.11(c), EO 12250	Annually	1-Oct	Office of Civil Rights	Civil Rights	SHA, Office of Equal Opportunity	Division office reviews and comments.
Return of unexpended funds used for Summer Transportation Institutes	23 CFR 230.117(2)	Annual	August 30; however, State procurement rules may govern	Office of Civil Rights	Civil Rights	SHA, Office of Equal Opportunity	Divisions work with HCR and CFO
Prepare / Review Request for National Summer Transportation Institute (NSTI) Proposals (SOWs)	23 USC 140(b)	Annual	TBA	Office of Civil Rights	Civil Rights	SHA, Office of Equal Opportunity	Divisions recommend approval. HCR gives final approval
Prepare / Review NSTI Report (questionnaire)	23 USC 140(b)	Annual	October 15th	Office of Civil Rights	Civil Rights	SHA, Office of Equal Opportunity	Divisions provide to HCR
Receipt of State Consultation Process with Tribal Governments	23 CFR 450.210(c)	As needed	Not Applicable	Office of Federal Lands Highway	Project Delivery & Environment Team	SHA, Environment Planning Division	informational Purposes.
Approval of Contracting Procedures for Consultant Selection	23 CFR 172.5 & 172.9	As needed	Not Applicable	Office of Infrastructure	Project Delivery & Environment Team	SHA, Office of Highway Development	FHWA Division Office Approval
Determination of High Risk Categories - Limitation on Interstate Projects	23 USC 106(c)(4)(B)	As needed	Not Applicable	Office of Infrastructure	Project Delivery & Environment Team	SHA, Office of Highway Development	Office of Program Administration determines national categories and must concur on any State designations.
Approval of State 3R Program	23 CFR 625.4(a)(3), 23 USC 109(n)	As needed	Not Applicable	Office of Infrastructure	Pavement & Material Engineer	SHA, Pavement & Geotechnical Division	FHWA Division Office Approval.
Verify adoption of Design Standards (National Highway System, including Interstate)	23 CFR 625, 23 USC 109(b), 23 USC 109(c)(2), 23 USC 109(o)	As needed	Not Applicable	Office of Infrastructure	Project Delivery & Environment Team	SHA Office of Highway Development, Office of Structures, Office of Traffic and Safety, Office of Materials and Technology	FHWA HQ regulatory action to adopt NHS standards.

Approval of preliminary plans of Major and Unusual Bridges on the Interstate Highway System	(M1100.A)	As needed	Not Applicable	Office of Infrastructure	Project Delivery & Environment Team	SHA, Office of Structures	Director of HIBT has approval of preliminary plans of Major and Unusual Bridges on the Interstate Highway System (M1100.A)
Approval of State Standard Specifications	23 CFR 625.3	As needed	Not Applicable	Office of Infrastructure	Technology Services Team Leader	SHA, Office of Highway Development	FHWA Division Office Approval.
Verify State Design Exception Policy complies with FHWA Policy	23 CFR 625.3	As needed	Not Applicable	Office of Infrastructure	Project Delivery & Environment Team	SHA, Office of Highway Development	FHWA Division Office Approval.
Approval of State Standard Detail Plans	23 CFR 625.3	As needed	Not Applicable	Office of Infrastructure	Project Delivery & Environment Team	SHA, Office of Highway Development, Office of Traffic and Safety, Office of Structures, Office of Materials Technology	FHWA Division Office Approval
Approval of Pavement Design Policy	23 CFR 626.3	As needed	Not Applicable	Office of Infrastructure	Pavement & Material Engineer	SHA, Pavement & Geotechnical Division	FHWA Division Office Approval.
Review of Value Engineering Policy and Procedures	23 CFR 627.1(b)&(c), 23 CFR 627.7 FHWA Order 1311.1B	As needed	Not Applicable	Office of Infrastructure	Project Delivery & Environment Team	SHA, Office of Highway Development	FHWA Division Office Review.
Review of Value Engineering Annual Report	23 CFR 627.7, FHWA Order 1311.1B	Annual	Not Applicable	Office of Infrastructure	Project Delivery & Environment Team	SHA, Office of Highway Development	FHWA Division Office collects, reviews, and submits to HQ for review and reporting
Review and Approval of Interstate Access Requests	23 USC 111, 23 CFR 710, 74 FR 43743-43746 (Aug. 27, 2009)	As needed	Not Applicable	Office of Infrastructure	Project Delivery & Environment Team	SHA, Office of Planning and Preliminary Engineering	FHWA Division Office approval with concurrence from HQ on more complex access requests.
Approval of Liquidated Damages Rate	23 CFR 635.127	Every 2 years	Not Applicable	Office of Infrastructure	Project Delivery & Environment Team	SHA, Chief Engineer/Deputy Administrator for Operations	FHWA Division Office Approval.
Approval of Quality Assurance Program	23 CFR 637.205	As needed	Not Applicable	Office of Infrastructure	Pavement & Material Engineer	SHA Central Laboratory	State administrators, with programmatic agreement by the Division Office, as part of their materials testing and construction quality assurance/acceptance program.

Assure Central Laboratory accredited by AASHTO Accreditation Program or FHWA approved comparable program	23 CFR 637.209	As needed	Not Applicable	Office of Infrastructure	Pavement & Material Engineer	SHA Central Laboratory	State administrators, with programmatic agreement by the Division Office, as part of their materials testing and construction quality assurance/acceptance program.
Assure Non-STD designated lab performing Independent Assurance sampling and testing accredited by AASHTO Accreditation Program or FHWA approved comparable program	23 CFR 637.209	As needed	Not Applicable	Office of Infrastructure	Pavement & Material Engineer	SHA Central Laboratory	State administrators, with programmatic agreement by the Division Office, as part of their materials testing and construction quality assurance/acceptance program.
Assure Non-STD designated lab used in dispute resolution accredited by AASHTO Accreditation Program or FHWA approved comparable program	23 CFR 637.209	As needed	Not Applicable	Office of Infrastructure	Pavement & Material Engineer	SHA Central Laboratory	State administrators, with programmatic agreement by the Division Office, as part of their materials testing and construction quality assurance/acceptance program.
Review Independent Assurance Annual Report	23 CFR 637.207	Annually	1-Mar	Office of Infrastructure	Pavement & Material Engineer	SHA Central Laboratory	State administrators, with programmatic agreement by the Division Office, as part of their materials testing and construction quality assurance/acceptance program.
Assure Labor Compliance - Prevailing Wage Rate	23 USC 113	As needed	Not Applicable	Office of Infrastructure		SHA, Office of Construction	FHWA Division Office Review and Approval
Determination of Eligible Preventive Maintenance Activity - Cost-Effective Means of Extending Useful Life Determination	23 USC 116(e)	As needed	Not Applicable	Office of Infrastructure	Technology Services & Planning Team	SHA, Office of Structures	FHWA Division Office Approval
Approval of Utility Agreement / Alternate Procedure	23 CFR 645.119	As needed	Not Applicable	Office of Infrastructure	Project Delivery & Environment Team	SHA, Office of Construction	FHWA Division Office Approval
Approval of Utility Accommodation Policy	23 CFR 645.215, 23 USC 109(l), 23 USC 123	As needed	Not Applicable	Office of Infrastructure	Project Delivery & Environment Team	SHA, Office of Construction	FHWA Division Office Approval

Review Bridge Construction, Geotechnical, and Hydraulics	23 CFR 650	As needed	Not Applicable	Office of Infrastructure	Division Bridge Engineer	SHA, Office of Structures	
Review Plans of Corrective Action established to address NBIS compliance issues	23 CFR 650, 23 USC 144	Annually		Office of Infrastructure	Division Bridge Engineer	SHA, Office of Structures	Division office performs annual compliance review and reports results to HQ.
Review NBI Data Submittal	23 CFR 650 Subpart C, Annual Memo from HQ, 23 USC 144	Annually	1-Apr	Office of Infrastructure	Division Bridge Engineer	SHA, Office of Structures	Division resolve errors with States; States submit to HQ.
Review structurally deficient bridge construction Unit Cost submittal	23 USC 144	Annually	1-Apr	Office of Infrastructure	Division Bridge Engineer	SHA, Office of Structures	Submit to HQ.
Review Section 9 of the Rivers and Harbors Act Submittals (Bridge Permits)	23 CFR 650 Subpart H; 33 CFR 114 & 115	As needed	Not Applicable	Office of Infrastructure	Division Bridge Engineer	SHA, Office of Structures	
Approval for reduction of expenditures for off-system bridges	23 USC 133(g)(2)(B)	As needed	Not Applicable	Office of Infrastructure	Division Bridge Engineer	SHA, Office of Structures	The FHWA Administrator may reduce the requirement for expenditures for off-system bridges if the FHWA Administrator determines that the State has inadequate needs to justify the expenditure.
Determination on Adequacy of State's Asset Management Plan	23 USC 119(5)	Annually beginning second fiscal year after establishment of the process		Office of Infrastructure	Technology Services Team	SHA, OPPE - Program Development Division	
Certification and Recertification of States Process for Development of State Asset Management Plan	23 USC 119(6)	Recertification every four years after establishment of the process		Office of Infrastructure	Technology Services Team	SHA, OPPE - Program Development Division	
Review Reporting on Performance Targets	23 USC 150(e)	Beginning four years after enactment of MAP-21 and biennially thereafter		Office of Infrastructure	Program Management Analyst & Division Program Leads related to measures	SHA, OPPE - Program Development Division	

Review National Highway System Performance Achievement Plan for Actions to achieve the targets (when State does not achieve or make significant progress toward achieving)	23 USC 119(7)	Required if State does not achieve targets (or significant progress) for 2 consecutive reports		Office of Infrastructure	Program Management Analyst & Division Program Leads related to measures	SHA, OPPE - Program Development Division	
States and sub-recipient failure to maintain projects - Notice and withholding Federal-aid Funds	23 USC 116(d)	As needed	Not Applicable	Office of Infrastructure	Division Administrator	SHA, Office of Finance	
Emergency Relief (ER) Damage Assessments and Reports	23 CFR 668 23 USC 120 and 125	As needed	Not Applicable	Office of Infrastructure	Project Delivery & Environment Team	SHA, Chief Engineer/Deputy Administrator - Operations	Perform with State.
Toll Credit and Maintenance of Effort (MOE) Calculation and Agreement	23 USC 120(i)	Annually		Office of Infrastructure	Project Delivery & Environment Team and Finance Team	N/A	State will calculate the amount of eligible toll credit and submit for approval. FHWA will review and approve the request.
Local Public Agency (LPA) Oversight	2 CFR 200.331:: 23 USC 106(g)(4)	As needed	Not Applicable	Office of Infrastructure	Project Delivery & Environment Team	SHA, Office of Finance	States are responsible to ensure that LPAs are aware of all the applicable Federal-aid Program requirements; States are responsible to ensure monitoring and oversight to assure compliance with Federal requirements. 23 USC further reinforces stressing accountability on "project delivery systems" and "accounting controls."
Approval to Sell, Lease or Otherwise Dispose of a Ferry Purchased with Federal-aid Funds	23 USC 129 (c)(6)	As needed	Not Applicable	Office of Infrastructure	Project Delivery & Environment Team	N/A	Division Office reviews and submits for Office of Program Administration for Administrator Approval
Territorial Highway Program - Approval of Territory Agreement	23 USC 165(c)(5)	Reviewed and Revised as needed every two years		Office of Infrastructure	Project Delivery & Environment Team	SHA, Chief Engineer/Deputy Administrator for Planning, Engineering, Real Estate and Environment	Division Office works with Office of Program Administration and HCC

TIFIA Credit Program	23 USC 601-609	As needed	Not Applicable	Office of Innovative Program Delivery	Finance	SHA and MDOT Offices of Finance	Project sponsors submit requests for credit assistance to the TIFIA JPO for review; approval by the Secretary
GARVEEs	23 USC 122; GARVEE Guidance 3/14	As needed	Not Applicable	Office of Innovative Program Delivery	Finance	SHA and MDOT Offices of Finance	MOUs strongly suggested for each GARVEE issue. FM contacts OIPD for review/concurrence before final approval
State Infrastructure Banks	NHS Act Section 308; 23 USC 610; SIB Guidance 3/14	Annual Report	Not Applicable	Office of Innovative Program Delivery	Finance	SHA and MDOT Offices of Finance	Division sends copy of report to OIPD. SIB submits annual report to Division Office.
Section 129 Tolling Authority Requests	23 USC 129(a)	As needed	Not Applicable	Office of Innovative Program Delivery	Project Delivery & Environment Team	MDTA Office of Planning and Program Development	At the option of the project sponsor, may execute a Tolling Eligibility MOU with the Division Office; HIN coordinates FHWA HQ review
Section 166 HOV/HOT Lanes Tolling Authority Requests	23 USC 166(d)	As needed	Not Applicable	Office of Innovative Program Delivery	Technology Services Team	MDTA Office of Planning and Program Development	At the option of the project sponsor, may execute a Tolling Eligibility MOU with the Division Office; HIN coordinates FHWA HQ review
Value Pricing Pilot Program Tolling Authority Requests	ISTEA Section 1012(b)	As needed	Not Applicable	Office of Innovative Program Delivery	Technology Services Team	MDTA Office of Planning and Program Development	Requests submitted to HIN to coordinate review; approval by the Administrator
Interstate System Reconstruction and Rehabilitation Pilot Program Tolling Authority Requests	TEA-21 Section 1216(b)	As needed	Not Applicable	Office of Innovative Program Delivery	Project Delivery & Environment Team	MDTA Office of Planning and Program Development	Applications submitted to HIN to coordinate review; approval by the Administrator
Annual Audit of Toll Facility Records and Certification of Adequate Maintenance - Report Submittal	23 USC 129(a)(3)(B); TEA-21 Section 1216(b)(5)(B); SAFETEA-LU Section 1604(b)(3)(A); ISTEA Section 1012(b)(3)	Annually		Office of Innovative Program Delivery	Finance	MDTA Office of Planning and Program Development	Division Office to receive the reports.

Project Management Plan (Major Projects)	23 U.S.C. 106(h)(2)	Prior to first federal authorization of construction funds for a Major Project	Not Applicable	Office of Innovative Program Delivery	Division Office will conduct concurrent review with HQ Office of Innovative Program Delivery.	MDOT or Project Sponsor will prepare and submit Project Management Plan.	Division Office will provide approval after receiving concurrence from HQ Office of Innovative Program Delivery.
Financial Plan (Major Projects)	23 U.S.C. 106(h)(3)	Prior to first federal authorization of construction funds for a Major Project and then annually.	Annually as noted in the approved Initial Financial Plan	Office of Innovative Program Delivery	Division Office will conduct concurrent review with HQ Office of Innovative Program Delivery.	MDOT or Project Sponsor will prepare and submit annual Financial Plans.	Division Office will provide approval after receiving concurrence from HQ Office of Innovative Program Delivery.
Financial Plan (Other Projects)	23 U.S.C. 106(i)	Prior to first federal authorization of construction funds for an Other Project and then annually.	Annually as noted in the approved Initial Financial Plan	Office of Innovative Program Delivery	Division Office will review and approve Financial Plans for Other Projects in accordance with its stewardship and oversight agreement with the MDOT or Project Sponsor.	MDOT or Project Sponsor will prepare and submit annual Financial Plans to the Division Office. only upon request.	Other Projects are defined as projects with an estimated total cost of \$100 million or more that have not been designated as Major Projects.
Review Designation and Re-designation of Primary Freight Network	23 USC 167(d)	One year after enactment of MAP-21 and every ten years thereafter		Office of Operations	Planning	MDOT, Office of Freight & Multimodalism	Under development, initial PFN designation scheduled for Spring 2014 completion
Review Development and Update of National Freight Strategic Plan	23 USC 167(f)	Three years after enactment of MAP-21 and every five years thereafter		Office of Operations	Planning	MDOT, Office of Freight & Multimodalism	OST lead
Review Freight Transportation Conditions and Performance Report	23 USC 167(g)	Two years after enactment of MAP-21 and every two years thereafter		Office of Operations	Planning	MDOT, Office of Freight & Multimodalism	OST lead
Review HOV Operations Report for Tolloed Use and Low-Emission and Energy-Efficient Vehicle Use	23 USC 166(d)	Annually		Office of Operations	Operations and Safety Engineer	SHA, Office of Planning and Preliminary Engineering	
Congestion Partnerships Assessment	Annual Memo from HQ	Annually	1-Jul	Office of Operations	Operations and Safety Engineer	Office of CHART	Complete with partners and forward to HQ.
Traffic Incident Management Self-	Annual Memo from HQ	Annually	1-Jul	Office of Operations	Operations and Safety Engineer	Office of CHART	Complete with partners and forward to HQ.

Assessment							
Work Zone Self-Assessment	Annual Memo from HQ	Annually	7/1/2013. This project is currently on hiatus and has not been determined whether it will be reestablished or not.	Office of Operations	Operations and Safety Engineer	SHA, Office of Traffic & Safety	Complete with partners and forward to HQ.
Approval of State-Prepared Manual on Uniform Traffic Control Devices - State Traffic Control Manuals	23 CFR 655.603, 23 USC 109(d)	As needed	Not Applicable	Office of Operations	Operations and Safety Engineer	SHA, Office of Traffic & Safety	
Review Vehicle Size & Weight Enforcement Plan	23 CFR 657.11, 23 USC 127	Annually	1-Oct	Office of Operations	Planning	SHA, Motor Carrier Division	
Review Vehicle Size & Weight Enforcement Certification	23 CFR 657.13, 23 USC 141	Annually	1-Jan	Office of Operations	Planning	SHA, Motor Carrier Division	
Approval of National Network Modifications	23 CFR 658.11	As needed	Not Applicable	Office of Operations	Planning	SHA, Motor Carrier Division	
Intelligent Transportation System Architecture & Standards	23 CFR Part 940	As needed	Not Applicable	Office of Operations	Operations and Safety Engineer	Office of CHART	
Approval of Work Zone Significant Project Determination	23 CFR 630.1010	As needed		Office of Operations	Operations and Safety Engineer	SHA, Office of Traffic & Safety	
Approval of Exceptions to Work Zone Procedures for Interstate Projects	23 CFR 630.1010	As needed		Office of Operations	Operations and Safety Engineer	SHA, Office of Traffic & Safety	
Approval of Work Zone Policy and Procedures Conformance Review	23 CFR 630.1014	At appropriate intervals		Office of Operations	Operations and Safety Engineer	SHA, Office of Traffic & Safety	
Process Review of Work Zone Safety and Mobility Procedures	23 CFR 630.1008, 23 USC 109(e)(2), 23 USC 112(g)	Every 2 years		Office of Operations	Operations and Safety Engineer	SHA, Office of Traffic & Safety	
Approval of State Planning Work Program and Revisions (Part 1)	23 CFR 420.111, 23 CFR 420.115, and 23 CFR 420.209	Annually	Prior to Program Period	Office of Planning, Environment & Realty	Planning	SHA, Office of Planning & Preliminary Engineering/ PDD	FHWA Division Office Approval.
Approval of State Research and Development Work Program (Part 2)	23 CFR 420.111, 23 CFR 420.115, and 23 CFR 420.209	Annually	Prior to Program Period	Office of Planning, Environment & Realty	Technology Services & Planning Team	SHA, Office of Policy and Research	FHWA Division Office Approval.

Approval of State's Distribution of Planning Funds Formula - Allocation Formulas for PL Funds	23 CFR 420.109, 23 USC 104(d)(2)(A)(i)	When Revised	Not Applicable	Office of Planning, Environment & Realty	Planning	MDOT, Office of Planning & Capital Programming	FHWA Division Office Approval.
Review of State Public Involvement Procedures	23 CFR 450.210(a)	As needed	Not Applicable	Office of Planning, Environment & Realty	Planning	MDOT, Office of Planning & Capital Programming, SHA-OPPE	FHWA Division Office Review to Assure Compliance.
Receipt of State Consultation Process for Non-metropolitan Local Officials	23 CFR 450.210(b)	As needed	Not Applicable	Office of Planning, Environment & Realty	Planning	MDOT, Office of Planning & Capital Programming	Informational Purposes.
Review of Long-range Statewide Transportation Plan	23 CFR 450.214	As needed	Not Applicable	Office of Planning, Environment & Realty	Planning	MDOT, Office of Planning & Capital Programming	FHWA Division Office Review to Assure Compliance.
Approval of Statewide Transportation Improvement Program (STIP)	23 CFR 450.216, 23 CFR 450.218(a) & (c), 23 USC 135(g)(7)	At least every 4 years	Not Applicable	Office of Planning, Environment & Realty	Planning	MDOT, Office of Planning & Capital Programming	Joint FHWA and FTA approval.
Approval of STIP Amendments	23 CFR 450.218(a) & (c)	As needed	Not Applicable	Office of Planning, Environment & Realty	Planning	MDOT, Office of Planning & Capital Programming	Joint FHWA and FTA approval.
Finding of Consistency of Planning Process with Section 134 and 135	23 USC 135(g)(8), 23 CFR 450.218(b)	Concurrent with STIP approval	Not Applicable	Office of Planning, Environment & Realty	Planning	MDOT, Office of Planning & Capital Programming	FHWA and FTA issue a joint finding concurrent with STIP approval.
Review of State Self-certification that Planning Process is in Accordance with Applicable Requirements	23 CFR 450.218(a)	Submitted with proposed STIP or STIP amendments	Not Applicable	Office of Planning, Environment & Realty	Planning	MDOT, Office of Planning & Capital Programming, MDOT-ODE	Received with STIP.
Approval of Transportation Management Area (TMA) MPO Unified Planning Work Programs (UPWP)	23 CFR 450.308(b) and 23 CFR 420 (Subpart A)	Prior to Program End	Not Applicable	Office of Planning, Environment & Realty	Planning	MDOT, Office of Planning & Capital Programming	
Approval of Non-TMA UPWA	23 CFR 450.308(b) and 23 CFR 420 (Subpart A)	Prior to Program End	Not Applicable	Office of Planning, Environment & Realty	Planning	MDOT, Office of Planning & Capital Programming	May use simplified work statement.
Approval of UPWP Revisions and Amendments (All MPO's)	23 CFR 420.115	As needed	Not Applicable	Office of Planning, Environment & Realty	Planning	MDOT, Office of Planning & Capital Programming	
Review of UPWP Performance and Expenditure Reports (All MPO's)	23 CFR 420.117(b)	Not more frequently than quarterly	Not Applicable	Office of Planning, Environment & Realty	Planning	MDOT, Office of Planning & Capital Programming	
Approval of Report Before Publication (All MPO's)	23 CFR 420.117(e)	As needed	Not Applicable	Office of Planning, Environment & Realty	Planning	MDOT, Office of Planning & Capital Programming	Waiver may be granted.

Approval to use Planning Funds outside Urbanized Areas for States Receiving Minimum Apportionment	23 USC 104(d)(1)(A)(ii)	As needed	Not Applicable	Office of Planning, Environment & Realty	Planning	MDOT, Office of Planning & Capital Programming	
Review of Metropolitan Planning Area Boundary (Establishment and Changes)	23 CFR 450.312	As needed	Not Applicable	Office of Planning, Environment & Realty	Planning	MDOT, Office of Planning & Capital Programming, SHA-OPPE	Approval by MPO and the Governor, shape files forwarded to HQ. (Comment: No action is required by FHWA/FTA).
Review of Metropolitan Transportation Planning Organizations (MPO) Designation and Re-designation	23 CFR 450.310	As needed	Not Applicable	Office of Planning, Environment & Realty	Planning	MDOT, Office of Planning & Capital Programming	Require agreement between Governor and local governments.
Review of Metropolitan Planning Agreements (MPA) for Attainment or Entire Nonattainment Area	23 CFR 450.314(a)	When Completed	Not Applicable	Office of Planning, Environment & Realty	Planning	MDOT, Office of Planning & Capital Programming	Between MPO/MDOT/Transit Operator. Included in UPWP or Prospectus (23 CFR 450.314(d)).
Review of MPA - for MPA that do not include the entire nonattainment or maintenance area	23 CFR 450.314(b), 23 USC 109(j)	When Completed	Not Applicable	Office of Planning, Environment & Realty	Planning	MDOT, Office of Planning & Capital Programming	Between MPO/MDOT/State AQ Agency.
Review of MPO Public Participation Procedures	23 CFR 450.316(a)	As needed	Not Applicable	Office of Planning, Environment & Realty	Planning	MDOT, Office of Planning & Capital Programming	Must be developed and published.
Review of Metropolitan Transportation Plan (MTP) in Attainment Areas (and Updates)	23 CFR 450.322	Every 4 years	Not Applicable	Office of Planning, Environment & Realty	Planning	MDOT, Office of Planning & Capital Programming	
Review of MTP in Non-Attainment and Maintenance Areas (and Updates)	23 CFR 450.322	Every 5 years	Not Applicable	Office of Planning, Environment & Realty	Planning	MDOT, Office of Planning & Capital Programming	
Review of MTP Amendments	23 CFR 450.322(c)	As Needed	Not Applicable	Office of Planning, Environment & Realty	Planning	MDOT, Office of Planning & Capital Programming	
Air Quality Conformity Determination on LRTP in Non-attainment and Maintenance Areas	23 CFR 450.322(d)	Concurrent with LRTP updates at least every 4 years and as needed on amendments	Not Applicable	Office of Planning, Environment & Realty	Planning	MDOT, Office of Planning & Capital Programming	After receipt of MPO determination; Joint FHWA and FTA determination; In consultation with the Environmental Protection Agency (EPA).

Review of Transportation Improvement Program (TIP)	23 CFR 450.300(a); 23 CFR 450.324(b); 23 CFR 450.328(a); 23 USC 134(j)(1)(D)	Prior to Program Period	Not Applicable	Office of Planning, Environment & Realty	Planning	MDOT, Office of Planning & Capital Programming, SHA-OPPE	No succinct Federal approval action is required for the TIP. FHWA/FTA approval of the TIP is through the STIP approval process.
Review of TIP Amendments	23 CFR 450.324(a); 23 CFR 450.328(b)	As needed	Not Applicable	Office of Planning, Environment & Realty	Planning	MDOT, Office of Planning & Capital Programming, SHA-OPPE	No succinct Federal approval action is required for the TIP. FHWA/FTA approval of the TIP is through the STIP approval process.
Approval of Air Quality Conformity Determination on TIP	23 CFR 450.326; 23 CFR 450.328	At least every 4 years, or when the TIP has been modified (unless exempt projects)	Not Applicable	Office of Planning, Environment & Realty	Planning	MDOT, Office of Planning & Capital Programming	Applies to non-attainment and maintenance areas only. After receipt of MPO determination, joint determination with FTA (in cooperation with EPA).
Federal Finding of Consistency of Planning Process with Section 134 and 135	23 CFR 450.218(b); 23 CFR 450.334(a)	Concurrent with (S)TIP submittal	Not Applicable	Office of Planning, Environment & Realty	Planning	MDOT, Office of Planning & Capital Programming	At least every four years, joint finding with FTA when TIP is submitted.
In Metropolitan Planning Areas, Review of State and MPO Self-certification that Planning Process is in Accordance with Applicable Requirements	23 CFR 450.334 (a), 23 CFR 218(a)	Annually or concurrent with the STIP/TIP cycle	Not Applicable	Office of Planning, Environment & Realty	Planning	MDOT, Office of Planning & Capital Programming, MDOT-OED	Required for all MPO's. May be included in the STIP, TIP, or UPWP, at least every 4 years.
In TMA's, Certification that Planning Process is in Accordance with Applicable Requirements	23 CFR 450.334(b), 23 USC 134(k)(5)	Every 4 years		Office of Planning, Environment & Realty	Planning	MDOT, Office of Planning & Capital Programming, MDOT-OED	Joint FHWA and FTA Certification.
Approval of Federal-Aid Urban Area Boundaries	23 CFR 470.105 (a), 23 USC 101(a)(33)	As needed	Not Applicable	Office of Planning, Environment & Realty	Planning	SHA, Planning, MDOT - OPCP	
Approval of Revision of Functional Classification	23 CFR 470.105 (b)	As needed	Not Applicable	Office of Planning, Environment & Realty	Planning	SHA, Planning, MDOT-OPCP	
Approval by Administrator of Interstate Additions & Revisions	23 USC 103(c)(1)(D), 23 CFR 470.111, 23CFR 470.115 (a)	As needed	Not Applicable	Office of Planning, Environment & Realty	Planning	SHA, Planning, MDOT-OPCP	Approval by HQ – Administrator.

Approval by Office Director of National Highway System (NHS) Additions and Revisions	23 USC 103(b)(3), 23 CFR 470.113 and 470.115(a)	As needed	Not Applicable	Office of Planning, Environment & Realty	Planning	SHA, Planning, MDOT-OPCP	Approved by HQ - Office Director.
Review of CMAQ Annual Report	CMAQ Guidance Memo October 31, 2006	Annually	1-Mar	Office of Planning, Environment & Realty	Planning	MDOT, Office of Planning & Capital Programming	Division provides information on CMAQ projects including: amount of obligation, project description and location, and air quality benefits. The report must be submitted via the web-based CMAQ Tracking System.
Transportation Planning Excellence Awards		Annually	1-Feb	Office of Planning, Environment & Realty	Planning	N/A	Call for entries for the FHWA FTA Transportation Planning and Excellence Awards.
Approval of Local Technical Assistance Program (LTAP) Centers Work Plan and Budget	FHWA LTAP Field Manual	Annually	31-Mar	Office of Planning, Environment & Realty	Technology Services & Planning Team	SHA, Office of Policy & Research	FHWA HQ approval.
Approval of Public Involvement Program Procedures	23 CFR 771.111(h), 23 USC 128	As needed	Not Applicable	Office of Planning, Environment & Realty	Project Delivery & Environment Team	SHA, Office of Planning and Preliminary Engineering	
Approval of NEPA Procedures, including Section 4(f)	23 CFR 771; 23 CFR 774; SAFETEA-LU 6007 & 6009, 23 USC 109(h)	As needed	Not Applicable	Office of Planning, Environment & Realty	Project Delivery & Environment Team	SHA, Office of Planning and Preliminary Engineering	
Approval of Noise Policies	23 CFR 772.7, 772.9, and 772.13, 23 USC 109(i)	As needed	Not Applicable	Office of Planning, Environment & Realty	Project Delivery & Environment Team	SHA, Office of Planning and Preliminary Engineering	FHWA approves State' noise abatement policy.
EIS Status Updates	FHWA Strategic Goal - EIS Timeliness	Quarterly	(Fiscal Year - Oct, Jan, Apr, Jul)	Office of Planning, Environment & Realty	Project Delivery & Environment Team	SHA, Office of Planning and Preliminary Engineering	Monitor time required to complete EIS's. Determine projects which have exceeded recommended timeline (3 years). Identify projects which should be listed as dormant. Submit to HEPE.
Endangered Species Act Cost Report		Annually	1-Mar	Office of Planning, Environment & Realty	Project Delivery & Environment Team	SHA, Office of Planning and Preliminary Engineering	Division submit report to HEPE
Exemplary Ecosystem Initiatives Applications		Annually	1-Apr	Office of Planning, Environment & Realty	Project Delivery & Environment Team	SHA, Office of Planning and Preliminary Engineering	Division submit nominations to HEPE

Approval of Acquisitions, Appraisals, and Relocations Program and Procedures	49 CFR Part 24, The UA	As needed	Not Applicable	Office of Planning, Environment & Realty	Realty	SHA, Office of Real Estate	
Early Acquisitions	23 CFR 710.501	As needed	Not Applicable	Office of Planning, Environment & Realty	Realty	SHA, Office of Real Estate	
Local Public Agency Oversight	49 CFR 24.4(b); 23 CFR 710.201	As needed	Not Applicable	Office of Planning, Environment & Realty	Realty	SHA, Office of Real Estate	
Approval of Highway Facility Relinquishment	23 CFR 620.203	As needed	Not Applicable	Office of Planning, Environment & Realty	Realty	SHA, Office of Real Estate	
Approval of ROW Disposal Authorization Request	23 CFR 710.409	As needed	Not Applicable	Office of Planning, Environment & Realty	Realty	SHA, Office of Real Estate	
Approval of ROW Operations Manual (Organization, Policies and Procedures), Updates, and Certification	23 CFR 710.201	January 1, 2001 and every 3 years thereafter or as required by changes in State law or Federal regulation or law	Not Applicable	Office of Planning, Environment & Realty	Realty	SHA, Office of Real Estate	
Approval of Exception to Charging Fair Market Value	23 CFR 710.403 and 23 CFR 710.409	As needed	Not Applicable	Office of Planning, Environment & Realty	Realty	SHA, Office of Real Estate	
Approval of Interstate Real Property Use Agreements	23 CFR 710.405	As needed	Not Applicable	Office of Planning, Environment & Realty	Realty	SHA, Office of Real Estate	
Approval of Request for Federal Land Transfer	23 CFR 710.601	As needed	Not Applicable	Office of Planning, Environment & Realty	Realty	SHA, Office of Real Estate	
Approval of Request for Direct Federal Acquisition	23 CFR 710.603	As needed	Not Applicable	Office of Planning, Environment & Realty	Realty	SHA, Office of Real Estate	
Approval of Outdoor Advertising Policies and Procedures, and Regulation and Procedure Approval	23 CFR 750.304, 23 CFR 750.705, 23 USC 131	As needed	Not Applicable	Office of Planning, Environment & Realty	Realty	SHA, Office of Real Estate	
Approval of Requests to Exempt Certain Nonconforming Signs, Displays, and Devices	23 CFR 750.503	As needed	Not Applicable	Office of Planning, Environment & Realty	Realty	SHA, Office of Real Estate	

Approval of Railroad Agreement Alternate Procedure	23 CFR 646.220	As needed	Not Applicable	Office of Planning, Environment & Realty			
Approval of Uniform Act Waivers and Waivers from Availability of Comparable Replacement Dwelling before Displacement	49 CFR 24.7, 49 CFR 24.204(b)	As needed	Not Applicable	Office of Planning, Environment & Realty	Realty	SHA, Office of Real Estate	Requests reviewed and approved by HEPR Office Director.
Review of Uniform Relocation Assistance & Real Property Acquisition Report -(OMB Form 2125-0030)	49 CFR 24.9c & Appendix B 49 CFR 24.603	Annually	15-Nov	Office of Planning, Environment & Realty	Realty	SHA, Office of Real Estate	Submitted to FHWA Headquarters (HQ).
Review of Real Property Acquisition Statistical Report	FHWA Order 6540.1	Annually	15-Nov	Office of Planning, Environment & Realty	Realty	SHA, Office of Real Estate	
Approval of Management Process and Project Selection Procedures and Certification for Research, Development & Technology Transfer Program and Revisions to Process	23 CFR 420.115 and 23 CFR 420.209	As needed	Not Applicable	Office of Planning, Environment & Realty	Technology Services & Planning Team	SHA, Office of Policy & Research	FHWA Division Office Approval.
Periodic Review of States Management Process of the Research, Development & Technology Transfer Program	23 CFR 420.209	Periodic	Not Applicable	Office of Planning, Environment & Realty	Technology Services & Planning Team	SHA, Office of Policy & Research	FHWA Division Office Periodic Review.
Approval of Performance and Expenditure Reports for SPR Research Work Programs	23 CFR 420.117	No less frequently than annual and no more frequently than quarterly	90 Days After End Of Period	Office of Planning, Environment & Realty	Technology Services & Planning Team	SHA, Office of Policy & Research	FHWA Division Office Approval.
Approval of SPR research reports	23 CFR 420.117	Prior to publication unless prior approval is waved	Not Applicable	Office of Planning, Environment & Realty	Technology Services & Planning Team	SHA, Office of Policy & Research	FHWA Division Office Approval unless waived.
Annual Traffic Reports	Traffic Monitoring Analysis System and Traffic Monitoring Guide reporting	Annually	Not Applicable	Office of Highway Policy information	Planning	Data Services Engineering Division	When Published

Approval of Annual Field Review Report	HPMS Field Review Guidelines (June 2001) Continuous Process Improvement Model for HPMS(February 2003)	Annually	1-Nov	Office of Highway Policy information	Planning	Data Services Engineering Division	Review memo to HQ.
Approval of Certified Public Road Mileage	23 CFR 460.3(b)	Annually	1-Jun	Office of Highway Policy information	Planning	Data Services Engineering Division	Each year, the Governor of each State and territory or a designee must certify Public Road Mileage. FHWA division reviews the Mileage and sends to HQ with division review/concurrence. This is reported to NHTSA for Apportionment of Safety Funds.
Approval of Data Submittal	23 CFR 420.105(b), HPMS Field Manual	Annually	15-Jun	Office of Highway Policy information	Planning	Data Services Engineering Division	MDOT sends directly to Division Office and HQ.
Highway Statistics Reports	Guide to Reporting Highway Statistics			Office of Highway Policy information		SHA, Office of Planning and Preliminary Engineering	MDOT of Division Office sends directly to HQ.
Motor Fuels Report	A Guide to Reporting Highway Statistics, Chapter 2	Due 60 days after end of each reporting month		Office of Highway Policy information	Planning	MD Comptroller	
Vehicles and Drivers (561, 562, 566, and 571)	A Guide to Reporting Highway Statistics, Chapters 3, 4, 5, and 6	1-Apr	1-Apr	Office of Highway Policy information	Planning	SHA, Office of Finance	
Finance (531, 532, 541, 542, and 543 (optional))	A Guide to Reporting Highway Statistics, Chapters 8 and 9	1-Apr	1-Apr	Office of Highway Policy information	Planning	SHA, Office of Finance	
Transportation Bond Referendums	A Guide to Reporting Highway Statistics, Chapter 9	When Published	When Published	Office of Highway Policy information	Planning	SHA, Office of Finance	
MDOT / Toll Authority Audits and Published Annual Reports and Form 539 (optional)	A Guide to Reporting Highway Statistics, Chapter 10	When Published	When Published	Office of Highway Policy information	Planning	SHA, Office of Finance	Annually. Due as soon as available
Finance (536)	A Guide to Reporting Highway Statistics, Chapter 11	30-Sep	30-Sep	Office of Highway Policy information	Planning	SHA, Office of Finance	Biennially for odd-numbered years. Due nine months after end of reporting year

Finance (534)	A Guide to Reporting Highway Statistics, Chapter 12	15-Jun	15-Jun	Office of Highway Policy information	Planning	SHA, Office of Finance	Annually for State, Biennially for local
Highway Finance and Tax Legislation	A Guide to Reporting Highway Statistics, Chapter 13	When Published	When Published	Office of Highway Policy information	Planning	SHA, Office of Finance	
MDOT Budgets and Published Annual Reports	A Guide to Reporting Highway Statistics, Chapter 13	When Published	When Published	Office of Highway Policy information	Planning	SHA, Office of Finance	
Motor Fuel Oversight Review	July 24, 2001 HQ Memo	Initial baseline reports no later than December 31, 2003		Office of Highway Policy information	Planning	MD Comptroller	Annual progress reports and statement of verification by June 30. Submitted via UPACS.
Review of Biennial - Toll Facilities in the United States	23 CFR 450.105(b) HPMS Field Manual	Biennially - Odd Years	June 15 (Odd Years)	Office of Highway Policy information	Planning	SHA, Office of Finance	Division Office sends to HQ.
State Highway Maps (Tourist)		When Published	When Published	Office of Highway Policy information	Planning	Data Services Engineering Division	Two copies to each Division Office and 100 copies to HQ.
Traffic Flow Maps		Annully	April	Office of Highway Policy information	Technology Services/Planning Team	SHA, Office of Planning and Preliminary Engineering	Traffic volume maps are published to SHA internet annually..
Vehicle Classification Data	MAP-21, HPMS Field Manual, Traffic Monitoring Guide	15-Jun	15-Jun	Office of Highway Policy information	Planning	Data Services Engineering Division	Part of Annual HPMS submittal.
Highway Use Tax Evasion Grant Awards	23 USC 143	Annual	Not Applicable	Office of Highway Policy information	Planning	MD Comptroller	FHWA along with the Internal Revenue Service will review applications and select awardees for projects designed to reduce or eliminate fuel tax evasion. FHWA will also review annual progress reports on projects.
Heavy Vehicle Use Tax (HVUT) – Certification of verifying proof-of-payment of HVUT	23 CFR 669.7	1-Jul	1-Jul	Office of Highway Policy information	Planning	MD, Motor Vehicle Administration	Each year, the Governor of each State, or a designee must certify that the State is verifying that the HVUT has been paid before they issue or renew registrations on vehicles over 55,000 lbs. The HVUT program is administered by the Internal Revenue

							Service.
Heavy Vehicle Use Tax (HVUT) – Certification of verifying proof-of-payment of HVUT	23 CFR 669	Annual	1-Jan	Office of Highway Policy information	Planning	MD. Motor Vehicle Administration	Each year, the Governor of each State, or a designee must certify that the State is verifying that the HVUT has been paid before they issue or renew registrations on vehicles over 55,000 lbs. The HVUT program is administered by the Internal Revenue Service.
Heavy Vehicle Use Tax (HVUT) – Triennial review of State program	23 CFR 669.21	Triennial	Not Applicable	Office of Highway Policy information	Planning	MD. Motor Vehicle Administration	Every 3 years, the local Division Office will perform a review of the State process for verifying that the HVUT has been paid before a registration can be issued or renewed for vehicles over 55,000 lbs. The HVUT program is administered by the Internal Revenue Service.
Permanent ATR Data	Heavy Vehicle Travel Information System Field Manual	Monthly	Monthly	Office of Highway Policy information	Planning	Data Services Engineering Division	Submit monthly to FHWA Travel Monitoring Analysis System (TMAS) within 20 days after the close of the month for which the data were collected.
Continuous Automatic Vehicle Classifier Data	Heavy Vehicle Travel Information System Field Manual	Monthly	Monthly	Office of Highway Policy information	Planning	Data Services Engineering Division	Send up to one week of data per quarter

Weight and Vehicle Classification Data Collected at Weigh-in-motion sites	Heavy Vehicle Travel Information System Field Manual	15-Jun	As needed	Office of Highway Policy information	Planning	Data Services Engineering Division	Submit monthly to FHWA Travel Monitoring Analysis System (TMAS), within 20 days after the close of the month for which the data were collected
Approval of MAP-21 compliant SHSP update within the legislatively required timeframe.	23 U.S.C. 148 (d)(2)(B)	Non Recurring	By Aug. 1 of the fiscal year after the HSIP final rule is established	Office of Safety	Operations and Safety Engineer	MD, Motor Vehicle Administration, Maryland Highway Safety Office	FHWA Division Offices provide copy of SHSP process approval letter to HQ.
Highway Safety Improvement Program (HSIP) and Railway-Highway Crossing Program (RHCP) Reports	23 USC 148(h), 23 CFR 924.15	Annually	31-Aug	Office of Safety	Operations and Safety Engineer	SHA, Office of Traffic & Safety	As per MAP-21 guidance, reports are due to FHWA Division Office by August 31st and to the Office of Safety by September 30.
Transportation Performance Management (TPM) for Safety	23 USC 150, 23 USC 134, 23 USC 135, 23 USC 148(i)	Annually	31-Aug	Office of Safety	Operations and Safety Engineer	MD, Motor Vehicle Administration, Maryland Highway Safety Office	Per MAP-21, States and MPOs must set targets for established measures. Targets must be assessed for achievement
Review Drug Offender Driver's License Suspension Law & Enforcement Certification (Section 159)	23 USC 159 23. CFR 192.5	Annually	1-Jan	Office of Safety	Operations and Safety Engineer	MD, Motor Vehicle Administration, Maryland Highway Safety Office	Certifications due to the Division Office by January 1.
Section 154/164 Compliance Status - Funds Reservation	23 USC 154 and 23 USC 164	Annually	30-Oct	Office of Safety	Operations and Safety Engineer	MD, Motor Vehicle Administration, Maryland Highway Safety Office	States must submit a Shift letter to the Division Office by Oct. 30 indicating how to apply the penalty. New penalty states have additional time. The Office of Safety processes the compilation of information in a memo to the CFO.
Review Safety Belt Compliance Status	23 USC 153, 23 CFR 1215.6	Annually	Annually	Office of Safety	Operations and Safety Engineer	MD, Motor Vehicle Administration, Maryland Highway Safety Office	NHTSA

High Risk Rural Roads (HRRR) Special Rule	23 USC 148(g)(1)	Annually	Annually	Office of Safety	Operations and Safety Engineer	MD. Motor Vehicle Administration, Maryland Highway Safety Office	After the final FARS and HPMS data are available, FHWA HQ will inform the States if the HRRR Special Rule applies for the following FY.
Older Drivers and Pedestrians Special Rule	23 USC 148 (g)(2)	Annually	31-Aug	Office of Safety	Operations and Safety Engineer	MD. Motor Vehicle Administration, Maryland Highway Safety Office	States should include in their annual HSIP reports (due August 31st) the calculations performed, verifying whether the Older Driver Special Rule applies in the State. If the Special Rule applies to a State in a given year, the State must include in its subsequent SHSP strategies to address the increases in the fatality and serious injury rates for drivers and pedestrians over the age of 65.
FHWA Emergency Preparedness Program	Executive Order 12656 and FHWA Order 1910.2C	As needed	Not Applicable	Office of Operations	Emergency Coordinator	N/A	National Programs

ATTACHMENT C
MANUALS AND OPERATING AGREEMENTS
(As of April 8, 2015)

MDOT Manuals (approved and/or pending by FHWA for use on Federal-aid projects)

State Highway Access Manual Engineering Access Permits Division – January 2004

Accessibility Guidelines for Pedestrian Facilities along State Highways

Affirmative Action Plan

Bicycle Policy and Design Guidelines – January 2015

Book of Standards for Highway and Incidental Structures

Consultant Selection Internal Guidelines

Construction Directives

Construction Manual

Cultural Resources Manual

Design-Build Manual

Disadvantaged Business Enterprise (DBE) Plan

Environmental Procedures Manual

Environmental Documentation for Local Government

Federal Highway Bridge Program Guidelines for Local Government

Guidelines for Application of Rumble Strips and Rumble Stripes

Guidelines for Traffic Barrier Placement and End Treatment

Highway-rail Crossing Safety Improvement Program SOP

Highway Cost Estimating Manual

Highway Design Policy and Procedures Manual

Highway Drainage Manual

Landscape Design Guide

LPA Construction Manual

Maryland Action Plan

Maryland SHA Roundabout Design Guidelines

Material Management System

MDOT SHA Highway Noise Policy – August 2011

Office of Real Estate Operational Guidelines

OHD Project Development Process Manual

OOS – Guide for Completing Structure Inventory and Appraisal Input Forms

OOS – Policy and Procedure Memorandums

OOS – Structural Standards Manual

OOS – Manual for Hydraulic and Hydrology Design

OOS - Preventive Maintenance Agreement

Quality Assurance Manual

Pavement and Geotechnical Design Guide

Policy and Procedure Manuals (each SHA Office, if any)

Project Planning Manual

Public Involvement Manual

Standard Plans/Drawings

Standard Specifications for Construction and Materials - 2008

Statewide ITS Architecture
Strategic Highway Safety Plan
Structural Standards Manual Vol 1 and 2
Supplemental and Standard Specifications
Title VI Plan
Maryland MUTCD
Tourist Area and Corridor (TAC) Sign Guidelines
Utility Policy
Utility Procedures Manual
Value Engineering Policy

Operating (Programmatic) Agreements

Historic Highway Bridges in Maryland
Maryland's Streamlined Environmental and Regulatory Process
Programmatic Agreement for Processing Certain Categorical Exclusion Actions
Programmatic MOA for Minor Projects between FHWA, MDSHA, MHT and ACHP
Programmatic Agreement among FHWA, MDSHA, ACHP and MHT regarding MDSHA's
Risk-Based Project Level Oversight

COST SHARING AGREEMENT

- 5. Estimated funds are available and will be paid by the requesting organization, other than Counties, Municipalities and other State Agencies:
 - By advance deposit for the total estimated costs. Refunds to the advance deposit will be issued at the completion of the project.

- 6. Estimated funds are available and will be paid by the Counties, Municipalities and other State Agencies (check one):
 - a. () By payment of all costs expended to date within 30 days of receipt of SHA’s progress billings.
 - b. () By payment of all costs in excess of federal recovery either as an advance deposit or 30 days of receipt of SHA’s progress billings

- 7. Requesting organizations (including other State Agencies) other than Counties and Municipalities will be billed monthly.

- 8. Counties and Municipalities will be billed as follows:
 - A project/local share which does not exceed \$60,000 will be billed quarterly
 - A project/local share which exceeds \$60,000 will be billed monthly.

- 9. Should the County or Municipality default in remitting payment to the State for their portion of the work, their Highway User Revenue Funds will be reduced accordingly.

- 10. Costs incurred in excess of the advance deposit, if applicable, will be billed monthly.

Authorized Representative of Date
Requesting Organization

District Engineer or Senior Manager Date

- Preliminary

- Congressional District

- Final 25C

ALLEGANY COUNTY LOCAL GOVERNMENT BRIDGE REPLACEMENT/REHABILITATION

A. FEDERAL AID PROGRAMING DOCUMENT

Federal Contract No	_____	Local/Termini:	_____	ADT	Present/Yr.:	_____
State Contract No	_____		_____		Future/Yr. :	_____
Local Contract No.	_____		_____		Federal-aid System:	_____
Item No.	_____	State Road Inventory Milepoints:	_____		Probable Ad Date:	_____

Local/State Supplemental Agreement Required: Yes No

B. WORK PHASE

	<u>Total Cost</u>	<u>Federal Funds</u>	<u>State/Local</u>
PE	_____	_____	_____
ROW	_____	_____	_____
Constr. (Neat & 10%)	_____	_____	_____
Project Total:	_____	_____	_____

C. PUBLIC HEARINGS

<input type="checkbox"/> Required	<input type="checkbox"/> Location Hearing	(Date: _____)
<input type="checkbox"/> Not Required	<input type="checkbox"/> Design Hearing	(Date: _____)
<input type="checkbox"/> To be determined	<input type="checkbox"/> Combined Hearing	(Date: _____)

D. PREVIOUS FEDERAL-AID PROJECTS

PE _____ ROW _____

G. PROJECT DESCRIPTION

1. Existing Conditions: _____

2. Proposed Project: _____

3. Additional right-of-way **Yes** required? Proposed width: _____ Relocation(s) required? **Yes** No. of businesses/residents: _____

H. BRIDGE ELEMENTS

<input type="checkbox"/> Bridge Replacement	Bridge No. _____	Code: _____	404 Permit (Navigation	<input type="checkbox"/> Required
<input type="checkbox"/> Bridge Rehabilitation	Sufficiency Rating _____	Bridge Length: _____	Clearance)	<input type="checkbox"/> Not Required

I. CONSTRUCTION DATA

1. Construction within 2 miles of airport? **Yes**

2. Contract Award: Bid Force Account Other, explain _____

If force account, work by: _____

3. Utility relocation/adjustment required? **Yes** Name of Utility _____ Estimated Cost _____

Railroad relocation/adjustment required? **Yes** Name of Railroad _____ Estimated Cost _____

PREPARED BY: _____ **DATE:** _____ **TELEPHONE:** _____ **COUNTY/FIRM:** _____

SHA Recommendation for Approval: _____ SHA Approval of Federal Funds: _____ SHA/FHWA Approval of Federal Funds: _____

SHADED AREA TO BE FILLED OUT BY SHA

E. ENVIRONMENTAL

Catagorical Exclusion No. (Date: _____)

Envir. Assessment/FONSI (Date: _____)

Envir. Impact Statement (Date: _____)

4 (F) Statement (Date: _____)

F. PLANNING

Clearing House Control No. _____ Exempt

Urban Area N/A _____ Exempt

TIP No. _____ STIP No. _____

This Data Sheet is to be filled out for the MAJOR route(s) affected by the project it is not intended for every leg of an intersection nor every cross street.

GEOMETRIC DATA SHEET

Project Description: Route Number – Route Name
Description of Project Limits

SHA Contract No. _____

FAP No. _____

This info can be found in the highway location reference manual – available on the OPPE-HISD Intranet site.

- Expressway Rural Road
 Arterial Urban Road
 Collector

1. Design Data

<u>DESIGN ELEMENTS</u>	<u>EXISTING CONDITION</u> Does it meet AASHTO *	<u>PROPOSED CONDITION</u> Is this an improvement to existing conditions *	<u>** MEETS SHA/AASHTO DESIGN STANDARDS</u>
ADT	***Source:		
% Trucks	***Source %	%	
Design Speed	***Source		
Posted Speed Limits	***Source		
Number of Lanes	***Source		
Through-Lane Width	***Source		
Turn.-Lane Width	***Source		
Shoulder Width	***Source		
Cross Slope	***Source Yes or No If no, give curve data	Yes or No If no, give curve data	
Horizontal Alignments: Curvature* Superelevation* Sight Distance*	***Source		
Vertical Alignments: Grades*	***Source		

<u>DESIGN ELEMENTS</u>	<u>EXISTING CONDITION</u> Does it meet AASHTO *	<u>PROPOSED CONDITION</u> Is this an improvement to existing conditions *	<u>** MEETS SHA/AASHTO DESIGN STANDARDS</u>
Sight Distance*			
Bridge Clear Width	***Source		
Bridge Railings	***Source		
Median Width	***Source		
Clear Zone Width	***Source		
Ditch Slopes (front/back)	***Source		
Culvert End Treatments	***Source	End Sections	
Traffic Barrier	***Source		

* Indicate Yes or No, whether Existing Condition meets applicable standard. Indicate Yes or No, whether Proposed Design will improve existing condition. (If both answers are no, the each milestone report shall contain an explanation of constraints.

** If criteria does not meet applicable standards, a design exception must be requested prior to P.S.& E. submittal.

*** Indicate Source of Data: Survey, As-Builts, Photogrammetry, Field Visit, Title Sheet

2. Certification

- This project meets all applicable AASHTO/SHA design criteria. Approval of the SHA Chief Engineer is not required.

- The construction of this project incorporating the above design feature is recommended for Federal funding. Justification for proposed design elements that do not meet applicable AASHTO/SHA design criteria, and three-year accident history/analysis are attached.

Note: Complete Sections 1 (Design Data) and 2 (Certification) using the information available. Missing or revised data should be provided as the project develops.

APPENDIX B

ENVIRONMENTAL



<insert date>

RE: Project No. xxxxxxxx
Project limits
Scope of Work
County

Mr. J. Rodney Little
State Historic Preservation Officer
Maryland Historical Trust
100 Community Place
Crownsville, MD 21032

Dear Mr. Little:

The (Project Sponsor) is proposing to use federal funds to complete (scope of work) along (project limits) in (County). Work consists of (work items). All work will be completed within existing right-of-way. The project location is identified on the attached map.

We request any information concerning historical, cultural, architectural, or archeological resources within the study area that may be affected by the proposed project.

Very truly yours,

(Director)
(County Agency)

by: _____
(Name)
Project Manager

APPENDIX C

RIGHT-OF-WAY



APPENDIX D

UTILITES



Utility Name _____

COST ESTIMATE FOR RELOCATING FACILITIES
DUE TO STATE HIGHWAY IMPROVEMENTS

Route No. _____ State Contract No. _____

FAP No. _____

Drawing Nos. _____

Description of Adjustments

A. Preliminary Engineering

Salaries and Wages	\$ _____	
Additives	_____	
Supplies	_____	
Transportation	_____	
Consultant	_____	
TOTAL (A)		\$ _____

B. Right of Way

Acquisition Cost		
Salaries	_____	
Expenses	_____	
_____	_____	
Purchase Price	_____	
TOTAL (B)		_____

C. Temporary Construction (Installation and Removal)

Labor		
_____ Hours (Productive) @ _____	_____	
Contract	_____	
Material		
New Material	_____	
(List of Principal Items Attached)		
Handling	_____	
Transportation and Equipment	_____	
Miscellaneous Expense	_____	
Salvage Credit (List of Items Attached)	(_____)	
TOTAL (C)		_____

D. Permanent Construction

Removal of Existing Facilities

Labor

_____ Hours (Productive) @ _____

Contract _____

Transportation and Equipment _____

Miscellaneous Expense _____

Installation of New Facilities

Labor

_____ Hours (Productive) @ _____

Contract _____

Material _____

New Material _____

(List of Principal Items Attached)

Handling _____

Transportation and Equipment _____

Miscellaneous Construction Cost _____

TOTAL (D) _____

E. Transfers or Relocation of
Facilities, Not Replaced _____

F. Construction Engineering and Supervision
(Statement Showing the Factors That Will
be Included in This Overhead is Attached) _____

G. Credit for Betterments Installed in New
Facilities (Detail Record Attached) (_____)

H. Credit for Salvage Value of
Existing Facilities Removed (_____)
(List of Principal Items Attached)

I. Credit for Expired Service Live
of Existing Facilities Removed (_____)
(List of Principal Items Attached)

J. Net Estimated Cost (A to I) \$ _____

K. State Participation (_____ % of J) \$ _____

L. Federal Participation (_____ % of K) \$ _____
(If Less Than 100% of K, Explanation is Attached)

Prepared By _____ Date _____

MARYLAND STATE HIGHWAY ADMINISTRATION

UC-5 CONTRACT ASSIGNMENT FORM

An Assignment in conformance with the terms of the Master Agreement executed as of (DATE) _____ by and between _____ (Utility), and the Maryland State Highway Administration (State), for relocation and adjustment of facilities owned by the Utility,

Contract No. _____
FAP No. _____
Route No. _____

Project Description:

Description of proposed adjustments to Utility facilities, by Drawing Number,

Total Estimated Cost of Adjustment of Utility Facilities \$ _____

Estimated Cost of Reimbursement by MD State Highway Administration \$ _____

Relocation work to be performed (check method applicable).

By contract based on bid (), By Utility forces ().
Under existing written continuing contract ().

All plans, specifications and estimates for work covered by this assignment are included herewith.

Prepared by _____ Date _____
Utility Representative

Approved by _____ Date _____
SHA District Engineer

APPENDIX E

PROJECT DESIGN



Martin O'Malley, *Governor*
Anthony G. Brown, *Lt. Governor*



Beverley K. Swaim-Staley, *Secretary*
Melinda B. Peters, *Administrator*

Maryland State Highway Administration Americans with Disability Act (ADA) Policy on Sub-Recipients

Purpose

The Maryland State Highway Administration (SHA) remains committed to providing full accessibility for all of its customers. The purpose of this document is to provide SHA's plan to ensure compliance with the Americans with Disability Act (ADA) and Section 504 of the Rehabilitation Act of 1973 (Sec. 504), specifically in the area of sub-recipients. Sub-recipients include all entities that receive federal-aid through SHA.

Background

The Federal Highway Administration (FHWA) and the Department of Justice consider the State Highway Administration both a State Transportation Agency (STA) and a recipient because it receives and distributes federal funds to public entities, such as local governments. As an STA, SHA has the responsibility to monitor sub-recipients to ensure their compliance with Title II of the ADA and Sec. 504 with respect to STA-funded (both federal and state dollars) projects and programs that the sub-recipient implements.

Under ADA (28 CFR § 35.130(b)(1)(v)), the state cannot aid or perpetuate discrimination against an individual with a disability by providing significant assistance to an entity that discriminates in providing any aid, benefit, or service to beneficiaries. Similarly, Section 504 (49 CFR § 27.7(v)) provides that a recipient of FHWA funds (e.g. the State) cannot provide financial or other assistance to an agency, organization, or person that discriminates on the basis of disability in providing any aid, benefit or service. Simply stated, SHA cannot provide aid to an organization that is not in compliance with ADA and Section 504.

Currently, guidance on how state transportation agencies are to monitor, oversee or enforce the ADA laws and regulations is very general. Therefore, this policy will outline the measures SHA will take to provide the mandated oversight of sub-recipients.

Who is Covered? If SHA provides federal aid to a local government agency or other entity, all of the operations of the agency, department or organization to which the funds are distributed are covered. Thus all local governments are covered as well as any private entities that accept federal grants. Enhancement grants, safe routes to school funds, earmarks, as well as local highway user revenue distributions are all qualifying funds and therefore recipients must demonstrate compliance in all of their programs.

My telephone number/toll-free number is [410-545-0400](tel:410-545-0400) or [1-800-206-0770](tel:1-800-206-0770)
Maryland Relay Service for Impaired Hearing or Speech 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone 410.545.0300 • www.roads.maryland.gov

SHA ADA Policy on Sub Recipients
Page Two

What is required of Local Governments and other entities? The State, local government and other entities employing 50 or more people must meet the following requirements:

- Apply ADA law
- Apply Section 504
- Develop and disseminate a non-discrimination statement
- Appoint an ADA/Sec. 504 coordinator (employing 15 or more people)
- Publish a grievance procedure (employing 15 or more people)
- Conduct a Self-Evaluation
- Develop a Transition Plan
- Provide Auxiliary Aids (TTD/TTY)
- Provide assurances of compliance through the development of standards, guidelines, policies, procedures, and adequate record keeping.

SHA's Plan for Sub-Recipient Oversight

SHA's plan is multi-faceted and includes education, oversight, design review, consultation and monitoring. The elements of the plan are outlined below.

Sub-Recipient Responsibilities. SHA will distribute information to its sub-recipients outlining their responsibilities under ADA and Section 504. This will be accomplished through letters to each County Engineer as well as in the materials accompanying grant applications such as Transportation Enhancement Program projects or Safe Routes to School projects. Projects along SHA's roadways must meet SHA's design guidelines and other projects must, at a minimum, comply with the Americans with Disabilities Act Accessibility Guidelines (ADAAG). Letters (with annual updates) to the County Engineers will be prepared by the Title II Coordinator. Information included in the grant applications will be the responsibility of the coordinator for each individual program providing funds to sub-recipients.

Acknowledgement of Requirements. With each letter to the County Engineer as well as with each application for federal funds, sub-recipients will be asked to acknowledge their understanding of the requirements of the ADA and Section 504 and certify by signature, that they do/will comply with those requirements. SHA reserves the right to review any of the required materials/policies/programs of the sub-recipient.

Training. SHA will continue to offer training to sub-recipients. Training can include both technical design training as well as construction training for construction staff, contractors and inspectors. Training modules include copies of design standards and a field guide for construction. Training is coordinated and provided by SHA's Office of Highway Development (OHD).

Technical Advice/Consultation. OHD is available to consult, when needed, to provide technical advice on particular projects or design challenges.

SHA ADA Policy on Sub Recipients

Page Three

Design Review. OHD will continue to conduct ADA design reviews of sub-recipient projects. SHA reserves the right to have the authority to allow a sub-recipient to self-certify their projects at SHA's discretion once the following conditions are met:

1. Provide evidence that a Self-Evaluation of their transportation system has been completed;
2. Provide evidence that a Transition Plan has been developed;
3. Provide evidence of standards, guidelines, policies, and/or procedures that have been developed to ensure projects meet the ADA requirements (unless written local guidelines meeting ADAAG have been specifically approved by SHA, in which case SHA's ADA guidelines apply); and
4. Maintain complete records of internal reviews and waivers.

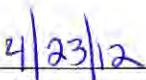
The viability of a sub-recipient to self-certify their projects will likely be entertained only for those local governments that use federal funds through SHA on a frequent basis. Once a sub-recipient has been self-certified, the sub-recipient will submit an annual report to the SHA summarizing their design and construction program and efforts made to address elements in their Transition Plan. SHA will also reserve the right to conduct a formal audit review of a sub-recipient's program to substantiate data submitted in the annual report.

Field Verification. SHA will conduct post-construction field verification on all projects along SHA facilities. In addition, SHA reserves the right to conduct field verification on other sub-recipient projects.

Monitoring/Oversight. If ADA compliance issues arise with a sub-recipient there are several possible outcomes that include but are not limited to the loss of federal funds. For specific issues of non-compliance during construction, the design and/or construction can be modified to correct the deficiency. For administrative issues, SHA may work with the sub-recipient to develop a plan and schedule for implementation of their program. Each situation is unique and will be addressed individually with appropriate SHA ADA Steering committee members. Any of these situations would likely result in a greater level of oversight and monitoring.



Melinda B. Peters
Administrator
State Highway Administration



Date

Martin O'Malley, Governor
Anthony G. Brown, Lt. Governor



James T. Smith, Jr., Secretary
Melinda B. Peters, Administrator

September 18, 2013

MEMORANDUM:

TO: Mr. Jason A. Ridgway
Director, Office of Highway Development

FROM: Dennis L. German
Chief, Community Design Division

BY: Kelvin Saldanha
Project Engineer, Community Design Division *Kevin Saldanha*

SUBJECT: FMIS No. HA214B21
Contract No. HA2145184
FAP No. N/A – State Funded Only
Project: MD 755 (Edgewood Road) Phase II
Community Safety and Enhancement Project
from Willoughby Beach Road to MARC Edgewood Station

RE: Request for Design Exception

Design exceptions are being requested for the MD 755 Community Safety and Enhancement Project (CSEP) for the substandard vertical sight distance for two vertical curves (one located just north of the AMTRAK bridge and one located beneath the AMTRAK bridge).

PROJECT DESCRIPTION

The purpose of the project, located in Harford County, is to provide community and safety enhancement improvements, including pedestrian and bicycle facilities, roadway drainage collection upgrades, roadway widening for bicycle lanes in compliance with SHA's Policy on Marked Bicycle lanes, pavement repairs and resurfacing, and landscaping enhancements along MD 755 (Edgewood Road) from Willoughby Beach Road to the MARC Edgewood Station (Gate Road). MD 755 through the limits of the proposed improvements is an urban minor arterial roadway on the National Highway System (NHS), with a posted speed of 35 mph and seven intersecting side streets, and 26 connecting entrances serving mixed commercial and residential land use.

MD 755 through the project limits consists of a predominant closed section two lane roadway (from Gate Road to Nuttal Avenue) and three-lane roadway (Nuttal Avenue to Willoughby Beach Rd) with limited sidewalks, and closed storm drainage networks conveying roadway runoff. The

Phase II Project is a continuation of the community safety and enhancement improvements constructed under SHA Contract No. HA1315184 - MD 755 Phase I from MD 24 to Willoughby Beach Road. The Phase I improvements were constructed in 2009/2010.

PROJECT DESIGN CRITERIA

2001 "A Policy on Geometric Design of Highways and Streets" – AASHTO

DESIGN EXCEPTION

1. Vertical Curves Along MD 755 Just North of the AMTRAK Bridge

a. Existing Condition

There are two existing compound vertical sag curves located just north of the AMTRAK bridge. Curve characteristics, recorded from CADD, are as follows:

- Curve PVI Sta. 175+45, $G_1 = -6.42\%$, $G_2 = -2.73\%$, $A = 3.69$, Length = 110' (35 mph), Stopping Sight Distance = 207' (30 mph), $K=29$ (25 mph)
- Curve PVI Sta. 176+50, $G_1 = -2.73\%$, $G_2 = +1.03\%$, $A = 3.76$, Length = 100' (35 mph), Stopping Sight Distance = 193' (25 mph), $K=26$ (25 mph)

There were no reported crashes within these two vertical curve locations from January 2009 through December 2011.

b. AASHTO Design Criteria

AASHTO recommends that the vertical curves should be designed with a minimum length of 100' (based on driver comfort-factor, eq. 3-53, pg 279), K-value of 49 (exhibit 3-79, pg 280), and stopping sight distance of 250' (exhibit 3-79, pg 280) for a 35 mph design speed.

c. Proposed Condition

Due to the close proximity of these vertical curves to the existing AMTRAK bridge, the existing characteristics of the curves will be maintained for proposed conditions. There is some existing lighting beneath the AMTRAK bridge and the existing vertical curve lengths are significantly less than the minimum sight distance length. Therefore, the actual sight distance within this area should be considerably greater than the computed sight distance length as vehicles move through the shorter vertical curves; refer to Figure 1 below.

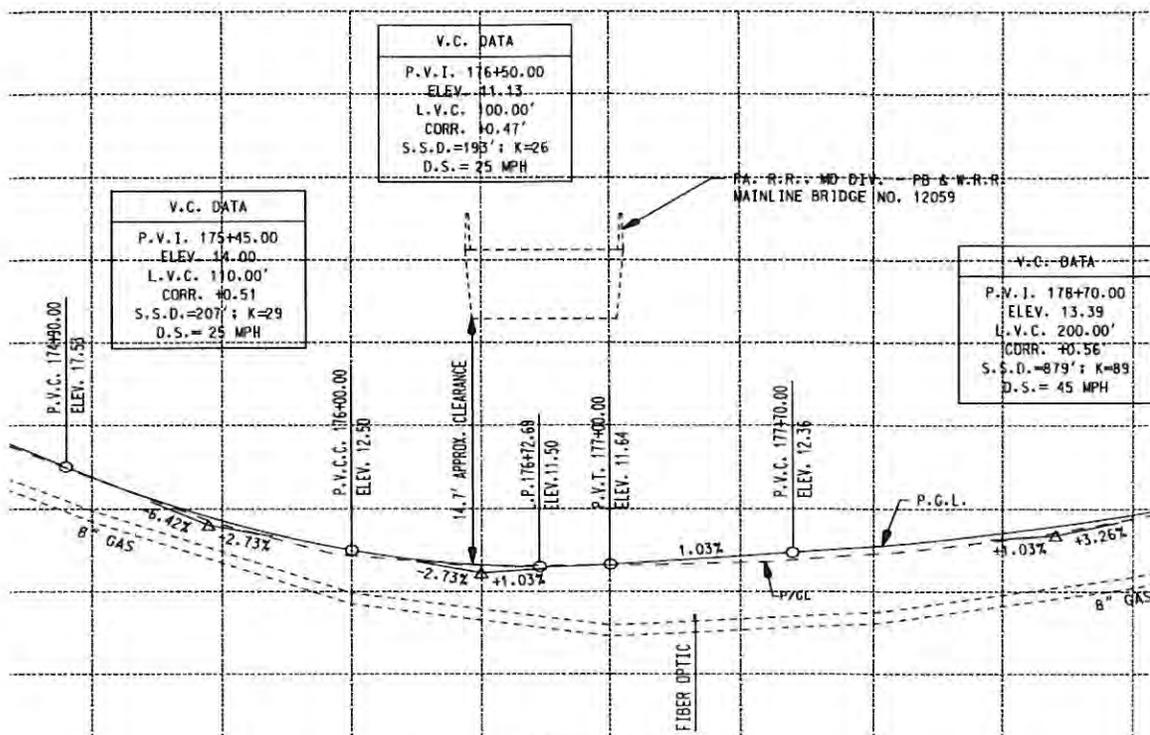


Figure 1

d. Design Restrictions

These two vertical curves are located just to the north of the existing AMTRAK bridge and within the limits of the existing retaining walls for the AMTRAK bridge.

Adjusting the profile in this area was studied, but is not reasonable. The Office of Structures has stated that the existing bridge under-clearance of 14'-8" is already deficient and cannot be further reduced. The Office of Materials Technology has stated that the existing pavement section cannot be reduced at all, and that lowering the profile would require full reconstruction of the roadway. Furthermore, the drainage network at the underpass is integrated into the bridge abutments and the retaining walls. The system currently consists of two parallel drainage vaults and connecting reinforced concrete pipes to carry stormwater away from the sump at the underpass. Full reconstruction of the roadway to lower the existing profile cannot be accomplished without replacement of the existing drainage network, which would also require replacement of the bridge and adjoining structures. The estimated replacement cost for the bridge itself ranges from four to six million dollars. The bridge and adjoining retaining walls have not been deemed structurally deficient by AMTRAK's inspection personnel. AMTRAK has stated that any modifications thereto can only be made by its own contractual maintenance and labor forces, as required by union regulations. The replacement of these structural components hence falls outside of the scope of work for this project; moreover outside the jurisdiction of SHA and would require a delay to the project until such a time that AMTRAK could program funds for this purpose.

e. Design Exception

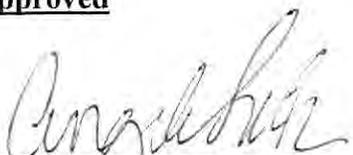
The lengthening of these curves that would be required to achieve the desired 35 mph design speed would extend approximately 170 ft. and 140 ft. to the north and south, respectively, of the AMTRAK bridge. The theoretical minimum required wall removal would be 10 L.F. on the northwest, 20 L.F. on the northeast, 12 L.F. on the southwest and 27 L.F. on the southeast quadrant. These limits of the retaining wall removal were established by determining the location where the top of an 8" curb placed at the edge of the roadway would be level or lower with the top of the existing retaining walls. Such modifications would further reduce the vertical under-clearance distance beneath the AMTRAK bridge (ex. under-clearance is 14'-8") and/or would require reconstruction of the existing AMTRAK bridge and/or the roadway (lowering – grade cut) along with reconstruction of the retaining walls adjacent to the AMTRAK bridge to provide the adequate under clearance. For these reasons, it is not reasonable to increase the curve lengths as necessary to achieve the 35 mph design speed.

f. Proposed Mitigation

There is some existing lighting beneath the AMTRAK bridge and the existing vertical curve lengths are significantly less than the minimum sight distance length. Therefore, the actual sight distance within this area should be considerable greater than the computed sight distance length as vehicles move through the shorter vertical curves. When the bridge lighting is factored in, the K-values actually yield a design speed of 35 mph for the two vertical curves. The posted speed limit just south of the bridge is set at 15 mph. As part of the signing and marking improvements included in this project, a speed reduction warning sign (MD MUTCD W3-5) will be placed north of the bridge, ahead of the deficient vertical curves. For these reasons, we believe that a design exception is warranted.

If you have any questions or comments, or if there are any corrections or additions to this memorandum, please do not hesitate to contact Mr. Kelvin Saldanha at 410-545-8045 or via e-mail at ksaldanha@sha.state.md.us.

Approved

 10/28/13

Jason A. Ridgway Date
Director, Office of Highway Development

Martin O'Malley, *Governor*
Anthony G. Brown, *Lt. Governor*



James T. Smith, Jr., *Secretary*
Melinda B. Peters, *Administrator*

MEMORANDUM

TO: Mr. Jason A. Ridgway, Director
Office of Highway Development

FROM: Lisa B. Choplin
Chief, Innovative Contracting Division 

BY: Nate Evans
Innovative Contracting Division

DATE: April 9, 2014

SUBJECT: SHA Contract No. MO1505188
FMIS No. MO150C21
MD 187 Bethesda Trolley Trail from Lincoln Drive to Charles Street

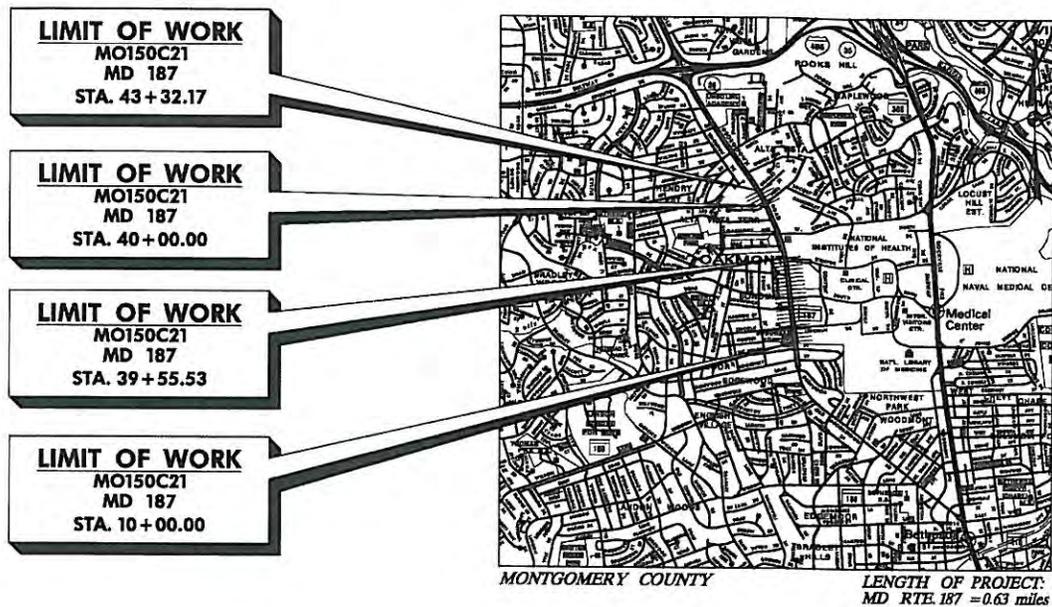
RE: Bicycle Compatibility Waiver Request

PROJECT DESCRIPTION:

This project, which is located in Montgomery County, involves constructing a new shared use path along approximately 0.63 miles of MD 187 (Old Georgetown Road) from Lincoln Drive to Center Drive and Alta Vista Road to Charles Street. MD 187 is a six (6) lane, closed section roadway. The existing travel lanes vary in width between ten and thirteen feet. The primary purpose of this project is to improve bicycle and pedestrian safety within the limits of the project. This project consists of bicycle and pedestrian access improvements, ADA ramp construction and sidewalk repairs.

END RCVD MAY 20, 2014

LOCATION MAP:



MD 187 - Bethesda Trolley Trail from Lincoln Drive to Charles Street

PROJECT PHOTOS

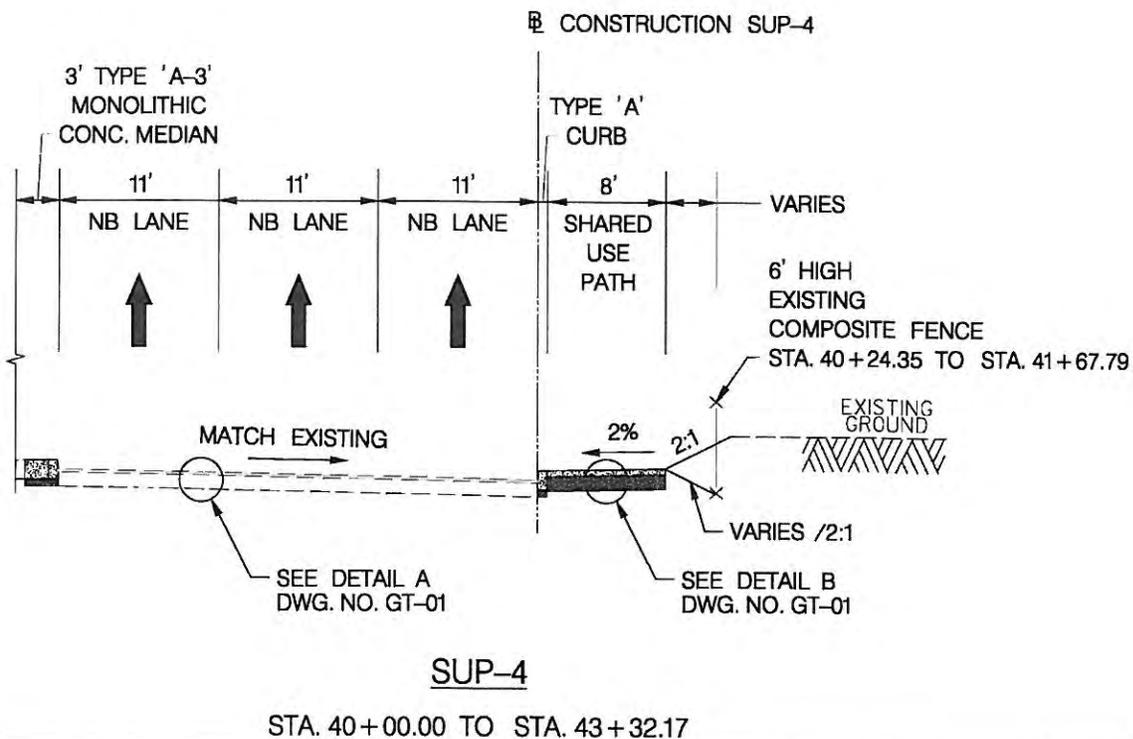


MD 187 – Facing NB from Station 40+50



MD 187 – Looking SB from Station 42+00

TYPICAL SECTION:



MASTER PLAN:

According to the Montgomery County’s “*Countywide Bike Functional Master Plan*” dated 2005, this section of MD 187 has been identified for development of shared use bike path/off-road (Class 1). There is no mention for this portion of MD 187 within the Maryland Department of Transportation’s (MDOT) *Twenty Year Bicycle & Pedestrian Access Master Plan* (October 2013).

BICYCLE LEVEL OF COMFORT (BLOC):

Currently, there are no bicycle facilities along MD 187 within the project limits. The Bicycle Level of Comfort (BLOC) for the existing conditions on MD 187 is **F (6.84)** between Lincoln Drive and Charles Street (See Attachment A for the existing BLOC).

CORRIDOR BICYCLE FACILITY ALTERNATIVES COMPARISON

Route Name	From (N or W)	To (S or E)	Len. (Ls) (MI)	Lanes (L)		Traffic Data		Post. Spd. (SPp) (mph)	Width of Pavement			Occu. OSP % (OSPA) (%)	Pvmt Cond (PR ₅) (1..5)	BLOS	
				Th #	Con.	Vol. (ADT) (vpd)	Pct. (HV) (%)		(Wt) (ft)	(Wl) (ft)	(Wps) (ft)			Score	Grade (A..F)
Existing Conditions															
MD 187 (Old Georgetown Rd)	Charles Street	Lincoln Street	0.70	6	D	44,091	10	40	11.0			0	3.0	7.08	F
Alternatives Evaluation															
n/a															

- L = Total number of through lanes
- Con = Configuration of the road segment
U = undivided, D = divided
- ADT = Average Daily Traffic on the segment or link
- HV = estimated percentage of trucks
- Spd. Lmt (SP_p) = Posted Speed Limit
- W₁ = total width of outside lane (and shoulder) pavement
- W₁ = width of paving between the outside lane stripe and the edge of pavement, if any
- W_{ps} = width of parking
- OSPA = percentage of segment with occupied on-street parking
- PC = pavement condition, 1 being the worst and 5 being best

OVERVIEW OF WAIVER REQUEST:

According to the *SHA Bicycle Policy & Design Guidelines*, SHA “... shall make accommodations for bicycling and walking a routine and integral element of planning, design, construction, operations, and maintenance activities as appropriate.” Additionally, the *SHA Bicycle Policy & Design Guidelines* states that creating a regional bicycle network that connects both on-road and off-road facilities to transit stops, key community destinations, and other traffic generators and destinations is critical to moving Maryland towards a complete multi-modal transportation system.

This location will require a bicycle compatibility design waiver request from the *SHA Bicycle Policy & Design Guidelines*:

NON-COMPLIANCE:

MD 187 is a divided highway with three lanes in each direction. While the project will create a 10' wide shared use path, there is one section where the path narrows to 8' in width. This section is located between Alta Vista Road and Charles Street.

MITIGATING CONDITIONS:

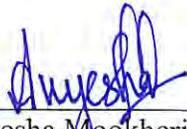
The mile long section of the shared use path along MD 187 will greatly enhance bicycle and pedestrian access along the Bethesda Trolley Trail. The proposed shared use path will replace the existing 5' wide sidewalk off-road bicycle route with a 10' wide path parallel to MD 187. The path design maintains a 10' width aside from the described location above. To increase the width of the shared use path, the concrete median on MD 187 between Alta Vista Road and Charles Street will be reduced in width from 4' to 2' and the curb line shifted 2' to the inside of the roadway in order to provide the minimum width of 8' for the shared use path. Providing an additional 2' to the width of the path would require major right-of-way impacts to the adjacent private property.

With the planned adjustments to the MD 187 roadway between Alta Vista Road and Charles Street, the proposed outside travel lane width will be 11'. To improve bicycle compliance along the MD 187 roadway, R4-11 "Bikes May Use Full Lane" will also be installed.

APPROVAL:

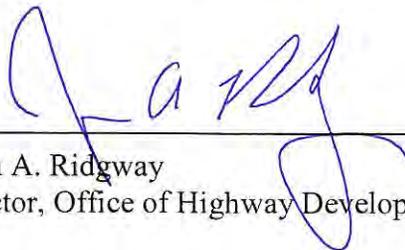
We are hereby requesting your approval for this bicycle compatibility waiver.

Concurrence:



Anyesha Mookherjee
Assistant District Engineer, Traffic

Date



Jason A. Ridgway
Director, Office of Highway Development

Date

5/22/14

Larry Hogan, *Governor*
Boyd K. Rutherford, *Lt. Governor*



Pete K. Rahn, *Secretary*
Douglas H. Simmons, *Acting Administrator*

August 19, 2015

MEMORANDUM

TO: Mr. Jason A. Ridgway, Director
Office of Highway Development

FROM: Lisa Choplin
Chief, Innovative Contracting Division

BY: John Gover
Project Engineer

SUBJECT: FMIS No. WA399A54
Contract No. XX5325633
Project: ADA Compliance Program – District 6
US 40 Alternate (Baltimore Street) from Chestnut Street to
US Post Office

RE: ADA Waiver Request

PROJECT DESCRIPTION:

The project, which is located in Funkstown, Washington County, involves replacing existing sidewalk and constructing new ADA compliant sidewalk along US 40 Alternate (Baltimore Street) from Chestnut Street to the US Post Office. Sidewalk improvements include construction of new curb & gutter, sidewalk, curb ramps and driveway entrances.

OVERVIEW OF WAIVER REQUEST

According to *SHA Accessibility Policy & Guidelines for Pedestrian Facilities along State Highways* (June 2010), sidewalk width shall be a minimum of 5 feet wide and cross-slope shall be a maximum 2% (48:1), including crossings of driveways or entrances. However, due to isolated circumstances not all areas can be reconstructed to meet the width and cross slope requirements.

The following locations reflect where a design waiver from SHA Accessibility Policy & Guidelines for Pedestrian Facilities along State Highways is being requested:

My telephone number/toll-free number is _____
Maryland Relay Service for Impaired Hearing or Speech 1.800.735.2258 Statewide Toll Free



**US 40 Alt (Baltimore Street)
STA. 9+75
Looking EB (S Edgewood Drive)**

Non-Compliance: This portion of the sidewalk along S Edgewood Drive has a width of 37” between the back of curb and wall. This portion of the sidewalk does not meet the minimum 60” width of sidewalk required by SHA Guidelines. The wall cannot be relocated and there is insufficient roadway width to bump out the curb. Therefore, constructing the concrete sidewalk to 60” cannot be achieved.

Mitigating Conditions: The available 37” width of sidewalk between the back of curb and wall exceeds SHA’s acceptable minimum 36” width of travel way. The ramp is the only portion being redone since the run of sidewalk is not on US 40 Alt.

APPROVAL:

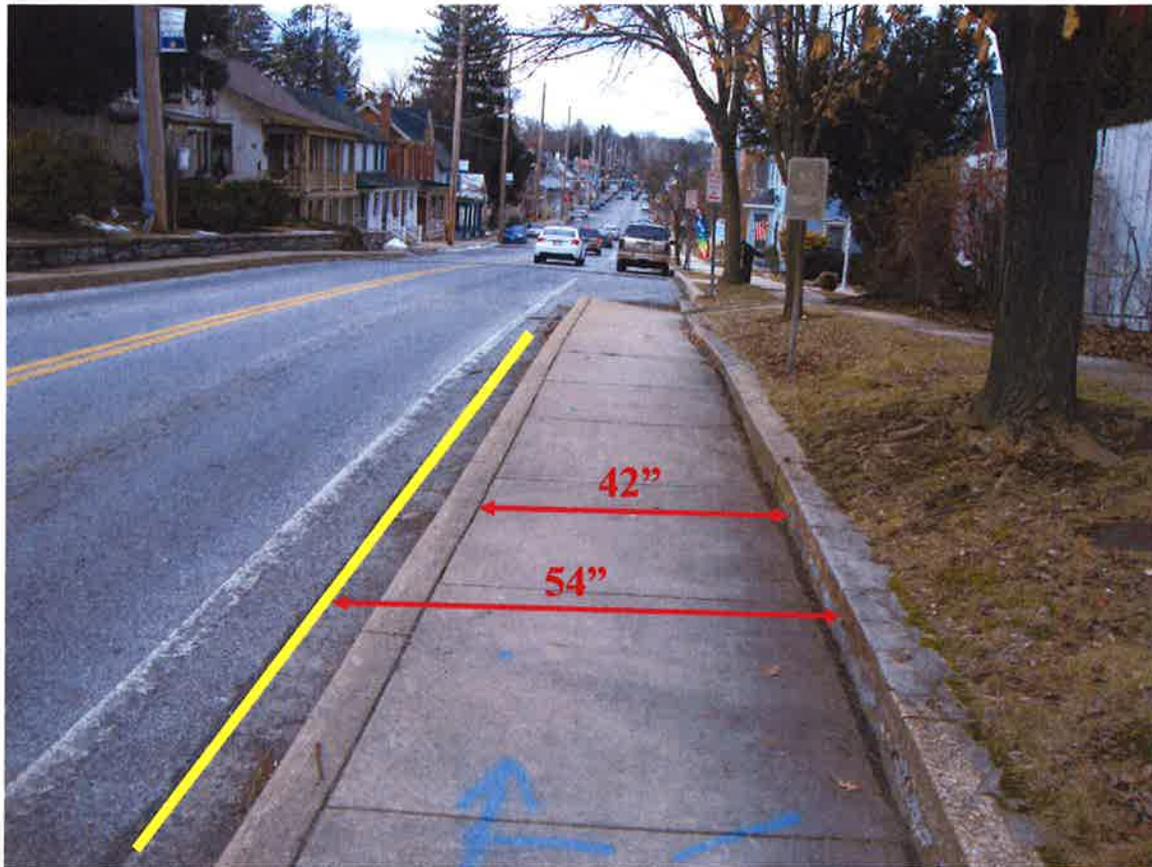
We are hereby requesting your approval for this design waiver.

Concurrence

Jason A. Ridgway

Director, Office of Highway Development

Date



**US 40 Alt (E Baltimore Street)
STA. 13+57 to STA. 14+29
Looking NB**

Non-Compliance: This portion of the sidewalk along US 40 Alt. has a current width of 42” between the back of curb and stone wall. The proposed sidewalk will have a width of 54” once the curb is bumped out a maximum distance of 1 foot. This portion of the sidewalk does not meet the minimum 60” width of sidewalk required by SHA Guidelines. The wall cannot be relocated and the width of the street will only allow the curb to be bumped out a maximum of 1 foot. Therefore, constructing the concrete sidewalk to 60” cannot be achieved.

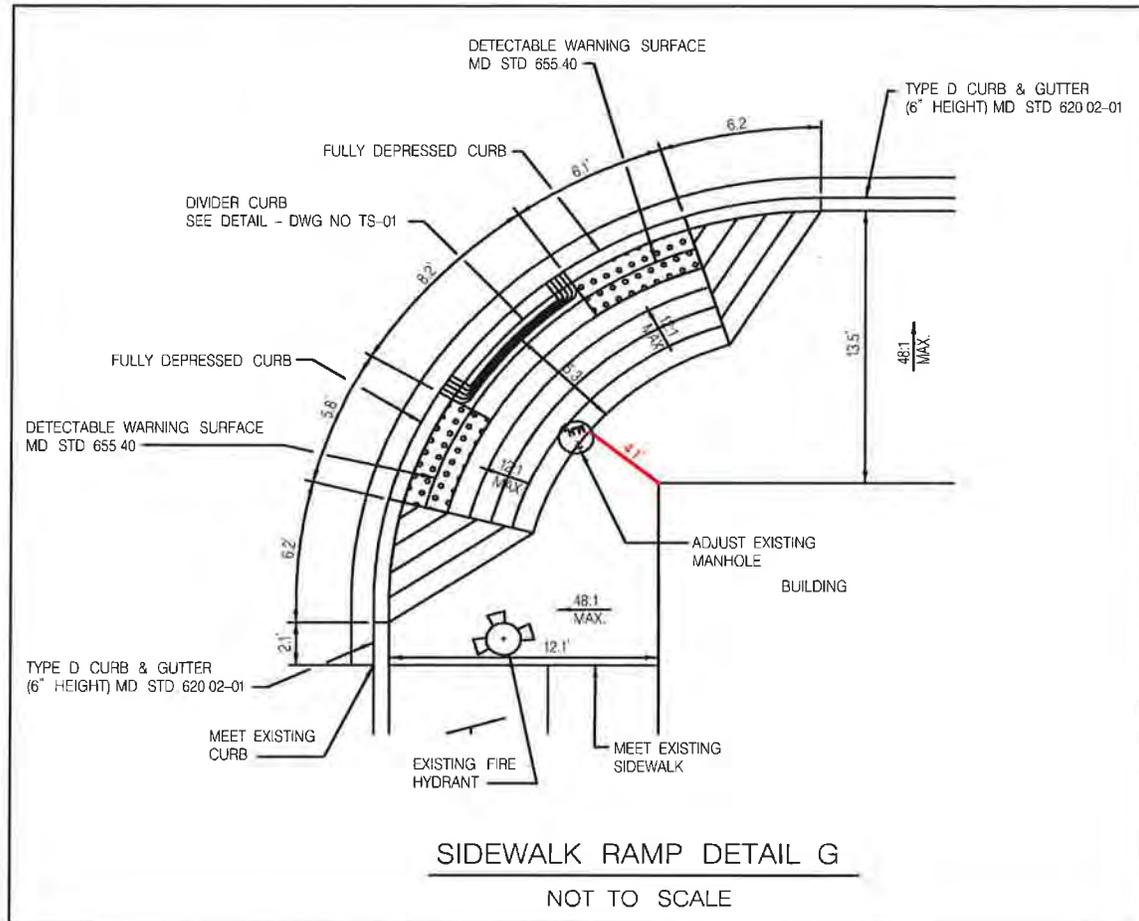
Mitigating Conditions: The available 54” width of sidewalk between the back of the proposed curb and wall exceeds SHA’s acceptable minimum 36” width of travel way. The length of the 54” sidewalk will be approximately 72 feet.

APPROVAL:

We are hereby requesting your approval for this design waiver.

Concurrence
Jason A. Ridgway 8/10/15

Jason A. Ridgway Date
Director, Office of Highway Development



US 40 Alt (E Baltimore Street) STA. 19+98

Non-Compliance: This portion of the sidewalk on the northeast corner of US 40 Alternate and N Antietam Street will have a landing width of 49” between the back of the proposed ramp and the corner of the building. This portion of the sidewalk does not meet the minimum 60” width landing behind the ramp required by SHA Guidelines. The building cannot be relocated. Therefore, constructing the landing behind the ramp to 60” cannot be achieved.

Mitigating Conditions: The available 49” width of landing between the back of the proposed ramp and the corner of the building exceeds SHA’s acceptable minimum 32” width at pinch points.

APPROVAL:

We are hereby requesting your approval for this design waiver.

Concurrence

Jason A. Ridgway 8/10/15

Jason A. Ridgway
Director, Office of Highway Development

Date



**US 40 Alt (E Baltimore Street)
STA. 21+71 TO STA. 22+21
Looking NB**

Non-Compliance: This portion of the sidewalk along US 40 Alternate has an existing width of 57” between the face of the concrete wall and the face of the porch. This portion of the sidewalk does not meet the minimum 60” width required by SHA Guidelines. The concrete wall and the porch cannot be relocated. Therefore, constructing sidewalk to 60” cannot be achieved.

Mitigating Conditions: The available 57” width of sidewalk between the face of the concrete wall and the face of the porch exceeds SHA’s acceptable minimum 36” width of travel way. The length of the 57” sidewalk will be approximately 50 feet.

APPROVAL:

We are hereby requesting your approval for this design waiver.

Concurrence

Jason A. Ridgway

Director, Office of Highway Development

Date



**US 40 Alt (E Baltimore Street) STA. 22+26 to STA. 22+42
Looking NB**

Non-Compliance: This portion of the sidewalk along US 40 Alt. has a current width of 62" with a 34" grass buffer for a total width of 96". In order to make the sidewalk ADA compliant, a ramp will have to be constructed to provide access from the upper level to the lower level of the sidewalk while maintaining access to the house. The proposed design calls for a 36" wide sidewalk with steps adjacent to the house and a 52" wide ramp for ADA access between the two levels of sidewalk adjacent to the curb. The sidewalk and ramp will be separated by an 8" concrete curb with a metal hand railing. This portion of the sidewalk and access ramp does not meet the minimum 60" width of sidewalk required by SHA Guidelines. The curb and the house cannot be relocated. Therefore, constructing the access ramp and the concrete sidewalk to 60" cannot be achieved.

Mitigating Conditions: The proposed 36" width of sidewalk adjacent to the house meets SHA's acceptable minimum 36" width of travel way. The proposed 52" width of the access ramp exceeds SHA's acceptable minimum 36" width of travel way. The length of the 36" sidewalk and 52" access ramp will be approximately 16 feet.

APPROVAL:

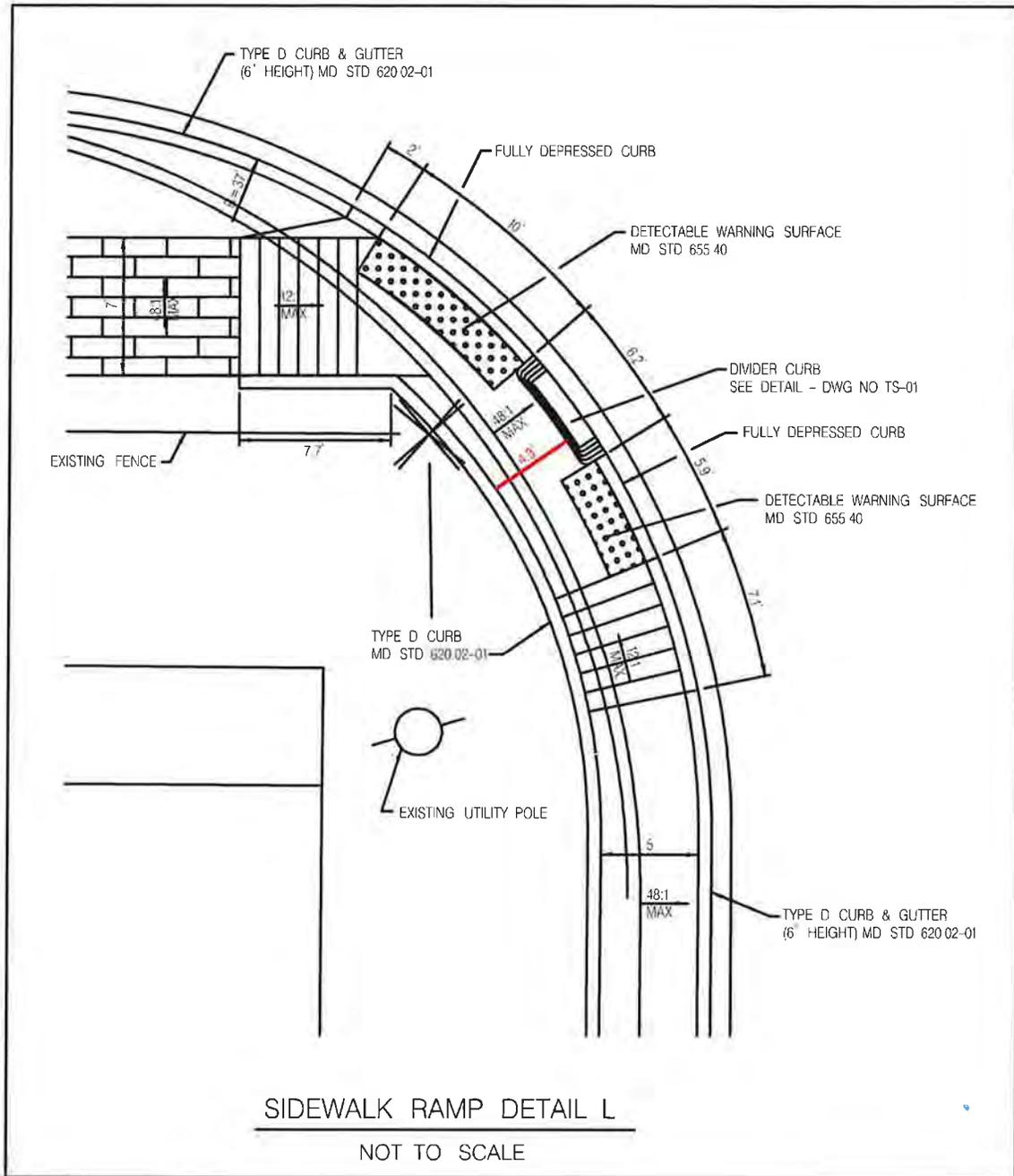
We are hereby requesting your approval for this design waiver.

Concurrence

Jason A. Ridgway

Director, Office of Highway Development

Date



**US 40 Alt (W Baltimore Street at N Westside Avenue)
STA. 25+86 (SE Corner)**

Non-Compliance: This portion of the proposed sidewalk on the SE corner of the US 40 Alternate (W Baltimore Street at N Westside Avenue) calls for two ADA ramps separated by a divider curb with Type D curb at the back of the sidewalk to avoid impacts to the adjacent property. The distance from the divider curb to the Type D curb is 51". This portion of the sidewalk does not meet the minimum 60" width required by SHA Guidelines. The Type D curb cannot be pushed back any further without impacting the

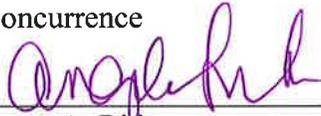
adjacent property and the divider curb cannot be bumped out any further due to the right hand turning movement at the intersection. Therefore, constructing sidewalk to 60” cannot be achieved.

Mitigating Conditions: The available 51” width of sidewalk between the divider curb and the Type D curb exceeds SHA’s acceptable minimum 36” width of travel way. The length of the 51” sidewalk will be approximately 6 feet.

APPROVAL:

We are hereby requesting your approval for this design waiver.

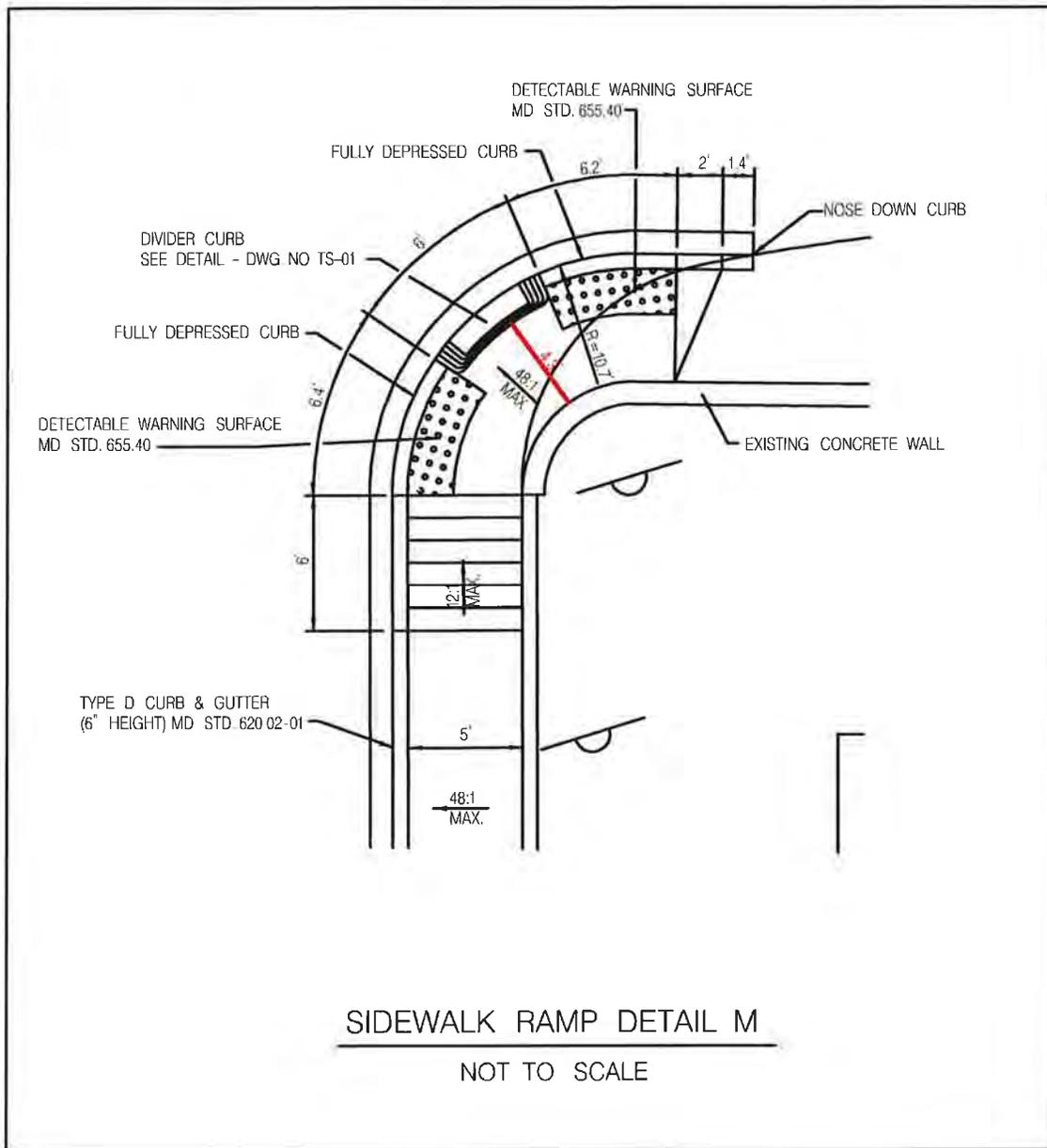
Concurrence

Jason A. Ridgway

Date

Director, Office of Highway Development



**US 40 Alt (W Baltimore Street at N Westside Avenue)
 STA. 26+48 (NE Corner)**

Non-Compliance: This portion of the proposed sidewalk on the NE corner of the US 40 Alternate (W Baltimore Street at N Westside Avenue) calls for two ADA ramps separated by a divider curb with an existing concrete wall at the back of the sidewalk. The distance from the divider curb to the existing concrete wall is 51". This portion of the sidewalk does not meet the minimum 60" width required by SHA Guidelines. The existing concrete wall cannot be relocated and the divider curb cannot be bumped out due to the right hand turning movement at the intersection. Therefore, constructing sidewalk to 60" cannot be achieved.

Mitigating Conditions: The available 51” width of sidewalk between the divider curb and the existing concrete wall exceeds SHA’s acceptable minimum 36” width of travel way. The length of the 51” sidewalk will be approximately 5 feet.

APPROVAL:

We are hereby requesting your approval for this design waiver.

Concurrence

A handwritten signature in purple ink, appearing to read "Jason A. Ridgway", is written over a horizontal line.

Jason A. Ridgway

Date

Director, Office of Highway Development



**US 40 Alt (W Baltimore Street)
STA. 24+78 to STA. 24+93
Looking SB**

Non-Compliance: This portion of the sidewalk along US 40 Alt. has a width of 57” between the back of wall and porch. This portion of the sidewalk does not meet the minimum 60” width of sidewalk required by SHA Guidelines. The porch cannot be relocated and wall cannot be relocated due to the width of the street. Therefore, constructing the concrete sidewalk to 60” cannot be achieved.

Mitigating Conditions: The available 57” width of sidewalk between the back of wall and porch exceeds SHA’s acceptable minimum 36” width of travel way. The length of the 57” sidewalk will be approximately 16’.

APPROVAL:

We are hereby requesting your approval for this design waiver.

Concurrence

Jason A. Ridgway

Director, Office of Highway Development

Date



**US 40 Alt (W Baltimore Street)
STA. 23+21 TO STA. 23+32
Looking SB**

Non-Compliance: This portion of the sidewalk along US 40 Alt. has a width of 54” between the back of curb and porch. This portion of the sidewalk does not meet the minimum 60” width of sidewalk required by SHA Guidelines. The porch cannot be relocated and there is insufficient space to bump the curb out. Therefore, constructing the concrete sidewalk to 60” cannot be achieved.

Mitigating Conditions: The available 54” width of sidewalk between the back of curb and porch exceeds SHA’s acceptable minimum 36” width of travel way. The length of the 54” sidewalk will be approximately 12’.

APPROVAL:

We are hereby requesting your approval for this design waiver.

Concurrence

Jason A. Ridgway

Director, Office of Highway Development

Date



**US 40 Alt (W Baltimore Street)
STA. 22+55 TO STA. 22+91
Looking SB**

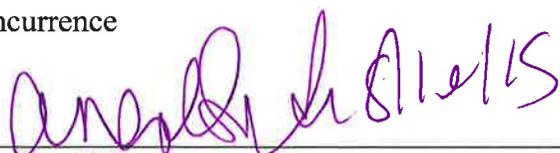
Non-Compliance: This portion of the sidewalk along US 40 Alt. has a width of 48” between the back of curb and porch and a pinch point width of 36” between the back of curb and steps. This portion of the sidewalk does not meet the minimum 60” width of sidewalk required by SHA Guidelines. The porch and steps cannot be relocated and there is insufficient space to bump the curb out. Therefore, constructing the concrete sidewalk to 60” cannot be achieved.

Mitigating Conditions: The available 48” width of sidewalk between the back of curb and porch exceeds SHA’s acceptable minimum 36” width of travel way. The length of the 48” sidewalk will be approximately 37’. The available 36” width of sidewalk at pinch point between the step and back of curb exceeds the minimum of 32”.

APPROVAL:

We are hereby requesting your approval for this design waiver.

Concurrence



Jason A. Ridgway Date
Director, Office of Highway Development



**US 40 Alt (W Baltimore Street)
STA. 22+05 TO STA. 22+38
Looking SB**

Non-Compliance: This portion of the sidewalk along US 40 Alt. has a width of 48” between the back of curb and porch and a pinch point width of 36” between the back of curb and steps. This portion of the sidewalk does not meet the minimum 60” width of sidewalk required by SHA Guidelines. The porch nor steps cannot be relocated and there is insufficient space to bump the curb out. Therefore, constructing the concrete sidewalk to 60” cannot be achieved.

Mitigating Conditions: The available 48” width of sidewalk between the back of curb and porch exceeds SHA’s acceptable minimum 36” width of travel way. The length of the 48” sidewalk will be approximately 34’. The available 36” width of sidewalk at pinch point between the step and back of curb exceeds the minimum of 32”.

APPROVAL:

We are hereby requesting your approval for this design waiver.

Concurrence

Jason A. Ridgway
Director, Office of Highway Development

Date



**US 40 Alt (W Baltimore Street)
STA. 20+16 TO STA. 20+91
Looking SB**

Non-Compliance: This portion of the sidewalk along US 40 Alt. has a width of 36” between the back of curb and step/porch. This portion of the sidewalk does not meet the minimum 60” width of sidewalk required by SHA Guidelines. The step/porch cannot be relocated and there is insufficient space to bump the curb out. Therefore, constructing the concrete sidewalk to 60” cannot be achieved.

Mitigating Conditions: The available 36” width of sidewalk between the back of curb and step/porch meets SHA’s acceptable minimum 36” width of travel way. The length of the 36” sidewalk will be approximately 75’.

APPROVAL:

We are hereby requesting your approval for this design waiver.

Concurrence

Jason A. Ridgway

Date

Director, Office of Highway Development



**US 40 Alt (E Baltimore Street)
STA. 18+71 TO STA. 19+46
Looking SB**

Non-Compliance: This portion of the sidewalk along US 40 Alt. has a width of 50” between the back of curb and porch and a pinch point width of 48” between the parking signs and porch. This portion of the sidewalk does not meet the minimum 60” width of sidewalk required by SHA Guidelines. The porch and curb cannot be relocated and there is no place to move the signs. Therefore, constructing the concrete sidewalk to 60” cannot be achieved.

Mitigating Conditions: The available 50” width of sidewalk between the back of curb and porch exceeds SHA’s acceptable minimum 36” width of travel way. The length of the 50” sidewalk will be approximately 75’. The available 48” width of sidewalk at pinch point between the sign and porch exceeds the minimum of 32”.

APPROVAL:

We are hereby requesting your approval for this design waiver.

Concurrence

Jason A. Ridgway
Director, Office of Highway Development

Date



**US 40 Alt (E Baltimore Street)
STA. 15+64
Looking SB**

Non-Compliance: This portion of the sidewalk along US 40 Alt. has a width of 42" between the back of curb and the steps. This portion of the sidewalk does not meet the minimum 60" width of sidewalk required by SHA Guidelines. The steps cannot be relocated and there is insufficient roadway width to relocate the curb. Therefore, constructing the concrete sidewalk to 60" cannot be achieved.

Mitigating Conditions: The available 42" width of sidewalk between the back of curb and the steps exceeds SHA's acceptable minimum 36" width of travel way.

APPROVAL:

We are hereby requesting your approval for this design waiver.

Concurrence

Jason A. Ridgway

Director, Office of Highway Development

Date



**US 40 Alt (E Baltimore Street)
STA. 15+46
Looking SB**

Non-Compliance: This portion of the sidewalk along US 40 Alt. has a width of 42” between the back of curb and the steps. This portion of the sidewalk does not meet the minimum 60” width of sidewalk required by SHA Guidelines. The steps cannot be relocated and there is insufficient roadway width to relocate the curb. Therefore, constructing the concrete sidewalk to 60” cannot be achieved.

Mitigating Conditions: The available 36” width of sidewalk between the back of curb and the steps meets SHA’s acceptable minimum 36” width of travel way.

APPROVAL:

We are hereby requesting your approval for this design waiver.

Concurrence

A handwritten signature in purple ink, which appears to read "Jason A. Ridgway", followed by the date "8/19/15". The signature is written over a horizontal line.

Jason A. Ridgway

Director, Office of Highway Development

Date



**US 40 Alt (E Baltimore Street)
STA. 13+59 TO STA. 14+96
Looking NB**

Non-Compliance: This portion of the sidewalk along US 40 Alt. has a proposed minimum width of 56” and progressively widens to 60” over 138’. This portion of the sidewalk does not meet the minimum 60” width of sidewalk required by SHA Guidelines. The stone wall cannot be relocated but the curb will be bumped out its maximum amount of 1 foot due to the roadway width.

Mitigating Conditions: The available 56” to 60” width of sidewalk between the back of curb and wall exceeds SHA’s acceptable minimum 36” width of travel way. The length of the 56”-60” sidewalk will be approximately 138’.

APPROVAL:

We are hereby requesting your approval for this design waiver.

Concurrence

Jason A. Ridgway

Date

Director, Office of Highway Development

APPENDIX F

ADVERTISE, BID & CONTRACT AWARD



Welcome to

Adkins
ARBORETUM

HOURS:
10 a.m. - 4 p.m. daily,
(except major holidays)

ADMISSION:
\$3 for adults
\$1 for students
(ages 6 - 18)
Children under 6 free
Members free

GUIDED WALKS
Saturdays, 11 a.m.
April through November
Free with admission



PROJECT:
DESCRIPTION:
CONTRACT NO.:
FEDERAL AID NO.
ADVERTISEMENT DATE:
DATE:

ADVERTISEMENT SECTIONS
P S & E SUBMITTAL CHECKLIST FOR FEDERAL AID PROJECTS

- Invitation for Bids*
- Plans (1/2 size)*
- Engineer's Estimate (2)**
- Final Form 42-25C (copy)*
- AASHTO Design Criteria Approval Sheet **
- Environmental Assessment Letter**
(PCE, FONSI, ETC.)
- Signed Title Sheet*
- Original ROW Certification Letter**
- Environmental Permits Checklist**
(FORM 799.2)
- Utility Special Provisions*
- Final Review Report / Wavier*
- Traffic Control Plan Approval*
- PS&E Checklist (3-Page)*

A List of items needed by the Advertisement Coordinator in order to submit to the PS&E package to Federal Aid Section for approval(Federal only). All inclusive list unless otherwise modified by Federal Aid to submit projects for Federal Authorization when needed or required at the end of the Federal Fiscal Year. *indicated material needed for Federal Authorization.

MARYLAND STATE HIGHWAY ADMINISTRATION
 PS&E CERTIFICATION OF ENVIRONMENTAL PERMITS
 FOR TRANSPORTATION ENHANCEMENT PROGRAM PROJECTS

FAP No. _____ State No. _____ Local No. _____
 Project Name: _____

<u>PERMIT</u>	<u>Required Yes/No</u>	<u>Date Applied</u>	<u>Date Expected</u>	<u>Date Approved</u>
Erosion & Sediment Control	_____	_____	_____	_____
Stormwater Management	_____	_____	_____	_____
404 or Nationwide Permit	_____	_____	_____	_____
US Coast Guard Permit	_____	_____	_____	_____
MDE Wetlands License	_____	_____	_____	_____
Waterway Construction Permits	_____	_____	_____	_____
Tree Permit	_____	_____	_____	_____
Other: _____	_____	_____	_____	_____
Other: _____	_____	_____	_____	_____
Other: _____	_____	_____	_____	_____

PROPOSED SCHEDULE

Ad Date: _____ Bid Open: _____ Award: _____ NTP: _____

- Environmental permits are not required.
- All environmental permits have been received as noted above and have been incorporated into the Invitation for Bids.
- All environmental permits are expected to be received prior to the scheduled bid opening. A statement has been inserted into the Invitation for Bids indicating that any missing permits will be incorporated into the Invitation for Bids by an approved addendum.

Certified by: _____
 <Title and Organization>
 Phone: _____

INVITATION FOR BIDS
Table of Contents

	Latest Date	No. of Sheets	FEDERAL A	O	STATE
Invitation for Bids-----		1	X	X	X
Title Sheet -----		1	X	X	X
Location and Signature Sheet (for Contracts without Plans) -----		2	X	X	X
Cargo Preference Act – Notice to Contractors-----		2	X	X	
eMaryland Marketplace – Notice to Contractors -----		1	X	X	X
Table of Contents -----	02-09-16	8	X	X	X
CONTRACT PROVISIONS					
Contractor Registration Requirements-----	06-04-13	1	X	X	
Notice To All Holders Of This Contract Document- National Cooperative Highway Research Program (NCHRP) Report 350 Implementation Schedule For Devices Used In The Maintenance Of Traffic-----	03-02-11	2	X	X	X
Notice To All Holders Of This Contract Document- Manual on Uniform Traffic Control Devices (MUTCD) Requirements -----	03-06-12	1	X	X	X
Occupying Wetlands-----	10-31-08	1	X	X	X
Hiring Preference and Financial Incentives -----	10-31-08	2	X		
Form FHWA 1273 -----	10-03-12	11	X	X	
Attachment A - Employment Preference for Appalachian Contracts (Form FHWA 1273A) (Appalachian Projects only - See Note) -----	10-03-12	1	X		
Form PR-1317 (Road Contracts other than Construction Contracts - See Note -----	09-01-94	1	X		
Affirmative Action Requirements Utilization of Minority Business Enterprises for Straight State Contracts (where the Contractor's bid exceeds \$50,000) -----	08-06-13	10			X
Affirmative Action Requirements Utilization of Disadvantaged Business Enterprises for Federal Aid Contracts -----	02-09-16	10	X	X	
Notice to Contractors MBE/DBE* (See below)-----	12-03-09	1	X	X	X
MBE Dual Certification-----	12-03-09	1			X

The symbol ¶ found in the footer next to the date indicates hidden text within the Specification. To reveal the hidden text click the Ctrl, Shift & * keys.

INVITATION FOR BIDS

Table of Contents

	Latest Date	No. of Sheets	FEDERAL A	O	STATE
<p>A - Appalachian Federal Aid Projects Only O - All other Federal Aid Projects *Notice to Contractors MBE/DBE - Only to be used when structural steel is used. NOTE: Do not use on highway, bridge, or any other construction projects. To be used on non-construction type projects only such as training related to road contracts and material acquisition. On Appalachian projects Form FHWA 1273 and FHWA 1273A (Appalachian) or Form PR-1317 will be included in the Invitation for Bids, not both.</p>					
Apprenticeship Training Fund -----	05-07-13	6			X
MBE/DBE Compliance Field Meeting -----	10-31-08	1	X	X	X
Traffic Control Plan Certification -----	10-31-08	1	X	X	X
Contractor and Railroad Public Liability and Property Damage Insurance (when railroads are included in project)-----	10-31-08	2	X	X	X
AMTRAK and/or CONRAIL Railroad-----	10-31-08	1	X	X	X
Prevailing Wage Instructions for the Contractor -----	12-14-12	4	X	X	X
Wage Rate Determination (as required) -----			X	X	X
Notice of Actions Required for Affirmative Action to Ensure Equal Employment Opportunity (Executive Order 11246)-	10-31-08	8	X	X	
Contractor Affirmative Action Program-----	10-31-08	9			X
Training Provisions-----	10-31-08	4	X	X	
High Visibility Safety Apparel Policy -----	10-31-08	2	X	X	X
SPECIAL PROVISIONS - for PROJECT DESCRIPTION, SPECIFICATIONS, EMPLOYMENT AGENCY -----			X	X	X
SP-NOTICE TO CONTRACTOR – Request for Information, etc.	02-09-16	6	X	X	X
SP-RIGHT-OF-WAY STATUS (if required)-----			X	X	X
SP-REQUIRED PERMITS (Water Resources, Corp of Engineers, etc.)-			X	X	X
SP-NOTICE TO CONTRACTOR – Early Submissions-----	10-31-08	1	X	X	X
GENERAL PROVISIONS					
TERMS AND CONDITIONS					
SP-TC Section 4-Control of Work TC-4.02 Failure to Maintain Project-----	10-31-08	1	X	X	X
SPI-TC Section 6-Restrictions and Permits TC-6.10 Recycled or Rehandled Material -----	03-03-10	1	X	X	X

INVITATION FOR BIDS
Table of Contents

	Latest Date	No. of Sheets	FEDERAL A	O	STATE
SP-TC Section 6-Restrictions and Permits TC-6.12 Structure Underclearances and Overhead Clearances--	10-03-12	1	X	X	X
SP-TC Section 6-Restrictions and Permits TC-6.14 Restrictions for Placing and Using Equipment on Structures or Storing Materials On/Against Structures -----	11-04-10	1	X	X	X
SP-TC Section 7-Payment TC-7.09 Price Adjustment for Diesel Fuel (*)-----	03-02-11	3	X	X	X
Special Provisions (SP) Special Provisions Insert (SPI)					
* Only to be used in Projects when directed by the Office of Construction.					
CATEGORY 100 PRELIMINARY					
SPI-Section 101-Clearing and Grubbing -----	04-02-13	1	X	X	X
SPI-Section 103-Engineers Office 103.03.05 Requirements for all Offices-----	10-06-09	1	X	X	X
SP-Section 103-Engineers Office 103.03.06 Microcomputer System (Include in all projects requiring a desk top or lap top computer)-----	07-02-14	4	X	X	X
SP-Section 104-Maintenance of Traffic 104.01 Traffic Control Plan (TCP) -----	05-03-11	5	X	X	X
SPI-Section 104-Maintenance of Traffic 104.07 Arrow Panels-----	10-05-10	2	X	X	X
SP-Section 104-Maintenance of Traffic 104.11 Temporary Pavement Markings-----	10-31-08	2	X	X	X
SPI-Section 104-Maintenance of Traffic 104.12 Drums for Maintenance of Traffic-----	10-05-10	1	X	X	X
SPI-Section 104-Maintenance of Traffic 104.14 Cones for Maintenance of Traffic -----	09-04-09	1	X	X	X
SPI-Section 104-Maintenance of Traffic 104.19 Portable Variable Message Sign (PVMS) -----	08-06-13	2	X	X	X
SP-Section 104-Maintenance of Traffic 104.21 Cellular Telephones (*).-----	10-06-09	1	X	X	X
SPI-Section 104-Maintenance of Traffic 104.23 Protection Vehicle -----	12-11-12	1	X	X	X
SP-Section 104-Maintenance of Traffic 104.25 Drone Radar-----	10-31-08	1	X	X	X

INVITATION FOR BIDS
Table of Contents

	Latest Date	No. of Sheets	FEDERAL		STATE
			A	O	
SPI-Section 104-Maintenance of Traffic 104.28 Speed Display Trailer (SDT) -----	10-03-12	2	X	X	X
SP-Section 104-Maintenance of Traffic 104.30 Portable Traffic Signal (PTS) -----	10-31-08	4	X	X	X
SPI-Section 104-Maintenance of Traffic 104.31 Accessible Pedestrian-----	01-14-11	2	X	X	X
SPI-Section 111-Sampling Devices and Testing Equipment -----	11-03-11	5	X	X	X
SP-Section 113-Digital Camera (*) -----	06-05-12	1	X	X	X
SP-Section 114-Truck Staging Areas and Idling Requirements-----	12-11-12	1	X	X	X
CATEGORY 200 GRADING					
SP-Section 203-Borrow Excavation -----	10-31-08	3	X	X	X
CATEGORY 300 DRAINAGE					
SPI-Section 303-Pipe Culverts-----	07-02-13	1	X	X	X
SPI-Section 305-Miscellaneous Structures-----	04-04-12	1	X	X	X
SPI-Section 308-Erosion and Sediment Control -----	01-05-16	17	X	X	X
SP-Section 308-Erosion and Sediment Control General Notes (Without Plans) -----	01-05-16	4	X	X	X
SPI-Section 314-Flowable Backfill -----	03-02-11	1	X	X	X
SPI-Section 316-Stormwater Filtration Facilities (Only to be used when SWM Facilities are included) -----	10-03-14	7	X	X	X
CATEGORY 400 STRUCTURES					
SPI-Section 401-Maintaining Existing Bridge Deck During Life of Contract-----	08-16-11	1	X	X	X
SPI-Section 405-Removal of Existing Structures -----	08-16-11	2	X	X	X
SPI-Section 410-Piling-----	08-06-14	3	X	X	X
SPI-Section 420-Portland Cement Concrete Structures -----	04-06-10	1	X	X	X
SPI-Section 421-Reinforcing Steel -----	06-02-15	1	X	X	X
SPI-Section 426-Latex Modified Concrete Overlay for Bridge Decks -----	04-02-13	9	X	X	X
SPI-Section 430-Metal Structures -----	06-02-15	2	X	X	X

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	Latest Date	No. of Sheets	FEDERAL A	O	STATE
SPI-Section 431-Steel Stud Shear Developers -----	06-02-15	1	X	X	X
SPI-Section 432-Bearings -----	06-02-15	1	X	X	X
SPI-Section 440-Prestressed Concrete Beams and Slab Panels----	04-02-13	2	X	X	X
SPI-Section 455-Noise Barriers-----	02-07-11	2	X	X	X
SPI-Section 465-Miscellaneous Coatings for Metal (Steel) -----	02-07-11	4	X	X	X
CATEGORY 500 PAVING					
SPI-Section 504-Asphalt Pavement -----	12-03-14	15	X	X	X
SPI-Section 505-Asphalt Patches-----	12-03-14	4	X	X	X
SPI-Section 506-Gap-Graded Stone Matrix Asphalt -----	10-31-08	4	X	X	X
SPI-Section 507-Slurry Seal and Micro-Surfacing-----	03-03-15	8	X	X	X
SPI-Section 520-Plain and Reinforced Portland Cement Concrete Pavement -----	11-05-13	3	X	X	X
SPI-Section 522-Portland Cement Concrete Pavement Repairs -----	10-31-08	1	X	X	X
SP-Section 550-Pavement Marking Paint-----	10-31-08	2	X	X	X
SP-Section 552-Epoxy Pavement Marking -----	10-31-08	2	X	X	X
SP-Section 553-Lead Free Reflective Thermoplastic Pavement Markings-----	10-31-08	3	X	X	X
SP-Section 556-Permanent Preformed Thermoplastic Pavement Markings -----	10-31-08	2	X	X	X
SP-Section 557-Snowplowable Raised Pavement Markers-----	10-31-08	3	X	X	X
SP-Section 558-Recessed Pavement Markers -----	10-31-08	3	X	X	X
SP-Section 559-Permanent Preformed Patterned Reflective Pavement Markings-----	10-31-08	3	X	X	X
SP-Section 565-Removal of Existing Pavement Markings -----	10-31-08	2	X	X	X
CATEGORY 600 SHOULDERS					
SPI-Section 605-Metal Traffic Barriers-----	12-03-14	3	X	X	X
SPI-Section 606-Permanent Traffic Barrier End Treatments-----	12-03-14	4	X	X	X

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	Latest Date	No. of Sheets	FEDERAL A	O	STATE
SPI-Section 609-Shoulder Edge Drop Off Grading Adjustment----	12-03-14	2	X	X	X
CATEGORY 700 LANDSCAPING					
SPI-Section 701-Subsoil and Topsoil -----	02-03-15	4	X	X	X
SPI-Section 704-Temporary Mulch and Temporary Seed-----	02-03-15	4	X	X	X
SPI-Section 705-Turf Grass Establishment -----	02-03-15	6	X	X	X
SPI-Section 706-Shrub Seeding Establishment -----	02-03-15	8	X	X	X
SPI-Section 707-Meadow Establishment-----	02-03-15	7	X	X	X
SPI-Section 708-Turf Grass Sod Establishment-----	02-03-15	5	X	X	X
SPI-Section 709-Soil Stabilization Matting-----	02-03-15	7	X	X	X
SPI-Section 710-Tree, Shrub and Perennial Installation and Establishment-----	02-03-15	14	X	X	X
SPI-Section 711-Annual and Bulbs Installation and Establishment	02-03-15	6	X	X	X
SPI-Section 712-Tree Branch Pruning -----	02-03-15	3	X	X	X
SPI-Section 713-Brush Removal-----	02-03-15	3	X	X	X
SPI-Section 714-Tree Felling and Stump Removal -----	02-03-15	3	X	X	X
SPI-Section 715-Tree Root Pruning-----	02-03-15	2	X	X	X
SPI-Section 716-Tree Fertilizing-----	02-03-15	3	X	X	X
CATEGORY 800 TRAFFIC					
SPI-Section 806-Luminaires and Lamps -----	11-07-12	2	X	X	X
SPI-Section 813-Signs -----	06-04-14	1	X	X	X
UTILITIES					
SP-Section 875-Utility Statement -----			X	X	X
SP-Section 876-Water and Sanitary Sewer-----			X	X	X
SP-Section 877-Telephone and Fiber Optics -----			X	X	X
SP-Section 878-Electric-----			X	X	X
SP-Section 879-Gas -----			X	X	X
SP-Section 880-Cable T.V.-----			X	X	X

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	Latest Date	No. of Sheets	FEDERAL		STATE
			A	O	
SP-Section 881-Railroad-----			X	X	X
CATEGORY 900 MATERIALS					
SPI-Section 900-Materials					
900.03-Recycled Materials -----	12-11-13	5	X	X	X
SPI-Section 901-Aggregates					
901.01-Table A, B, C and D -----	02-09-16	6	X	X	X
SPI-Section 901-Aggregates					
901.05-Stone for Gabion -----	08-04-09	1	X	X	X
SPI-Section 902-Portland Cement Concrete and Related Products-----	03-02-11	16	X	X	X
SPI-Section 904-Performance Graded Asphalt Binders and Asphalt Mixes-----	12-03-14	9	X	X	X
SPI-Section 905-Pipe-----	07-02-13	5	X	X	X
SPI-Section 906-Gabions -----	06-02-15	1	X	X	X
SPI-Section 908-Reinforcement Steel -----	06-02-15	2	X	X	X
SPI-Section 909-Metals -----	06-02-15	2	X	X	X
SPI-Section 914-Chain Link Fence-----	02-07-11	1	X	X	X
SPI-Section 915-Production Plants-----	10-13-15	4	X	X	X
SPI-Section 916-Soil and Soil-Aggregate Borrow -----	04-06-09	1	X	X	X
SPI-Section 917-Miscellaneous Protective Coatings -----	05-03-11	3	X	X	X
SPI-Section 918-Traffic Barrier-----	02-07-11	1	X	X	X
SPI-Section 920-Landscaping Materials-----	02-03-15	30	X	X	X
SPI-Section 921-Miscellaneous-----	09-03-13	3	X	X	X
SPI-Section 923-Slurry Seal and Micro-Surfacing-----	08-06-13	2	X	X	X
SPI-Section 924-Cold Patch Material-----	10-13-15	3	X	X	X
SPI-Section 925-Detectable Warning Surfaces-----	05-04-09	2	X	X	X
950 TRAFFIC MATERIALS					
SPI-Section 950-Traffic Materials					
950.03-Reflectorization of Signs and Channelizing Devices --	08-02-12	2	X	X	X

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	Latest Date	No. of Sheets	FEDERAL A	O	STATE
SPI-Section 950-Traffic Materials 950.04-Overhead/Cantilever Sign Structures -----	06-02-15	2	X	X	X
SPI-Section 950-Traffic Materials 950.12-Luminaires and Lamps -----	11-07-12	2	X	X	X
SP-Section 951-Pavement Marking Materials 951.01 Nontoxic Lead Free Waterborne Pavement Markings- -----	10-31-08	4	X	X	X
SP-Section 951-Pavement Marking Materials 951.02 Lead Free Reflective Thermoplastic Pavement Markings -----	10-31-08	4	X	X	X
SP-Section 951-Pavement Marking Materials 951.04 Removable Pavement Marking Tape-----	10-31-08	3	X	X	X
SP-Section 951-Pavement Marking Materials 951.05 Snowplowable Raised Pavement Markers (SPRPM) and Recessed Pavement Markers (RPM) -----	10-31-08	3	X	X	X
SP-Section 951-Pavement Marking Materials 951.06 Heat Applied Permanent Preformed Thermoplastic Pavement Marking Material -----	10-31-08	2	X	X	X
SP-Section 951-Pavement Marking Materials 951.07 Permanent Preformed Patterned Reflective Pavement Marking Material -----	10-31-08	2	X	X	X
SP-Section 951-Pavement Marking Materials 951.08 Lead Free Two Component Epoxy Pavement Marking Materials -----	10-31-08	5	X	X	X
MISCELLANEOUS CONTRACT DETAILS					
Not Issued Standard Sheets and Other Details (As Required)-----			X	X	X
eMM Bid Submittal Instructions ----- (Included in all project IFB's)	10-13-15	1	X	X	X
eMM Addendum Receipt Verification Form ----- (Included in all project IFB's)	10-13-15	1	X	X	X
PROPOSAL FORM PACKET					
Proposal Form Packet (Federal) -----	02-09-16	45	X	X	
Proposal Form Packet (State) -----	08-06-14	43			X
Proposal Form Packet (State Small Business)-----	08-06-14	44			X
Invitation For Bids Back Cover-----		1	X	X	X



Washington County

M A R Y L A N D

DIVISION OF
ENGINEERING & CONSTRUCTION MANAGEMENT
PLAN REVIEW & PERMITTING | ENGINEERING | CONSTRUCTION

August 12, 2015

State Highway Administration
Office of Materials and Technology
7450 Traffic Drive
Hanover, MD 21076

Attn: Mr. Tim Smith, P.E. Director

Subject: Request for Material Clearances, Material Testing and Inspection
Leiters Mill Road Bridge W2292 Rehabilitation over Antietam Creek
County Contract No. BR-LM-180-14
SHA Contract No. WA385ZM2, FAP No. BHO-3(394)E

Re: Request for Material Clearance Services

Dear Mr. Smith:

We would like to request the use of SHA personnel to provide material clearances as well as perform material testing and inspection on an as needed basis for the Leiters Mill Bridge W2292 federal aid rehabilitation project. Although our contract requires the contractor to provide the appropriate material testing and inspection on the project, there may be instances that our office requires additional assistance. Included with this submission is a copy of the final plans, estimate, and specifications for the project.

The anticipated Notice to Proceed is January 25, 2016 and scheduled for completion by July 22, 2016. The estimated project cost is \$700,000. The work involves the rehabilitation of a 56 ft. 1839 stone arch bridge. The project will involve removal of the existing spandrel fill and replacement with reinforced lightweight concrete, reconstruction of stone spandrel walls, wing walls, parapets, pier nose and construction of concrete pier collars. Additional work includes minor roadway work, new traffic barrier with attachments to the bridge and asphalt paving.

Attached for your review and use is a draft SHA Form 30.0-032 Cost Sharing Agreement. Please provide the total estimated cost of these services and return the completed agreement to our office. We will then sign and return the fully executed agreement to your office.

The County understands that payment for 80 percent of the costs for these services will be deducted from the County Federal Aid Bridge Rehabilitation and Replacement Funds while the remaining 20 percent will be repaid by the County to the State upon receipt of SHA billings.

The person authorized on behalf of Washington County to execute the SHA Form 30.0-032L is Robert Slocum, Director of Engineering and Construction Management. All billings relating to these requested services should be sent to: Washington County Engineering and Construction Management, 80 West Baltimore Street, Hagerstown, MD 21740, Attention: Andrew Eshleman.

80 West Baltimore Street | Hagerstown, MD 21740 | P: 240.313.2460 | Hearing Impaired: 7-1-1

If you have any questions or need additional information, please contact me at 240-313-2421 or aeshleman@washco-md.net

Sincerely,

A handwritten signature in black ink, appearing to read 'A. Eshleman', written in a cursive style.

Andrew Eshleman, P.E.
Structural Engineer
Engineering & Construction Management

cc: Kelly Nash, SHA-OOS (via email)

Concurrence in Award (CIA)
(Checklist)

After following SHA procedures on advertising for bids, the Local Government (LG) shall submit a formal request as one packet for concurrence in award for SHA approval. The LG will submit the following information:

- a. A complete copy of the successful bidder's proposal (**two copies**).
- b. A complete Tabulation of Bids and totals for all bidders. The Tabulation of Bids (see example, **ATTACHMENT W**) must be verified and certified true and correct by the LG [**two copies**]. Should there be more than three (3) bidders to any bid, the bid tab should show only the three lowest bidders with their respective bids. The names and addresses of those remaining bidders and their accepted bids will be included on the last page of the bid tab or on an attached sheet.
- c. Contractor's signed non-collusion affidavit [**two copies**]

(IF NOT SIGNED BY THE PRESIDENT OF THE COMPANY, THEN SUBMIT A COPY OF THE COMPANY'S BY-LAWS AS TO WHOM CAN SIGN THE DOCUMENT)
- d. Experience and Equipment form [**two copies**]
- e. Clear ROW Certification [**two copies**]
- f. Minority/Disadvantaged Business Enterprises (DBE) Affirmative Action Plan approved by the LG, and DBE Form C and Form D [**original + one copy**] (view the advertised document “**CONTRACT PROVISIONS, PROPOSAL FORM PACKET — FEDERAL**” page 17 of 28 for additional information.)
- g. Copies of advertisements of bid opening
- h. Bid Analysis [two copies] must be verified and certified true and correct by the LG See example, **ATTACHMENT X**.

- i. SHOULD the Lowest Responsive Responsible Contractor's BID be MORE THAN 10% OVER OR 15% UNDER the final approved engineer's estimate, a "LETTER OF JUSTIFICATION" will be needed (see attachment "Y" for an example). The Letter will be written by the LG to the SHA'S CHIEF, Construction Contracts Section (CCS) and, included in the CIA packet requesting CONCURRENCE IN AWARD PACKAGE to the FAP section.

After concurrence in Award is provided, the LG will then contact the DE noting that concurrence has been given by the SHA and the District Office will be responsible for monitoring the work for compliance with the contract specifications and advise the LG that all requests for subcontract approvals, as well as any change or deviation from the approved Affirmative Action Plan, must be approved by the SHA by way of the DE.

PS&E CHECKLIST (Rev. 12-16-15)

The Plans, Specification and Estimate (PS&E) submission is the final submission made by the SHA Project Manager (PM) for Advertisement. A **complete** submission is required at PS&E to meet the scheduled advertisement date. Below is a checklist for the PM that identifies the items required for PS&E. A complete submission is defined as a submittal with all items checked as included or not-applicable; there should be no unchecked items. This checklist is also required to qualify as a complete submittal. It is recognized that some pieces of information may not be received by the PM at PS&E submittal; however, including a copy of the request for information, including the date of the request, will qualify your submittal as “complete”. If a copy of the outstanding requested information is not included with your package, the PS&E will be considered “incomplete” and a notice will be sent to your Division Chief/Assistant District Engineer. ***(Items shown in bold italics are required for Federal Fund Authorization. If these items are not submitted to Fed Aid, funds for the project will not be approved.)***

PS&E submission schedule based on funding (weeks prior to advertisement date):

Federal Funded – 10 weeks for PoDI/PoCI(non-exempt), **8 weeks** for all State Administered (exempt)

State Funded – 6 weeks

PROJECT INFORMATION

SHA Project Manager/Phone No. _____ / _____

Design Firm/Design PM (if applicable) _____ / _____

SHA Construction Contract No.: _____

FMIS Design Charge No.: _____

Route: _____ Description: should match ad schedule and form 42/25c

State Funded (No Federal Participation)

Federal Funded FAP Contract No.(Constr.) _____

Federal Aid: PoDI (non-exempt) PoCI State Administered (exempt)

Airport within 4 Miles Yes No. If Yes, coordinating through OOTS? Yes No

(This needs to be consistent with Form 42/25C)

FHWA Area Engineer/Phone No. _____ / _____

Advertisement _____ (date) Bid Opening _____ (date)

Engineers Estimate _____ STIP/TIP approval _____ (date)

ENVIRONMENTAL PLANNING/NEPA

Environmental Assessment (EA): _____ (date)

Finding: Environmental Impact Statement (EIS) approved _____ (date)

Finding of No Significant Impact (FONSI) approved _____ (date)

Categorical Exclusion approved (PCE) _____ (date)

No Public Hearing

Public Hearing(s) _____ (date) SHA/FHWA approval _____ (date)

Location/Design Approval Date _____ (date)

Air Quality Conformity Analysis _____ (FHWA approval date)

Environmental Re-Evaluation Complete _____ (date)

Environmental Permits Received (checklist) _____ (date)

PCE (Programmatic Categorical Exclusion) Letter Received _____ (date)

Structures on Project

Noise Walls studied on or included in project

Noise Analysis Report Completed _____ (date)

Noise Wall Concurrence Memo _____ (date)

PS&E SUBMISSION

- | Included | N/A | |
|--------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | Complete Plans (including cross sections, if applicable) |
| <input type="checkbox"/> | <input type="checkbox"/> | Complete Estimate (Estimator file .EST) |
| <input type="checkbox"/> | <input type="checkbox"/> | Estimate Broken Out by Federal/3 rd Party Funding Categories |
| <input type="checkbox"/> | <input type="checkbox"/> | Approved 3rd Party Agreements (Please include copies of all Agreements & MOUs) |
| <input type="checkbox"/> | <input type="checkbox"/> | Lump Sum Cost Breakdowns (for projects with structures) |
| <input type="checkbox"/> | <input type="checkbox"/> | As-Built Plans Attached |
| <input type="checkbox"/> | <input type="checkbox"/> | Utility Relocation Plans included in project |
| <input type="checkbox"/> | <input type="checkbox"/> | Any Proprietary Items Used on Project |
| | | FHWA Approval of Proprietary Items _____ (date) |
| <input type="checkbox"/> | <input type="checkbox"/> | All Site Specific Special Provisions Included (Electronic and Hardcopy) |
| <input type="checkbox"/> | <input type="checkbox"/> | Listing of Applicable Special Provision Inserts (highlighted TOC file) |
| <input type="checkbox"/> | <input type="checkbox"/> | Final Form 42/25-C (Construction) Submittal _____ (date) Approval _____ (date) |
| <input type="checkbox"/> | <input type="checkbox"/> | Preliminary Investigation _____ (date) |
| | | PI Report approval _____ (date) |
| | | PI Report approval by FHWA (PoDI/PoCI Only) _____ (date) |
| <input type="checkbox"/> | <input type="checkbox"/> | Semi-Final Review (SFR) _____ (date) |
| | | SFR Report approval _____ (date) |
| | | SFR Report approval by FHWA (PoDI/PoCI Only) _____ (date) |
| <input type="checkbox"/> | <input type="checkbox"/> | Final Review (FR) _____ (date) |
| | | FR Report submitted for approval to OHD _____ (date) Approval _____ (date) |
| | | FR Report approval by FHWA (PoDI/PoCI Only) _____ (date) |
| <input type="checkbox"/> | <input type="checkbox"/> | Approved Soils Report/Pavement Recommendations |
| <input type="checkbox"/> | <input type="checkbox"/> | Design Exception(s) on Project |
| | | SHA Submittal _____ (date) Approval _____ (date) |
| | | FHWA Submittal _____ (date) Approval _____ (date) (PoDI/PoCI Only) |
| <input type="checkbox"/> | <input type="checkbox"/> | IAPA FHWA Approved _____ (date) |
| <input type="checkbox"/> | <input type="checkbox"/> | Utility Statement Requested _____ (date) Received _____ (date) |
| <input type="checkbox"/> | <input type="checkbox"/> | Right of Way Certification Requested _____ (date) Received _____ (date) |
| | | (original cert must be submitted for Fed Aid to authorize funds for Ad) |
| <input type="checkbox"/> | <input type="checkbox"/> | Traffic Control Plan Requested _____ (date) Approval _____ (date) |
| | | (w/ lane closure restrictions) |
| <input type="checkbox"/> | <input type="checkbox"/> | Bicycle Compliance Certification _____ (date) |
| <input type="checkbox"/> | <input type="checkbox"/> | Wage Rates Received _____ (date) |
| | | (State Funded Projects obtain through DTSD,
Federal Funded Projects obtain through USDOL website by Project Manager) |
| <input type="checkbox"/> | <input type="checkbox"/> | CID Recommendations/PRG Requested _____ (date) Received _____ (date) |
| | | PRG (MBE/DBE Goals) MBE/DBE (Overall) goal _____ % |
| | | (See Form letter MP 10.2.11.doc) (Requires lump sum breakdowns from Designers) (CID recommendation/PRG shall be requested by PM Two (2) weeks prior to PS&E submittal. Include requested date along with a copy of the request) |
| <input type="checkbox"/> | <input type="checkbox"/> | Constructability Review Report _____ (date) |

**Sample CIA #1 with
SHA Cover Letter**



Larry Hogan, *Governor*
Boyd K. Rutherford, *Lt. Governor*

Pete K. Rahn, *Secretary*
Douglas H. Simmons, *Acting Administrator*

August 11, 2015

Mr. Daniel DeWitt, P.E.
Project Manager
Allegheny County Department of Public Works
Suite 300
701 Kelly Road
Cumberland MD 21502

Reference: Concurrence in Award
Subject: Allegheny Highlands Trail: Valley Street Underpass
Contract No. AL481ZM1
FAP No. HP-4302(2)E

Dear Mr. DeWitt:

This letter is to acknowledge receipt of the contract bid documents and the request for the State Highway Administration's (SHA) "Concurrence in Award" (CIA) for the Federal Earmark – Allegheny Highlands Trail: Valley Street Underpass. SHA is in agreement with the City's decision to award the project to the lowest bidder, Carl Belt, Inc., P. O. Box 1210, Cumberland, Maryland 21502, and has recommended notice to proceed per the CIA approval letter (see attached). Carl Belt's bid of \$178,763.00 was approximately 13.00 percent below the Engineer's Estimate of \$205,810.00.

Per the March 9, 2006 Memorandum of Understanding (MOU) between SHA and the Allegheny County, the project's High Priority Project Federal Earmark was \$4,000,000. The Federal funds are capped by the amount designated by Congress less any expenditures, rescissions and/or adjustments (if any) mandated by Congress. The remaining portion of these funds can be verified by Ms. Elizabeth Wright, SHA Federal Aid Programming Team Leader-Local Projects, at 410-545-5774 or via email at EWright@sha.state.md.us. Please coordinate the construction phase and project activities (preconstruction, field meetings, change orders, etc.) with Mr. Stephen Bucy, SHA Assistant District Engineer - Construction, at 301-729-8411 or via email at SBucy@sha.state.md.us.

My telephone number/toll-free number is [410-545-5675](tel:410-545-5675)/[1-888-204-4828](tel:1-888-204-4828)
Maryland Relay Service for Impaired Hearing or Speech 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone 410.545.0300 • www.roads.maryland.gov

**Sample CIA #1 with
SHA Cover Letter**

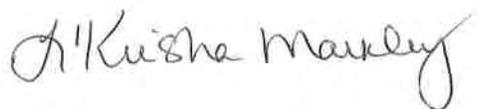
Mr. Daniel DeWitt
Page Two

Allegany County will provide construction inspection and material testing, and SHA will have oversight inspection to satisfy the Earmark Program requirements. SHA, prior to the approval of any Extra Work Orders and the closeout report, is required to monitor the project's reimbursement status. The County's request for reimbursement, such as paid invoices, should be submitted to Mr. Stephen Bucy, who will review and forward to Ms. Christy Bernal, SHA Transportation Alternatives (TA) Program Assistant Coordinator. Ms. Bernal may be reached at 410-545-5659 or via email at CBernal@sha.state.md.us. Allegany County will contact Mr. Donald Beard, SHA Area Materials Engineer, to arrange for materials testing. Mr. Beard can be reached at 301-842-2406 or via email at DBeard@sha.state.md.us. Please be sure to provide a copy of the final executed contract, as soon as it is available, to Mr. Matthew Troutman, SHA Office of Equal Opportunity, who is also copied on this letter. Mr. Troutman may be reached at 301-729-8492 or via email at MTroutman@sha.state.md.us to discuss delivery.

The successful design, development, advertisement and award of the project are directly linked to the continuous perseverance of numerous talented project team members from Allegany County and SHA. Please extend our appreciation to your team for their assistance and cooperation.

If you have questions or concerns regarding the attached Concurrence in Award, please contact me or Ms. Jessica Shearer, SHA TA Manager, at 410-545-5653, toll free 1-888-204-4828 or via email at JShearer@sha.state.md.us. We look forward to collaborating with Allegany County to make the Federal Earmark – Allegheny Highlands Trail: Valley Street Underpass a successful endeavor.

Sincerely,



L'Kiesha Markley
Assistant Chief
Regional and Intermodal Planning Division

Attachment

cc: Mr. Donald Beard, Area Material Engineer, SHA
Ms. Christy Bernal, Assistant Coordinator, TA Program, SHA
Mr. Stephen Bucy, Assistant District Engineer - Construction, SHA
Ms. Jessica Shearer, Manager, TA Program, SHA
Mr. Matthew Troutman, District Equal Opportunity Officer, SHA
Ms. Elizabeth Wright, Team Leader-Local Projects, Federal Aid Programming SHA

**Sample CIA #1 with
SHA Cover Letter**

Mr. Daniel DeWitt
Page Three

bcc: Mr. Victor Barrera, Project Engineer, Community Design, SHA
Ms. Leslie Clark, Contracts Officers, Office of Construction-Contract Awards, SHA
Mr. David Coyne, Deputy Administrator/Chief Engineer for Operations, SHA
Mr. Tony Crawford, District Engineer, SHA
Ms. Connie Kennedy, Division Manager, Finance Capital Program, SHA
Mr. Steve Marciszewski, Director, Office of Construction, SHA
Mr. David Pinckney, Deputy Director, Office of Equal Opportunity, SHA
Mr. John Ruff, Construction Office Engineer, SHA
Mr. Gregory I. Slater, Director, Office of Planning & Preliminary Engineering, SHA
Ms. Teresa VanKirk, Team Leader, Office of Construction, SHA

MEMORANDUM

**TO: David J. Coyne
Deputy Administrator
Chief Engineer for Operations**

**FROM: Steven J. Marciszewski
Director
Office of Construction**

DATE: July 29, 2015

**SUBJECT: Local Jurisdiction Project
Contract No. AL481ZM1
FAP No. HP-4302(2)E
Allegheny Highlands Trail: Valley Street Underpass**

Allegheny County, through Mr. Daniel DeWitt, P.E., Project Manager, Allegheny County Department of Public Works, 701 Kelly road, Suite 300, Cumberland, MD 21502, is requesting the Administration's Concurrence in the Award of the subject contract to Carl Belt, Inc., P.O. Box 1210, Cumberland, MD 21502. This bid meets the established criteria of responsibility under our Governing Specifications.

Bids were opened on June 30, 2015 and prices were quoted by five (5) contractors. The low bid of \$178,763.00 is \$27,047.00 or 13.00% below the Engineer's Estimate of \$205,810.00.

This project is partially funded by Federal Earmark funds. The Federal funds are capped by the amount designated by Congress less any rescissions and/or adjustments (if any) mandated by Congress. The balance of the project, plus all cost overruns, will be paid by Allegheny County utilizing other funding sources.

The Affirmative Action Plan submitted by Carl Belt, Inc. amounts to 2.00% of the contract and, therefore, meets the 2.00% goal of subcontracting to minority businesses.

This contract will be administered in accordance with Exempt Procedures.

**Sample CIA #1 with
SHA Cover Letter**

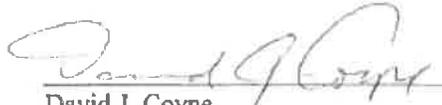
AL481ZM1
Page 2

I therefore recommend that this Administration concur in Allegany County's request to award this contract to Carl Belt, Inc. at the quotation of \$178,763.00.

A Bid Tabulation, Bid Analysis, Bid/Proposal Affidavit, Right-of-Way Certification and Experience & Equipment Certification are attached.

SJM:lc

Attachments



David J. Coyne
Deputy Administrator
Chief Engineer for Operations

AUG 06 2015

MEMORANDUM

TO: David J. Coyne
Deputy Administrator
Chief Engineer for Operations

FROM: *for* Steven J. Marciszewski
Director
Office of Construction *Mark O. Callahan*

DATE: July 21, 2014

SUBJECT: Local Jurisdiction Project
Contract No. WA397ZM1
FAP No. BHO-3(327)E
Old Forge Road over Antietam Creek

Washington County, through Andrew Eshleman, Structural Engineer, Washington County Division of Engineering & Construction Management, 80 West Baltimore Street, Hagerstown, MD 21740 is requesting the Administration's Concurrence in the Award of the subject contract to Building Systems, Inc., 16619 Hunters Green Pkwy., Suite 100, Hagerstown, MD 21740. This bid meets the established criteria of responsibility under our Governing Specifications.

Bids were opened on April 30, 2014 and Building Systems, Inc. was the only contractor to submit a bid. The low bid of \$1,192,471.00 is \$74,802.00 or 5.90% below the Engineer's Estimate of \$1,267,273.00.

This project will be funded 80.00% by the Federal Highway Administration and 20.00% by Washington County.

The Affirmative Action Plan submitted by Building Systems, Inc. amounts to 8.23% of the contract and, therefore, exceeds the 4.00% goal for subcontracting to minority businesses.

This contract will be administered in accordance with Exempt Procedures.

**Sample CIA #2 without
SHA Cover Letter**

WA397ZM1

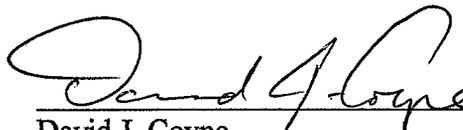
Page 2

I therefore recommend that this Administration concur in Washington County's request to award this contract to Building Systems, Inc. at the quotation of \$1,192,471.00.

A Bid Tabulation, Bid Analysis, Bid Justification, Bid/Proposal Affidavit, Right-of-Way Certification and Experience & Equipment Certification are attached.

SJM:lgc

Attachments



David J. Coyne
Deputy Administrator/
Chief Engineer for Operations

7/30/14

Date

February 3, 2015

MEMORANDUM

**TO: Mr. Jason Ridgway
Director - OHD**

**FROM: Teresa Van Kirk
Team Leader,
Contracts Award Team**



**SUBJECT: Contract No.: XX5325633
Placement of new concrete sidewalk and/or replacement of
existing concrete sidewalk, curb ramp placement and replace-
ment.**

The low bid for the subject contract is greater than 10% over the estimate. Therefore, a justification to either award the contract or reject all bids is needed.

This justification should be directed to Mr. Steve Marciszewski, Director, Office of Construction, for action on his part, with a copy being sent to this office.

- Attached for your use is a bid summary.
- Attached for your use is a computer analysis.
- Attached for your use is a line item profile.
- Attached for your use is a tabulation of bids.
- Attached for your use is a copy of the low bid proposal.

Please provide the information requested by Feb. 13, 2015.

TVK:tb

Attachments

**cc: Mr. W. Gover Mr. J. Wampler
Ms. A. Smith Mr. E. Marabello
Ms. L. Choplin Mr. S. Marciszewski
Mr. A. Crawford Ms. T. Van Kirk
Mr. S. Bucy**

Tabulation of Bids

Contract ID: XX5325633

Counties: DISTRICT 6

Letting Date: January 22, 2015

District(s): 6

Call Order: 105

Project(s): N/A

Contract Time: 12/15/16 COMPLETION DATE

Min: Max:

Contract Description: Placement of New Concrete Sidewalk and/or Replacement of Existing Concrete Sidewalk, Curb Ramp Placement and Replacement

Line No / Item ID		Quantity and Units	(4) IMAGE ASPHALT MAINTENANCE, INC.		(5) METRO PAVING CORPORATION		(6) HARBEL, INC.	
Alt Set / Alt Member	Item Description		Unit Price	Ext Amount	Unit Price	Ext Amount	Unit Price	Ext Amount
SECTION: 0100	STATE FUNDED		Cat Alt Set:		Cat Alt Member:		LCC:	
8012	833002	300.000	28.00000	8,400.00	31.25000	9,375.00	19.00000	5,700.00
	1 INCH DIAMETER RIGID STEEL CONDUIT, SCHEDULE 40	LF						
8013	837001	50.000	200.00000	10,000.00	220.00000	11,000.00	110.00000	5,500.00
	GROUND ROD - 3/4 INCH DIAMETER X 10 FOOT LENGTH	EA						
8014	860285	14.000	1,000.00000	14,000.00	1,200.00000	16,800.00	1,000.00000	14,000.00
	16 INCH LED COUNTDOWN PEDESTRIAN SIGNAL HEAD FURNISH AND INSTALL LED 16 INCH COUNDOWN PEDESTRIAN SIGNAL HEADS	EA						
8015	860292	35.000	180.00000	6,300.00	200.00000	7,000.00	370.00000	12,950.00
	CUT, CLEAN, GALVANIZE AND CAP TRAFFIC SIGNAL STRUCTURE	EA						

MARYLAND STATE HIGHWAY ADMINISTRATION

02/02/2015

BID ITEM ANALYSIS

Page 1

CONTRACT ID : XX5325633

VENDOR : V204558289

A.J. ROMANO CONSTRUCTION INC.

DESCRIPTION : Placement of New Concrete Sidewalk and/or Replacement of Existing Concrete Sidewalk, Curb Ramp Placement and Replacement

CALL NUMBER : 105

LETTING DATE : 01/22/2015

COUNTIES :

COMPLETION TIME : Completion Date

PROJECT(S) : N/A

LINE	ITEM / DESCRIPTION	QUANTITY	ESTIMATED PRICE	BID PRICE	ESTIMATED AMOUNT/ UNITS	BID AMOUNT	BID EST %	OVERRUN/ UNDERRUN
Preliminary								
1001	110350 TYPE B ENGINEERS OFFICE	1.000	70,000.00000	65,000.00000	70,000.00 LS	65,000.00	-7.143	-5,000.00
1002	114280 REMOVAL OF EXISTING PAVEMENT LINE MARKINGS, ANY WIDTH	500.000	2.50000	8.00000	1,250.00 LF	4,000.00	220.000	2,750.00
1003	120500 MAINTENANCE OF TRAFFIC	1.000	130,000.00000	275,000.00000	130,000.00 LS	275,000.00	111.538	145,000.00
1004	120555 GRADED AGGREGATE BASE FOR MAINTENANCE OF TRAFFIC	1,600.000	20.00000	20.00000	32,000.00 TON	32,000.00	0.000	0.00
1005	120610 ARROW PANEL	250.000	20.00000	15.00000	5,000.00 UD	3,750.00	-25.000	-1,250.00
1006	120625 TEMPORARY TRAFFIC SIGNS HIGH PERFORMANCE WIDE ANGLE RETROREFLECTIVE	1,000.000	15.00000	15.00000	15,000.00 SF	15,000.00	0.000	0.00
1007	120743 TYPE III BARRICADE FOR MAINTENANCE OF TRAFFIC	25.000	75.00000	200.00000	1,875.00 EA	5,000.00	166.667	3,125.00

MARYLAND STATE HIGHWAY ADMINISTRATION

02/02/2015

BID ITEM ANALYSIS

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CONTRACT ID : XX5325633

VENDOR : V204558289

A.J. ROMANO CONSTRUCTION INC.

LINE	ITEM / DESCRIPTION	QUANTITY	ESTIMATED PRICE	BID PRICE	ESTIMATED AMOUNT/ UNITS	BID AMOUNT	BID EST %	OVERRUN/ UNDERRUN	
Paving									
5003	561118 8 INCH PORTLAND CEMENT CONCRETE PAVEMENT FOR DRIVEWAY MIX 98 INCH POR	2,000.000	80.00000	110.00000	160,000.00 SY	220,000.00	37.500	60,000.00	
5004	585405 5 INCH WHITE LEAD FREE REFLECTIVE THERMOPLASTIC PAVEMENT MARKINGS	1,500.000	1.50000	7.65000	2,250.00 LF	11,475.00	410.000	9,225.00	
5005	585407 5 INCH YELLOW LEAD FREE REFLECTIVE THERMOPLASTIC PAVEMENT MARKINGS	500.000	1.50000	7.65000	750.00 LF	3,825.00	410.000	3,075.00	
5006	585412 12 INCH WHITE LEAD FREE REFLECTIVE THERMOPLASTIC PAVEMENT MARKINGS	1,000.000	5.00000	17.60000	5,000.00 LF	17,600.00	252.000	12,600.00	
SUB TOTAL						300,000.00	432,900.00	44.30	132,900.00
Shoulders									
6001	600000-LF .COMBINATION CURB AND GUTTER ANY HEIGHT OR DEPTH	3,000.000	40.00000	42.50000	120,000.00 LF	127,500.00	6.250	7,500.00	
6002	600000-LF .REMOVE AND RESET EXISTING FENCE	3,000.000	65.00000	15.00000	195,000.00 LF	45,000.00	-76.923	-150,000.00	
6003	634204 TYPE A CURB ANY HEIGHT OR DEPTHSTANDARD TYPE A CURB ANY DEPTH	1,500.000	35.00000	50.00000	52,500.00 LF	75,000.00	42.857	22,500.00	
6004	655105 5 INCH CONCRETE SIDEWALK	100,000.000	7.00000	10.00000	700,000.00 SF	1,000,000.00	42.857	300,000.00	
6005	655120 DETECTABLE WARNING SURFACE FOR CURB RAMPS	5,000.000	25.00000	30.00000	125,000.00 SF	150,000.00	20.000	25,000.00	

BID ITEM ANALYSIS

CONTRACT ID : XX5325633

VENDOR : V204558289

A.J. ROMANO CONSTRUCTION INC.

LINE	ITEM / DESCRIPTION	QUANTITY	ESTIMATED PRICE	BID PRICE	ESTIMATED AMOUNT/ UNITS	BID AMOUNT	BID EST %	OVERRUN/ UNDERRUN
Traffic								
8003	802145 ADJUST EXISTING HANDHOLE	14.000	525.00000	482.90000	7,350.00 EA	6,760.60	-8.019	-589.40
8004	802501 NO. 6 AWG STRANDED BARE COPPER GROUND WIRE	1,500.000	2.00000	3.30000	3,000.00 LF	4,950.00	65.000	1,950.00
8005	805121 UP TO 4 INCH SCHEDULE 80 RIGID PVC CONDUIT-BORED OR SLOTTED FURNISH AND	900.000	50.00000	98.18000	45,000.00 LF	88,362.00	96.360	43,362.00
8006	805135 3 INCH SCHEDULE 80 RIGID PVC CONDUIT-TRENCHED	400.000	20.00000	17.49000	8,000.00 LF	6,996.00	-12.550	-1,004.00
8007	805141 UP TO 4 INCH SCHEDULE 80 RIGID PVC CONDUIT-TRENCHED FURNISH AND INSTALL L	300.000	8.00000	21.27000	2,400.00 LF	6,381.00	165.875	3,981.00
8008	811001 FURNISH AND INSTALL ELECTRICAL HANDHOLE	10.000	1,000.00000	1,700.82000	10,000.00 EA	17,008.20	70.082	7,008.20
8009	813014 INSTALL GROUND MOUNTED SIGN	400.000	40.00000	17.27000	16,000.00 SF	6,908.00	-56.825	-9,092.00
8010	813023 RELOCATE EXISTING GROUND MOUNTED SIGNS	350.000	15.00000	26.13000	5,250.00 SF	9,145.50	74.200	3,895.50
8011	822510 DISCONNECT, PULL-BACK AND REROUTE CABLES DISCONNECT, PULL BACK AND RER	1,000.000	2.50000	4.18000	2,500.00 LF	4,180.00	67.200	1,680.00
8012	833002 1 INCH DIAMETER RIGID STEEL CONDUIT, SCHEDULE 40	300.000	16.00000	18.22000	4,800.00 LF	5,466.00	13.875	666.00

MARYLAND STATE HIGHWAY ADMINISTRATION

02/02/2015

BID ITEM ANALYSIS

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CONTRACT ID : XX5325633

VENDOR : V204558289

A.J. ROMANO CONSTRUCTION INC.

LINE	ITEM / DESCRIPTION	QUANTITY	ESTIMATED PRICE	BID PRICE	ESTIMATED AMOUNT/ UNITS	BID AMOUNT	BID EST %	OVERRUN/ UNDERRUN
Traffic								
8013	837001 GROUND ROD - 3/4 INCH DIAMETER X 10 FOOT LENGTH	50.000	120.00000	250.99000	6,000.00 EA	12,549.50	109.158	6,549.50
8014	860285 16 INCH LED COUNTDOWN PEDESTRIAN SIGNAL HEADFURNISH AND INSTALL LED 16	14.000	800.00000	812.90000	11,200.00 EA	11,380.60	1.612	180.60
8015	860292 CUT, CLEAN, GALVANIZE AND CAP TRAFFIC SIGNAL STRUCTURE	35.000	265.00000	300.45000	9,275.00 EA	10,515.75	13.377	1,240.75
8016	861105 ELECTRICAL CABLE - 2 CONDUCTOR (NO. 14 AWG)	4,000.000	2.00000	2.92000	8,000.00 LF	11,680.00	46.000	3,680.00
8017	861107 ELECTRICAL CABLE - 5 CONDUCTOR (NO. 14 AWG)	5,500.000	2.25000	3.26000	12,375.00 LF	17,930.00	44.889	5,555.00
8018	862101 LOOP WIRE ENCASED IN FLEXIBLE TUBING (NO. 14 AWG)	4,000.000	3.00000	2.71000	12,000.00 LF	10,840.00	-9.667	-1,160.00
8019	862102 SAW CUT FOR SIGNAL (LOOP DETECTOR)	2,500.000	11.00000	22.24000	27,500.00 LF	55,600.00	102.182	28,100.00
8020	865210 AUDIBLE/TACTILE PEDESTRIAN PUSHBUTTON STATION AND SIGNSFURNISH AND INST	14.000	800.00000	3,825.56000	11,200.00 EA	53,557.84	378.195	42,357.84

MARYLAND STATE HIGHWAY ADMINISTRATION

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BID ITEM ANALYSIS

Page 8

CONTRACT ID : XX5325633

VENDOR : V204558289

A.J. ROMANO CONSTRUCTION INC.

LINE	ITEM / DESCRIPTION	QUANTITY	ESTIMATED PRICE	BID PRICE	ESTIMATED AMOUNT/ UNITS	BID AMOUNT	BID EST %	OVERRUN/ UNDERRUN	
Traffic									
8021	873005	14.000	1,200.00000	3,344.00000	16,800.00	46,816.00	178.667	30,016.00	
	REMOVE AND DISPOSE OF EXISTING MATERIAL AND EQUIPMENT (PERASSIGNMENT)				EA				
	SUB TOTAL					257,650.00	444,104.59	72.37	186,454.59
CONTRACT TOTAL FOR CALCULATED BIDDERS BID ITEMS						2,317,775.00	2,965,254.59	27.94	647,479.59

March 19, 2015

MEMORANDUM

TO: Mr. David J. Coyne
Deputy Administrator/Chief Engineer for Operations

THROUGH: Mr. Steven Marciszewski
Director, Office of Construction

FROM: Jason A. Ridgway
Director, Office of Highway Development 

SUBJECT: Contract No. XX5325633
F.A.P. No. N/A
Description: Areawide ADA Contract in District 6

RE: Bid Justification

On January 22, 2015, the low bid by A.J. Romano Construction Inc. (AJRC) of \$2,965,254.59 was submitted for the Areawide ADA Contract in District 6. The bid was \$647,479.59 (27.94%) over the Engineer's Estimate of \$2,317,775.00. A total of six bids were received for this project and all the bids were higher than the Engineer's Estimate.

Three items accounted for a total difference of \$505,000.00 (21.88% of the unadjusted Engineer's Estimate) and are included in our analysis. The following is a comparative breakdown:

Item No.	Description	Engineer's Estimate	Low Bidder's Estimate	Difference in Cost	Percent Difference
1003	Maintenance of Traffic	\$130,000.00	\$275,000.00	+\$145,000.00	+111.53%
5003	8" Portland Cement Concrete Pavement for Driveway Mix 9	\$160,000.00	\$220,000.00	+\$60,000.00	+37.50%
6004	5" Concrete Sidewalk	\$700,000.00	\$1,000,000.00	+\$300,000.00	+42.85%

Maintenance of Traffic (MOT - Item No. 1003, Category Code 120500, Lump Sum):

The difference between the low bid Contractor's price (\$275,000) and the Engineer's Estimate (\$130,000) is \$145,000. The Engineer's Estimate for MOT was 6.41% of categories 2 through 8. The intent was to use a higher percentage, which is consistent with recent Fund 33 and Fund 79 projects (9 to 12% of categories 2 and 8); however, items were added to categories 2 through 8 without adjustments to the MOT. The Contractor's percentage is about 11%.

The project manager contacted Mr. Anthony Romano, President of A.J. Romano Construction Inc., on January 29, 2015, and inquired about his methodology for developing his price for Maintenance of Traffic. Mr. Romano explained that the unit price for this item was bid higher than comparable areawide ADA contracts due to the following:

- All of the work will require a flagging operation, not just some segments.
- The State Wage Rates for this region are extremely high for flaggers.

We confirmed that the wage rates are about 7% higher than the state average. Regardless, the contractor's bid fell within the range of 9 to 12% of categories 2 thru 8, consistent with our methodology. In addition, four of the six bidders (including the low bidder) have a bid within this range, generally at the higher end of the spectrum as well: **\$275,000 (11%)**, \$475,000 (19.5%), **\$243,900 (9.1%)**, **\$300,000 (11.6)**, **\$300,000 (11%)** and \$1,378,000 (41.9%).

We recommend accepting the lump sum bid of \$275,000 from AJRC for Item 1003- Maintenance of Traffic. This value is consistent with the methodology we have been using on these projects. The Engineer's Estimate will be adjusted to 11% of the adjusted Engineer's Estimate for Categories 2 through 8 for this item, \$260,000.00.

8" Portland Cement Concrete Pavement for Driveway Mix 9 (Item 5003, Category Code 561118, Square Yards):

The difference between the low bid (\$110/SY - \$220,000) and the Engineer's estimate (\$80/SY - \$160,000) is \$60,000. The Engineer's Estimate for this item was developed based on the bid history of recent Areawide ADA contracts across the state. This was due to the fact that this item has not been used in the past ten years in District 6.

The project manager contacted Mr. Anthony Romano, President of A.J. Romano Construction Inc., on January 29, 2015, and inquired about his methodology for developing the unit price for 8" Portland Cement Concrete Pavement for Driveway Mix 9. As with the MOT, Mr. Romano explained that his unit price for this item was bid higher than recent statewide bid history, due to two main reasons:

- The cost of Portland cement concrete in District 6 is 35% higher than in the other Districts.
- The State Wage Rates for this region for concrete labors are double compared to other regions.

We were unable to confirm the cost of Portland cement concrete in District 6, but it appears that the State Wage Rates for this region are about 7% lower than the Statewide average. The Engineer's was based entirely on statewide bid history; however bid prices have been trending higher since the revenue increase and could be contributing to the higher bid prices.

The Bidders priced this item as follows: \$220,000 (\$110.00/SY), \$210,000 (\$105.00/SY), \$170,000 (\$85.00/SY), \$216,000 (\$108.00/SY), \$350,000 (\$175.00/SY), and \$296,000 (\$148.00/SY). The majority of the bidders fell within the range of \$85/SY to \$110/SY, for an average of \$97.60/SY. If we include the closest outlier, that brings the average up to \$106.00/SY, resulting in a range of \$97.60 and \$106.00/SY for a reasonable estimate value for this item.

We recommend accepting the bid of \$220,000 (\$110/SY) from AJRC for Item 5004 - 8" Portland Cement Concrete Pavement for Driveway Mix 9. Giving consideration to the higher cost for the base material and labor in Western Maryland, clearly a higher value than the statewide average is valid. Based upon the analysis of this item, the Engineer's Estimate will be adjusted to \$100/SY for a total value of \$200,000.

5" Concrete Sidewalk (Item 6004, Category Code 655105, Square Feet):

The difference between the low bid Contractor's price (\$10/S - \$1,000,000) and the Engineer's Estimate (\$7/SY-\$700,000) was \$300,000.00. The Engineer's Estimate for this item was developed based on the statewide bid history of recent Areawide ADA contracts. As with the previous item, there is little or no bid history for this item in District 6.

The project manager contacted Mr. Anthony Romano, President of A.J. Romano Construction Inc., on January 29, 2015, and inquired about the methodology for developing the unit price for 5" Concrete Sidewalk. As with the prior items reviewed, Mr. Romano explained that the unit price for this item was bid higher than recent statewide bid history, due to two main reasons:

- The cost of concrete in District 6 is 35% higher than in the other Districts.
- The State Wage Rates for this region for concrete labors are double compared to other regions.

The bidders priced this item as follows: \$1,000,000 (\$10/SF), \$700,000 (\$7.00/SF), \$1,040,000 (\$10.40/SF), \$800,000 (\$8.00/SF), \$700,000 (\$7.00/SF), and \$1,380,000 (\$13.80/SF). Several bidders used the same value as the Engineer (\$7.00). Without having more data on the suppliers, it's difficult to determine why their value was not consistent with the low bidder, other than the assumption that the low bidder (and the two others higher than \$10/SF) received higher prices from suppliers than the three estimates lower than his bid for this item.

We recommend accepting the contractor's bid for this item (\$10.00/SF). It's reasonable to expect the higher costs for this work in Western Maryland, although we do not have sufficient data to confirm specific values. The Engineer's Estimate will be adjusted to match the low bidder's estimate of \$10/SF (\$1,000,000) for this item.

The following is a breakdown of the revised items:

Item No.	Description	Adjusted Engineer's Estimate	Low Bidder's Estimate	Difference in Cost	Percent Difference
1003	MOT	\$260,000.00	\$275,000.00	\$15,000.00	5.77%
5003	8" Portland Cement Concrete Pavement for Driveway Mix 9	\$200,000.00	\$220,000.00	\$20,000.00	10.00%
6004	5" Concrete Sidewalk	\$1,000,000.00	\$1,000,000.00	\$0.00	0.00%
Revised Total Comparison		\$2,787,775.00	\$2,965,254.59	\$177,479.59	6.37%

The items in this estimate that were difficult to evaluate as separate elements; however, higher bid costs in general are consistent with a market with a high number of contracts let over recent seasons, and with a contract bid very late in the season. The Engineer's Estimate was adjusted as shown above for the items reviewed. This results in a revised Engineer's Estimate of \$2,787,775.00. The overall cost difference between the Adjusted Engineer's Estimate and the low bid from A.J. Romano Construction Inc. is \$177,479.00 bringing the low bid to 6.37% above the adjusted Engineer's Estimate. We believe the bid of \$2,965,254.59 submitted by A.J. Romano Construction Inc. is justifiable, and we recommend the award of this project. We do not believe there would be an advantage to the Administration to re-advertise this project, not to incur the resultant delay and additional preliminary engineering cost.

The Prime Contractor is required to provide Performance Bonds prior to award of this contract. Bonding companies perform an evaluation of the contractor's capacity and capability to complete a project as a part of their bonding decision, therefore no separate evaluation of the capabilities of the Prime Contractor or the identified sub-contractors will be conducted by SHA as part of the overall contractor responsibility determination. The contractor's ability to obtain bonding is deemed to be a reasonable assessment of their responsibility to bid a project.

Mr. David J. Coyne
Contract No. XX5325633
March 19, 2015
Page 5

Attached for your information are a copy of the bid analysis report and the tabulation of bids. If you have any questions, or require additional information, please do not hesitate to contact the Project Manager, Mr. William Gover, at 410-545-8766, or by e-mail at wgover@sha.state.md.us.

JAR/wjg

Attachments: Bid Analysis Report and Tabulation of Bids

cc: Mr. Stephen Bucy
Ms. Lisa B. Choplin
Mr. Anthony Crawford
Mr. Jeffrey T. Folden
Mr. Eric Marabello
Mr. Devon Miller
Ms. Angela Smith
Ms. Teresa Van Kirk

RECOMMEND CONCURRENCE:

Steven Marciszewski
Director, Office of Construction

CONCUR:

David J. Coyne
Deputy Administrator/Chief Engineer for Operations

APPENDIX G

CONSTRUCTION MANAGEMENT





U.S. Department
of Transportation
Federal Highway
Administration

Memorandum

Subject: **INFORMATION**: “Responsible Charge”

Date: August 4, 2011

David A. Nicol

From: David A. Nicol
Director, Office of Program Administration

In Reply Refer To:
HIPA-10

To: Director of Field-Service
Federal Lands Highway Division Engineers
Division Administrators

The issue of “responsible charge” of Federal-aid construction projects has been raised on several occasions; most recently as it relates to Federal-aid projects that are administered by local public agencies. The following attachment provides guidance on the requirements and duties of the person designated to be in “responsible charge”.

If you have any questions about the memorandum and attachment, please contact Mr. Bob Wright as Robert.wright@dot.gov.

Attachment

Defining “Responsible Charge” in the Federal-aid Highway Program

Regulation:

The key regulatory provision, 23 CFR 635.105 – *Supervising Agency*, provides that the State Transportation Agency (STA) is responsible for construction of Federal-aid projects, whether it or a local public agency (LPA) performs the work. The regulation provides that the STA and LPA must provide a full time employee to be in “responsible charge” of the project.

Requirements of Position:

For projects administered by the STA, the regulation requires that the person in “responsible charge” be a full-time employed state engineer. This requirement applies even when consultants are providing construction engineering services.

For locally administered projects, the regulation requires that the person in “responsible charge” be a full time employee of the LPA. The regulation is silent about engineering credentials. Thus, the person in “responsible charge” of LPA administered projects need not be an engineer. This requirement applies even when consultants are providing construction engineering services.

Duties:

Regardless of whether the project is administered by the STA or another agency, the person designated as being in "responsible charge" is expected to be a public employee who is accountable for a project. This person should be expected to be able to perform the following duties and functions:

- Administers inherently governmental project activities, including those dealing with cost, time, adherence to contract requirements, construction quality and scope of Federal-aid projects;
- Maintains familiarity of day to day project operations, including project safety issues;
- Makes or participates in decisions about changed conditions or scope changes that require change orders or supplemental agreements;
- Visits and reviews the project on a frequency that is commensurate with the magnitude and complexity of the project;
- Reviews financial processes, transactions and documentation to ensure that safeguards are in place to minimize fraud, waste, and abuse; and
- Directs project staff, agency or consultant, to carry out project administration and contract oversight, including proper documentation.
- Is aware of the qualifications, assignments and on-the-job performance of the agency and consultant staff at all stages of the project.

The regulations do not restrict an agency’s organizational authority over the person designated in “responsible charge," and the regulations do not preclude sharing of these

Attachment

duties and functions among a number of public agency employees. The regulations also do not preclude one employee from having responsible charge of several projects and directing project managers assigned to specific projects.

Affect on Laws Regulating Licensure:

The term “responsible charge” is used here in the context intended by the above regulation. It may or may not correspond to its usage in state laws regulating licensure of professional engineers.



Washington County

M A R Y L A N D

DIVISION OF
ENGINEERING & CONSTRUCTION MANAGEMENT
PLAN REVIEW & PERMITTING | ENGINEERING | CONSTRUCTION

August 12, 2015

State Highway Administration
Office of Materials and Technology
7450 Traffic Drive
Hanover, MD 21076

Attn: Mr. Tim Smith, P.E. Director

Subject: Request for Material Clearances, Material Testing and Inspection
Leiters Mill Road Bridge W2292 Rehabilitation over Antietam Creek
County Contract No. BR-LM-180-14
SHA Contract No. WA385ZM2, FAP No. BHO-3(394)E

Re: Request for Material Clearance Services

Dear Mr. Smith:

We would like to request the use of SHA personnel to provide material clearances as well as perform material testing and inspection on an as needed basis for the Leiters Mill Bridge W2292 federal aid rehabilitation project. Although our contract requires the contractor to provide the appropriate material testing and inspection on the project, there may be instances that our office requires additional assistance. Included with this submission is a copy of the final plans, estimate, and specifications for the project.

The anticipated Notice to Proceed is January 25, 2016 and scheduled for completion by July 22, 2016. The estimated project cost is \$700,000. The work involves the rehabilitation of a 56 ft. 1839 stone arch bridge. The project will involve removal of the existing spandrel fill and replacement with reinforced lightweight concrete, reconstruction of stone spandrel walls, wing walls, parapets, pier nose and construction of concrete pier collars. Additional work includes minor roadway work, new traffic barrier with attachments to the bridge and asphalt paving.

Attached for your review and use is a draft SHA Form 30.0-032 Cost Sharing Agreement. Please provide the total estimated cost of these services and return the completed agreement to our office. We will then sign and return the fully executed agreement to your office.

The County understands that payment for 80 percent of the costs for these services will be deducted from the County Federal Aid Bridge Rehabilitation and Replacement Funds while the remaining 20 percent will be repaid by the County to the State upon receipt of SHA billings.

The person authorized on behalf of Washington County to execute the SHA Form 30.0-032L is Robert Slocum, Director of Engineering and Construction Management. All billings relating to these requested services should be sent to: Washington County Engineering and Construction Management, 80 West Baltimore Street, Hagerstown, MD 21740, Attention: Andrew Eshleman.

80 West Baltimore Street | Hagerstown, MD 21740 | P: 240.313.2460 | Hearing Impaired: 7-1-1

If you have any questions or need additional information, please contact me at 240-313-2421 or aeshleman@washco-md.net

Sincerely,

A handwritten signature in black ink, appearing to read 'A. Eshleman', written in a cursive style.

Andrew Eshleman, P.E.
Structural Engineer
Engineering & Construction Management

cc: Kelly Nash, SHA-OOS (via email)

NOTICE OF AWARD

To: Carl Belt, Inc.
11521 Milnor Avenue, P.O. Box 1210
Cumberland, MD 21502

PROJECT Description: Allegheny Highlands Trail Valley Street
Contract No. AL481ZM1, FAP No. HP-4302(2)E

The OWNER has considered the BID submitted by you for the above described WORK in response to its ADVERTISEMENT for Bids dated June 3, 2015 and Information for Bidders.

You are hereby notified that your BID has been accepted for items in the amount of One hundred seventy-eight thousand, seven hundred sixty-three dollars and no cents (\$178,763.00).

Your are required by the Information for Bidders to execute the Agreement and furnish the required CONTRACTOR'S Performance bond, Payment BOND and certificates of insurance within ten (10) calendar days from the date of this Notice to you.

If you fail to execute said Agreement and to furnish said BONDS within ten (10) days from the date of this Notice, said OWNER will be entitled to consider all your rights arising out of the OWNER'S acceptance of your BID as abandoned and as a forfeiture to your BID BOND. The OWNER will be entitled to such other rights as may be granted by law.

You are required to return an acknowledged copy of this NOTICE OF AWARD to the OWNER.

Dated this 17th day of August, 2015.

ALLEGANY COUNTY COMMISSIONERS
Owner

By 
Adam Patterson, P.E.

Title County Engineer

ACCEPTANCE OF NOTICE

Receipt of the above NOTICE OF AWARD is hereby acknowledged by Carl Belt, Inc.

this the 17th day of August, 2015.

By 
David J. Madden
Title Executive Vice President



City of Cumberland

ENGINEERING DIVISION

P.O. Box 1702, Cumberland, Maryland 21501-1702
Phone (301) 759-6600, Fax (301) 759-6608

August 19, 2013

Braddock Construction, LLC
Attn: Ms. Kristen Weimer
16214 National Highway
Frostburg, MD 21532

Re: SHA Contract No. AL480ZM1
F.A.Project No. APL-210-1(21)E
Baltimore Avenue Improvements
City Project No. 02-12-M

Ms. Weimer:

We have received the Concurrence in Award from the State Highway Administration for the referenced project as well as the Mayor and City Council Order. All contract documents have been received by the City of Cumberland. You are hereby notified to proceed with work on or before September 3, 2013.

Very truly yours,

John J. DiFonzo, P.E.
City Engineer
JJD: kar

cc: Paul J. DePaltis
Jeffrey D. Rhodes
Joe D. Urban
Margie Eirich
John R. DeVault
John Scarlett
David J. Curry
Brooke E. Cassell
Charles Hinnant
Cpt. Greg Leake
Donald Dunn
Shannon Adams
Jay T. Oliver
Anthony Crawford
Stephen T. Pearce
Elizabeth Wright
Neil Haines

Devin Miller
Linda Puffenberger
Stephen Bucy
Kris Wells
Randall Wiley
Guy Talerico
Matt Troutman
Barry Catterton
Jack Zies
Al Feldstein
Nick Wagoner
Dave Felker
K.C. Keith
Evroc "Rocky" Goocharan
Charles Hatfield
Brianna Perry
Scott Turley



MARYLAND STATE HIGHWAY ADMINISTRATION
OFFICE OF CONSTRUCTION
PRECONSTRUCTION MEETING AGENDA TEMPLATE

1. Introductions with Sign-in Sheet

DATE _____

2. Assistant District Engineer-Construction – Remarks

- a. Project Engineer _____
- b. Design Manager _____
- c. Contractor _____

3. Project Overview

- a. Description of Project IFB Page _____
 - i. Special Provisions / Plans / Addenda
 - ii. Contract Number _____
 - iii. Limits _____
 - iv. Phasing _____
 - v. Liquidated Damages per Day _____
- b. Schedule
 - i. Notice To Proceed, on or before _____
 - ii. Time Type – Review Time Charge Specifications and Determination
 - (1) Days Allowed _____ (Work Days, Calendar Days, Calendar Date)
 - (2) Liquidated Damages: \$ _____ IFB Page _____
 - (3) Schedule Type – NO WORK until Submitted and APPROVED
 - (a) CPM (Spec Section 109) or Activity Chart (Spec Section 110)
 - (4) NO PAYMENT without Monthly Schedule Updated Submitted
 - (5) Project Progress/Partnering Meetings
 - iii. Insurance
 - (1) Certificate, Expiration Date
 - (2) Field Office and Contents
 - (3) Comprehensive General Public Liability and Property Damage
 - (4) Railroad / CSXT, if required
 - (5) Others?
 - iv. Funding Source Breakdown (Federal, State, Local, Other Third Party)
 - v. Work Restrictions
 - (1) Contractor's Work Hours IFB Page _____

4. Correspondence & Communications

- a. Chain of Command: SHA (CPE > AE > ADE > DE), Contractor
- b. Primary Source of SHA Authority for Contractor: Construction Project Engineer
- c. Copies of All Correspondence to Project Engineer
- d. Contractor Email Address and Point of Contact
- e. Shop Drawings

- f. Working Drawings
- g. Extra Work – ONLY District Office has Authority to Request Extra Work
- h. Standing Meetings CD 07220.100.17

5. Governing Standard Specifications – 2008 July ‘Grey Book’

6. General Specifications

- a. Variations in Estimated Quantities GP 4.04
- b. Differing Site Conditions GP 4.05
- c. Changes GP 4.06
- d. Claims – Note Timeframes for Notification GP 5.14

7. Engineer’s Field Office

- a. Type Required _____
- b. Location _____
- c. Utility Hookups _____
- d. No Work to Begin Until Field Office Operational

8. Subcontractor Approvals

- a. Prompt Payment Clause IFB Page _____
- b. Prime Contractor Must Notify the District if it Intends to Hold Payment to a Sub for Any Reason

9. Disadvantaged / Minority Business Enterprise (D/MBE) Schedule of Participation

- a. Posting Chart
- b. Percentage Required _____
- c. Approved? _____
- d. D/MBE Field Meeting – CPE to Schedule CD 07220.100.19
- e. Weekly Trucking Reports
- f. IDR’s and Daily Log

10. Equal Employment Opportunity (EEO) / Labor Compliance

- a. SHA EEO Officer Name/Phone/email _____
- b. Project Bulletin Board
- c. Certified Payrolls
 - i. Requirements IFB Page _____
 - ii. Prevailing Wage Rates IFB Page _____
 - iii. Weekly Payroll Compliance Checks
 - iv. Wage Rate Interviews
 - v. Two-Week Due Date or Estimate may be withheld
 - vi. Monthly Work Force Analysis

11. On The Job Training

- a. Number of Trainees Required IFB Page _____

- b. Trainee Program must be submitted prior to start of work

12. Safety Considerations

GP 7.05, 7.06

- a. SHA Safety Officer Name/Phone/email _____
- b. Contractor's "Competent Person" on Project Must Be Present During Work
- c. MOSH Regulations Govern Project
- d. CPE Gives One Warning of Site Hazard, then Contacts SHA Safety Officer/MOSH if not IMMEDIATELY Corrected
- e. Night Work Requirements?
- f. Any Special Vehicle and Site Lighting Requirements?
- g. Make Sure Driver's Wear Approved ANSI Class II Vests

13. Crane Certification/Qualification

- a. Operators/Riggers Must be Qualified

14. Right of Way (ROW)

- a. SHA ROW Officer Name/Phone/email _____
- b. Provide Contractor with Form 113 (ROW Contract Agreements)
- c. Status of Properties
- d. Any New ROW _____
- e. Reminder to Stay Off Private Property Unless Written Permission in Hand

15. Status of Permits

- a. Review "Required Environmental Permits, Approvals, and Authorizations" in IFB

16. Erosion and Sediment Control (E&SC) and Stormwater Management GP 7.12

- a. SHA Environmental Coordinator Name/Phone/email _____
- b. E&SC Meeting – CPE to Schedule CD 07220.300.01
- c. Sequence of Construction Submitted and Approved?
- d. Green & Yellow Cards Certification
- e. Contractor's Daily E&SC Reports
- f. Quality Assurance Ratings/Penalties IFB Page _____
- g. Weekly NPDES Reports for Erosion and Sediment Control
- h. Stormwater Management As-Builts
- i. Stream Restrictions
- j. Wetlands

17. Utilities Coordination

- a. SHA District Utility Engineer Name/Phone/email _____
- b. Notification of MISS UTILITY 1-880-257-777
- c. Extent of Utility Coordination
 - i. Utility Company Representative Comments
- d. Test Pitting (Must be approved by CPE)

18. Maintenance of Traffic (MOT)

GP 7.10, TC 104

- a. SHA Traffic Engineer Name/Phone/email _____
- b. Follow 2011 MdMUTCD
- c. Lane Closure Restrictions IFB Page _____
- d. TCM Certification
- e. Daily Inspection Requirements
- f. Traffic Control Plan Acceptance IFB Page _____
- g. Modification Requirements
- h. Inventory of Roadway Markings
- i. Work on Holidays/Weekends IFB Page _____
- j. Night Work Restrictions
- k. Pre-Traffic Phase Shift Meeting – CPE to Schedule CD 07220.100.04

19. Traffic Signals, Signs and Lighting

- a. Lighting
- b. Signals

20. Control of Material

GP 6.01 thru 6.04

- a. SHA Materials Area Engineer Name/Phone/email _____
- b. Materials Management System (MMS) Monthly Program
- c. Sources of Supply (SOS) Approvals - No Payment for Materials from Unapproved Sources
- d. Material Inspection
- e. Material Testing Equipment on Site and in Working Order
- f. Small Quantity Approval Requirements
- g. Topsoil Sampling and Approval
- h. Storage and Handling of Materials (Away from Roadway and Out of Floodplain)
- i. Plant Production Notification
- j. QC Plan for Asphalt
- k. Contract Finals Needs Plant Reports - No Report, No AC Adjustment
- l. Stored Materials Payment Requirements
 - i. Limited Use as per Specifications
 - ii. Minimum 14 Calendar Day Lead Time to Put on Estimate

21. Borrow – Method of Measurement

Section 203

22. Payments

- a. Tickets
- b. Invoices

23. Reduction of Retainage based on Evaluations

TC 7.05

- a. Prime Contractor Must Notify Subcontractors if Retainage has been Reduced

24. Incentive/Disincentive Contracts

- a. District May Withhold Estimate if Disincentive Dictates

25. Project Specifics

- a. Construction Stake Out
- b. Unusual Conditions
- c. Customer Service Goals
- d. Maintenance Concerns

26. Contractor's Key Personnel & Emergency Contact Information (Name, Phone #s, Email)

- a. Chain of Command: Foreman, Superintendent, Project manager, etc.
- b. Safety Officer/Responsible Person
- c. Traffic Control Manager
- d. E&SC Manager
- e. EEO Officer

27. Maryland State Police

- a. Coordination
- b. Use of Off Duty Troopers (When Applicable)

28. Cultural Resources

TC 5.04

29. Public Notifications, News Releases, Handouts

- a. Hat & Shovel Signs (If Applicable)
- b. Weekly Updates: Due from CPE Every Thursday

30. Operations and Maintenance Final Phase of Project Delivery

O&M Manuals

MARYLAND STATE HIGHWAY ADMINISTRATION
MONTHLY SUMMARY OF CONSTRUCTION TIME CHARGES

CONTRACT NO: _____ FAP NO: _____

MONTH	
YEAR	

DESCRIPTION: _____

DATE	SUN	HOL	WORK DAY	BAD WEATHER	NO CHARGE	CLOSED DOWN		REMARKS
						PARTIAL	COMPLETE	
1								
2								
3								
4								
5								
6								
7								
8								
9								
10								
11								
12								
13								
14								
15								
16								
17								
18								
19								
20								
21								
22								
23								
24								
25								
26								
27								
28								
29								
30								
31								

TOTAL									THIS MONTH PRIOR TO DATE	TOTAL CD

Enter Saturdays under "No Charge" when weather is good or bad and no work is done. During "Partial Close Down" enter prorated time charged under "Work Day" on last day of "Partial Close Down" or last day of month, whichever comes first, and enter days not otherwise accounted for during the same period on the same line under "Close Down, "Partial". Sundays, Holidays, No Charge Days, etc. will be charged as usual even during a Partial or Complete Close Down and on Calendar Day or Calendar Date contracts.

SIGNATURE: _____ DATE: _____

Field Office Information Sheet

Contract No.: _____ **Project Engineer:** _____

Administration (Fill in Agency)

Directions to Field Office: _____

Office Phone: _____

Fax Number: _____

Cell Phone: _____

Contractor (Fill in Contractor's Name)

Project Manager: _____

Cell Phone: _____ Home Phone: _____

Traffic Manager: _____

Cell Phone: _____ Home Phone: _____

E & S Manager: _____

Cell Phone: _____ Home Phone: _____

Safety Officer: _____

Cell Phone: _____ Home Phone: _____

Contract No: _____

I recommend this proposed subcontractor:

_____ 
LEAD CONTRACT ADMINISTRATOR *DATE*

REMARKS:

REVIEWED BY: _____ 
TEAM LEADER, CONTRACTS AWARD TEAM, OOC *DATE*

REMARKS:

APPROVED BY: _____ 
DIRECTOR – OFFICE OF CONSTRUCTION *DATE*

This form is available through the Maryland State Highway Administration’s Contracts Award Team or the District Office.

MARYLAND STATE HIGHWAY ADMINISTRATION
SUBCONTRACTOR'S REQUEST FOR APPROVAL OF LOWER TIER SUBCONTRACTOR

By submittal of this request and Certification of Written Contract, I am requesting an approval for the proposed subcontractor listed below:

CONTRACT NO: _____ FAP NO: _____

PROJECT DESCRIPTION: _____

PRIME CONTRACTOR: _____

FEDERAL I.D. NO. _____

(Previously approved subcontractor requests approval to sublet proposed subcontractor)

1. APPROVED SUBCONTRACTOR _____

FEDERAL ID NO _____

2. PROPOSED SUBCONTRACTOR _____

FEDERAL I.D. NO. _____

MBE / DBE Non-MBE / DBE Age of the firm _____ years

Annual gross receipts (last calendar year): <\$500,000 \$500,000-1,000,000

\$1,000,000-3,000,000 \$3,000,000-5,000,000 \$5,000,000-10,000,000

>\$10,000,000

3. REQUEST NUMBER: _____

4. AMOUNT OF THIS REQUEST \$ _____ & _____ %

5. If proposed subcontractor is NOT a Minority Business Enterprise/Disadvantaged Business Enterprise (MBE/DBE) as approved by the Maryland State Highway Administration:

Has Prime Contractor previously met MBE/DBE Goals? YES NO

MBE/DBE Submitted to date _____% (including this request).

Contract No: _____

I recommend this proposed Subcontract:

DISTRICT ENGINEER DATE

REMARKS:

REVIEWED BY: _____

TEAM LEADER, CONTRACTS AWARD TEAM DATE

REMARKS:

APPROVED BY: _____

DIRECTOR – OFFICE OF CONSTRUCTION DATE

Contract No: _____

III. Special Conditions: If not signed by the President of the Corporation, a copy of the By-Laws, or a copy of the Board Resolution showing the authority of the person so signing on behalf of the Corporation, must be attached or on file with the State Highway Administration

PRIME CONTRACTOR/APPROVED SUBCONTRACTOR CERTIFICATION

I certify that _____

(APPROVED SUBCONTRACTOR – NAME, ADDRESS AND PHONE NUMBER) has entered into a written subcontract agreement with _____

(PROPOSED SUBCONTRACTOR) on Maryland State Highway Administration
Contract No. _____ FAP No. _____,

and that the Proposed Subcontractor has acknowledged that they have received and are responsible for all provisions of the contract, including specific Contract Provisions required on Federal Aid Construction Contracts. These subcontract documents are on file at our office and will be forwarded to the Maryland State Highway Administration’s Director – Office of Construction for review upon request.

BY: _____ DATE: _____
PRIME CONTRACTOR SIGNATURE

BY: _____ DATE: _____
APPROVED SUBCONTRACTOR SIGNATURE

PROPOSED SUBCONTRACTOR CERTIFICATION

I certify that _____

(PROPOSED SUBCONTRACTOR – NAME, ADDRESS, AND PHONE NUMBER), has entered into a written subcontract agreement with _____

(APPROVED SUBCONTRACTOR) on Maryland State Highway Administration
Contract No. _____ FAP No. _____.

I further acknowledge that the Contract’s Provisions have been made a part of this proposed subcontract agreement and as a subcontractor on this project we are responsible for complying with all provisions of the contract, including specific Contract Provisions required on Federal Aid Construction Contracts.

BY: _____ DATE: _____
Proposed Subcontractor Signature

This form is available through the Maryland State Highway Administration’s Contracts Award Team or District Office.

Subcontractor Approval Guidance

Requests for Approval of Subcontractors

When you receive a completed form OOC 42 (Request for Approval of Subcontractor) from the prime contractor, you must review and prepare it for the signature of the Subrecipient RC. Two copies of this form must be submitted to the SHA Contract Awards Section and they must be double-sided. The prime contractor should also provide a copy of the actual subcontract. If one is not provided, it should be requested. This subcontract must be kept on file by the project engineer. Your review of the OOC 42 should include:

Page 1

Check all blanks and math for completeness and accuracy.

Page 2

Check the price breakdown for completeness and accuracy. Occasionally, an additional sheet is provided which also must be checked.

Page 3

Make sure the prime and sub have signed this page and names, addresses, and phone numbers are provided.

Page 4

This page will remain blank until signed by the Subrecipient RC or his representative.

After the document has been reviewed and signed, provide two copies to the Contracts Officer at the SHA OOC Contract Awards Section, Room 214. Those SHA representatives who should receive signed copies are the Assistant District Engineer, Construction, EEO Officer, Construction Office Engineer, and Field Documentation Reviewer. The project engineer should also keep a copy on file.

If you require assistance, you should contact the SHA Contracts Awards Section at (443) 572-5214.

Requests for Approval of Lower Tier Subcontractors

Occasionally, the prime contractor will submit a Form OOC 43, Request for Approval of Lower Tier Subcontractor. This lower tier sub will perform a portion of the work previously approved for another subcontractor. This form should follow the same review and approval process as the OOC 42. These requests are numbered to coincide with the subcontractor they will work for. For example, a third tier sub performing work for approved Subcontractor No. 3 will be numbered as 3-A.

SUBJECT: Disadvantaged / Minority Business Enterprises (D/MBE)
Schedule of Participation

FORM NO: OOC38, OOC39, OOC42, OOC47



A. GENERAL:

This Directive is to institute a uniform procedure to implement the utilization of Disadvantaged / Minority Business Enterprises (D/MBE) Contract Provisions.

B. PURPOSE:

To ensure that the D/MBE's perform the work as proposed in the Schedule of Participation.

C. DEFINITIONS: [n/a]

D. PROCEDURE:

The Schedule of Participation, which is submitted by the Contractor prior to award of the contract, is to be considered a firm commitment to use the specifically identified minority and disadvantaged business firms. Also, prior to the award, the D/MBE Administrator, Office of Construction (OOC), will forward a copy of the approved Schedule of Participation to the Senior Manager and to the District Equal Opportunity (EO) Officer.

The Senior Manager will furnish to the Project Engineer a copy of the approved Schedule of Participation. The Schedule of Participation is monitored for compliance at the District level by the District Equal Opportunity (EO) Officer and the Project Engineer.

If a Contractor has previously addressed an item of work in the original Schedule of Participation and the proposed D/MBE subcontractor/supplier/service is unable to perform during the life of the Contract, the Contractor shall readdress the item and submit a revised Schedule of Participation, reflecting the change, to the Senior Manager for approval. Any deviation from the original, approved Schedule of Participation is to be reported to the Contract Lead Manager immediately. Only the Senior Manager or their designated representative, with concurrence from the Office of Equal Opportunity, can approve any deviations from the Schedule of Participation throughout the life of the Contract. A copy of the revised Schedule of Participation will be sent to the D/MBE Administrator, OOC.

1. D/MBE Compliance Field Meeting: The Contract Provisions provide for a mandatory meeting to be held within two weeks after starting work on the project. The District EO Officer and the Project Engineer will jointly conduct this meeting.

This meeting will be to review the responsibility of SHA and the Contractor's personnel relative to D/MBE compliance and documentation.

The Project Engineer will notify the following representatives of the date, time and location, and will arrange the meeting. At least one week advance notice will be required.

Attendees – D/MBE Compliance Field Meeting

Administration Representatives

District EO Officer
Regional Construction Engineer
Project Engineer
Inspection Personnel

Contractor Representatives

Prime Contractor: Superintendent
Prime Contractor: EO Officer
Responsible Party for Each and All Firms Listed on the Schedule of Participation

The Regional Construction Engineer will record this meeting in the Initial Inspection Report. The Project Engineer will be responsible for monitoring compliance by inspection personnel.

2. A D/MBE file folder is a part of the standard project filing system requirements outlined in the SHA Construction Manual and shall include:
 - a. Schedule of Participation - The Contractor's approved list of D/MBE's to be utilized in the achievement of the Contract D/MBE's goal.
 - b. Subcontractor Approval - Copies of Approved Form OOC42's shall be included for D/MBE's performing subcontract work. The Schedule of Participation does not approve D/MBE's as subcontractors. D/MBE's listed in the Schedule of Participation for supply and services do not require subcontractor approval.
3. Display Form OOC38 "D/MBE Posting Chart" in the field office for easy reference by all. OOC38 is a project requirement whether a field office exists or not. If there is no field office, the Project Engineer should keep the OOC38 with the Schedule of Participation project file.
4. Commercially Useful Function (CUF) Review – Form OOC39 "D/MBE CUF" must be completed at least once during the life of the contract for each D/MBE working on the project. The CUF is federally regulated under 49 CFR 26.55.

5. The Weekly Report of D/MBE Trucking Activities (OOC47)

Whenever an D/MBE trucker has three (3) or more D/MBE trucks working on a project, the D/MBE trucker must submit the Weekly Trucking Report to the prime contractor along with any applicable lease agreements. The prime contractor must submit the trucker's Weekly Report to the Project Engineer along with their payroll.

The Weekly Report of D/MBE Trucking Activities keeps the Project Engineer abreast of the different truckers hauling for the D/MBE on the project. The D/MBE Trucker listed on the Schedule of Participation must have at least one (1) of its own working trucks on the project each day its firm is scheduled to work.

The dates worked should match with the IDR dates that material was hauled, and the

company name of rented and/or owned/operated should be filled out on the report.

These reports are kept in a separate file for auditing and compliance reviews.

6. Daily Records

The following information shall be added when D/MBE's are performing work. Indicate the date work started and the date work was completed using the identification number on the first and last IDR for each D/MBE.

a. IDR

- i. Labor - Name of superintendent/foreman in charge of work.
- ii. Equipment - Owned (O) or Rented (R)- active and idle equipment.
- iii. Work Performed - Under location and quantity of completed work, indicate D/MBE number.
- iv. Materials - Indicate the material used or furnished by D/MBE using Identification Number.

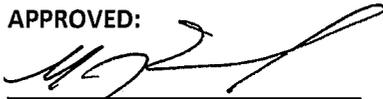
b. Daily Logs

- i. Under *Remarks* - Enter name and identification number for each D/MBE for date work started and date work completed.
- ii. All days that the D/MBEs are working, place the identification number ahead of item number worked on these days.



Margaret B. Martin, PE
Deputy Director/Field Operations

APPROVED:



Steven Marciszewski
Director, Office of Construction



MARYLAND STATE HIGHWAY ADMINISTRATION
OFFICE OF CONSTRUCTION
DISADVANTAGE / MINORITY BUSINESS ENTERPRISE (D/MBE) POSTING CHART

CONTRACT # _____

FAP # _____

NAME AND NUMBER	ITEM NUMBER	STARTING DATE	COMPLETION DATE	REMARKS	CUF REVIEW DATE
MBE #					
MBE #					
MBE #					
MBE #					
MBE #					
MBE #					
MBE #					
MBE #					

All subcontractors listed above MUST have an approved Form OOC42, and must be listed on the Prime's Schedule of Participation.



MARYLAND STATE HIGHWAY ADMINISTRATION
OFFICE OF CONSTRUCTION
 D/MBE COMMERCIALY USEFUL FUNCTION (CUF)

The CUF form must be completed at least once for each D/MBE listed on the Schedule of Participation during the life of the contract.

Project No:	Reserved for SHA Office of Equal Opportunity Approval
PE/Inspector:	
District:	
Review Date:	
Signature: _____ Print Name: _____ Title: _____ Date: _____	
Project Name:	
Prime Contractor:	
D/MBE Firm Name:	
Subcontractor <input type="checkbox"/> Service <input type="checkbox"/> Supplier <input type="checkbox"/> Manufacturer <input type="checkbox"/>	
Is there a copy of the approved Request for Subcontractor Approval (OOC42) between the Prime and D/MBE on file at the project site? <input type="checkbox"/>Yes <input type="checkbox"/>No	
Name of D/MBE Foreman/Superintendent:	
D/MBE Start Date: _____ Estimated D/MBE Completion Date: _____	
I. REGARDING D/MBE'S FOREMAN/SUPERINTENDENT	
Exclusively employed by D/MBE? <input type="checkbox"/>Yes <input type="checkbox"/>No	
Shown on the D/MBE payroll? <input type="checkbox"/>Yes <input type="checkbox"/>No	
Shown on any other firm's payroll? <input type="checkbox"/>Yes <input type="checkbox"/>No	
If yes, whose? _____	
Directly reports to: _____	
II. REGARDING D/MBE'S EMPLOYEES	
Are D/MBE's employees shown on any other contractor's payrolls? <input type="checkbox"/>Yes <input type="checkbox"/>No	
If yes, whose? _____	
Do the D/MBE's employees receive work assignments from D/MBE Foreman/Supt? <input type="checkbox"/>Yes <input type="checkbox"/>No	

III. REGARDING DBE'S EQUIPMENT	
Is the equipment owned by the D/MBE?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If leased or rented, is there a copy of the lease or rental agreement in project file?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Does the equipment have the D/MBE's name or logo?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If another firm's name or logo is shown, identify: _____	
IV. REGARDING D/MBE'S WORK PERFORMANCE	
Does the D/MBE supervise & manage their work and employees?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Has any other contractor performed work that was to be performed by the D/MBE?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If yes, identify the contractor who performed the work:	
What work items did the contractor identified above perform? (If more than two, write on back of form)	

V. REGARDING D/MBE AS SUPPLIER OR MANUFACTURER	
Do invoices or delivery tickets show D/MBE ownership of materials delivered?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Does D/MBE own and operate the delivery equipment, or have a long term lease?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Comments: (any comments pertaining to the performance or conduct of the D/MBE company)	

VI. NOTIFICATION	
Problem(s) in this report that have been brought to the attention of SHA's Office of Equal Opportunity. Explain:	

Certification of record review and work performed by D/MBE:

I _____ (Project Engineer/Inspector), certify that the above D/MBE was monitored performing the committed work items on _____ (Date)

Distribution:

- Original – Contract Field Office File
- Copy – District Officer of Equal Opportunity

CUF Form Instructions:

The CUF Form must be completed at least once for each DBE working on a federally assisted MSHA Construction Contract, during the life of the contract.

MANAGE:

- Manage the work themselves.**
 - Schedule work operations, order equipment and materials, hire and fire employees, including supervisory employees.

SUPERVISE:

- Supervise daily operations**
 - Can use a skilled Superintendent employed by the DBE.

PERFORM:

- Perform the work stated in the contract with their own equipment.**

Regular Equipment is owned or leased and operated on a long term agreement and not on an *ad hoc* or contract by contract agreement.

 - a. The equipment would be used by the DBE firm on any other subcontract with any other contractor.
 - b. The equipment would be owned by the DBE firm. Or
The equipment would be leased/rented from traditional equipment lease/rental sources.
 - c. The DBE firm would have a rental/lease agreement for any rented or leased equipment.
 - d. The equipment cannot belong to:
 - (1.) Prime Contractor
 - (2.) Another subcontractor on the present project.
 - (3.) Supplier of materials being installed by the DBE firm.
 - e. The equipment cannot come from another contractor fully operated.
- Perform the work with their own employees.**

Regular Employee is a person who:

 - a. Would be working for the DBE firm on any other subcontract with any other contractor.
 - b. Is a permanent employee of the DBE firm, Or
Has been recruited through the traditional recruitment and/or employment centers.
 - c. Has not recently been employed by the prime contractor on the present project, another subcontractor on the present project, or the renter-lesser of equipment being used on the present project.
 - d. Is not a member of a construction crew, which regularly works for a non-DBE.
 - e. Is not a licensed contractor who is at the time “unemployed” or “between jobs.”
- Subcontracting part of the work of the contract.**
 - When a DBE subcontracts part of the work of its contract to another firm, the value of the subcontracted work may be counted toward the DBE goal **only if**

the DBE subcontractor is itself a DBE. Work that a DBE subcontracts to a non-DBE firm does not count toward DBE goals.

- **Trucks/Equipment must display name of DBE firm**
 - Printed name or logo
 - Leased or rented equipment: A copy of the lease/rental must be submitted to the project office and put in the project file.
- **Supplier - Regular Dealer**

A regular dealer is a firm that owns, operates, or maintains a store, warehouse, or other establishment in which the materials, supplies, articles or equipment of the general character described by the specifications and required under the contract are bought, kept in stock, and regularly sold or leased to the public in the usual course of business. 60% of the cost of materials, supplies and delivery counts toward the DBE goal.
- **Supplier – Service Provider**
 - Only the fees or commissions charged by the DBE Service Provider count toward DBE goals. The Cost of the materials or supplies are not counted toward the DBE goal.

TRUCKING CLARIFICATION (S)

The MSHA shall use the following factors in determining whether a DBE trucking company is performing a commercially useful function:

- a. The DBE must itself own and operate at least one fully licensed, insured, and operational truck used on the contract.
- b. The DBE must be responsible for the management and supervision of the entire trucking arrangement for the purpose of meeting DBE goals.
- c. The DBE receives credit for the total value of the transportation services it provides on the contract using trucks its owns, insures, and operates using drivers it employs.
- d. The DBE may lease trucks from another DBE firm, including an owner-operator who is certified as a DBE. The DBE who leases trucks from another DBE receives credit for the total value of the transportation services the lessee DBE provides on the contract. *See below for payroll reporting.
- e. The DBE who leases trucks from a non-DBE is **entitled to credit for the total value of the transportation services provided by non-DBE lessees not to exceed the value of transportation services provided by DBE-owned trucks on the contract.** *Additional participation by non-DBE lessees receives credit only for the fee or commission it receives as a result of the lease arrangement.*

Example: DBE Firm X uses two of its own trucks on a contract. It leases two trucks from DBE Firm Y and six trucks from non-DBE Firm Z. DBE credit would be awarded for the total value of transportation services provided by Firm X and Firm Y, and may also be awarded for the total value of transportation services provided by four of the six trucks provided by Firm Z. In all, full credit would be allowed for the participation of eight trucks. With respect to the other two trucks provided by Firm

Z, DBE credit could be awarded only for the fees or commissions pertaining to those trucks Firm X receives as a result of the lease with Firm Z.

For purposes of this paragraph (d), a lease must indicate that the DBE has exclusive use of and control over the truck. This does not preclude the leased truck from working for others during the term of the lease with the consent of the DBE, so long as the lease gives the DBE absolute priority for use of the leased truck.

NOTE: Pursuant to 49 CFR 26.37 the State DOT must provide written certification that it has reviewed records and monitored work sites to ensure that work committed to DBE's is actually performed by the DBE's that the work was committed to. This applies to every DBE on every contract.

MARYLAND DEPARTMENT OF TRANSPORTATION
PRIME MONTHLY SUBCONTRACTOR'S PAYMENT REPORT



Maryland State Highway Administration
Office of Equal Opportunity
211 East Madison Street, M-LL3 , Baltimore, MD 21202
Voice: (410) 545-0325 Toll Free: (888) 545-0098
Fax: (410) 209-5008
Email: shacompliance@sha.state.md.us

PLEASE COMPLETE AND RETURN BY THE 10TH OF THE MONTH FOLLOWING THE REPORTING PERIOD.

FOR THE REPORTING PERIOD ENDING : _____ MONTH/YEAR

SubRecipient Name: _____

Name of Project: _____

Contract Number: _____ For Office use only

Primecontractor(s) Participating on the contract/task(s)

Primecontractor(s) Name	FEIN #	MDOT Certification #	Ethnicity	Contract Award Date	Contract Expiration Date	Contract Award value	Dollar Amount paid this Reporting Period	Amount Paid to Date	Work Completed? (Yes/No)

Subcontractor(s) on the contract/task(s) Participation Plan

Subcontractor(s) Name	FEIN #	MDOT Certification #	Ethnicity	Subcontract Award Date	Subcontract Expiration Date	Subcontract Award value	Dollar Amount paid this Reporting Period	Amount Paid to Date	Work Completed? (Yes/No)

Subcontractor(s) not on the contract/task(s) Participation Plan

Subcontractor(s) Name	FEIN #	MDOT Certification #	Ethnicity	Subcontract Award Date	Subcontract Expiration Date	Subcontract Award value	Dollar Amount paid this Reporting Period	Amount Paid to Date	Work Completed? (Yes/No)

Comments: _____

I CERTIFY THAT THE ABOVE INFORMATION IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE.

Prepared By: _____ Title: _____
Telephone #: _____ Date: _____
Email Address: _____

MARYLAND DEPARTMENT OF TRANSPORTATION
PRIME MONTHLY SUBCONTRACTOR'S PAYMENT REPORT

SUBJECT: Payroll Compliance Inspections

FORM NO: OOC 52, OOC 53, OOC 54 and FHWA 1140

REFERENCE: SHA Labor Compliance Manual dated 01/98

PURPOSE:

To establish procedures to ensure that Contractor employees are paid in accordance with the provisions of FHWA Form PR-1273 for all Federal-aid contracts exceeding \$2,000.00 and all related subcontracts, as well as for State-funded contracts exceeding \$500,000.00. The Specifications require that no less than 50 percent of the work shall be performed by the Prime Contractor.

PROCEDURE:

The Project Engineer is responsible for insuring that (for the prime and all subcontractors):

- Employee interviews are conducted and checked against payrolls
- Payrolls are checked and a copy is stored in the project files
- Additional classification requests are made and replies from the US Department of Labor (USDOL) are complied with
- All required posters are posted on the project bulletin board
- District EEO Office is notified of discrepancies regarding Minority/Disadvantaged Business Enterprises (M/DBE's) payrolls

NOTE: The Project Engineer is not responsible for checking computations.

The Wage and Hour Team is responsible for:

- Conducting statewide spot payroll checks and reporting results to the Project Engineer with a copy to the District Engineer
- Processing additional classification requests through USDOL
- Area Practice Surveys
- Following up labor compliance issues that cannot be resolved between the Contractor and the Project Engineer
- Issuing additional guidance on labor compliance issues
- Conducting periodic labor compliance training for CID and consultant personnel

The District Equal Opportunity Officer is responsible for:

- Poster distribution at the Pre-Construction Conference
- Appropriate action for discrepancies involving M/DBE subcontractor payrolls that are reported to them by the Wage and Hour Team or the Project Engineer

A. **Payroll Compliance Interviews:**

Project staff will interview all prime and subcontractor employees that are working on the project. For employees that are on a project for more than three months, conduct

CONSTRUCTION DIRECTIVE 07220.100.18

PROCEDURE: (continued)

follow-up interviews every three months. These interviews will be done in accordance with Form OOC 52, *Payroll Compliance Check*, and signed by the employee. After each interview, the form should be filed in the "Unchecked Payroll Compliance Interviews - Contractor's Name" file.

If an employee does not wish to answer any questions, enter under 'comments' on Form OOC 52 and advise them that they are entitled to contract prevailing wages. If they believe they are not getting paid in accordance with these rates, they should inform an SHA inspector.

If an employee does not speak English, show the employee the contract prevailing wage rates and indicate the rate for the classification in which the employee is working. If another employee assists the interviewee, this should be noted on the interview form and the employee should still be shown the contract prevailing wage rates.

B. Payrolls:

The Contractor and subcontractors working on the site are required to submit payrolls to the Project Engineer within seven calendar days after the end of each payroll period. The payrolls and Statement of Compliance should be checked for items listed on Form OOC 53, *Payroll Compliance Report*.

- If errors are found: note error on Form OOC 53 and forward a copy of Form OOC 53 to the Contractor for correction. Form OOC 54, *Payroll Summary Report*, should be kept in the front of the Payroll file for the prime contractor and each subcontractor.
- If the payroll contains no errors: check against any interviews completed during the period covered by the payroll and file in the Payroll file for that Contractor.

Check completed interviews against payrolls to insure that:

- Employee wages are in accordance with contract prevailing wages.
- Wages reported by employees match those on the payroll.

Initial the interview form to show that it was checked against the payroll. File the interview in the "Checked Payroll Compliance Interviews - Contractor's Name" file.

Report any errors noted or discrepancies between payrolls and interviews to the Contractor within 24 hours. The Contractor must correct and resubmit payrolls by the end of the following week. If an error was made in employee pay, the Contractor must

CONSTRUCTION DIRECTIVE 07220.100.18

PROCEDURE: (continued)

show that the difference in payment was made to the employee by showing a cancelled check for the difference. If the corrected payroll and proof of payment to the employee are not received by the 30th day following the period covered by the payroll, the Project Engineer shall notify the Wage and Hour Team at 410-545-8795 for resolution.

File corrected payrolls and any supporting documents in the "Payrolls - Contractors Name" file.

C. Additional Classifications:

If the Contractor uses a classification not found on the contract wage rate determination, note this on Form OOC 53 and forward a copy of this form to the Contractor. If the Contractor believes that no other classification listed on the wage rate determination covers the work performed by his employee, the Contractor shall submit a request for additional classification, Form FHWA 1140. If the Contractor has not submitted this form one month after the date the work was performed, the Project Engineer shall notify the Wage and Hour Team for resolution.

The form should be submitted to the Wage and Hour Team who will submit it to USDOL and return USDOL's reply to the Contractor and the Project Engineer. Once the USDOL's reply has been received, the Contractor must pay any difference between the wages he proposed and the wages USDOL approved, if any. If the Contractor has not shown proof that this payment has been made within one month of receiving USDOL's reply, the Project Engineer will notify the Wage and Hour Team for resolution. File all additional classification correspondence, including proof of payment of any additional wages required, in a file marked "Additional Classification Requests".

D. Posters:

All required posters will be handed out by the District EEO Officer at the project pre-construction meeting. These posters must be displayed on the project bulletin board for the duration of the contract. Notify the Contractor if these posters are missing. If posters are missing more than one week, the Project Engineer shall notify the Wage and Hour Team for resolution.

E. Spot Checks by Wage and Hour Team:

The SHA Wage and Hour Team will visit SHA projects on a regular basis. All project payrolls will be spot checked. All files will be inspected. Any errors or missing payrolls will be noted in a report to the District Engineer, with a copy to the Project Engineer. Any errors or missing payrolls must be resolved within one month of the spot check.

CONSTRUCTION DIRECTIVE 07220.100.18

PROCEDURE: (continued)F. **Noncompliance:**

The Project Engineer will notify the Area Engineer and the Wage and Hour Team when the Contractor fails to comply with the specified corrective action within the time allowed. The Wage and Hour Team will follow up to resolve the issues within two weeks. Failure by the Contractor to comply within the time frame specified will result in a recommendation from the Wage and Hour Team to the District Engineer, with a copy to the Project Engineer, to withhold progress payments until the issue is resolved.

G. **File Organization:**

Each Contractor and Subcontractor file shall contain the following sub-files:

- Payrolls
- Payroll Summary Report (OOC54)
- Unchecked Payroll Compliance Interviews (Payroll Compliance Check – OOC52)
- Payroll Compliance Report (OOC53)
- Additional Classification Requests



Chief - Construction Inspection Division

APPROVED:



Director, Office of Construction

REQUEST FOR AUTHORIZATION OF ADDITIONAL CLASSIFICATION AND RATE

CHECK APPROPRIATE BOX
 SERVICE CONTRACT
 CONSTRUCTION CONTRACT

OMB No.: **9000-0089**
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NOTE: THE CONTRACTOR SHALL COMPLETE ITEMS 3 THROUGH 16 AND SUBMIT THE REQUEST, IN QUADRUPPLICATE, TO THE CONTRACTING OFFICER

1. TO: ADMINISTRATOR, Employment Standards Administration WAGE AND HOUR DIVISION U.S. DEPARTMENT OF LABOR WASHINGTON, D.C. 20210	2. FROM: <i>(REPORTING OFFICE)</i>
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10. SUBCONTRACTOR *(IF ANY)*

11. PROJECT AND DESCRIPTION OF WORK *(ATTACH ADDITIONAL SHEET IF NEEDED)*

12. LOCATION *(CITY, COUNTY AND STATE)*

13. IN ORDER TO COMPLETE THE WORK PROVIDED FOR UNDER THE ABOVE CONTRACT, IT IS NECESSARY TO ESTABLISH THE FOLLOWING RATE(S) FOR THE INDICATED CLASSIFICATION(S) NOT INCLUDED IN THE DEPARTMENT OF LABOR DETERMINATION

NUMBER: _____	DATED: _____				
a. LIST IN ORDER: PROPOSED CLASSIFICATION TITLES(S); JOB DESCRIPTION(S); DUTIES; AND RATIONALE FOR PROPOSED CLASSIFICATIONS (SCA ONLY) <i>(Use reverse or attach additional sheets, if necessary)</i>	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 50%;">b. WAGE RATE(S)</th> <th style="width: 50%;">c. FRINGE BENEFITS PAYMENTS</th> </tr> </thead> <tbody> <tr> <td style="height: 200px;"></td> <td style="height: 200px;"></td> </tr> </tbody> </table>	b. WAGE RATE(S)	c. FRINGE BENEFITS PAYMENTS		
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16. SIGNATURE OF EMPLOYEE OR REPRESENTATIVE	TITLE	CHECK APPROPRIATE BOX-REFERENCING BLOCK 13. <input type="checkbox"/> AGREE <input type="checkbox"/> DISAGREE
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 Expires: **02/28/96**

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the FAR Secretariat (VRS), Office of Federal Acquisition Policy, GSA, Washington, DC 20405; and to the Office of Management and Budget, Paperwork Reduction Project (9000-0089), Washington, DC 20503.

NOTE: THE CONTRACTOR SHALL COMPLETE ITEMS 3 THROUGH 16 AND SUBMIT THE REQUEST, IN QUADRUPPLICATE, TO THE CONTRACTING OFFICER

1. **TO:** ADMINISTRATOR, Employment Standards Administration
 WAGE AND HOUR DIVISION
 U.S. DEPARTMENT OF LABOR
 WASHINGTON, D.C. 20210

2. **FROM:** (REPORTING OFFICE)

3. CONTRACTOR

4. DATE OF REQUEST

5. CONTRACT NUMBER

6. DATE BID OPENED (SEALED BIDDING)

7. DATE OF AWARD

8. DATE CONTRACT WORK STARTED

9. DATE OPTION EXERCISED (IF APPLICABLE) (SCA ONLY)

10. SUBCONTRACTOR (IF ANY)

11. PROJECT AND DESCRIPTION OF WORK (ATTACH ADDITIONAL SHEET IF NEEDED)

12. LOCATION (CITY, COUNTY AND STATE)

13. IN ORDER TO COMPLETE THE WORK PROVIDED FOR UNDER THE ABOVE CONTRACT, IT IS NECESSARY TO ESTABLISH THE FOLLOWING RATE(S) FOR THE INDICATED CLASSIFICATION(S) NOT INCLUDED IN THE DEPARTMENT OF LABOR DETERMINATION

NUMBER: _____ DATED: _____	b. WAGE RATE(S)	c. FRINGE BENEFITS PAYMENTS
a. LIST IN ORDER: PROPOSED CLASSIFICATION TITLES(S); JOB DESCRIPTION(S); DUTIES; AND RATIONALE FOR PROPOSED CLASSIFICATIONS (SCA ONLY) <i>(Use reverse or attach additional sheets, if necessary)</i>		

14. SIGNATURE AND TITLE OF SUBCONTRACTOR REPRESENTATIVE (IF ANY)

15. SIGNATURE AND TITLE OF PRIME CONTRACTOR REPRESENTATIVE

16. SIGNATURE OF EMPLOYEE OR REPRESENTATIVE

TITLE

CHECK APPROPRIATE BOX-REFERENCING BLOCK 13.
 AGREE DISAGREE

TO BE COMPLETED BY CONTRACTING OFFICER (CHECK AS APPROPRIATE - SEE FAR 22.1019 (SCA) OR FAR 22.406-3 (DBA))

- THE INTERESTED PARTIES AGREE AND THE CONTRACTING OFFICER RECOMMENDS APPROVAL BY THE WAGE AND HOUR DIVISION. AVAILABLE INFORMATION AND RECOMMENDATIONS ARE ATTACHED.
- THE INTERESTED PARTIES CANNOT AGREE ON THE PROPOSED CLASSIFICATION AND WAGE RATE. A DETERMINATION OF THE QUESTION BY THE WAGE AND HOUR DIVISION IS THEREFORE REQUESTED. AVAILABLE INFORMATION AND RECOMMENDATIONS ARE ATTACHED.

(Send copies 1, 2, and 3 to Department of Labor)

SIGNATURE OF CONTRACTING OFFICER OR REPRESENTATIVE

TITLE AND COMMERCIAL TELEPHONE NO.

DATE SUBMITTED

MARYLAND STATE HIGHWAY ADMINISTRATION
Payroll Compliance Report

CONTRACT NO: _____ FAP NO: _____

THIS PAYROLL HAS BEEN CHECKED FOR THE FOLLOWING REQUIRED INFORMATION: (NOTE SPECIFIC PROBLEMS BELOW)

- Contractor's Name
- SHA Contract Number
- FAP Number (if Federal Aid Project)
- Chronological Payroll Number
- Pay Period
- Employee Identification Numbers
- Classification Match
- Wage Decision Classifications
- No Classification Found (List classification(s) under 'Comments')
- Straight Time Wage Rates OK
- Overtime Rate Paid For in Excess of:
 - 40 Hours per Week (FHWA)
 - 10 Hours per Day or 40 Hours per Week (SHA)
- Statement of Compliance
 - Attached Signed
- Fringe Benefits
 - Paid to Approved Plan, Fund or Program
 - Paid in Cash

Comments: _____

Checked by: _____ Date: _____

Date Forwarded to Contractor for Resolution: _____

MARYLAND STATE HIGHWAY ADMINISTRATION
PAYROLL COMPLIANCE CHECK

Contract No: _____

FAP No: _____

Employer /
Patrono: _____

Employee name /
Nombre del Empleado: _____

Employee Identification Number (EIN)/ Número de identificación del empleado: _____

Classification /
Clasificación: _____

Rate of Pay /
Salario por Hora: _____

Contract Prevailing Wage /
Salario Inicial del Contrato: _____

Miscellaneous Deductions /
Deducciones: YES / SI NO

Hourly Rate /
Por Hora: _____

Labor Organization /
Por Sindicato: _____

Interview Date:
Dia de Entrevista: _____

Employee Signature:
Firma del Empleado: _____

Inspectors Signature:
Firma del Inspector: _____

Comments: _____

Office of Materials Technology Format and General Instructions For Source of Supply Submittals

1. Once a contractor receives the “**Notice of Award**”, sources of supply should be submitted.

2. Submittals should be addressed to:

Woodrow Hood
Division Chief
Maryland State Highway Administration
7450 Traffic Drive
Hanover, MD 21076
whood@sha.state.md.us; mcoble@sha.state.md.us;

3. Source of supply letters must come from the **Prime Contractor** only.

4. Submittals should include the SHA access permit number, job description and intended use of the material.

5. Format for source of supply letters:

<u>Material</u>	<u>Supplier</u>	<u>Manufacturer</u>
Specify (Seed, etc) And use	Name & Address	Name & Address

Suppliers must be notified that the materials ordered are for a Maryland State Highway Administration project.

6. Specific Materials:

- A. Portland Cement Concrete (PCC): **Under separate cover letter**, submit SHA approved mix design number and indicate producer and plant location to be used as well as the use for the concrete, ex. Curb and gutter, sidewalk, etc..with each item. **Submittal must be sent to above address.**
- B. Hot Mix Asphalt (HMA): **Under separate cover letter**, submit a SHA approved Job Mix Formula (JMF) for each HMA Mix Design. **Submittal must be sent to above address.**
- C. Graded Aggregate Base (GAB): **Under separate cover letter**, submit SHA approved mix design number and design information for each item. GAB orders must be called in 24 hrs in advance and informed that it is a SHA project. GAB plant must be given the SHA project number at the time of order and pick up. **Submittal must be sent to above address.**

- D. Stone (Rip-Rap, #57's etc): Submit the quarry location the materials are coming from.
- E. Permanent and Temporary Pavement Marking Materials: Must be submitted with **STR/PMM/SMM numbers** (found on Qualified Products List).
- F. Geosynthetic materials: Must include **style number** from the NTPEP publication and 4A Certification in SOS Submittal.
- G. Topsoil: Must be from an approved source and SOS Submittal. If proposed SOS is not on approved source list a 4A certification should be attached. This process can take upwards of 45 days from SOS Submittal to date of approval for use.

7. General:

- A. Source of supply must be submitted for **all** materials and must be **APPROVED PRIOR TO USE**. Materials subject to testing and must be tested to meet specifications prior to use on job.
 - B. When approved (or denied) by Materials Engineer, a copy of your source letter will be returned with attached notations (notes 1-13), to indicate acceptance procedures.
 - C. **ONLY ONCE SOURCE** is allowed for each material. If it becomes necessary to change a source later, submit a request for a source change at that time.
 - D. Submittals from subcontractors must be accompanied by a cover letter from the prime contractor.
- E. Only one copy of the SOS is needed. Letter must be a signed and dated original. Emailed source of supply with electronic signature acceptable (mcoble@sha.state.md.us; whood@sha.state.md.us;))

8. For Questions regarding source of supply submittals or monthly materials clearance submittals call [Marvin Coble 443 572-5167](tel:443-572-5167)

Source of Supply & Material Clearance Tips for General Contractors

- Use attached format
- Submit early
- Anticipate subcontractors needs
- Review as soon as you receive a “REVIEWED and NOTED” source of supply letter
- Give a copy to subcontractors
- Inform all vendors that materials are for a Maryland SHA Project and the type of acceptance documentation you will need as per your returned “REVIEWED and NOTED” source letter
- Have all necessary acceptance documentation delivered to the project when the material is delivered
- Remind all subcontractors to bring documents necessary for their materials when they arrive at the project
- Review “acceptance documents” from vendors and subs to be sure they meet the requirements for materials acceptance as per the source letter and Maryland Spec. TC1.02
- Review with the Project Engineer, on a regular basis, the materials status of your job

If you have any questions or need further guidance do not hesitate to contact me:

ME – Marvin Coble – mcoble@sha.state.md.us – (443)572-5167

Qualified Products List

Tips and Guidance

1. Go to the SHA webpage: www.marylandroads.com
2. Click the Business Center Tab
3. Click the Standards and Specifications Tab
4. Click the Qualified Products List Tab

The QPL is a working document that gets updated frequently. These materials are qualified to be submitted for use on Maryland State Highway Projects. There are no pre-approved materials.



Serious Business
111 The Way it Should Be Way
Baltimore, Maryland 21061

February 1, 2010

Mr. Marvin Coble
Materials Engineer
Office of Materials Technology
7450 Traffic Drive
Hanover, Maryland 21076

RE: Project # – 09-AP-OL-011-10
New Wal-Mart on Main Street

Dear Mr. Coble,

We are submitting the following for your approval for the above referenced project.

<u>Material</u>	<u>Supplier</u>	<u>Manufacturer</u>
Specify (Seed, etc) And use	Name & Address	Name & Address

Your approval is greatly appreciated.

Should you require any additional information please contact the undersigned at (123)555-5555

Very truly yours,

John Doe

John Doe
Project Manager

SAMPLE SOURCE LETTER

Sample Materials Report

Clearance Items - Estimate # 2

AL4275130

Evaluation Dates

Estimate Submission: 09/04/2015

Received by OMT: 09/17/2015

Evaluation Complete: 09/17/2015

Estimate Evaluation Summary

	<u>Estimate</u>	<u>Contract</u>
Number of Items:	24	24
Number Cleared:	22	22
% Cleared:	92%	92%

Comments:

Material	Item Description	No Material	Cleared	Issues
1001: CLEARING & GRUBBING				
No Materials		✓		
1002: TYPE B ENGINEERS OFFICE				
No Materials		✓		
1003: 5 INCH YELLOW NONTOXIC LEAD FREE WATERBORNE PAVEMENT				
All Materials used within Estimate			✓	
1004: 5 INCH WHITE NONTOXIC LEAD FREE WATERBORNE PAVEMENT				
All Materials used within Estimate			✓	
1005: REMOVAL OF EXISTING PAVEMENT LINE MARKINGS, ANY WIDTH				
No Materials		✓		
1006: 8 INCH BLACK OUT TAPE LINES				
All Materials used within Estimate			✓	
1008: MAINTENANCE OF TRAFFIC				
All Materials used within Estimate			✓	
1013: TEMPORARY TRAFFIC SIGNS HIGH PERFORMANCE WIDE ANGLE				
All Materials used within Estimate			✓	
1014: REFLECTIVE BARRIER MARKERS				
All Materials used within Estimate			✓	
1015: TEMPORARY ORANGE CONSTRUCTION FENCE				
All Materials used within Estimate			✓	
1016: DRUMS FOR MAINTENANCE OF TRAFFIC				
All Materials used within Estimate			✓	
1020: PRECAST TEMPORARY 32 INCH F SHAPE CONCRETE TRAFFIC				
All Materials used within Estimate			✓	
1021: CONSTRUCTION STAKEOUT				
No Materials		✓		
1022: MOBILIZATION				
No Materials		✓		
1023: TEMPORARY TYPE E TRAFFIC BARRIER END TREATMENT 6 BAYS,				
All Materials used within Estimate			✓	

Sample Materials Report

2003: CLASS 2 EXCAVATION

No Materials

✓

2005: COMMON BORROW

All Materials used within Estimate

✓

3002: STABILIZED CONSTRUCTION ENTRANCE

All Materials used within Estimate

✓

3005: 24 INCH REINFORCED CONCRETE PIPE, CLASS IV

All Materials used within Estimate

✓

3007: 24 INCH POLYVINYL CHLORIDE PROFILE WALL PIPE

All Materials used within Estimate

✓

3008: 24 INCH STANDARD CONCRETE END SECTION

All Materials used within Estimate

✓

3015: 48 INCH DIAMETER MANHOLE FOR 12 INCH TO 24 INCH PIPES -

Gray Iron Casting (Scupper, Drain Grate, Inlet)

✓

3019: 24 INCH PIPE SLOPE DRAIN

All Materials used within Estimate

✓

3020: EROSION AND SEDIMENT CONTROL ORIGINAL EXCAVATION

No Materials

✓

3023: SUMP PIT

No Materials

✓

3026: DIVERSION FENCE

All Materials used within Estimate

✓

3028: CLASS I RIPRAP DITCH

All Materials used within Estimate

✓

3030: RIPRAP FOR SEDIMENT CONTROL

All Materials used within Estimate

✓

3032: SILT FENCE

All Materials used within Estimate

✓

3033: SUPER SILT FENCE

All Materials used within Estimate

✓

7003: TEMPORARY SEED

SHA Temporary Seed Mix

✓

7004: TEMPORARY MULCH

All Materials used within Estimate

✓

Sample Materials Report

Disputed Items as of Estimate # 2

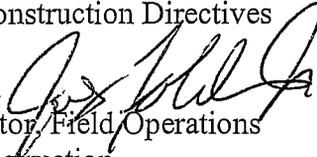
AL4275130

Monthly Estimate # 2		(New Issues)	2 Item(s) with 2 Material Issue(s)
ITEM	MATERIAL	ISSUE	SOURCE SUBMISSION
3015	Gray Iron Casting (Scupper, Drain Grate, Inlet)	Clearance documentation was not attached.	Source Submission 42 (Gray Iron Casting (Scupper, Drain Grate, Inlet))
7003	SHA Temporary Seed Mix	Clearance documentation was not attached.	Source Submission 25 (SHA Temporary Seed Mix)

CONSTRUCTION INSPECTION DIVISION

MEMORANDUM

TO: All CID Personnel and
Holders of Construction Directives

FROM: James Folden 
Deputy Director, Field Operations
Office of Construction

DATE: December 12, 2011

SUBJECT: Construction Directive 07220.100.16
Inspector's Daily Report (IDR)

As a result of the recent Legislative Audit completed in 2011, an additional requirement has been added to the Project Engineer's review of each Inspector's Daily Report (IDR). Beginning **January 1, 2012**, after completing the review of each IDR completed on a project, the Project Engineer will initial each IDR in the lower right hand corner near the inspector's signature. The initials will serve as verification that the Project Engineer has reviewed the IDR for content including the inspector's time and mileage.

Future revisions to the IDR will include the addition of a space for the Project Engineer's initials. Until the modification and issuance of the new IDR, all field personnel should continue to use existing copies of the IDR. Please be advised that the Regional Construction Engineer's will be checking for compliance with this new procedure in January

Please replace your current Directive with the attached revision. If you have any questions regarding this revision, feel free to call me at 443-572-5226.

JF/tf

Attachment

cc: Steven Marciszewski
Corren Johnson

SUBJECT: Inspector's Daily Report (IDR)

FORM NO: OOC 75

GENERAL:

The IDR is hereby modified in scope to include additional information. The basic format of the IDR will not change.

PURPOSE:

To update procedures and definitions, to emphasize the importance of the IDR as original documentation, to add the requirements to be followed concerning "assistance", and to add the requirement of the initialing of the IDR by the Project Engineer following review of the IDR by the PE.

PROCEDURE:

The most critical documents are those records which individual Inspectors keep while personally observing quantities for pay. All personnel assigned to construction contracts will prepare these subject reports.

On construction contracts with only one Inspector, the Daily Construction Logs (DCL) are used as original documentation in lieu of IDRs for daily reporting. In these cases, DCLs will be completed by Inspectors and signed by both the Inspector and the Contractor's representative. Distribution of DCLs is modified accordingly.

Original	-	Field Office	Triplicate	-	Contractor
Duplicate	-	District Office	Quadruplicate	-	Inspector

Spaces are provided on the IDR to record hours each Inspector spends on each of various staffing activities. Staffing activity code numbers correspond to pay Item Numbers as shown below:

Time for Force Account and Additional Items is to be charged to 900 category. Original items that overrun are to be charged to original category.

<u>Staffing Activity Code</u>	<u>Pay Item Category</u>
100	Preliminary
200	Grading
300	Drainage
400	Structures
500	Paving
600	Shoulders
700	Landscaping

CONSTRUCTION DIRECTIVE 07220.100.16

PROCEDURE: (continued)

800	Traffic/Utilities
900	Miscellaneous

The number of hours shown on bottom right hand corner of the IDR are to equal total hours recorded for staffing activities, except when leave is taken. Leave hours are not to be charged to any staffing activity. All hours spent on documentation in the Field Office will be charged under Code 100, Preliminary. This also includes hours spent in Training, Testing, Engineering and survey work. The inclusion of training and testing does not apply to consultant inspectors. Space is provided for recording job mileage.

In addition to recording regular and overtime hours worked, an IDR must also provide justification for an Inspector's overtime. This becomes particularly important when the Inspector's time on the job exceeds that of the contractor and/or Inspectors are "assisting" each other.

Any Inspector receiving assistance from another Inspector must disclose on the IDR the name of the person providing the assistance, the number of hours and time period for which the assistance was provided, and an explanation of why the assistance was necessary. It is further required that the person providing the assistance disclose the same information on the IDR which he or she completes.

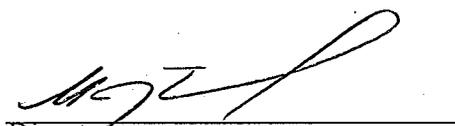
Project Engineers shall closely monitor any "assisting" in order to justify such actions as necessary and beneficial to the project.

The Project Engineer will also initial each IDR in the lower right hand corner by the inspector's signature in order to demonstrate that a review of the IDR's content has been completed. Future revisions to the IDR will provide a space in the lower right hand corner for the Project Engineer's initials.



Deputy Director – Field Operations
Office of Construction

APPROVED:



Director,
Office of Construction

CONSTRUCTION INSPECTION DIVISION

CONSTRUCTION MEMORANDUM 7210.100.14 DATE: (Revised) February 18, 2004

TO: ALL CID PERSONNEL

FROM: Richard F. Weddle, *RFW*
 Chief Construction Inspection Division

SUBJECT: Inspector's Daily Report (IDR) FORM NO. OOC 75

SOURCE: CID

CONTACT PERSON: Richard Weddle PHONE NUMBERS: 410-545-0380

PURPOSE:

OOC/CID has revised the attached Form OOC75 as follows:

- Provided check boxes for soil and grade conditions: This will avoid the need to circle the applicable condition. The check box will clarify that you must indicate whether one or both apply.
- Provided a section for Delays. Previously, a section for Delays was only included on the Daily Log. Since the IDR is considered the official document of record, delay information can now be recorded on the IDR in a consistent manner.
- Changed *Item Number and Description* orientation from vertical to horizontal. This will allow more space and be easier to read.
- Changed *Kind of Labor & Equipment* to *Classification of Labor & Equipment Used / *Idle*. *Classification* is the correct terminology and is used throughout the Labor Compliance Manual, Invitation For Bids and is also used for the Force Account Record. (Form OOC-79). *Equipment Used / * Idle* combines the equipment, Used and Idle, in one location and gives codes for idle time.
- Changed *Materials* orientation from vertical to horizontal which allows more space. Also added area to note approval status of materials.
- Changed *Hours per Staffing Activity* to *Hours per Category*.

The Guide for Completing the IDR is as follows: (See Attached Form OOC75)

1. IDR Number - Project Engineer or Office Engineer usually enters IDR Number. The numbers should begin with 0001 and continue consecutively until the contract is completed.
2. Contract Number - Enter the complete SHA contract number identified in the Invitation for Bids. (IFB)
3. Day - Enter day of the week - Monday, Tuesday, Wednesday, etc.
4. Date - Enter month 1 through 12, day 1 through 31, and current year.
Example: 1/15/04
5. Sky - Enter condition of sky - usually one of the following: clear, partly cloudy, or cloudy
6. Wind - Enter the intensity, which is more important than direction. Usually the following guide would be appropriate - light (0-9mph), moderate (10-19 mph) and gusty (20mph+).
7. Precipitation - Enter one of the following: fog, rain, sleet, snow, showers and if none, enter "none"
8. Temperature - Enter the temperature extremes for the day. This is particularly important since temperature controls phases of work.
9. & 10. Soil or Grade Condition and Tide or Stream Stage - Indicate which term applies by checking the appropriate box or boxes and then fill in the proper description such as; dry, damp, wet, muddy (for soil or grade condition), normal, low or high (for tide or stream stage).
11. Delays: Check appropriate box and provide details.
12. Item Number and Description - Enter item number and description found in the IFB for the items of work done by each crew.
13. Location and quantity of work completed (1.2.3) - Enter the item Number, description, quantity and unit of payment along with a detailed description of the location of the work. Enter after quantity: either estimated or final, and if no quantity that day; state NO QUANTITY.

14. Classification of Labor- Note: Contracts with wage rate requirements – list workers by classification and the class titles on the IDR.
Example: unskilled labor, asphalt raker, backhoe operator, truck driver, etc.

TRAINEES: IT IS THE INSPECTOR'S RESPONSIBILITY TO KNOW WHEN A TRAINEE IS WORKING ON HIS OPERATION-THE INSPECTOR WILL KEEP ACCURATE RECORDS SO THAT THE PROJECT ENGINEER CAN MONITOR THE TRAINING PROGRAM- LIST THE NAME AND TITLE OF THE TRAINEE

15. Equipment Used-List Classification of Equipment Used.
16. Equipment Idle-When Equipment is Idle provide Idle Code at the right. Example: D-9 Dozer (A)
17. Materials: note whether received or used – Enter quantity and disposition of any materials received or used in columns 1,2,3 as applicable to respective items. If SHA stamped, enter stamp number. If sampled, indicate and complete appropriate form used and forward with sample to test agent.
18. Hours per Category-Enter hours worked by the category of the work done.
19. Visitors and SHA staff – Enter the names and titles of all visitors on the site. Also, list any other inspectors that may have assisted you. (They must also complete an IDR and indicate that they assisted you this date.) Refer to Construction Directive 07220.100.16 for details concerning “assisting”.
20. Additional Details – Use the reverse side of the IDR for any extended remarks, explanations and sketches. Write the word “over” in large letters in the box at the lower left-hand corner whenever the reverse side is used.
21. Inspector's Signature, Times, and Job Mileage – Enter your full signature (no initials). Enter time in/out using hour and minutes as appropriate. Record the hours worked to the nearest 0.1 hour. record job mileage, and when requested, odometer readings to justify job mileage. Your signature verifies that you certify that the hours were actually worked by you and you drove the documented mileage on the job site. These exact hours and mileage must be shown on the time sheet and expense statement.

GENERAL NOTES

- **The IDR** is the most important original document on the Construction Site.
- **The IDR** is a chronological history of the daily events that take place during Construction.
- **The IDR's** are potential documents of record in claim situations. **THE IDR SHOULD BE A CLEAR, CONCISE, COMPHENSIVE, CORRECT & COMPLETE REPORT.**
- The original IDR must be completed by the next day and becomes part of the permanent record. The inspector should always retain a copy.

Thank you for your cooperation in the completion of this vital original document.

Attachment

cc: Sketchbook Reviewers

OOC4 3/01/04

MARYLAND STATE HIGHWAY ADMINISTRATION
SKETCH BOOK TITLE SHEET

CONTRACT NO: _____ FAP NO: _____

ROUTE NO & NAME: _____

DESCRIPTION: _____

PROJECT LENGTH: MAIN LINE: _____ MILES: RAMPS & CONNECTIONS: _____ MILES:

CONTRACTOR: _____

ADVERTISED DATE: _____ DATE BIDS RECEIVED: _____

NOTICE OF AWARD: _____ EXECUTION DATE: _____

DATE OF NOTICE TO PROCEED LETTER: _____ ON OR BEFORE DATE: _____

DATE TIME CHARGES BEGAN: _____ DATE WORK STARTED: _____

DATE SURFACING COMPLETED: _____

DATE OPENED TO TRAFFIC: _____

DATE ACCEPTED FOR MAINTENANCE: _____

DATE CONTRACT COMPLETED: _____

_____ WD CD TIME ALLOWED

_____ WORKING DAYS USED

_____ SUNDAYS

_____ HOLIDAYS

_____ BAD WEATHER

_____ OTHER NON WORKING DAYS

WORK SUSPENSIONS: Indicate P - Partial or C - Complete

_____ P OR C FROM _____ TO _____ = _____ DAYS
_____ P OR C FROM _____ TO _____ = _____ DAYS
_____ P OR C FROM _____ TO _____ = _____ DAYS

_____ DAYS LESS THAN TIME ALLOWED

_____ DAYS IN EXCESS OF TIME ALLOWED

OOC4 3/01/04

MARYLAND STATE HIGHWAY ADMINISTRATION
SKETCH BOOK TITLE SHEET

CONTRACT NO: _____ FAP NO: _____

ROUTE NO & NAME: _____

DESCRIPTION: _____

PROJECT LENGTH: MAIN LINE: _____ MILES: RAMPS & CONNECTIONS: _____ MILES:

CONTRACTOR: _____

ADVERTISED DATE: _____ DATE BIDS RECEIVED: _____

NOTICE OF AWARD: _____ EXECUTION DATE: _____

DATE OF NOTICE TO PROCEED LETTER: _____ ON OR BEFORE DATE: _____

DATE TIME CHARGES BEGAN: _____ DATE WORK STARTED: _____

DATE SURFACING COMPLETED: _____

DATE OPENED TO TRAFFIC: _____

DATE ACCEPTED FOR MAINTENANCE: _____

DATE CONTRACT COMPLETED: _____

_____ WD CD TIME ALLOWED

_____ WORKING DAYS USED

_____ SUNDAYS

_____ HOLIDAYS

_____ BAD WEATHER

_____ OTHER NON WORKING DAYS

WORK SUSPENSIONS: Indicate P - Partial or C - Complete

_____ P OR C FROM _____ TO _____ = _____ DAYS
_____ P OR C FROM _____ TO _____ = _____ DAYS
_____ P OR C FROM _____ TO _____ = _____ DAYS

_____ DAYS LESS THAN TIME ALLOWED

_____ DAYS IN EXCESS OF TIME ALLOWED

SAMPLE AGENDA FOR MONTHLY MEETINGS

SM7965184R LEONARDTOWN STREETSCAPE

June 16, 2009 at 10:00 a.m.

At Field office conference room

TIME	AGENDA ITEM	LEAD PERSON
10:00-10:15	Welcome, Introductions, Review Project Rating Form Results & Fill Out	Greta Hartman
10:15-10:30	Status of Project	Karen Gray
10:30-11:45	Review Current & New Issues (Month/Year/Issue #)	
	4/08 #5 Status of Change Orders-Gas Tank	Robert Murphy
	5/08 #3 Slope Failure At Camp Calvert Rd.	Brandon Scott & Robert Murphy
	11/08 #1 Intersection Signal Turn-on update	Greta Hartman
	11/08 #2 Verizon Line on Fenwick St. @ I-21 & I-22 CIP Status	Sean & Brandon
	2/09 #2 Redline Update	Sean Johnson
	3/09 #1 Brick Wall @ 300+75 Centerline Washington St.	Sean, Linda, Karen, & Greta
	5/09 #1 CMP at Courthouse Dr. Not shown on plans	Brandon, Greta & John

NEW ISSUES

11:45-12:00	Review Action Items and Person(s) Responsible	Greta Hartman
-------------	---	---------------

Next Meeting: Date: July 21, 2009 Time: 10:00 A.M. Location: Field Office

SAMPLE MONTHLY MEETING MINUTES

PARTNERING/PROGRESS MEETING MINUTES

List Meeting Attendees

Results of Partnering Ratings

Document Progress part of meeting

Tracking Issues *(Issues identified with a tracking number- month/year/issue i.e. 4/08 #5 = April, 2008, 5th issue)*

- **4/08 #5 and 8/08 #3** – Change Order Status-Meeting tomorrow 9-17-08 @ 1:30 p.m. with Contractor and district to discuss change orders and schedule (ACR) within 1 week.
- **4/08 #7** – Survey Issues- D-5 survey crew took shots on Washington St. Rt. Centerline-Reviewed afterward and walked jobsite with OHD-awaiting new grades
- **5/08 #3** – Slope Failure-Headquarters emailed a possible solution to the district-still waiting to see if it will be an addition to the project or done thru maintenance or private sector. Will keep on agenda and in touch with Headquarters and address at a future date.
- **8/08 #2** – Sewer Line Conflict- I-47 to Camp Calvert Rd. have been purchased and manufactured. Headquarters left a rough draft/unauthorized copy with the contractor to review. Headquarters will expedite approval as soon as possible (within 2 weeks).
- **8/08 #5** – Raising Meters- Town of Leonardtown will supply material- Contractor will raise/adjust. Town rep. mentioned updating the waterline on Fenwick St. to help withstand the vibrations from the construction work.
- **9/08 #1** – Curb at radius of Shadrick St. Fire dept. and Town requested depressed and/or 'Type 'C' mountable-would not meet A.D.A. spec.-Headquarters will take a look in the field. May be possible to shorten the radius to accommodate the fire trucks. (within 2 weeks)

(As issues are resolved they are deleted from the minutes.)

Note date/time of next meeting

Things get done when you list:

- **WHAT** needs to occur,
- **WHO** is responsible or taking the lead, and
- **WHEN** it is expected to be done.

SAMPLE ISSUE RESOLUTION LADDER

CONTRACTOR

SHA

Bill Smith

2 weeks

Paul Green



Joan Steel
Pat Marks

1 week

Mark Dot



Jack Manny

2 days

Dan Leaf



Steve Nane

1 day

Bob Jones



Foreman

30 Minutes

Inspector

CAN ALSO INCLUDE TITLES AND CONTACT INFORMATION.

DOCUMENTATION FILING SYSTEM

The field office should be set up with a file cabinet with the filing system structured as follows for the ease of reference for all involved and consistency across the State.

1. Agreements/Permits

- a. Md. Dept. of Natural Resources
- b. Permits:
 1. Maintenance of Traffic
 2. National Pollution Discharge Elimination System Permit (NPDES)
 3. Erosion and Sediment Control
 4. Stormwater Management
 5. County Soil Conservation District Approval
 6. MDE Tidal Wetland License and/or Permit
 7. Nontidal Wetland and Waterways Permit (MDE/COE)
 8. US Coast Guard Permit
 9. Critical Area Commission Approval
 10. Maryland Roadside Tree Permit
 11. Maryland Reforestation Law Approval
 12. Maryland Forest Conservation Act Approval
 13. Maintenance of Traffic
 14. Source of Supply Approvals

2. Contract Data/ Preconstruction

- a. General Correspondence
- b. Notice to Proceed Letter
- c. AAP
- d. Certificate of Insurance
- e. Traffic Control Plan Certification
- f. Field Books
- g. Pre-Construction Survey Stakeout

3. Claims/Disputes

- a. File to contain all pertinent documentation

4. Contract Amendments

- a. Red Line Revisions
- b. Change Orders
- c. Claims/Disputes
- d. Value Engineering Change Proposals

5. Coordination with Outside Agencies

- a. Agreements
- b. General Correspondence
- 6. Contractor/Subcontractor Evaluations**
 - a. Annual
 - b. Final/Completion of project
- 7. Correspondence/ Incoming**
 - a. Contractor to SHA/CPE
 - b. SHA to CPE
 - c. Others to SHA/CPE
- 8. Correspondence/ Outgoing**
 - a. SHA/CPE to Contractor
 - b. CPE to SHA
 - c. CPE to other
- 9. Correspondence/ Other**
 - a. Interdepartmental-SHA
 - b. Telephone Memos
 - c. Contractor From/To Others
 - d. Memo-in-house
 - e. Memo to file
 - f. Minutes of meetings
 - g. E-mails/sent and received
 - h. Submittals
 - i. Shop Drawing Log
- 10. Shop Drawings Correspondence**
 - a. Environmental/Erosion & Sediment Control
 - b. Permits
 - c. Erosion and Sediment Control Managers approval
 - d. Nutrient Management Plan (NMP)
 - e. NMP Reports/Fertilizer Application
 - f. Contractor's ESCM's Reports
 - g. Projects Reports
 - h. OOC Quality Assurance Inspector's Reports
 - i. Post Storm Reports
 - j. MDE Reports
 - k. Non-Compliance/Violation Reports
- 11. Equal Employment Opportunity**
 - a. EEO Reports

- b. DBE/MBE Monitoring and Reporting
 - i. Inspector's Daily Reports (IDR)
 - ii. Meeting Minutes
 - iii. General Correspondence
- c. Trainees
 - i. Utilization Schedule
 - ii. Enrollment Forms/Approvals
 - iii. Monthly Reports
 - iv. Termination Reports
 - v. Certificates of Completion

12. Lump Sum Breakdowns

13. Material Acceptance and Testing

- a. Source of Supply Approvals
- b. Materials Approvals
- c. Testing Agents
- d. Sampling and Testing Records
- e. Material Certifications
- f. Materials Received
- g. Material Test Reports
- h. Monthly Material Clearance Report
- i. Soil Compactions/Embankment
- j. Soil Compactions/Pipe and Miscellaneous Structures
- k. Soil Compaction/Subgrade
- l. Compaction/Base Courses
- m. Gradation Reports
- n. Concrete Mix Designs
- o. Concrete Cylinder Test Reports
- p. HMA/Quality Control Plans (Plant & Field)
- q. HMA Mix Designs
- r. HMA Core Test Results
- s. Deficiencies and Corrective Actions
- t. Material Clearance Records

14. Meetings

- a. Progress Meetings
- b. Directive/Specification Required meetings
- c. Miscellaneous

15. Project Records and Data

- a. Schedule- CPM/Activities Chart

- b. Pile Hammer Approvals
- c. Inspector's Daily Reports (IDR's)
- d. Daily Logs
- e. Project Photos
- f. Certified Payrolls
- g. Additional Wage Rate Classifications
- h. Off-site Inspection and Storage Records
- i. Environmental Inspection Reports
- j. Nutrient Management Plan (NMP) and Reports
- k. Affirmative Action Plan
- l. Sketch Book
- m. Weekly Time Reports
- n. Project Diary
- o. Project Record Book
- p. Payment for Stored Materials
- q. Monthly Summary of time charges
- r. Progress Estimates

16. Partnering

- a. Partnering Agreement
- b. List of charter members
- c. Initial workshop team meeting
- d. Follow-up workshop team meetings

17. Public Relations

- a. General Correspondence-In
- b. General Correspondence-Out
- c. Complaints/Resolutions
- d. Minutes of Community Meetings
- e. Press Releases

18. Right of Way

- a. Right of Way Plats
- b. Signed Agreements
- c. Correspondence

19. Safety

- a. General Correspondence
- b. Minutes of Safety meetings
- c. Incident/Accident Reports
- d. Reference Material

20. Schedules

- a. Activity Chart Project Schedule with Updates
- b. Critical Path Method Project Schedule(CPM)
- c. Initial CPM (ICPM)
- d. Revised ICPM
- e. CPM Updates

21. Subcontractors

- a. Non-Minority Subcontractors
- b. Minority Subcontractors
- c. Third Tier Subcontractors

22. Traffic

- a. Traffic Control Plan
- b. Project Inspection Reports
- c. Traffic Control Manager & Flagger Certifications
- d. Contractor's Traffic Manager's Reports
- e. Quality Assurance Reports
- f. Work Zone Accident/Incident Reports
- g. Use of Maryland State Police
- h. Lane Closure Permits

23. Utilities (one file set for each utility) Reference CD 07220.800.01

- a. Utility Plans
- b. Work Orders
- c. Permits
- d. Notice to Proceed for each Work Order
- e. IDR's
- f. All other pertinent documents

CHANGE ORDER COST ESTIMATE

Contract No: _____ **FAP#:** _____ **Date:** _____

REASON (S):

- Redline Revision No. _____
- District Change Order
- Variation in Estimated Quantities
- Disputes / Claims
- Changes
- Other

EXPLANATION:

DISCOVERED BY: _____ **Date:** _____

MONETARY JUSTIFICATION:

- Bid Unit Price
- Current Cost
- Small Quantity
- Difficult Conditions
- Special Conditions
- Force Account
- Comprehensive Breakdown
- Specification
- See Independent Engineer's Estimate

Time Extension Necessary? Yes No

Estimation of time required: _____ Working Days Calendar Days

- Compensable
- Non-compensable

ENGINEER'S COST ESTIMATE: _____ **Date:** _____

- See Attachments

CONTRACTOR'S SUBMITTAL: Date Received: _____ Total: _____

PRICE BREAKDOWN:

- See Attachments

NEGOTIATIONS: Date Began: _____ Date Complete: _____

EXPLANATION OF VARIANCE OR ACCEPTANCE:

NEEDS FHWA CONCURRENCE: Yes No

Item	FMIS No.	Quantity	Unit	Unit Price	Total

Final Change Order Amount

Signed: _____ Date: _____



CHANGE ORDER CONSTRUCTION

Authorization C.O. No. _____
 Contract No. _____
 Date _____ District _____
 Total Amount _____ C.W.S. No. _____
 Project No. _____ Request No. _____
 FAP No. _____
 Additional Federal Project Nos. _____ Amount _____
 Work/Calendar Days _____

Request is hereby made (1) for funds to do the following Additional Work as an estimated cost as set forth below, and/or (2) to extend the time of completion of this Contract the number of days indicated below:

Project Description:

Route:

Location:

Project Limits:

Participation in cost by others (except Design Consultant) <input type="checkbox"/> Yes <input type="checkbox"/> No Third Party Name _____ Amount _____ Potential Consultant Liability <input type="checkbox"/> Yes <input type="checkbox"/> No (If Yes, identify and attach applicable cost items.) _____	OOC Control Number: _____ PCS Control Number: _____ Amount _____ Notified _____	Signature: _____ District Engineer Only Approved: _____ Deputy Administrator (Must sign if participation cost by others is YES) Approved: _____ Administrator (all developer and local government agreements over \$100,000)
---	---	---

Original Contract Amount _____ Authorized Redlines to date _____ Total of Authorized COs _____ Total of Unauthorized COs _____ Redlines this CO _____ Amount of this CO _____ Total COs _____ Percent of Original Contract _____ Authorized Contract Amount _____ Work/Calendar Days _____ Funds Available _____ Approved: _____ Date _____ Assistant Director Office of Finance and Information Technology	CONTRACTOR'S ACCEPTANCE THE TERMS AND CONDITIONS OF THIS CHANGE ORDER, INCLUDING THE AMOUNT AND THE TIME CONTAINED HEREIN, CONSTITUTE A FULL ACCORD AND SATISFACTION BY THE ADMINISTRATION AND THE CONTRACTOR FOR ALL COSTS AND TIME OF PERFORMANCE RELATED TO THE ACTIONS DESCRIBED OR REFERENCED HEREIN, INCLUDING BUT NOT LIMITED TO, DELAY AND IMPACT COSTS RESULTING FROM THIS CHANGE ORDER. EXCEPT AS AMENDED HEREIN, ALL PROVISIONS OF SAID CONTRACT REMAIN IN FULL FORCE AND EFFECT. Date _____ Contractor _____ Title _____ Company: _____ Approved: _____ Date _____ Director - Office of Construction (Up to 25% or 100 Days / \$750,000 whichever is less) Approved: _____ Date _____ Deputy Administrator (Over 25% of up to 200 Days / \$1,000,000 whichever is less)
Approved: _____ Date _____ District Engineer (Up to 10% or 50 Days / \$500,000 whichever is less)	Approved: _____ Date _____ Deputy Administrator (Over 25% of up to 200 Days / \$1,000,000 whichever is less)
Acknowledged: _____ Date _____ Administrator (Over \$1,000,000 or 200 Days)	

Item No.	Description	Qty.	Unit Price	Unit	Total
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This work is necessary for the following reason(s):

Change Order Reason Codes

A. QUANTITY OVERRUN/UNDERRUN/ADDITION

1. Plan Error or Omission
 - A. Quantity error
 - B. Incorrect plan information with associated/unanticipated cost
2. Stored Materials
3. Additional Maintenance of Traffic
 - A. Traffic control added for safety
 - B. Added or reduced TCP phases
 - C. Added or removed signs, barricades, VMS, arrow boards, etc.
 - D. Temporary pavement markings
4. Erosion and Sediment Control
 - A. All silt Fence
 - B. Additional perimeter controls – straw bails, rip rap
 - C. Excavation
 - D. Soil stabilization
 - E. SWM ponds
 - F. Storm damage repairs
 - G. Stabilized Construction Entrance
5. Specification or Standard Changes
6. Price Adjustment
 - A. Asphalt price adjustment
 - B. Failure to conform to Contract Requirements
 - C. Diesel fuel
7. Variations in Estimated Quantities
8. Partnering
9. Value Engineering
10. Incentive/Disincentive
 - A. Pavement rideability
 - B. Time
 - C. Density incentive
 - D. Erosion & sediment control
11. Negotiated Settlement of Claims
12. Changed Site Condition not Related to Scope Change
 - A. Subsurface conditions

- B. Updated Topography
- C. Incorrect utility location / omission
- D. Hazardous materials
- E. Traffic barrier – safety
- F. Uncontrollable damage caused by traveling public
- G. Greenline Field Condition: Specify under “Reasons”

13. Force Account

B. PROJECT DELAYS

- 1. Delay Caused by: Specify under “Reasons”
- 2. Utility Work
- 3. Weather Related
- 4. Revised TCP Restrictions
- 5. Administrative Decisions - contract shut down due to local public events
- 6. NTP Issue - wrong time of year
- 7. Right-of-Way
- 8. Design Change
- 9. Shop Drawing Review

C. SCOPE CHANGES

- 1. Changes in Contract Scope (changes intent of contract)
 - A. Additional lanes
 - B. Additional ramps
 - C. Additional geometric improvements
 - D. Bridge widening or modifications
 - E. Noise walls
 - F. Signs
 - G. Lights
 - H. Sidewalks
 - I. Signals
 - J. Landscaping
 - K. Utilities
- 2. Changes in Contract Limits
 - A. Extended roadway rehabilitation tie-in limit of work
 - B. Offsite work, mitigation
 - C. Added signal and lighting
 - D. Added remedial work

D. DELETION

- 1. 1900 Additional Work Item Deletion

MARYLAND STATE HIGHWAY ADMINISTRATION
PRIOR APPROVAL FOR ALL CHANGE ORDERS (COs)

Date of Request: _____ C.O. Request No: _____ CWS No: _____

Contract No: _____ F AP No: _____

Project Description: _____

	AMOUNT
Contract Amount	
Total of Previous C.O.'s	
Est. Amount of this C.O	
Total of C.O.'s	
% C.O.'s	

	DAYS
Time Allowed by Contract	
Total Previous Time Extension	
This Time Extension	
Total Time Extension	
% Extension	

FHWA Approval: Yes No Exempt

If Yes; Name: _____ Date: _____

REASON(S):

- Red Line Revision No: _____ By: _____
- District Change Order
- Variation in Estimated Quantities (GP-4.04)
- Differing Site Conditions (GP-4.05)
- Changes (GP-4.06)
- Disputes, Claims (GP-5.14 & GP-5.15)
- Time Extension (GP-8.08 & TC-5.05)
- Price Adjustment, Non-Conformance (GP-5.02)
- Other: _____

MONETARY JUSTIFICATION:

- Bid Unit Price
- Current Cost
- Small Quantity
- Difficult Conditions
- Special Conditions
- Force Account (TC-7.03)
- Comprehensive Breakdown (GP-4.06, GP-4.07)

TIME EXTENSION (GP-8.08, TC-5.05)

- Monetary
- Production
- Actual
- Delays
- None
- Other

NATURE OF ADDITIONAL WORK: _____

Change Initiated By: _____

FMIS Index No: _____

Non-Discretionary

Discretionary

Approval Requested By: _____

Date: _____

Approved By: _____

Date: _____

cc: District Engineer
Director, OFIT
Chief, OFIT, Federal Aid Section

Change Order Prior Approval Criteria

Change Order Accumulative Dollar Amount	Prior Approval Needed/ Approval Level	Change Order Accumulative Dollar Amount	Prior Approval Needed/ Approval Level
1-500,000	NO	1,200,001-1,250,000	YES (D-OOC)
500,001-600,000	YES (D-OOC)	1,250,001-1,300,000	YES (D-OOC, DA)
600,001-700,000	YES (D-OOC)	1,300,001-1,400,000	YES (D-OOC)
700,001-750,000	YES (D-OOC)	1,400,001-1,500,000	YES (D-OOC)
750,001-800,000	YES (D-OOC,DA)	1,500,001-1,600,000	YES (D-OOC)
800,001-900,000	YES (D-OOC)	1,600,001-1,700,000	YES (D-OOC)
900,001-1,000,000	YES (D-OOC)	1,700,001-1,750,000	YES (D-OOC)
1,000,001-1,100,000	YES (D-OOC, DA) Admin. Memo	1,750,001-1,800,000	YES (D-OOC, DA)
1,100,001-1,200,000	YES (D-OOC)	1,800,001-1,900,000	YES (D-OOC)

*****All Negotiated Settlements require Prior Approval*****

1. Any Single Change Order amounting to \$500,000 or more requires a Prior Approval.
2. Any Change Order 10% or over and every Change Order after that, will require a Prior Approval.
3. Accumulated Change Orders over \$1,000,000 or 200 days and every succeeding \$1,000,000 increment requires an Administrator Memo.
4. Prior Approvals are not required if Change Order is covered by a previously approved Redline Revision (DA is reviewing all Redlines at this time). Copy of R/L with DA signature needs to accompany C.O.

(DA) = Deputy Administrator

(D-OOC) = Director - Office of Construction

INITIAL NOTIFICATION OF APPARENT DESIGN ERROR AND/OR OMISSION

TO: Lead Design Division Chief:	
Attention: Lead Project Engineer:	
Date:	
FROM: ADE - Construction:	
Construction Project Engineer:	
Contract No:	
Project Description:	
Description of Error or Omission:	
Description of Impact:	
Current Status/Comments:	

**DESIGN OFFICE RESPONSE TO
 INITIAL REPORT OF APPARENT ERROR AND/OR OMISSION**

Date:	
Lead Design Project Engineer:	
E&O Responsibility Area:	
Responsibility Area Notified:	<i>Contact</i>
<i>Date:</i>	<i>Person:</i>

Designer: <input type="checkbox"/> <i>In-House</i> <input type="checkbox"/> <i>Consultant:</i>
Consultant Notified: <i>Contact</i>
<i>Date:</i> <i>Person:</i>

Concur – Possible Error or Omission: <input type="checkbox"/> <i>Yes</i> <input type="checkbox"/> <i>No</i>
<i>Comments:</i>

Potential Consultant Liability: <input type="checkbox"/> <i>Yes</i> <input type="checkbox"/> <i>No</i> <input type="checkbox"/> <i>N/A</i>
Director, Lead Design Office
Signature/Date: <i>Original was signed on _____ and is available in Design Project File</i>

cc: ADE-Construction, Director-Office of Construction, Director-Appropriate Support Design Office, Director-Lead Design Office, Chief-Lead Design Division, Deputy Administrator/Chief Engineer of Operations

INITIAL NOTIFICATION OF APPARENT DESIGN ERROR AND/OR OMISSION

Remedy/Solution:

Would costs have been incurred anyway? *Yes* *No*

Explain/Remarks:

cc: ADE-Construction, Director-Office of Construction, Director-Appropriate Support Design Office, Director-Lead Design Office, Chief-Lead Design Division, Deputy Administrator/Chief Engineer of Operations

SUBJECT Force Account Work Report Form

FORM NO: OOC79

GENERAL:

Excessive costs are being reflected in Change Orders because the Specification requirements for Force Account Work (Section T.C. 7.03) are not being adhered to consistently.

PURPOSE:

To emphasize that Construction Inspection Division (CID) Personnel are responsible for total control of Force Account Work.

PROCEDURE:

CID Inspection Personnel are to be aware that in addition to enforcing Force Account specifications, they must monitor production on the operation(s) for efficiency.

Project personnel are to ensure that Contractors proceed with work in an efficient manner. Use of equipment and manpower should be compatible with the type of work being performed. No more equipment and manpower than needed to effectively perform the work should be permitted. Complete and accurate records detailing such information must be kept.

Note that the entries of equipment and manpower must be agreed to and signed by a representative of the Contractor and the inspector on a daily basis.

Material used must be accompanied by invoice or tickets to ensure an accurate accounting.

Hourly rates for labor may be obtained from certified payrolls which Contractor is required to provide in order to be compensated for Force Account Work.

If equipment rates are not available when the work is performed, the District Office will obtain current rates from the Rental Rates Blue Book.

Details to be documented on the Force Account form include, but are not limited to:

1. List labor classification, names and social security numbers, straight time and overtime hours of all workmen on the approved operation.
2. List detailed equipment information active or standby hours, straight time and overtime hours.
3. List complete accounting of material received and used in the operation.

CONSTRUCTION DIRECTIVE 07220.100.10

PROCEDURE: (continued)

4. Typical machinery is listed below:

Dozers – Make, model, year built; size; gas/diesel ID number.

Motor Grader - Make, model, year built; size; gas/diesel ID number.

Front End Loaders - Make, model, year built; size; track/rubber; bucket size; gas/diesel ID number.

Air Compressors - Make, model, year built; capacity in CFM; length and diameter of hose; gas/diesel ID number.

Hydraulic Excavators (e.g. Gradall) - Make, model, year built; track/rubber; bucket size and type; gas/diesel ID number.

Generators – Make, model, year built; capacity in kW; gas/diesel ID number.

Cranes - Make, model, year built; mechanical or hydraulic; boom length; track/rubber; bucket size if used; gas/diesel ID number.

Hydroseeder - Make, model, year built; tank size; gas/diesel - truck information; ID number.

Low Boy Trailers - Make, model, year built; number of axles; tilt/non-tilt deck; trailer length; capacity; ID number.

Trucks - Make, model, year built; GVW dump or flat; number of axles; ID number; license number.

Any other equipment should be listed as above with comprehensive information so that errors may be avoided.



Chief, Construction Inspection Division

APPROVED:



Director, Office of Construction

SUBJECT: Design Errors and/or Omissions

FORM NO: OOC 21

GENERAL:

The State Highway Administration (SHA) has established procedures for identifying and documenting apparent design errors and/or omissions.

PURPOSE:

To document, report, evaluate and promptly respond to apparent design errors and/or omissions and initiate the process of recovering appropriate monies from the Design Consultant Firm for actual design errors and/or omissions.

This Directive is intended to make appropriate personnel aware of their obligations as well as the follow up required by other responsibility centers.

The SHA document "Procedures for Pursuing Reimbursement from Design Consultants for Construction Change Orders Resulting from Design Errors and/or Omissions dated November 1, 2005", included with this Directive will govern the substantive and procedural requirements with respect to errors and/or omissions. This document should be consulted by appropriate field personnel.

PROCEDURE:

A. All Project Inspection Personnel

Project Inspection Personnel will be responsible for reporting apparent design errors and/or omissions to the SHA Construction Project Engineer (CPE) as soon as they become known.

B. Construction Project Engineer (CPE)

At the first indication of an apparent design error and/or omission the CPE will:

1. Immediately notify Inspection Staff that detailed documentation covering the work in question must be kept, including photographs, record of labor, materials and equipment, etc., using a separate IDR. A separate IDR file will be kept for each apparent error and/or omission.
2. Notify the District Area Engineer and/or Assistant District Engineer - Construction.
3. Prepare an Initial Notification of Apparent Design Error and/or Omission Report (Form OOC21) including a complete description and impacts of the apparent error and/or omission. Also, include a description of any immediate action taken to reduce the cost of the apparent error and/or omission, under "Current Status/Comments".
4. Coordinate the follow-up documentation effort with that of the District Office.

CONSTRUCTION DIRECTIVE 07220.100.24

PROCEDURE: (continued)

C. District Area Engineer (DAE) or Assistant District Engineer – Construction (ADE-C)

At first indication of an apparent design error and/or omission from the CPE, the DAE or ADE-C will:

1. Confirm a report including a complete description and consequences of the apparent error and/or omission (Form OOC21) has been prepared.
2. Notify the Division Chief of the Lead Design Office. The Lead Design Office is expected to notify the Prime Design Consultant and /or Support Division responsible for the work upon receipt of the completed Initial Notification of Apparent Design Error and or/Omission Report (FormOOC21).

D. The Division Chief of the Lead Design Office

The Lead Design Office is responsible for coordinating the final response for each apparent error and/or omission report initiated. Upon notification of an apparent design error and/or omission from the ADE- C, the Division Chief of the Lead Design Office (or their designee) will review the form, determine the responsibility area for the apparent error and/or omission, and forward it to the appropriate SHA Design Office Division Chief or retain in the Lead Design Office.

1. If forwarded to another office, the Division Chief will note on the form when and to whom the form was sent.
2. If retained in Lead Design Office, the Division Chief will follow the steps outlined in Section E

E. The Division Chief of the Responsibility Area for the Apparent Error and/or Omission

The Responsibility Area Project Manager is responsible for ensuring a response to each report of an apparent error and/or omission received is forwarded to the Lead Design Office. Upon notification of an apparent design error and/or omission from the Lead Design Office Division Chief, the Division Chief of the Responsibility Area Design Office (or their designee) will:

CONSTRUCTION DIRECTIVE 07220.100.24

PROCEDURE: (continued)

1. Review the Initial Notification of Apparent Design Error and/or Omission Report and make a recommendation as to whether the problem is a design error and/or omission.
 - a) If the recommendation is that the problem is not a design error and/or omission, the Responsibility Area Design Division Chief will so notify the ADE-C. The Responsibility Area Design Division Chief will coordinate with the ADE-C to develop a solution to the problem.
 - b) If the recommendation is that the problem is a design error and/or omission, the Responsibility Area Design Division Chief will:
 - i. Notify the Prime Consultant of the apparent error and/or omission and the SHA's policy regarding costs incurred. This notification will be made verbally then followed by written notice, prepared by the Responsibility Area Design Division Chief and signed by the Deputy Administrator/Chief Engineer for Operations.
 - ii. Review the Initial Notification of Apparent Design Error and/or Omission report to make an assessment of liability and whether the apparent error and/or omission will result in an increase in cost.
 - iii. Invite the Prime Consultant to participate in a solution in cooperation with the staff of the District Engineer. The Prime Consultant's participation at this step is not an admission of liability.
 - a. The SHA holds the Prime Consultant responsible for all services performed under the existing engineering agreement. If the apparent design error and/or omission occurred on work designed by a Sub-Consultant, the Prime Consultant shall be responsible for notifying the Sub-Consultant.
 - b. If the Prime Consultant refuses to participate in a solution of the apparent design error and/or omission, the Responsibility Area Division Chief will document this fact. The name and title of the Consultant's representative shall be part of the documentation.
2. Provide guidance to staff. Emphasize the importance of adequate factual records, including the timely review of Change Orders to substantiate and document additional construction costs. This will be coordinated with the ADE-C.

CONSTRUCTION DIRECTIVE 07220.100.24

PROCEDURE : (continued)

3. Any apparent error and/or omission so reported must be resolved in one of two ways after review by the appropriate Design Offices.
 - a) If it is determined that Consultant liability exists, and a monetary settlement will be pursued, the matter should be elevated to the Deputy Administrator/Chief Engineer for Operations' Errors and/or Omissions committee. The Lead Design Office Director will sign the Initial Notification of Apparent Design Error and/or Omission, indicating Consultant liability.
 - b) If it is determined that no Consultant liability exists, the appropriate Design Division Chief should so notify the Lead Design Office to prepare a drop memo for the Deputy Administrator/Chief Engineer for Operations' signature, with a copy to the Office of Finance.

F. Deputy Administrator/Chief Engineer for Operations

Upon notification of an apparent design error and/or omission from the ADE-Construction, the Deputy Administrator/Chief Engineer for Operations (or their designee) will:

1. Add the subject project to the list of potential and ongoing Consultant liability actions for inclusion in the monthly report by assigning a tracking number.
2. Monitor the evaluation process of the apparent error and/or omission.
3. Convene a meeting and make a judgment regarding liability in the event of a disagreement between the ADE-C, the Responsibility Area Design Office and/or the Lead Design Office.
4. Process a monthly report to the Administrator and Design Office Directors summarizing all Initial Notification of Apparent Design Error and/or omission reports.
5. Confer with the Administrator and Design Office Directors before pursuit of a monetary settlement.
6. Sign the written notification of the Prime Consultant of the error and/or omission claim and damages sought.
7. Refer the matter to the Independent Review Board for Errors & Omissions (IRBEO) should the Prime Consultant make such a request. The recommendation of this Board will be non-binding and will be reported to the SHA Administrator and the Prime Consultant.
8. Refer the matter to SHA Legal Counsel if an agreement between SHA and the Prime Consultant does not result from the IRBEO Review.
9. Send a copy of all final decisions to FHWA.

CONSTRUCTION DIRECTIVE 07220.100.24

**PROCEDURES FOR PURSUING REIMBURSEMENT
FROM DESIGN CONSULTANTS
FOR CONSTRUCTION CHANGE ORDERS RESULTING
FROM DESIGN ERRORS AND/OR OMISSIONS
NOVEMBER 1, 2005**

It is the goal of the Maryland State Highway Administration (SHA) to advertise Contract Documents that are complete and accurate and meet the highest standards of design practice. It is the SHA's policy to achieve the highest quality of Consultant standards and to identify errors and/or omissions in design documents that do not achieve the customary standard of care for similar professionals practicing in the State of Maryland. SHA managers will investigate any alleged error and/or omission. If the allegations of design errors and/or omissions are deemed to be creditable, the SHA will make every reasonable effort to recover the associated costs from the Design Consultant.

Errors and/or omissions represent deviations from the standard of care on the part of a Design Consultant or its Sub-Consultants in the performance of professional services under contract with the SHA. The Design Consultant and its Sub-Consultants are expected to perform services in accordance with that standard of care, skill and diligence normally provided by a Consultant in the performance of services set forth in the Design Consultant's contract, having due regard for professional judgment and the circumstances under which the services are to be performed.

- 1) If alleged design errors and/or omissions are found prior to advertisement of a specific contract, then SHA will advise the Consultant to correct such errors and/or omissions, at no cost to SHA.
- 2) If alleged design errors and/or omissions are found after advertisement but prior to bid opening, then the Consultant shall be responsible for the cost of preparing the addendum.
- 3) If the alleged design errors and/or omissions are not known until after the bid opening, then the error and/or omission should be reviewed for Consultant liability:
 - a) Fiscal Impact (all costs incurred above that expected had the plans been correct originally);
 - b) Cost of removal of improperly completed work;
 - c) Cost of preparing the redline revision; and,
 - d) Delay costs determined to be caused directly by an error or omission of the Design Consultant.

CONSTRUCTION DIRECTIVE 07220.100.24

PROCEDURE : (continued)

- 4) If an alleged error and/or omission is discovered during construction, the Assistant District Engineer – Construction will immediately notify the Division Chief whose office has lead design responsibility. The Lead Design Office will immediately notify the Consultant, or in the case of a Support Area Consultant – notify the Support Area Design Office who will notify the Consultant, of the alleged error and/or omission and advise the Consultant that SHA is monitoring any associated increase in costs. The Consultant will be given the opportunity to participate in the determination of the solution and resulting cost to rectify the alleged error and/or omission. The Consultant will in no way construe participation in this process as an admission of any liability. The District may direct the Contractor to avoid proceeding with those elements of construction that are based on incorrect information that may result in additional costs. The Consultant shall make every effort to resolve the alleged error and/or omission and make the revisions in a timely fashion to avoid any delay claim. In the event SHA determines that the Consultant is responsible for the alleged error and/or omission, the Consultant will not be compensated for their services to make the required design revisions. Conversely, if it is determined that no error and/or omission existed, the Consultant will be reimbursed accordingly.
 - a) Any necessary construction Change Order (CO) will be processed as promptly as possible, regardless of the status of any claim against the Design Consultant. The District will negotiate the construction CO and process the CO for payment to Contractor through normal procedures.
 - b) If the error and/or omission results in additional costs, the District Engineer will transmit a copy of the CO to the Director, Office of Construction and the Responsibility Area Design Division Chief by memorandum, along with a copy of the Initial Notification of Apparent Design Error or Omission report. The Responsibility Area Design Office will prepare a letter to the Consultant for the Deputy Administrator/Chief Engineer for Operations' signature. This letter will detail the alleged error and/or omission and associated costs and specify a response date of thirty (30) days after receipt of same. The Deputy Administrators, Chief Counsel, District Engineer, ADE-Construction, Lead Design Office Director (if not the office preparing the letter) and Director, Office of Construction will be sent a copy of the letter.
 - c) The Deputy Administrator/Chief Engineer for Operations (or their designee) will coordinate the review of the response of the Consultant firm. A copy of the Consultant's response should be sent to the Office of Counsel.
 - i) If the Consultant accepts responsibility, the Deputy Administrator/Chief Engineer for Operations will request payment in the appropriate amount and coordinate same with the Office of Finance – Receipts and Disbursements.
 - ii) If the Consultant disputes the request for additional costs, offers a lesser settlement or denies responsibility for the alleged error and/or omission, the Responsibility Area Design Office will reevaluate the Consultant's liability in light of the response received from the Consultant and make a recommendation to the Deputy Administrator/Chief Engineer for Operations on the validity of the response, using the following procedures:

CONSTRUCTION DIRECTIVE 07220.100.24

PROCEDURE : (continued)

- 1) If the Consultant response is accepted by the Responsibility Area Design Office and concurred with by the Deputy Administrator/Chief Engineer for Operations, payment, if any, will be requested under the usual collection methods, as earlier mentioned.
 - 2) If the Responsibility Area Design Office does not agree with the Consultant's evaluation and continues to consider the Consultant liable for additional costs, the Consultant will be notified in writing. The Responsibility Area Design Office will prepare the notification letter for the signature of the Deputy Administrator/Chief Engineer of Operations. The Deputy Administrators, Chief Counsel, District Engineer, ADE-Construction, Lead Design Office Director (if not the office preparing the letter) and Director, Office of Construction will be sent a copy of the letter. The Consultant shall be required to respond within thirty (30) days of receipt of this determination. Failure to respond will result in a claim for payment being issued. (The Consultant's response can be a request that the matter be forwarded to the Independent Review Board for Errors and Omissions (IRBEO).)
- iii) If the Consultant requests that the matter be forwarded to the IRBEO, the Deputy Administrator/Chief Engineer for Operations will convene a meeting of the Board. The IRBEO shall render a recommendation that is non-binding on either party. Both the Consultant and the SHA shall present all issues regarding the matter. The IRBEO will issue an opinion report to all concerned parties. The opinion report of the IRBEO, while not binding, shall be admissible evidence in any subsequent proceedings between SHA and the Consultant.
- 1) Should all parties agree with the opinion reached by the IRBEO, the Deputy Administrator/Chief Engineer for Operations will send a memo to the Office of the Finance requesting that they collect the appropriate amount from the Consultant, or instruct the Office of Finance to consider the matter closed and no funds due from the Consultant.
 - 2) If no consensus is reached, the Responsibility Area Design Office will prepare for signature by the Deputy Administrator/Chief Engineer for Operations a notice of claim against the Consultant, pursuant to COMAR 21.10.04.05. This notice of claim requires the Administrator concurrence. The Office of Counsel will review all such notices prior to concurrence by the Administrator. The notice will include a request that the Consultant reimburse the State within thirty (30) days.
- d) If the Consultant fails to respond to the notice of claim or provides an inadequate response, the Responsibility Area Design Office will coordinate the issuance by the Deputy Administrator/Chief Engineer for Operations of a Procurement Officer's final decision pursuant to COMAR 21.10.04. The final decision will identify one of the following methods by which SHA will seek reimbursement from the Consultant.
- i) SHA will deduct the amount from the next invoice due the Consultant for design service claimed under any ongoing contract with the State. The invoice shall be accompanied

CONSTRUCTION DIRECTIVE 07220.100.24

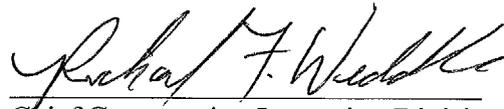
PROCEDURE : (continued)

- with a memo to the Office of the Finance explaining the reason for not approving the invoice in full and shall include the pertinent back-up information; or,
- ii) If there are no open contracts with the Consultant or there are not sufficient funds remaining in open contracts with the Consultant to cover the Consultant's liability, then the final decision will assert SHA's monetary claim against the Consultant. The Consultant shall be advised that the final decision represents a final settlement of the dispute between SHA and the Consultant, enforceable in Court, unless appealed by the Consultant in accordance with the requirements of the last paragraph of the final decision. The last paragraph of the final decision shall specify the time limitation for an appeal of the decision.

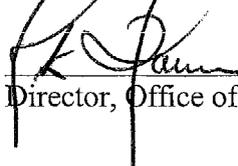
The Independent Review Board for Errors and/or Omissions (IRBEO)

The IRBEO will be comprised of five (5) members: Two (2) members from modals of the Maryland Department of Transportation (MDOT), two (2) members from the Consultant community, and the Deputy Administrator/Chief Engineer for Operations. The members of the committee from the MDOT will be appointed by the Secretary of Transportation, but shall not include any MDOT employees with direct involvement in the project or the chain of review preceding the IRBEO referral. The Consultant Engineers Council (CEC) Maryland Department of Transportation Committee Chair and Co-Chair shall appoint the members from the Consultant community, after receiving appropriate notification from the Deputy Administrator/Chief Engineer for Operations. All Consultant members of the Board shall be Professional Engineers, and agree to serve without compensation. With respect to landscape architectural design issues, two (2) of the Consultant members shall be Registered Landscape Architects. The CEC shall maintain a list of Consultant members willing to serve on the board. The list should contain a minimum of three Professional Engineers from different Consultant Firms for each specialty area, including but not limited to, highway, bridge, traffic, and landscape. The CEC will be responsible for updating and maintaining the list, as well as notifying Consultant members when their services are required.

The SHA Deputy Administrator/Chief Engineer for Operations, or their designee, will chair the IRBEO.


Chief Construction Inspection Division

APPROVED


Director, Office of Construction

INITIAL NOTIFICATION OF APPARENT DESIGN ERROR AND/OR OMISSION

TO: Lead Design Division Chief:	
Attention: Lead Project Engineer:	
Date:	
FROM: ADE - Construction:	
Construction Project Engineer:	
Contract No:	
Project Description:	
Description of Error or Omission:	
Description of Impact:	
Current Status/Comments:	

**DESIGN OFFICE RESPONSE TO
 INITIAL REPORT OF APPARENT ERROR AND/OR OMISSION**

Date:	
Lead Design Project Engineer:	
E&O Responsibility Area:	
Responsibility Area Notified:	Contact
Date:	Person:

Designer: <input type="checkbox"/> In-House <input type="checkbox"/> Consultant:
Consultant Notified: Contact
Date: Person:

Concur – Possible Error or Omission: <input type="checkbox"/> Yes <input type="checkbox"/> No
Comments:

Potential Consultant Liability: <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A

Director, Lead Design Office Signature/Date: _____ Original was signed on _____ and is available in Design Project File

cc: ADE-Construction, Director-Office of Construction, Director-Appropriate Support Design Office, Director-Lead Design Office, Chief-Lead Design Division, Deputy Administrator/Chief Engineer of Operations

INITIAL NOTIFICATION OF APPARENT DESIGN ERROR AND/OR OMISSION

Remedy/Solution:

[Empty box for Remedy/Solution]

Would costs have been *Yes* *No*
incurred anyway?

Explain/Remarks:

[Empty box for Explain/Remarks]

cc: ADE-Construction, Director-Office of Construction, Director-Appropriate Support Design Office, Director-Lead Design Office, Chief-Lead Design Division, Deputy Administrator/Chief Engineer of Operations



Maryland Division Inspection Report

U.S. Department of Transportation
Federal Highway Administration

DIVISION	REPORT NO.	DATE OF INSPECTION	DATE OF REPORT	STATE # FEDERAL #
DATE CONTRACT STARTED	COMPLETION DATE	OWNER ACCEPTANCE DATE	COUNTY	
CONTRACT TIME	TIME EXTENSIONS	TIME ELAPSED	TIME ELAPSED %	
		DBE GOAL	TRAINING POSITIONS	
CONTRACT AMOUNT \$	FUNDS EXPENDED %	NO. OF CHANGE ORDERS	AMOUNT OF CHANGE ORDERS \$	
PROJECT TITLE AND LOCATION				
FHWA INSPECTOR(S)		IN COMPANY WITH		
PROJECT ENGINEER/MANAGER		CONTRACTOR		
PROGRESS OF WORK	Unsatisfactory <input type="checkbox"/>	Satisfactory <input type="checkbox"/>	QUALITY OF WORK	Unsatisfactory <input type="checkbox"/> Satisfactory <input type="checkbox"/>
<input type="checkbox"/> Process Review/Product Evaluation		<input type="checkbox"/> Inspection In-Depth	<input type="checkbox"/> Project	<input type="checkbox"/> Final <input type="checkbox"/> Final Acceptance

Project Scope:

Amount of Change Orders:

Time:

DBE:

Trainee:

Project Records and Inspection Observations:

See the Following Attachments:

Findings and Recommendations:

Follow-up Actions:

Traffic Control:

cc:

*The following is a list of items to be considered during an inspection. This list is not all inclusive and does not apply to all projects. Professional judgment is required by the inspector(s) to prioritize focus of inspection:

- Project Manager:
- Number of Inspectors/tester on site the day of inspection:
- Prime Contractor:
- Original Contract Work Days / Completion Date:
- Current Contract Work Days / Completion Date:
- Notice to Proceed:
- Work Started:
- Time Stopped:
- Work Days Charged:
- Original Contract Amount:
- Current Contract Amount:
- Total Contract Amount Paid to Date:
- Major executed Change Orders:
- Contract DBE Goal:
- Contractor's DBE Commitment:
- DBE Goal and DBE % achieved:
- Training Hours goal and hours achieved:
- Payroll Wage and Fringe Benefits:
- EEO/Wage Rate Posters:
- Approved Sub-contractors and contract amount:
- Approved DBEs and contract amount:
- Prompt Progress Payment:
- Utilities, ROW, and Railroads:
- Storm Water Pollution Prevention Plan:
- Materials sampling, testing, and acceptance:
- Materials Certification:
- Detours:
- Buy America Steel Certifications:
- Traffic Control:
- Pavement Markings:
- Change Orders:
- Seeding:
- Construction Quality:
- Construction Sequencing:
- Materials Storage:
- Compliance with PS&E:
- Incentive and Disincentive Validation and Payment:
- Railroad Release Letter
- Temporary Pedestrian and Bicycle Access:
- As-Built Plans
- Overruns and Underruns:

- Public Communication:
- Correspondence File:
- Project Progress Schedule:
- Notice of Disputes/Claim Filed:
- Claims:
- Liquidated Damages Assessed:
- Payments Withheld:
- Environmental Commitment Tracking
- Accident History:
- Project Accepted for Maintenance:
- Time Extensions:
- Time Stopped:
- Final Inspection:
- Final Estimate:
- Punchlist Furnished and Completed:
- Punchlist completed



Maryland Inspection Report

U.S. Department of Transportation
Federal Highway Administration

DIVISION Maryland	REPORT NO. 1	DATE OF INSPECTION 5/19/15	DATE OF REPORT 5/27/15	STATE # BA4625280
				FEDERAL # AC-NHPP-G-695-6(371)N
DATE CONTRACT STARTED 11/4/2013	COMPLETION DATE 6/1/2016	OWNER ACCEPTANCE DATE N/A	COUNTY Baltimore	
CONTRACT TIME 940 CD	TIME EXTENSIONS N/A	TIME ELAPSED 561 CD	TIME ELAPSED 59.36%	
		DBE GOAL	TRAINING POSITIONS 0	
CONTRACT AMOUNT \$22,422,000.00	FUNDS EXPENDED 45.66%	NO. OF CHANGE ORDERS 5	AMOUNT OF CHANGE ORDERS \$88,830.77	
PROJECT TITLE AND LOCATION I-695 bridge replacement over Milford Mill Road				
FHWA INSPECTOR(S) Blair Jones, Area Engineer-FHWA		IN COMPANY WITH Sumalka Wegodapola- SHA RCE, District 4		
PROJECT ENGINEER/MANAGER Kirit Patel-Project Engineer, SHA		CONTRACTOR American Infrastructure-MD Inc. (Allan Myers)		
PROGRESS OF WORK Unsatisfactory <input type="checkbox"/> Satisfactory <input checked="" type="checkbox"/>		QUALITY OF WORK Unsatisfactory <input type="checkbox"/> Satisfactory <input checked="" type="checkbox"/>		
<input type="checkbox"/> Process Review/Product Evaluation <input type="checkbox"/> Inspection In-Depth		X Progress <input type="checkbox"/> Final <input type="checkbox"/> Final Acceptance		

Project Scope:

The I-695 bridge replacement over Milford Mill Road is a project that includes total replacement of the Inner Loop and Outer Loop bridges that carry I-695 over Milford Mill Road. The project also includes road widening, drainage upgrades, retaining walls, noise barriers, curb & gutter and sidewalks, sign structures, milling and overlay, lighting, safety enhancements, and beautification. The project will improve ride quality, increase roadway capacity and safety, enhance sidewalk areas including ADA compliance, and add landscaping features.

Purpose of Inspection:

The purpose of this visit was to assess the overall progress of work.

Project Status:

- **Recent Work Completed:**
 - Retaining walls for stage 2 IL bridge approaches
 - Concrete deck for stage 2 IL bridge
- **Work in Progress/Construction Activities Observed:**
 - Retaining walls and backfill for stage 2 OL bridge approaches
 - Noise barrier caisson drilling and reinforced concrete backfill
 - Drainage work
 - Preparations for stage 2 OL deck pour

- **Upcoming Work:**
 - Excavation, embankment, grading for stage 2 OL approaches
 - Stage 2 OL bridge deck and parapet pours
 - Drainage work
- **Work Zone Safety:** No issues found. All drop-offs and other hazards were located behind temporary barricades inside the work zones.
- **Maintenance of Traffic:** No major issues found. Some of the delineators on the temporary barricades need to be replaced.

Inspection Observations:

1. The following documentation was reviewed at the day of the inspection:
 - a. OJT documentation
 - b. E&S reports
 - c. Job permits
 - d. Latest CPM update
 - e. MOT reports
 - f. Liability insurance policy
2. MMS material clearance is currently 100%.
3. Some of the E&S controls seem to need cleaning or repairing. Kirit has already directed the Contractor to do so as soon as possible.
4. Several of the delineators on the temporary barriers were missing. Kirit informed me that vandalism has been an ongoing issue with these and other project items.
5. Many of the required jobsite posters were missing.

Photos/Figures:



I-695 stage 2 IL bridge looking South



Caissons for IL Noise Barrier looking North



I-695 stage 2 OL approach looking South



Underneath I-695 stage 2 IL bridge looking North

Findings and Recommendations:

Overall, the project progress appears to be in accordance with the Contract Plans and Specifications. The work that has been completed looks acceptable and the work is progressing as scheduled.

MOT looked good today; continue to stay on Contractor about following TCP as it is best for everyone's safety.

E&S controls looked mostly adequate, with some repair or cleaning needed for a few areas. Continue to monitor the controls and notify the Contractor when repairs are needed.

Please replace missing delineators on the temporary barricade when possible.

Have the contractor display all required job posters as soon as possible.

As this is a Project of Division Interest (PoDI) in which FHWA indicated its involvement in all project actions, Change Orders will require FHWA approval per 23 CFR 635.120. Letting FHWA know about any issues that may lead to a change order in advance will decrease the amount of time necessary to review and approve the COs.

cc:

Bruce Cain – SHA Area Engineer, District 4

Sumalka Wegodapola – SHA RCE

Jitesh Parikh - FHWA Project Delivery Team Leader

Lourdes Castaneda – FHWA Project Delivery Acting Team Leader

FHWA Maryland Division - Construction Inspection Checklist

FPN(s): AC-NHPP-G-695-6(371)N/BA 4625280
County: Baltimore
Type of construction: Bridge Replacement
Scope of the project: bridge replacement, road widening, drainage upgrades, retaining walls, noise barriers, curb+gutter, sidewalks, sign structures, mill + overlay, lighting, landscaping

NTP	<u>11/4/13</u>
Date of Inspection	<u>5/19/15</u>
Preconstruction Meeting	<u>9/30/13</u>
Schedule Approved	<u>1/6/14</u>
Updated Schedule	<u>#17 5/13/15</u>
% Complete	<u>45.66%</u>
Completion date	<u>6/1/16</u>
% Time Expired	<u>59.36%</u>
Award Amount	<u>\$22,422,000.00</u>
Current Contract Estimate	<u>#18 \$10,256,886.46</u>

SHA Employee: Name Kirit Patel Title PE

FHWA Employee: Name Blair Jones Title Area Engineer

Name _____ Title _____

Section/ Area	CONSTRUCTION ACTIVITIES/ QUESTIONS that can be observed may include the following:
1	Work Zone Traffic Control
A	<i>Traffic Control Plan (TCP)</i>
	Traffic control devices installed in accordance with Traffic Control Plan? <i>Yes</i>
	Traffic control devices are clean and well maintained? <i>Yes</i>
	Is the overall traffic control set up effective? <i>Was an issue with night lane IL queues but Dist 4 traffic proposed a correction that was implemented and has alleviated the issue</i>
	Are drivers provided adequate information? <i>Yes, with the correction in place</i>
	Travel way is well delineated? <i>Yes</i>
	If changes have been made, are they appropriate and have they been approved by SHA? <i>Change was suggested by Dist 4 traffic; Contractor requested exception for barrier on IL that was approved</i>
	Are changes to the TCP documented? <i>Yes</i>
B	<i>Speed Reduction</i>
	Is advance notice of speed reduction effective? <i>N/A</i>
	Is traveling speed higher or lower than work zone speed limit? Much higher? <i>No, but a speed camera is onsite to enforce posted speed limit</i>
C	<i>Lane Closure</i>
	Is advance notice of lane closure effective? <i>Yes</i>
	Are long queues or delays experienced in work zone? <i>Issue in IL right lane now resolved, no other delays</i>
D	<i>Temporary Concrete Barrier</i>
	Are temporary concrete barrier segments properly pinned? <i>Yes</i>
	Are end treatment installed or 'clear zone established'? <i>Yes</i>

	Are delineators properly placed on barrier for channelization (color, spacing)? <i>Few are missing - Kirt said vandalism is ongoing issue</i>
E	Construction Signing (Must followed TCP, used standard type, etc.)
	Are advance construction zone signs in place? <i>Yes</i>
	Are conflicting permanent signs properly treated (masked, turned and/or removed)? <i>Yes</i>
	Have temporary signs been removed or covered when not needed? <i>Yes</i>
	Are construction signs and devices visible day and night? <i>Yes</i>
	Satisfactory condition (clean, readable, no wear/tear/wrinkling/bowing) <i>Yes</i>
F	Traffic Control Devices (Must use standard devices, adequate sight distance, correct indication/display, etc.)
	Are arrowboards properly located? <i>Yes</i>
	Are changeable message signs properly placed and do they give a clear message? <i>Yes</i>
	Use of temporary impact attenuation devices (properly installed/located)? <i>Yes</i>
G	Pavement Marking (Look for proper alignment, correct skip size/space, standard markings, etc.)
	Are all old conflicting pavement markings properly removed? <i>Yes</i>
H	Roadside (Pavement drop-off must be in compliance with standards or special provisions.)
	Are vertical drop-offs properly marked? <i>N/A</i>
	Could existing drop-offs be eliminated or mitigated? <i>N/A</i>
I	MOT Ratings
	Maintenance of traffic is reviewed daily by project personnel? <i>Yes</i> Follow-ups on findings are made? Field corrections documented? <i>Yes, immediate; corrections in IDR_s</i> MOT Rating: <i>B</i>

2	CPM (Baseline, Updates)
	Has the baseline schedule been approved and/or updated? Yes and yes
3	Contract Change Orders (CO's)
	To date, how many CO's have been issued for this project? What are the related issues? 5 change orders: 1st was to add missing items, 2nd added vibration monitoring due to resident complaints, 3rd added end treatment repair and grinding, 4th was E+S penalty, 5th was storm drain cleaning & landscaping plantings
	Were there any CO's that might cause an environmental issue? Yes, but fell into scope of existing permits and was within LOD
	Were all CO's within the intent of the original scope of the work? Yes
	Did any CO's include work outside the project limits? No
	Was a proprietary item added? No
	Did any CO's include non-eligible work (e.g.: routine maintenance)? If yes, how were the items funded? Yes - storm drain cleaning & storm event cleanup shown as 90% NHPP funded in CO 13 - follow up with Lourdes, then Jim O
4	Job Site Posters
	Are the Federal posters posted for every worker to see at, or near, the contractor's office at the construction site, or at the contractors' central gathering point for workers?
	Poster(s) to observe: <input checked="" type="checkbox"/> Equal Opportunity is the Law (OF CCR 1420)
	<input checked="" type="checkbox"/> Contractor's EEO policy statement
	<input checked="" type="checkbox"/> Letter appointing contractor's EEO officer for project
	<input checked="" type="checkbox"/> Notice - Federal Aid Projects (FHWA 1022)

→	<input type="checkbox"/> Wage Rate Information (FHWA 1495)
	<input checked="" type="checkbox"/> Notice to Employees (WH 1321)
→	<input type="checkbox"/> Actual wage rates
→	<input type="checkbox"/> Job Safety & Health Protection (OSHA 3165)
→	<input type="checkbox"/> Emergency phone numbers
→	<input type="checkbox"/> Your Rights - Federal Minimum Wage (WH 1088)
→	<input type="checkbox"/> Notice to Workers with Disabilities Paid at Special Minimum Wages (WH 1284)
	<input checked="" type="checkbox"/> Your Rights under the Family and Medical Leave Act of 1993 (WH 1420)
	<input checked="" type="checkbox"/> Notice: Employee Polygraph Protection Act (WH 1462)
	<input checked="" type="checkbox"/> Water quality related information (Example: NPDES Notice of Intent)

5 Federal Training Requirements

Are training requirements included in the contract?

Yes

What was the contract OJT goal?

4

What is the contract's OJT goal?

4

Is there documentation to show that the contractor and/or subcontractors are meeting the apprenticeship (training) goal?

2 are finished, 2 in progress; yes it is documented

6 Prompt Payment

Are the subcontractor prompt payment requirements in the contract?

Are they being followed?

Yes and yes

Are there complaints by DBE or subcontractors?

No

7 Safety

Is there any injury/fatal/non-fatal accidents reported within the construction zone?

Yes, early 2014 there was a right shoulder closure on IL for temporary mulching and a passing truck with a plow hit the temporary barrier which then struck and killed a laborer; Aug 14, 2 accidents by Contractor with injuries, 1 at bridge and 1 at retaining wall

8	Environmental Commitments
	Are there environmental commitments on the project? Only TOY restrictions
	If there are environmental commitments on the project, is there an action plan to work with the Contractor to commit to these requirements? Contractor has abided by TOY restrictions
	Is the construction project adhering to the mitigation requirements in the environmental document? How? Contractor requested and was granted an extension for TOY, finished before extension expired
	Are water quality control, erosion control, dust control, pollution controls on material sites, batch plants and equipment being addressed? Yes
9	Permits
	Are permits approved? SWM 6/24/13 MDE 10/3/13 Water Reappropriation 8/27/14 NPDES 10/23/13 Wetland 6/24/13 revised 1/1/15 ETS Control 6/24/13
10	Erosion and Sediment Control Plan
	Is the E&S plans approved? Date? Yes but original approved/stamped plans not in the field office - follow up on this Was it before construction started? Yes
	How are the E&S plans being monitored? Weekly inspections, any changes submitted/approved by MDE via OOC-62 form
	Are Erosion & Sediment Control weekly reports on file? E&S Rating: A Yes (got F grade + MDE shutdown but corrections were made)
	Erosion and sediment control devices are installed properly and are well maintained? Yes, mostly - few problem areas
	Contract specific environmental requirements are in compliance? Yes
	Environmental permits are available onsite? Yes

11	Utility/ROW
	Are there any current utility/ROW delay(s)? No Are relocations adequate? Yes
12	Public Notification
	Have news release notices been sent out notifying the public of construction activities taking place? Yes, VMS onsite and District + HQ PR gets 1 week notice for planned activities
13	Liability Insurance
	Is the company insured? Coverage dates? Yes, 9/12/13 - present What does it includes? General Liability, Auto, Umbrella, Worker's Comp

Progress of Work:

See attached report from PE

Reviewed:

- | | |
|--|--|
| <input type="checkbox"/> Plans & Specifications | <input checked="" type="checkbox"/> Permits |
| <input checked="" type="checkbox"/> OJT | <input type="checkbox"/> Project Schedule |
| <input type="checkbox"/> Accident Reports | <input type="checkbox"/> Project Diary/Inspector's Daily reports |
| <input checked="" type="checkbox"/> Change Orders | <input checked="" type="checkbox"/> MOT |
| <input checked="" type="checkbox"/> Erosion and Sediment Control | <input type="checkbox"/> _____ |
| <input type="checkbox"/> _____ | <input type="checkbox"/> _____ |
| <input type="checkbox"/> _____ | <input type="checkbox"/> _____ |
| <input type="checkbox"/> _____ | <input type="checkbox"/> _____ |

14

Notes

Meet at Milford Mill Gwynns Falls Trail on Milford Mill Rd right next to bridge for 5/20/15 visit

Progress mtgs are last Thursday of each month - asked Kirit to forward mtg invite

15

Follow-up

I need to provide PE with materials for job posters

Discussion with district and OOC personnel needed for E+S plans on this and other projects

Keep on Contractor for MOT and E+S controls maintenance

BA4625280

Replacement of Bridge on I-695 at Milfrod Mill Rd. in Baltimore County

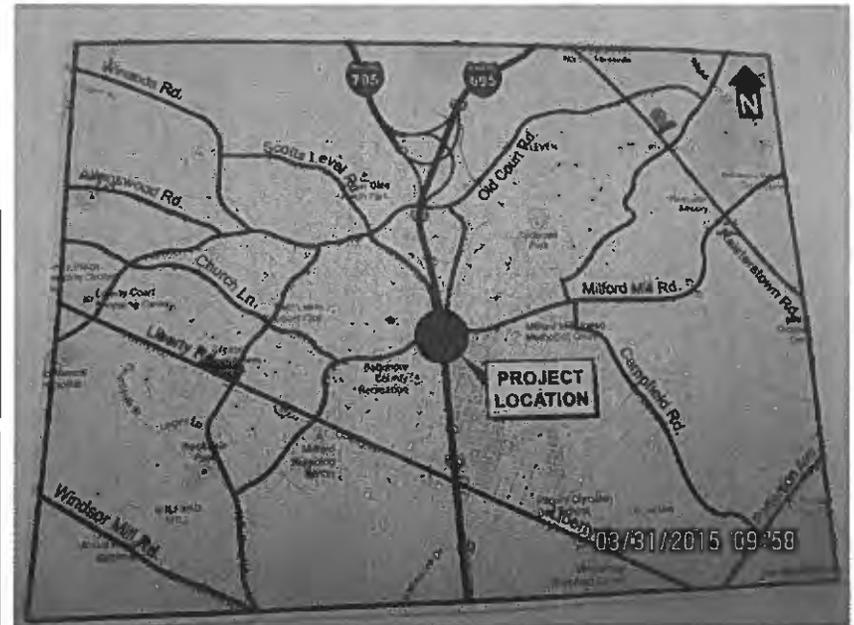
General summary:

- A) - Contract Value: \$ 22,422,000.00
- B) - Contractor: American Infrastructure-MD Inc.
- C) - Advertised: June 25, 2013
- D) - Bid Opening: Aug. 08, 2013
- E) - Notice of Award: Sept. 05, 2013
- F) - Pre. Con. Meeting: Sept. 30, 2013
- G) - Notice To Proceed: On or before Nov. 04, 2013 (Issued on Dt: 09/30/2013)
- H) - Original Time: Date: June 01, 2016 (940 days)
- I) - MDE permit# 11-SF-0368 (Sept. 27, 2013)
- J) - Red Line #1: 11/04/'13; RL#2: 06/20/'14; RL#3: 11/07/'14.
- K) - Change Order: \$ 88,830.77
- L) - Current Contract cost: \$ 22,465,830.77
- M) - DBE Goal: 16.0 %
- N) - Trainee: 4 (four)
- O) - % ge Time Complete: 59.36 %
- P) - % ge Work Complete: 45.66 %
- (Q)- Partnering Average Rating: 2.7

PROJECT TITLE:	Replacement of Bridge at I-695 over Milford Mill Rd.		
PROJECT NO.:	BA 4625280	CONTRCR:	AMERICAN INFRASTRUCTURE
DESIGN/BID/BUILD	X	PROJECT ENG.:	KIRIT PATEL (443-334-5123)
DESIGN/BUILD		DATE:	05/18/2015

PLC	X	DATE OF LAST PLC UPDATE :	05-18-2015
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	TOTAL BID COST (\$)	TOTAL CHANGE ORDERS (\$)	* CONTRACT AMOUNT REMAINING (\$)
LAST REVIEW	\$22,422,366.26	\$45,366.26	\$13,290,928.07
CURRENT	\$22,465,830.77	\$88,830.77	\$12,208,944.31



ISSUES / COMMUNITY CONCERNS		

	CURRENT GRADE
MOT	B
E&S	A

MILESTONE DATES	LAST REVIEW	CURRENT REVIEW
AD DATE	06/25/2013	06/25/2013
NTP	11/04/2013	11/04/2013
EST. OPEN TO TRAFFIC	N/A	N/A
COMPLETION	05/16/2016	06/14/2016
TOT. # OF CONTRACT DAYS	940	940
CONTRACT DAYS EXPENDED	512	558
** % WORK COMPLETE	40.72%	45.66%

CURRENT PROGRESS:	<p>Stage-2</p> <p><u>VICINITY MAP</u></p> <ul style="list-style-type: none"> •Retaining Wall S-2 on OL setting panels and backfill #57 stone • S-6 Noise Barrier Caisson drilling and Brackets • 90" pipe at wall S-5 collar need to pour • Deck pour preparation for I-695 OL, stage-2
PLANNED ACTIVITIES FOR THE NEXT 3 MONTHS:	<p>Stage-2</p> <ul style="list-style-type: none"> • Class-I excavation, embankment & grading GAB on I-695 OL (S/E & NE) • Deck and Parapet pour for OL (stage-2) • Retaining Wall S-2 OL panels, coping and Fence. • Caisson drilling for S-6 Noise barrier, Brackets and precast panels • fence at top of wall-S3 • Storm drain on I-695 IL north

* Current contract amount less installed work paid to date.

** Installed work to date divided by current contract amount.

CONSTRUCTION PHOTOS





CERTIFICATE OF LIABILITY INSURANCE

AMERINF-01

DATE (MM/DD/YYYY)

9/12/2013

*Insurance file
ISA 465250
REED*

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER The Graham Company The Graham Building 1 Penn Square West Philadelphia, PA 19102	(215) 567-6300	CONTACT NAME: James H. Bonner
		PHONE (AC, No, Ext): (215) 567-6300 5294 FAX (AC, No): 215-525-0234
		E-MAIL ADDRESS: BONNER_Unit@grahamco.com
		INSURER(S) AFFORDING COVERAGE
		INSURER A: Liberty Mutual Fire Insurance Company NAIC # 23035
		INSURER B: Starr Indemnity & Liability Company 38318
		INSURER C: Liberty Insurance Corporation 42404
		INSURER D:
		INSURER E:
		INSURER F:

COVERAGES CERTIFICATE NUMBER: REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL ISURR	INSR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> XCU Coverage GENL AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PROJECT <input type="checkbox"/> LOC			TB2631510067022	12/31/2012	12/31/2013	EACH OCCURRENCE \$ 2,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 300,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ 2,000,000 GENERAL AGGREGATE \$ 4,000,000 PRODUCTS - COMPOP AGG \$ 4,000,000
A	AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS			AS2631510067032	12/31/2012	12/31/2013	COMBINED SINGLE LIMIT (Ea accident) \$ 2,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (PER ACCIDENT) \$
B	UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$			SISCCCL01694312	12/31/2012	12/31/2013	EACH OCCURRENCE \$ 10,000,000 AGGREGATE \$ 10,000,000
C	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) <input type="checkbox"/> Y/N If yes, describe under DESCRIPTION OF OPERATIONS below		N/A	WA763D510067012	12/31/2012	12/31/2013	<input checked="" type="checkbox"/> WC STATUTORY LIMITS <input type="checkbox"/> OTHER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

AI-MD Job #1325152

RE: Replacement of Bridge No. 031400 on I-695 over Milford Mill Road in Baltimore Co., MD

State Highway Administration is added as an Additional Insured on the General Liability Policy if required by written contract with respect to work performed by the Named Insured.

CERTIFICATE HOLDER

CANCELLATION

State Highway Administration
7450 Traffic Drive
Hanover, MD 21076-

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

[Signature]

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ACORD 25 (2010/05)

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On 12-11-13 informed Mr. Joe H. & Mr. Mike W. of the

STATE HIGHWAY ADMINISTRATION

SUBJECT: CONTRACT NO. **BA4625280**

DATE: **September 26, 2013**

Attached is a Certificate of Insurance provided by the Contractor in connection with the subject contract.

CONTRACTOR

**American Infrastructure-MD, Inc.
D/B/A American Infrastructure**

CONTRACT DURATION

05/31/2016

INSURANCE COMPANY

**Liberty Mutual Fire Insurance Co.
Starr Indemnity & Liability Company
Liberty Insurance Corporation**

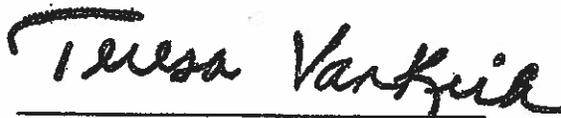
INSURANCE AGENT

**The Graham Company
James Bonner & William Graham IV
215-567-6300 x5294**

RESPONSE

Please be advised that the named insurance carrier (v) is () is not licensed to do business in the State of Maryland. Unless otherwise noted, the Certificate of Insurance appears to be satisfactory.

COMMENT OR IRREGULARITY



Teresa VanKirk, Chief
Contracts Award Team

Cc: Jesse Free
File

**STANDARD INSPECTION FORM FOR MARYLAND DEPARTMENT OF THE ENVIRONMENT
GENERAL PERMIT FOR STORMWATER ASSOCIATED WITH CONSTRUCTION ACTIVITY**

General Information			
Project Name	I-695 OVER MILFORD MILL		
Permittee	SHA DIST 4		
Permit Number	11-SF-0368	Date of Inspection	5-14-15
Start Time	10:00 Am	End Time	11:00 Am
Inspector's Name(s)			
Responsible Personnel Certification # (required under Part IV.C.1)	49001 Justin Smith		
Inspector's Contact Information	410 464 1626		
Date Earth Disturbance Began			
Describe present phase of construction	<input type="checkbox"/> Clearing/Grubbing <input type="checkbox"/> Rough Grading <input type="checkbox"/> Infrastructure <input type="checkbox"/> Demolition <input checked="" type="checkbox"/> Building/Construction <input type="checkbox"/> Final Grading <input type="checkbox"/> Final Stabilization Notes:		
Type of Inspection (check all that apply): <input checked="" type="checkbox"/> Weekly routine <input type="checkbox"/> Pre-storm event <input type="checkbox"/> During storm event <input type="checkbox"/> Post-storm event <input type="checkbox"/> Due to a discharge of significant amounts of sediment <input type="checkbox"/> Monthly for stabilized areas; list phases/lots stabilized:			
Has there been a storm event since the last inspection? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, provide: Storm Start Date & Time: Storm Duration (hrs): Approximate Amount of Precipitation (in):			

Permit Coverage and Plans				
	Subject	Status	Corrective Action Needed and Notes	Date Corrected
1	Was an NOI submitted for all disturbed acres?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
2	Is the permittee listed above still in control of permitted activities at the site? (If no, submit a Transfer of Authorization form to MDE via ePermits)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
3	Do the approved plans reflect current site conditions?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
4	Are the approved E&S and SWM plans maintained at the site?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
5	Have the E&S or SWM plan approvals expired?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
5	Are the NOI, permit documents, and all inspection reports and enforcement actions on file at the site, and a notice of permit coverage posted?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
6	Is the site permanently stabilized, temporary erosion and sediment controls are removed or set to be removed, and stormwater discharges from construction activity are eliminated?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		

Permit Coverage and Plans			
Subject	Status	Corrective Action Needed and Notes	Date Corrected
7	If #6 is Yes, has a Notice of Termination been submitted to MDE? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
8	Are all discharges composed entirely of stormwater or as authorized by the permit? <input type="checkbox"/> Yes <input type="checkbox"/> No		
Discharge of significant amounts of sediment			
Subject	Status	Notes	
Is there evidence of the discharge of significant amounts of sediment to surface waters, or conveyance systems leading to surface waters?	<input type="checkbox"/> Yes <input type="checkbox"/> No		
If "yes" is checked above, have all applicable notification requirements in Part IV.B of the General Permit been met?	<input type="checkbox"/> Yes <input type="checkbox"/> No		
<i>A discharge of significant amounts of sediment may be indicated by (but is not limited to) observations of the following. Note whether any are observed during this inspection:</i>			
1	Earth slides or mud flows <input type="checkbox"/> Yes <input type="checkbox"/> No		
2	Concentrated flows of stormwater such as rills, rivulets or channels that cause erosion when such flows are not filtered, settled or otherwise treated to remove sediment <input type="checkbox"/> Yes <input type="checkbox"/> No		
3	Turbid flows of stormwater that are not filtered, settled or otherwise treated to reduce turbidity <input type="checkbox"/> Yes <input type="checkbox"/> No		
4	Deposits of sediment at the construction site in areas that drain to unprotected stormwater inlets or catch basins that discharge directly to surface waters <input type="checkbox"/> Yes <input type="checkbox"/> No		
5	Deposits of sediment from the construction site on public or private streets outside of the permitted construction activity <input type="checkbox"/> Yes <input type="checkbox"/> No		
6	Deposits of sediment from the construction site on any adjacent property outside of the permitted construction activity <input type="checkbox"/> Yes <input type="checkbox"/> No		
7	Discharges from the construction site to municipal conveyances, curbs and gutters, or streams running through or along the site where visual observations show that the discharges differ from ambient conditions in terms of turbidity so as to indicate significant amounts of sediment present in them <input type="checkbox"/> Yes <input type="checkbox"/> No		

BMPs						
	BMP/activity (some recommended items to check included below)	Installed/Implemented?	Maintenance Required?	Location	Corrective Action Needed and Notes (note any BMPs required by plans but not yet installed)	Date Correction Completed
1	Temporary stabilization - in accordance with 26.17.01.07(B)(6)(f)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	N.E. Quad I-695 3/4 rt MH-5 to MH-6	Other Areas Near this location.	
2	Permanent stabilization - in accordance with 26.17.01.07(B)(6)(f)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
3	Stockpile protection - check for stabilization, silt fence or other controls	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Used	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
4	Are natural resource areas (e.g., streams, wetlands, mature trees, etc.) protected with barriers or similar BMPs?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
5	Silt fence - check for proper installation including toeing in, stakes and supports, gaps and tears, and sediment buildup	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Used	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	site wide	Fix Holes, posts, Tension wires.	
6	Check dams, dikes, and diversion ditches	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Used	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
7	Storm drain inlet protection - check for gaps, tears, sediment buildup	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Used	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Scotts Hill rd	replace clogged gutter guards.	
8	Construction entrance - check for trackout, soil buildup on entrance	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		Rehab SCE / fix SCE @ Scotts Hill and Scotts level.	

BMPs						
	BMP/activity (some recommended items to check included below)	Installed/Implemented?	Maintenance Required?	Location	Corrective Action Needed and Notes (note any BMPs required by plans but not yet installed)	Date Correction Completed
9	Sediment basins/traps - check for sediment buildup, erosion, proper outlet structures	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Used	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
10	Outfall protection - check for erosion, sediment	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Used	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
11	Is trash/litter from work areas contained to prevent discharge to surface waters?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		Pick up Trash and Put in Dumpster.	
12	Are washout facilities (e.g., paint, stucco, concrete) available, clearly marked, and maintained?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		Fix Concrete Washout to be per Ets Detail.	
13	Are vehicle and equipment fueling, cleaning, and maintenance areas free of spills, leaks, or any other deleterious material?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
14	Are materials that are potential stormwater contaminants stored inside or under cover?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
15	Are non-stormwater discharges (e.g., wash water, dewatering) properly controlled?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Clean up Sediment @ the S-3 Dewatering area	
16	(Other)	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No			

**STATE HIGHWAY ADMINISTRATION
EROSION AND SEDIMENT CONTROL FIELD INVESTIGATION REPORT**

DISTRICT: 4 COUNTY: Baltimore CONTRACT NO: BA4625280
 DATE & TIME OF INSPECTION: May 14 2015
 PROJECT DESCRIPTION: I-695 I/L+O/L ct.
 CONTRACTOR: American Infrastructure / Allan Myers.
 NOI/PERMIT # 11-SF-0368
 INSPECTORS NAME AND GC CERTIFICATION # 49001 Justin Smith

SITE STATUS: CURRENTLY ACTIVE CURRENTLY INACTIVE
 PHASE OF CONSTRUCTION CLEAR & GRUB GRADING FINAL STABILIZATION
 AS-BUILTS SUBMITTED NOT SUBMITTED
 SITE CONDITION: COMPLIANCE NEEDS CORRECTIONS NON-COMPLIANCE
 REASON FOR INSPECTION: WEEKLY INVESTIGATION PRE-STORM POST-STORM OTHER
 STORM EVENT SINCE LAST REPORT YES NO
 DATE & TIME _____ DURATION _____ AMOUNT _____

1. IS PROJECT IN SCOPE? * If No, Project is automatically in non-compliance.	Y	N	N/A
* 1.1 Have all appropriate permits and approvals been obtained (SHA/Contractor)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
* 1.2 Are specified LOD, wetlands, buffers, jurisdictional waters, floodplains and/or tree protection areas demarcated and disturbed areas contained within the LOD (active work areas)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
* 1.3 Is the project in conformance with the E&S plan, schedules and contract documents?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
1.3.1 Are sediment controls in place prior to disturbing areas of intended control?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1.3.2 Are controls removed with MDE approval? <i>None have been removed.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
1.4 Have all changes been approved to date including stream crossings/diversions?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1.5 Have approved changes been implemented?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1.6 Are the ESCM duties in compliance with specification 308.03.03	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
1.7 Are stockpiles/staging/waste areas approved?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
1.8 Is grading limited to maximum grading unit?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1.9 Are roadways clear of sediment?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NPDES - The following question are also applicable when the project has 1 acre or more of disturbance			
1.10 Is trash collected and placed in a covered dumpster?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
1.11 Are washout facilities (concrete, paint, etc.) clearly marked, maintained and wash water properly contained?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
1.12 Are fuel containers and vehicle maintenance areas free of spills, leaks or any other deleterious material?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1.13 Are materials that are potential stormwater contaminants stored inside or under cover?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1.14 Is there evidence of the discharge of significant amounts of sediment (See definitions below) to surface waters, or conveyance systems leading to surface waters?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1.15 Have required notifications (to MDE) been complied with? (Triggering Event, Upset, Bypass)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Definition of significant amount of sediment A discharge of significant amounts of sediment may be indicated by (but is not limited to) observations of the following. Note whether any are observed during this inspection:

1. Earth slides or mud flows
2. Concentrated flows of stormwater such as rills, rivulets or channels that cause erosion when such flows are not filtered, settled or otherwise treated to remove sediment
3. Turbid flows of stormwater that are not filtered, settled or otherwise treated to reduce turbidity
4. Deposits of sediment at the construction site in areas that drain to unprotected stormwater inlets or catch basins that discharge directly to surface waters
5. Deposits of sediment from the construction site on public or private streets outside of the permitted construction activity
6. Deposits of sediment from the construction site on any adjacent property outside of the permitted construction activity
- * 7. Discharges from the construction site to municipal conveyances, curbs and gutters, or streams running through or along the site where visual observations show that the discharges differ from ambient conditions in terms of turbidity so as to indicate significant amounts of sediment present in them

Project Engineer / Inspector: *Justin Smith*

DATE: 5-14-15

ORIGINAL: Project Engineer _____ cc: District Engineer Contractor

2. ARE CONTROLS PROPERLY INSTALLED?				3. ARE CONTROLS PROPERLY MAINTAINED?				
Y	N	N/A			Y	N	N/A	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2.1	Water handling	3.1	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2.1.1.	Earth Dikes	3.1.1.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2.1.2.	Temporary Swales	3.1.2.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2.1.3.	Perimeter Dike/Swales	3.1.3.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2.1.4.	Diversion Fence	3.1.4.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2.1.5.	Asphalt Berm	3.1.5.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2.2	Grade Stabilization Structures	3.2	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2.2.1.	Pipe Slope Drains	3.2.1.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2.2.2.	Rip-rap Inflow Protection	3.2.2.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2.2.3.	Gabion Inflow Protection	3.2.3.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2.2.4.	Stone Check Dams	3.2.4.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2.3	Sediment Trapping Devices	3.3	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2.3.1.	Sediment Traps	3.3.1.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2.3.2.	Sediment Basins	3.3.2.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2.3.3.	Stone Outlet Structures	3.3.3.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2.3.4.	Gabion Outlet Structure	3.3.4.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2.4	Dewatering Practices	3.4	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2.4.1.	Removable Pumping Station	3.4.1.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2.4.2.	Sump Pits	3.4.2.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2.4.3.	Portable Sediment Tanks	3.4.3.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2.4.4.	Dewatering Bags	3.4.4.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2.5	Filtering Practices	3.5	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2.5.1.	Silt Fence	3.5.1.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2.5.2.	Super Silt Fence	3.5.2.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2.5.3.	Inlet Protection	3.5.3.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2.5.4.	Straw Bale Dike	3.5.4.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2.5.5.	Filter Log	3.5.5.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2.5.6.	Filter Berm	3.5.6.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2.6	Land Grading and Structural Stabilization	3.6	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2.6.1.	Stabilized Construction Entrance	3.6.1.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2.6.2.	Rock Outlet Protection	3.6.2.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2.7	Miscellaneous Practices	3.7	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2.7.1.	Temp. Access Waterway Crossing	3.7.1.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2.7.2.	Dust Control	3.7.2.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2.7.3.	Onsite Concrete Washout Area	3.7.3.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2.7.4.	Maintenance of Stream Flow	3.7.4.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2.8	Special Features	3.8	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2.8.1.		3.8.1.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2.8.2.		3.8.2.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2.8.3.		3.8.3.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2.8.4.		3.8.4.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

4. IS STABILIZATION PROVIDED IN ACCORDANCE WITH THE CONTRACT DOCUMENTS?			
	Y	N	N/A
4.1 Is stabilization provided as specified?			
4.1.1. Temporary mulch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.1.2. Temporary seed	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.1.3. Permanent seed	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4.1.4. Stabilization matting	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.1.5. Sod	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4.1.6. Stone	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4.1.7. Other	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4.2 Is stabilization provided in the specified time frame?			
4.2.1 Same day stabilization	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.2.2 24 hour stabilization	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.2.3 72 hours stabilization	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4.2.4 7-14 day stabilization	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4.2.5 Other	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4.3 Is incremental stabilization provided during construction?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4.4 Is the stabilization performing as specified?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.5 Is vegetation being established?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

APPENDIX H

REIMBURSEMENT



MEMORANDUM

TO: Ms. Regina Kidd *(For FA Bridge, ARC Programs)*
Chief, Federal Aid Billing

or

Mrs. Jessica Shearer *(For TA Program – including SRTS)*
Transportation Alternatives Program Manager

or

Mr. Terry Maxwell *(For Rec Trails Program)*
Recreational Trails Program Manager

FROM: Insert Name
ADE-Construction, District #

DATE: Insert Date

SUBJECT: Contract: Insert Job Description
Contract No. Insert State Contract Number
FAP No. Insert Federal Contract Number
Reimbursement Request No. X

Sub-recipient title has requested reimbursement in the amount of \$**XX,XXX.XX** for work completed on the subject project for the time period of **Month DD, YYYY – Month DD, YYYY**.

The District Office has reviewed the enclosed applications and support documentation for Reimbursement Request No. **X**. Reviews of the job and documentation show the following:

- The amount billed is adequately supported by work completed during the dates covered.
- The estimate has been properly reviewed and approved by the sub-recipient.
- The sub-recipient has paid the contractor.
- Project records and materials clearance documentation are current and acceptable.
 - Project records have been reviewed by the District Contract Finals on **Month DD, YYYY** and are current and complete as of that date.
 - The sub-recipient provided documentation dated **Month DD, YYYY** from the SHA Office of Materials Technology representative (Area Materials Engineer or Materials POC for Alternative Project Types) indicating that project materials documentation is current with no clearance concerns.

Name

Page Two

The subrecipient has requested electronic payment be made to:

Bank name

Account name

Account number: XXXXX

Routing number: XXXXX

Federal Tax Identification number: XXXXX

This **is / is not** the final reimbursement request for the subject project.

Thank you for your cooperation. If you have any questions, please contact me at XXX-XXX-XXXX or by email at XXXXXXXX@sha.state.md.us.

Enclosures

cc: Sub-recipient Responsible Charge
Contract Finals, District #
Area Materials Engineer
Contract File

Lawrence J. Hogan, Jr., *Governor*
Boyd K. Rutherford, *Lt. Governor*



Pete K. Rahn, *Secretary*
Melinda B. Peters, *Administrator*

MEMORANDUM

TO: Ms. Regina Kidd
Chief, Federal Aid Billing

FROM: Mr. Anthony F. K. Crawford, P.E.
District Engineer
for SAB

DATE: April 23, 2015

SUBJECT: Local Jurisdiction Project
Contract No. AL472ZM2
F.A.P. No. BDP-BRO-3(288)N
Replacement of Allegany County Bridge No. 006
on Potomac Hollow Road over Moores Run
Construction Reimbursements Nos. 5-7

RECEIVED
APR 28 2015
State Highway Administration
CONSTRUCTION

Attached please find copies of the appropriate applications and support documentation for Construction Reimbursements Nos. 5 through No. 7 on the subject contract. Please make electronic payment to:

Allegany County Commissioners
Allegany County Finance Office
701 Kelly Road, Suite 205
Cumberland, MD 21501-3401

If you have any questions regarding this request, please contact Dan McKenzie, Field Document Reviewer, District 6, Maryland State Highway Administration (SHA) at 301-729-8413. Thank you.

AFKC:DAM:dam

Attachments

cc: Mr. Stephen Bucy, ADE – Construction, District 6, SHA ✓
Mr. Adam Patterson, County Engineer, Allegany County
Contract File



ALLEGANY COUNTY
DEPARTMENT OF PUBLIC WORKS

701 Kelly Road, Suite 300
Cumberland, MD 21502
301-777-5933 FAX 301-777-2001
www.gov.allconet.org

RECEIVED

APR 21 2015

State Highway Administration
DISTRICT ENGINEER'S OFFICE
County Administrator
Paul F. Kahl, P.E.
Director of Public Works
Adam Patterson, P.E.
County Engineer

BOARD OF COUNTY COMMISSIONERS
William R. Valentine, *President*
Creade V. Brodie, Jr.
Jacob C. Shade

April 20, 2015

Mr. Anthony Crawford
District 6 Engineer
Maryland State Highway Administration
1251 Vocke Road
LaVale, MD 21502

RE: Replacement of Allegany Bridge No. 006 on Potomac Hollow Road over
Moores Run, Allegany County, Maryland
Contract No. SHA AL472ZM2; FAP BDP-BRO-3(288)N
Final Reimbursement Request

Dear Mr. Crawford:

In accordance with Federal Highway Bridge Program guidelines, attached is a copy of Payment Request Nos. 5, 6 and 7 from Carl Belt, Inc., in the amounts listed below and related information indicating payment to the Contractor from the Allegany County Commissioners. The amount herein reflects construction costs for the above-referenced project. Allegany County requests reimbursement for 80% of the construction costs equal to \$202,253.63. This is the **FINAL** reimbursement request for this project.

Est. No. 5	\$109,129.15
Est. No. 6	\$99,938.06
Est. No. 7	\$43,749.82

If you have any questions concerning Allegany County's request for reimbursement of construction funds, please contact me at (301) 777-5933, x-207 or by email at adam.patterson@alleganygov.org.

Sincerely,

Adam Patterson, P.E.
County Engineer

AP:ckb

Attachments: Inv. No. 136063, Payment Application Nos. 5, 6 and 7, Canceled Checks



Allegany County Finance Office

701 Kelly Road, STE 205, Cumberland, MD 21502-3401
301-777-5916 FAX: 301-777-2072

Jason M. Bennett, CPA
Director of Finance

Federal ID: 52-6000870

INVOICE

Bill to:

Maryland State Highway Admin.
1251 Vocke Road
CUMBERLAND MD 21502

Invoice #: 136063

Date: 4/15/15

Customer #: 4705

Due Date: 04/16/15

G/L Date	Type	Reference #	Remark	Invoice Amount
04/15/15	RI	136063 001	L11E Potomac Hollow Rd Bri	202,253.63

Account: 408P.6750

Replacement of Allegany Bridge No. 006 on Potomac Hollow Road over Moores Run,
Allegany County, MD
Contract No. SHA AL472ZM2; FAP BDP-BRO-3(288)N

Reimbursement Request 3 FINAL

Program L11E

No. 5 \$109,129.15	87,303.32
No. 6 \$ 99,938.06	79,950.45
No. 7 \$ 43,749.82	34,999.86

TOTAL REIMBURSEMENT \$202,253.63

TOTAL 202,253.63

\$35 fee on checks returned for insufficient funds
1.5% monthly interest charge on unpaid balance after due date

PLEASE RETURN BOTTOM PORTION WITH YOUR PAYMENT



Make Checks Payable to : Allegany County Commissioners
Mail Payment to: Allegany County Finance Office
701 Kelly Road, Ste 205
Cumberland, MD 21501-3401

Customer: Maryland State Highway Admin.

Invoice Amount 202,253.63

Invoice #: 136063

Amount Enclosed

Date: 4/15/15

Due Date: 04/16/15

Customer #: 4705

Invoice #



STATE: MARYLAND PROJECT NO:0003(288) NO: 1
STATE PROJ. NO(S): AL472ZM2
DESCRIPTION: Potomac Hollow Road over Moore's Run - Bridge Replacement
CLASSIFICATION OF PHASE OF WORK: CONSTR

THE PROJECT AGREEMENT FOR THE ABOVE-REFERENCED PROJECT ENTERED INTO BETWEEN THE UNDERSIGNED PARTIES AND EXECUTED BY THE DIVISION ADMINISTRATOR ON 08/27/2013 IS HEREBY MODIFIED AS FOLLOWS:

PROGRAM CODE	URBAN/ WITH		FORMER AMOUNT	REVISED AMOUNT
6L2E		ESTIMATED TOTAL OF PROJECT	\$262,600.00	\$262,600.00
		FEDERAL FUNDS	\$210,000.00	\$210,000.00
		ADV CONSTRUCTION FUNDS	\$0.00	\$0.00
		PERCENT FEDERAL SHARE	80.00%	80.00%
L11E		ESTIMATED TOTAL OF PROJECT	\$590,358.00	\$705,891.00
		FEDERAL FUNDS	\$472,286.00	\$564,793.00
		ADV CONSTRUCTION FUNDS	\$0.00	\$0.00
		PERCENT FEDERAL SHARE	80.00%	80.00%

STATE REMARKS:

Modification / Agreement -- for cost change based on the award amount

DIVISION REMARKS:

The effective date of this amended authorization is 12/24/13. All conditions in previous authorizations shall remain in effect.

ALL OTHER TERMS AND CONDITIONS OF THE PROJECT AGREEMENT WILL REMAIN IN FULL FORCE AND EFFECT.

DEPARTMENT OF TRANSPORTATION

AVAILABLE FUNDS CERTIFIED BY: STEPHEN T. PEARCE DATE: 12/19/2013
APPROVAL RECOMMENDED BY: GUY P. TALERICO DATE: 12/19/2013
APPROVED AND AUTHORIZED BY: MARSHA A. LEE DATE: 12/19/2013

FEDERAL HIGHWAY ADMINISTRATION

APPROVAL RECOMMENDED BY: PATRICIA M. ROGERS DATE: 12/23/2013
APPROVED AND AUTHORIZED BY: PATRICIA M. ROGERS DATE: 12/23/2013
MODIFICATION APPROVED BY: KEILYN PEREZ DATE: 12/24/2013

POTOMAC HOLLOW BRIDGE NO. 006

CONTRACT NO. SHA AL472ZM2; FAP BDP-BRO-3(288)N

	PROGRAM L11E	Program 5L2E		
REIMB. REQUEST	Available Funding (80%)	Available Funding (80%)	TOTAL BILLED	Belt Payment Nos.
	\$564,793.00	\$210,000.00		
1	\$82,014.02	\$33,335.50	\$115,349.52	1&2
2	\$239,509.47	\$176,664.50	\$416,173.97	3&4
3	\$202,253.63	\$0.00	\$202,253.63	5,6,7
BALANCE	\$41,015.88	\$0.00	\$733,777.12	

Contractor's Application for Payment No. 7

		Retainage Billing & Final Quantity Adjustments	Application Date: March 17, 2015
To (Owner):	Allegany County Commissioners, 701 Kelly Road, Cumberland, MD 21502	From (Contractor):	Via (Engineer):
		Carl Belt, Inc., P. O. Box 1210, Cumberland, MD 21501-1210	Mr. Adam Patterson, P. E., Allegany County Dept. of Public Works, 701 Kelly Road, Cumberland, MD 21502
Project:	Replacement of Allegany Bridge No. 008 on Potomac Hollow Road over Moores Run, Allegany Co., MD	Contract:	Invoice No.
		AL472ZM2, F.A.P No. BDP-BRO-3(288)N	4450 - 7 (Revised)
Owner's Contract No.:	AL472ZM2	Contractor's Project No.:	Engineer's Project No.:
		4450	AL472ZM2 <u>Public Works</u> Dept. _____

Change Order Summary		
Approved Change Orders		
Number	Additions	Deductions
C/O No. 1	\$47,426.00	
C/O No. 2		(\$10,650.41)
TOTALS	\$47,426.00	(\$10,650.41)
NET CHANGE BY CHANGE ORDERS		\$36,775.59

Vendor _____
Acct. 408P-9203
Auth. AP Date 3-17-15

Payment Details	
1. ORIGINAL CONTRACT PRICE	\$880,445.80
2. Net change by Change Orders	\$36,775.59
3. CURRENT CONTRACT PRICE (Line 1 ± 2)	\$917,221.39
4. TOTAL COMPLETED AND STORED TO DATE (Column F on Progress Estimate)	\$917,221.39
5. RETAINAGE:	
a. 0% x Work Completed (Column D on Progress Estimate) ...	\$0.00
b. 0% x Stored Material (Column E on Progress Estimate)	\$0.00
c. Total Retainage (Line 5a + Line 5b)	\$0.00
6. AMOUNT ELIGIBLE TO DATE (Line 4 - Line 5c)	\$917,221.39
7. LESS PREVIOUS PAYMENTS (Line 6 from prior Application)	\$873,471.57
8. AMOUNT DUE THIS APPLICATION	\$43,749.82
9. BALANCE TO FINISH, PLUS RETAINAGE	
(Column G on Progress Estimate + Line 5 above)	\$0.00

Contractor's Certification	
<p>The undersigned Contractor certifies that: (1) all previous progress payments received from Owner on account of Work done under the Contract have been applied on account to discharge Contractor's legitimate obligations incurred in connection with Work covered by prior Applications for Payment; (2) title of all Work, materials and equipment incorporated in said Work or otherwise listed in or covered by this Application for Payment will pass to Owner at time of payment free and clear of all Liens, security interests and encumbrances (except such as are covered by a Bond acceptable to Owner indemnifying Owner against any such Liens, security interest or encumbrances); and (3) all Work covered by this Application for Payment is in accordance with the Contract Documents and is not defective.</p>	
By: <u>Thomas Muly, Treasurer</u>	Date: <u>3/17/2015</u>
(Contractor)	

Approval Section	
Payment of:	\$ <u>43,749.82</u> (Line 8 or other - attach explanation of other amount)
is recommended by:	<u>OK</u> <u>3-17-15</u> (Engineer/Inspector) (Date)
Payment of:	\$ _____ (Line 8 or other - attach explanation of other amount)
is approved by:	<u>Adam Patterson</u> <u>3-17-15</u> (Owner) (Date)
Approved by:	_____ (Funding Agency, if applicable) (Date)

State of: Maryland County of: Allegany
 Subscribed and sworn to before me this 17th day of March, 2015,
 Notary Public: Paula J. Hite My Commission expires: 10/17/18

Progress Estimate No. 7

Contractor's Application No. 4450-7 (Revised)

Project Name/Address: Replacement of Allegany Bridge No. 008 on Potomac Hollow Road Over Moores Run, Contract No. AL472M2, FAP No. BDP-BRO-3(288)N									Application No.: SEVEN (4450-7)		
Application Period: Retainage Billing with Final Quantity Adjustments									Application Date: 3/17/2015		
A		B			C	D		E	F		G
Item Description		Bid Quantity	Unit Price	Bid Value	From Previous Application	Estimated Quantity or % Installed This Period	Amount Due This Period	Materials Presently Stored (not in C)	Total Completed and Stored to Date (D+E)	% (E) B	Balance to Finish (B-F)
Bid Item No.	Description Unit										
<i>(Note- See C/O #2, page 5, for final quantity adjustment line item)</i>											
Category 100 - Preliminary											
1001	Clearing and Grubbing LS	1	\$ 6,400.00	\$ 6,400.00	\$ 6,400.00	0%	\$ -	\$ -	\$ 6,400.00	100%	\$ -
1002	Maintenance of Traffic (10% of Categories 2, 4, 5 & 6)) LS	1	\$ 2,200.00	\$ 2,200.00	\$ 2,200.00	0%	\$ -	\$ -	\$ 2,200.00	100%	\$ -
1003	Type B Engineers Office EA	1	\$ 22,800.00	\$ 22,800.00	\$ 22,800.00	0	\$ -	\$ -	\$ 22,800.00	1	\$ -
1004	Temporary Traffic Signs High Performance Wide Angle Retroreflective SF	376	\$ 14.30	\$ 5,376.80	\$ 6,585.16	10	\$ 143.00	\$ -	\$ 6,728.16	470.5	\$ (1,351.36)
1005	Flagger HR	160	\$ 45.20	\$ 7,232.00	\$ -	0	\$ -	\$ -	\$ -	0	\$ 7,232.00
1006	Drums for Maintenance of Traffic EA	75	\$ 86.00	\$ 6,450.00	\$ 3,440.00	0	\$ -	\$ -	\$ 3,440.00	40	\$ 3,010.00
1007	Temporary Crash Cushion Sand Filled Plastic Barrels for M.O.T. BBL	28	\$ 228.00	\$ 6,384.00	\$ -	0	\$ -	\$ -	\$ -	0	\$ 6,384.00
1008	Remove and Reset Temporary Crash Cushion Sand Filled Plastic Barrels BBL	7	\$ 84.00	\$ 588.00	\$ -	0	\$ -	\$ -	\$ -	0	\$ 588.00
1009	Replace Temporary Crash Cushion Sand Filled Plastic Barrels BBL	10	\$ 375.00	\$ 3,750.00	\$ -	0	\$ -	\$ -	\$ -	0	\$ 3,750.00
1010	Temporary Concrete Single Face Traffic Barrier for M.O.T. LF	1000	\$ 29.00	\$ 29,000.00	\$ 2,117.00	0	\$ -	\$ -	\$ 2,117.00	73	\$ 26,883.00
1011	Reset Temporary Concrete Traffic Barrier Single Face LF	450	\$ 4.00	\$ 1,800.00	\$ -	0	\$ -	\$ -	\$ -	0	\$ 1,800.00
1012	Reflective Barrier Markers EA	60	\$ 29.00	\$ 1,740.00	\$ 87.00	0	\$ -	\$ -	\$ 87.00	3	\$ 1,653.00
1013	Vertical Panels EA	4	\$ 107.00	\$ 428.00	\$ -	0	\$ -	\$ -	\$ -	0	\$ 428.00
1014	Type III Barricade for Maintenance of Traffic EA	2	\$ 295.00	\$ 590.00	\$ 590.00	0	\$ -	\$ -	\$ 590.00	2	\$ -
1015	Construction Stakeout LS	1	\$ 22,700.00	\$ 22,700.00	\$ 22,700.00	0%	\$ -	\$ -	\$ 22,700.00	100%	\$ -
1016	Mobilization LS	1	\$ 29,400.00	\$ 29,400.00	\$ 29,400.00	0%	\$ -	\$ -	\$ 29,400.00	100%	\$ -
Subtotals to Page 3				\$146,838.80	\$ 96,319.16		\$ 143.00	\$ -	\$ 96,462.16		\$ 50,376.64

Progress Estimate No. 7

Contractor's Application No. 4450-7 (Revised)

Project Name/Address: Replacement of Allegary Bridge No. 008 on Potomac Hollow Road Over Moores Run, Contract No. AL472ZM2, FAP No. BDP-BRO-3(288)N								Application No.: SEVEN (4450-7)			
Application Period: Retainage Billing with Final Quantity Adjustments								Application Date: 3/17/2015			
A		B			C	D		E	F		G
Item Description		Bid Quantity	Unit Price	Bid Value	From Previous Application	Estimated Quantity or % Installed This Period	Amount Due This Period	Materials Presently Stored (not in C)	Total Completed and Stored to Date (D+E)	% (E) B	Balance to Finish (B-F)
Bid Item No.	Description Unit										
Subtotals from Page 2				\$146,838.80	\$ 96,319.16		\$ 143.00	\$ -	\$ 96,462.16		\$ 50,376.64
Category 200 - Grading											
2001	Class 1 Excavation CY	45	\$ 49.00	\$ 2,205.00	\$ 3,258.50	0	\$ -	\$ -	\$ 3,258.50	66.5	\$ (1,053.50)
2002	Select Borrow CY	10	\$ 58.00	\$ 580.00	\$ 8,926.20	0	\$ -	\$ -	\$ 8,926.20	153.9	\$ (8,346.20)
2003	Removal of Existing Pavement CY	50	\$ 27.00	\$ 1,350.00	\$ 896.40	0	\$ -	\$ -	\$ 896.40	33.2	\$ 453.60
Category 300 - Drainage											
3001	No. 67 Aggregate For Stormwater Management CY	14	\$ 95.00	\$ 1,330.00	\$ 1,330.00	0	\$ -	\$ -	\$ 1,330.00	14	\$ -
3002	Mountable Berm LF	20	\$ 14.00	\$ 280.00	\$ -	0	\$ -	\$ -	\$ -	0	\$ 280.00
3003	Stabilized Construction Entrance TON	100	\$ 46.00	\$ 4,600.00	\$ 4,847.94	0	\$ -	\$ -	\$ 4,847.94	105.39	\$ (247.94)
3004	Diversion Fence LF	175	\$ 13.00	\$ 2,275.00	\$ 1,261.00	0	\$ -	\$ -	\$ 1,261.00	97	\$ 1,014.00
3005	Class III Riprap SY	160	\$ 165.00	\$ 26,400.00	\$ 54,928.50	-14.3	\$ (2,359.50)	\$ -	\$ 52,569.00	318.6	\$ (26,169.00)
3006	Maintenance of Stream Flow LS	1	\$ 25,800.00	\$ 25,800.00	\$ 25,800.00	0%	\$ -	\$ -	\$ 25,800.00	100%	\$ -
3007	Silt Fence LF	635	\$ 3.30	\$ 2,095.50	\$ 1,531.20	0	\$ -	\$ -	\$ 1,531.20	464	\$ 564.30
Category 400 - Structures											
4001	Removal of Existing Bridge & Guardrail LS	1	\$ 16,700.00	\$ 16,700.00	\$ 16,700.00	0%	\$ -	\$ -	\$ 16,700.00	100%	\$ -
4002	Hillman Beams LS	1	\$ 175,450.00	\$ 175,450.00	\$ 175,450.00	0%	\$ -	\$ -	\$ 175,450.00	100%	\$ -
4003	Off Load Beams LS	1	\$ 1,300.00	\$ 1,300.00	\$ 1,300.00	0%	\$ -	\$ -	\$ 1,300.00	100%	\$ -
4004	Beam Prep LS	1	\$ 1,350.00	\$ 1,350.00	\$ 1,350.00	0%	\$ -	\$ -	\$ 1,350.00	100%	\$ -
4005	Beam Fill LS	1	\$ 3,900.00	\$ 3,900.00	\$ 3,900.00	0%	\$ -	\$ -	\$ 3,900.00	100%	\$ -
Subtotals to Page 4				\$412,454.30	\$397,798.90		\$ (2,216.50)	\$ -	\$ 395,582.40		\$ 16,871.90

Progress Estimate No. 7

Contractor's Application No. 4450-7 (Revised)

Project Name/Address: Replacement of Allegany Bridge No. 008 on Potomac Hollow Road Over Moores Run, Contract No. AL472ZM2, FAP No. BDP-BRO-3(288)N									Application No.: SEVEN (4450-7)		
Application Period: Retainage Billing with Final Quantity Adjustments									Application Date: 3/17/2015		
A		B			C	D		E	F		G
Item Description		Bid Quantity	Unit Price	Bid Value	From Previous Application	Estimated Quantity or % Installed This Period	Amount Due This Period	Materials Presently Stored (not in C)	Total Completed and Stored to Date (D+E)	% (F) B	Balance to Finish (B-F)
Bid Item No.	Description Unit										
	Subtotals from Page 3			\$412,454.30	\$ 397,798.90		\$ (2,216.50)	\$ -	\$ 395,582.40		\$ 16,871.90
	Category 400 - Structures (Cont.)										
4006	Deck Concrete CY	29	\$ 1,750.00	\$ 50,750.00	\$ 56,000.00	0	\$ -	\$ -	\$ 56,000.00	32	\$ (5,250.00)
4007	Nebraska Tubular Bridge Rail LF	64	\$ 344.00	\$ 22,016.00	\$ 22,016.00	0	\$ -	\$ -	\$ 22,016.00	64	\$ -
4008	Epoxy Coated Reinforcing Steel in the Deck, Abutments & Wingwalls LB	5,220	\$ 3.05	\$ 15,921.00	\$ 26,128.68	60.3	\$ 183.92	\$ -	\$ 26,312.60	8627.08	\$ (10,391.60)
4009	GRS Abutment (Overrun-See C/O #1) SF	960	\$ 115.00	\$110,400.00	\$ 157,826.00	0	\$ -	\$ -	\$ 157,826.00	1372.4	\$ (47,426.00)
4010	GRS Wingwall SF	2,270	\$ 45.50	\$103,285.00	\$ 85,649.20	1.9	\$ 86.45	\$ -	\$ 85,735.65	1884.3	\$ 17,549.35
4011	Structural Excavation CY	2,250	\$ 13.00	\$ 29,250.00	\$ 22,770.80	0	\$ -	\$ -	\$ 22,770.80	1751.6	\$ 6,479.20
4012	Temporary Bridge LS	1	\$ 77,750.00	\$ 77,750.00	\$ 77,750.00	0%	\$ -	\$ -	\$ 77,750.00	100%	\$ -
4013	Incentive / Disincentive LS	1	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	0%	\$ -	\$ -	\$ 5,000.00	100%	\$ -
	Category 500 - Paving										
5001	Saw Cut LF	315	\$ 3.50	\$ 1,102.50	\$ 59.50	0	\$ -	\$ -	\$ 59.50	17	\$ 1,043.00
5002	Hot Mix Asphalt Superpave 12.5 MM for Surface, PG 64-22, Level 2 TON	115	\$ 133.00	\$ 15,295.00	\$ 29,016.61	0	\$ -	\$ -	\$ 29,016.61	218.17	\$ (13,721.61)
5003	Crusher Run Aggregate (CR-6) TON	230	\$ 25.00	\$ 5,750.00	\$ 10,692.50	1.4	\$ 35.00	\$ -	\$ 10,727.50	429.1	\$ (4,977.50)
5004	Grinding Hot Mix Asphalt Pavement 0 Inch to 2 Inch Depth SY	540	\$ 6.60	\$ 3,564.00	\$ -	0	\$ -	\$ -	\$ -	0	\$ 3,564.00
	Subtotals to Page 5			\$852,537.80	\$ 890,708.19		\$ (1,911.13)	\$ -	\$ 888,797.06		\$ (36,259.26)

Progress Estimate No. 7

Contractor's Application No. 4450-7 (Revised)

Project Name/Address: Replacement of Allegany Bridge No. 008 on Potomac Hollow Road Over Mooras Run, Contract No. AL472ZM2, FAP No. BDP-BRO-3(288)N									Application No.: SEVEN (4450-7)			
Application Period: Retainage Billing with Final Quantity Adjustments									Application Date: 3/17/2015			
A		B			C	D		E	F		G	
Item Description		Bid Quantity	Unit Price	Bid Value	From Previous Application	Estimated Quantity or % Installed This Period	Amount Due This Period	Materials Presently Stored (not in C)	Total Completed and Stored to Date (D+E)	% (F) B	Balance to Finish (B-F)	
Bid Item No.	Description Unit											
Subtotals from Page 4				\$852,537.80	\$ 890,708.19		\$ (1,911.13)	\$ -	\$ 888,797.06		\$ (36,259.26)	
Category 600 - Shoulders												
6001	Traffic Barrier W Beam Using 6 Foot Post	LF	15	\$ 32.00	\$ 480.00	\$ 3,200.00	0	\$ -	\$ -	\$ 3,200.00	100	\$ (2,720.00)
6002	Traffic Barrier W Beam Using 8 Foot Post	LF	190	\$ 34.00	\$ 6,460.00	\$ -	0	\$ -	\$ -	\$ -	0	\$ 6,460.00
6003	Special Traffic Barrier Three Beam Anchorage - Steel Post	EA	4	\$ 2,450.00	\$ 9,800.00	\$ 9,800.00	0	\$ -	\$ -	\$ 9,800.00	4	\$ -
6004	Type 'L' Traffic Barrier Anchorage	EA	8	\$ 1.00	\$ 8.00	\$ 4.00	0	\$ -	\$ -	\$ 4.00	4	\$ 4.00
6005	Removal and Disposal of Existing Traffic Barrier W Beam	LF	175	\$ 3.00	\$ 525.00	\$ 525.00	0	\$ -	\$ -	\$ 525.00	175	\$ -
Category 700 - Landscaping												
7001	Placing Furnished Topsoil 2 Inch Depth	SY	650	\$ 5.80	\$ 3,770.00	\$ 8,913.79	-25.10	\$ (145.58)	\$ -	\$ 8,768.21	1511.76	\$ (4,998.21)
7002	Temporary Seeding	LB	5	\$ 90.00	\$ 450.00	\$ -	0	\$ -	\$ -	\$ -	0	\$ 450.00
7003	Temporary Mulching	SY	400	\$ 2.65	\$ 1,060.00	\$ 1,864.02	0	\$ -	\$ -	\$ 1,864.02	703.4	\$ (804.02)
7004	Turfgrass Establishment (Permanent Stabilization)	SY	910	\$ 2.10	\$ 1,911.00	\$ 3,536.11	-25.1	\$ (52.71)	\$ -	\$ 3,483.40	1658.76	\$ (1,572.40)
7005	Stabilization Matting (SWM)	SY	600	\$ 4.50	\$ 2,700.00	\$ 520.85	-25.1	\$ (112.95)	\$ -	\$ 407.70	90.6	\$ 2,292.30
Category 800 - Utilities												
8001	Sheet Aluminum Signs	SF	24	\$ 31.00	\$ 744.00	\$ 372.00	0	\$ -	\$ -	\$ 372.00	12	\$ 372.00
C/O No. 1	Adjust Item No. 4009 Qty	SF	412.4	\$ 115.00	\$ 47,426.00	\$ -	0	\$ -	\$ -	\$ -	0	\$ 47,426.00
C/O No. 2	Final Quantity Adjustments	LS	1	\$ (10,650.41)	\$ (10,650.41)	\$ -	0	\$ -	\$ -	\$ -	0	\$ (10,650.41)
TOTALS					\$917,221.39	\$ 919,443.76		\$ (2,222.37)	\$ -	\$ 917,221.39	100%	\$ -

COUNTY COMMISSIONERS OF ALLEGANY COUNTY, MARYLAND
 708 BLDG
 CERRILLAND, MARYLAND 21503-0133

Susquehanna
 Susquehanna Bank

0525 / 550
 10
 1776

CHECK NO. 00269961

DATE 03/31/15 AMOUNT \$3,749.82

PAY TO THE ORDER OF
 FORTY THREE THOUSAND SEVEN HUNDRED FORTY NINE AND 82/100 *****
 TO THE ORDER OF Carl Bolt, Inc.
 P.O. Box 1210

J. M. Best DIRECTOR OF FINANCE

THIS CHECK CONTAINS A COLOR FIDELITY MARK & MICROFINING. BACK HAS THE INDEPENDENT BANK & NATIONAL CHECK HOLD AT AN ANGLE TO MINIMIZE FALSIFICATION.

ENDORSE HERE

*For Deposit Only
 Carl Bolt, Inc.
 Acct # 141244801*

20150331 495435
 31001002510350

>031309123<
 8USQ

03130912300015 SUSO 031601002510350

NOT WRITE, STAMP OR SIGN BELOW THIS LINE
 INTERFERES WITH AUTOMATIC DEPOSIT

1. This check is payable to the order of the person or organization named in the payee field.
 2. This check is not valid unless it is signed by the person or organization named in the payee field.
 3. This check is not valid unless it is signed by the person or organization named in the payee field.
 4. This check is not valid unless it is signed by the person or organization named in the payee field.
 5. This check is not valid unless it is signed by the person or organization named in the payee field.
 6. This check is not valid unless it is signed by the person or organization named in the payee field.
 7. This check is not valid unless it is signed by the person or organization named in the payee field.
 8. This check is not valid unless it is signed by the person or organization named in the payee field.
 9. This check is not valid unless it is signed by the person or organization named in the payee field.
 10. This check is not valid unless it is signed by the person or organization named in the payee field.

Contractor's Application for Payment No. 6

	Application Period: Sept. 3 - Oct. 22, 2014	Application Date: Oct. 22, 2014
To (Owner): Allegany County Commissioners, 701 Kelly Road, Cumberland, MD 21502	From (Contractor): Carl Belt, Inc., P. O. Box 1210, Cumberland, MD 21501-1210	Via (Engineer): Mr. Adam Patterson, P. E., Allegany County Dept. of Public Works, 701 Kelly Road, Cumberland, MD 21502
Project: Replacement of Allegany Bridge No. 008 on Potomac Hollow Road over Moores Run, Allegany Co., MD	Contract: AL472ZM2, F.A.P No. BDP-BRO-3(288)N	Invoice No. 4450 - 6
Owner's Contract No.: AL472ZM2	Contractor's Project No.: 4450	Engineer's Project No.: AL472ZM2

Change Order Summary		
Number	Approved Change Orders	Deductions
C/O No. 1	\$47,426.00	
Dept. <u>Public Works</u>		
Vendor _____		
Acct. <u>408P-9203</u>		
Auth. <u>AP</u> Date <u>10/30/14</u>		
TOTALS	\$47,426.00	\$0.00
NET CHANGE BY CHANGE ORDERS	\$47,426.00	

Payment Details	
1. ORIGINAL CONTRACT PRICE	\$880,445.80
2. Net change by Change Orders	\$47,426.00
3. CURRENT CONTRACT PRICE (Line 1 ± 2)	\$927,871.80
4. TOTAL COMPLETED AND STORED TO DATE (Column F on Progress Estimate)	\$919,443.76
5. RETAINAGE:	
a. 5% x Work Completed (Column D on Progress Estimate) ...	\$45,972.19
b. 5% x Stored Material (Column E on Progress Estimate)	\$0.00
c. Total Retainage (Line 5a + Line 5b)	\$45,972.19
6. AMOUNT ELIGIBLE TO DATE (Line 4 - Line 5c)	\$873,471.57
7. LESS PREVIOUS PAYMENTS (Line 6 from prior Application)	\$773,533.51
8. AMOUNT DUE THIS APPLICATION	\$99,938.06
9. BALANCE TO FINISH, PLUS RETAINAGE	
(Column G on Progress Estimate + Line 5 above)	\$64,400.23

Contractor's Certification	
<p>The undersigned Contractor certifies that: (1) all previous progress payments received from Owner on account of Work done under the Contract have been applied on account to discharge Contractor's legitimate obligations incurred in connection with Work covered by prior Applications for Payment; (2) title of all Work, materials and equipment incorporated in said Work or otherwise listed in or covered by this Application for Payment will pass to Owner at time of payment free and clear of all Liens, security interests and encumbrances (except such as are covered by a Bond acceptable to Owner indemnifying Owner against any such Liens, security interest or encumbrances); and (3) all Work covered by this Application for Payment is in accordance with the Contract Documents and is not defective.</p>	
By: <u>Thomas Wolff, Treasurer</u>	Date: <u>10/22/2014</u>
(Contractor)	

Approval Section	
Payment of:	\$ <u>99,938.06</u> (Line 8 or other - attach explanation of other amount)
is recommended by:	<u>OK</u> <u>10-30-14</u> (Engineer/Inspector) (Date)
Payment of:	\$ _____ (Line 8 or other - attach explanation of other amount)
is approved by:	<u>Adam Patterson</u> <u>10-30-14</u> (Owner) (Date)
Approved by:	_____ (Funding Agency, if applicable) (Date)

State of: Maryland County of: Allegany
 Subscribed and sworn to before me this 22nd day of October, 2014.
 Notary Public: Paul J. White My Commission expires: 10/17/18

Progress Estimate No. 6

Contractor's Application No. 4450-6

Project Name/Address: Replacement of Allegany Bridge No. 008 on Potomac Hollow Road Over Moores Run, Contract No. AL472ZM2, FAP No. BDP-BRO-3(288)N									Application No.: SIX (4450-6)		
Application Period: 9/03/2014 - 10/22/2014									Application Date: 10/22/2014		
A		B			C	D		E	F		G
Item Description		Bid Quantity	Unit Price	Bid Value	From Previous Application	Estimated Quantity or % Installed This Period	Amount Due This Period	Materials Presently Stored (not in C)	Total Completed and Stored to Date (D+E)	% (E) B	Balance to Finish (B-F)
Bid Item No.	Description Unit										
Category 100 - Preliminary											
1001	Clearing and Grubbing LS	1	\$ 6,400.00	\$ 6,400.00	\$ 6,400.00	0%	\$ -	\$ -	\$ 6,400.00	100%	\$ -
1002	Maintenance of Traffic (10% of Categories 2, 4, 5 & 6)) LS	1	\$ 2,200.00	\$ 2,200.00	\$ 1,980.00	10%	\$ 220.00	\$ -	\$ 2,200.00	100%	\$ -
1003	Type B Engineers Office EA	1	\$ 22,800.00	\$ 22,800.00	\$ 20,520.00	0.1	\$ 2,280.00	\$ -	\$ 22,800.00	1	\$ -
1004	Temporary Traffic Signs High Performance Wide Angle Retroreflective SF	376	\$ 14.30	\$ 5,376.80	\$ 6,585.16	0	\$ -	\$ -	\$ 6,585.16	460.5	\$ (1,208.36)
1005	Flagger HR	160	\$ 45.20	\$ 7,232.00	\$ -	0	\$ -	\$ -	\$ -	0	\$ 7,232.00
1006	Drums for Maintenance of Traffic EA	75	\$ 86.00	\$ 6,450.00	\$ 3,440.00	0	\$ -	\$ -	\$ 3,440.00	40	\$ 3,010.00
1007	Temporary Crash Cushion Sand Filled Plastic Barrels for M.O.T. BBL	28	\$ 228.00	\$ 6,384.00	\$ -	0	\$ -	\$ -	\$ -	0	\$ 6,384.00
1008	Remove and Reset Temporary Crash Cushion Sand Filled Plastic Barrels BBL	7	\$ 84.00	\$ 588.00	\$ -	0	\$ -	\$ -	\$ -	0	\$ 588.00
1009	Replace Temporary Crash Cushion Sand Filled Plastic Barrels BBL	10	\$ 375.00	\$ 3,750.00	\$ -	0	\$ -	\$ -	\$ -	0	\$ 3,750.00
1010	Temporary Concrete Single Face Traffic Barrier for M.O.T. LF	1000	\$ 29.00	\$ 29,000.00	\$ 2,117.00	0	\$ -	\$ -	\$ 2,117.00	73	\$ 26,883.00
1011	Reset Temporary Concrete Traffic Barrier Single Face LF	450	\$ 4.00	\$ 1,800.00	\$ -	0	\$ -	\$ -	\$ -	0	\$ 1,800.00
1012	Reflective Barrier Markers EA	60	\$ 29.00	\$ 1,740.00	\$ 87.00	0	\$ -	\$ -	\$ 87.00	3	\$ 1,653.00
1013	Vertical Panels EA	4	\$ 107.00	\$ 428.00	\$ -	0	\$ -	\$ -	\$ -	0	\$ 428.00
1014	Type III Barricade for Maintenance of Traffic EA	2	\$ 295.00	\$ 590.00	\$ 590.00	0	\$ -	\$ -	\$ 590.00	2	\$ -
1015	Construction Stakeout LS	1	\$ 22,700.00	\$ 22,700.00	\$ 20,430.00	10%	\$ 2,270.00	\$ -	\$ 22,700.00	100%	\$ -
1016	Mobilization LS	1	\$ 29,400.00	\$ 29,400.00	\$ 27,930.00	5%	\$ 1,470.00	\$ -	\$ 29,400.00	100%	\$ -
Subtotals to Page 3				\$146,838.80	\$ 90,079.16		\$ 6,240.00	\$ -	\$ 96,319.16		\$ 50,519.64

Progress Estimate No. 6

Contractor's Application No. 4450-6

Project Name/Address: Replacement of Allegany Bridge No. 008 on Potomac Hollow Road Over Moores Run, Contract No. AL4722M2, FAP No. BDP-BRO-3(288)N										Application No.: SIX (4450-6)	
Application Period: 9/03/2014 - 10/22/2014										Application Date: 10/22/2014	
A		B			C	D		E	F		G
Item Description		Bid Quantity	Unit Price	Bid Value	From Previous Application	Estimated Quantity or % Installed This Period	Amount Due This Period	Materials Presently Stored (not in C)	Total Completed and Stored to Date (D+E)	% (E) B	Balance to Finish (B-F)
Bid Item No.	Description Unit										
	Subtotals from Page 2			\$146,838.80	\$ 90,079.16		\$ 6,240.00	\$ -	\$ 96,319.16		\$ 50,519.64
	Category 200 - Grading										
2001	Class 1 Excavation CY	45	\$ 49.00	\$ 2,205.00	\$ 3,258.50	0	\$ -	\$ -	\$ 3,258.50	66.5	\$ (1,053.50)
2002	Select Borrow CY	10	\$ 58.00	\$ 580.00	\$ 5,962.40	51.1	\$ 2,963.80	\$ -	\$ 8,926.20	153.9	\$ (8,346.20)
2003	Removal of Existing Pavement CY	50	\$ 27.00	\$ 1,350.00	\$ 896.40	0	\$ -	\$ -	\$ 896.40	33.2	\$ 453.60
	Category 300 - Drainage										
3001	No. 67 Aggregate For Stormwater Management CY	14	\$ 95.00	\$ 1,330.00	\$ -	14	\$ 1,330.00	\$ -	\$ 1,330.00	14	\$ -
3002	Mountable Berm LF	20	\$ 14.00	\$ 280.00	\$ -	0	\$ -	\$ -	\$ -	0	\$ 280.00
3003	Stabilized Construction Entrance TON	100	\$ 46.00	\$ 4,600.00	\$ 4,847.94	0	\$ -	\$ -	\$ 4,847.94	105.39	\$ (247.94)
3004	Diversion Fence LF	175	\$ 13.00	\$ 2,275.00	\$ 1,261.00	0	\$ -	\$ -	\$ 1,261.00	97	\$ 1,014.00
3005	Class III Riprap SY	160	\$ 165.00	\$ 26,400.00	\$ 54,928.50	0	\$ -	\$ -	\$ 54,928.50	332.9	\$ (28,528.50)
3006	Maintenance of Stream Flow LS	1	\$ 25,800.00	\$ 25,800.00	\$ 25,800.00	0%	\$ -	\$ -	\$ 25,800.00	100%	\$ -
3007	Silt Fence LF	635	\$ 3.30	\$ 2,095.50	\$ 1,531.20	0	\$ -	\$ -	\$ 1,531.20	464	\$ 564.30
	Category 400 - Structures										
4001	Removal of Existing Bridge & Guardrail LS	1	\$ 16,700.00	\$ 16,700.00	\$ 16,700.00	0%	\$ -	\$ -	\$ 16,700.00	100%	\$ -
4002	Hillman Beams LS	1	\$ 175,450.00	\$175,450.00	\$ 175,450.00	0%	\$ -	\$ -	\$ 175,450.00	100%	\$ -
4003	Off Load Beams LS	1	\$ 1,300.00	\$ 1,300.00	\$ 1,300.00	0%	\$ -	\$ -	\$ 1,300.00	100%	\$ -
4004	Beam Prep LS	1	\$ 1,350.00	\$ 1,350.00	\$ 1,350.00	0%	\$ -	\$ -	\$ 1,350.00	100%	\$ -
4005	Beam Fill LS	1	\$ 3,900.00	\$ 3,900.00	\$ 3,900.00	0%	\$ -	\$ -	\$ 3,900.00	100%	\$ -
	Subtotals to Page 4			\$412,454.30	\$ 387,265.10		\$ 10,533.80	\$ -	\$ 397,798.90		\$ 14,655.40

Progress Estimate No. 6

Contractor's Application No. 4450-6

Project Name/Address: Replacement of Allegany Bridge No. 008 on Potomac Hollow Road Over Moores Run, Contract No. AL4722M2, FAP No. BDP-BRO-3(288)N										Application No.: SIX (4450-6)	
Application Period: 9/03/2014 - 10/22/2014										Application Date: 10/22/2014	
A		B			C	D		E	F		G
Item Description		Bid Quantity	Unit Price	Bid Value	From Previous Application	Estimated Quantity or % Installed This Period	Amount Due This Period	Materials Presently Stored (not in C)	Total Completed and Stored to Date (D+E)	% (E) B	Balance to Finish (B-F)
Bid Item No.	Description Unit										
	Subtotals from Page 3			\$412,454.30	\$ 387,265.10		\$ 10,533.80	\$ -	\$ 397,798.90		\$ 14,655.40
	Category 400 - Structures (Cont.)										
4006	Deck Concrete CY	29	\$ 1,750.00	\$ 50,750.00	\$ 56,000.00	0	\$ -	\$ -	\$ 56,000.00	32	\$ (5,250.00)
4007	Nebraska Tubular Bridge Rail LF	64	\$ 344.00	\$ 22,016.00	\$ -	64	\$ 22,016.00	\$ -	\$ 22,016.00	64	\$ -
4008	Epoxy Coated Reinforcing Steel in the Deck, Abutments & Wingwalls LB	5,220	\$ 3.05	\$ 15,921.00	\$ 26,128.68	0	\$ -	\$ -	\$ 26,128.68	8566.78	\$ (10,207.68)
4009	GRS Abutment (Overrun-See C/O #1) SF	960	\$ 115.00	\$110,400.00	\$ 157,826.00	0	\$ -	\$ -	\$ 157,826.00	1372.4	\$ (47,426.00)
4010	GRS Wingwall SF	2,270	\$ 45.50	\$103,285.00	\$ 85,649.20	0	\$ -	\$ -	\$ 85,649.20	1882.4	\$ 17,635.80
4011	Structural Excavation CY	2,250	\$ 13.00	\$ 29,250.00	\$ 22,770.80	0	\$ -	\$ -	\$ 22,770.80	1751.6	\$ 6,479.20
4012	Temporary Bridge LS	1	\$ 77,750.00	\$ 77,750.00	\$ 69,975.00	10%	\$ 7,775.00	\$ -	\$ 77,750.00	100%	\$ -
4013	Incentive / Disincentive LS	1	\$ 5,000.00	\$ 5,000.00	\$ -	100%	\$ 5,000.00	\$ -	\$ 5,000.00	100%	\$ -
	Category 500 - Paving										
5001	Saw Cut LF	315	\$ 3.50	\$ 1,102.50	\$ 59.50	0	\$ -	\$ -	\$ 59.50	17	\$ 1,043.00
5002	Hot Mix Asphalt Superpave 12.5 MM for Surface, PG 64-22, Level 2 TON	115	\$ 133.00	\$ 15,295.00	\$ -	218.17	\$ 29,016.61	\$ -	\$ 29,016.61	218.17	\$ (13,721.61)
5003	Crusher Run Aggregate (CR-6) TON	230	\$ 25.00	\$ 5,750.00	\$ 6,182.50	180.4	\$ 4,510.00	\$ -	\$ 10,692.50	427.7	\$ (4,942.50)
5004	Grinding Hot Mix Asphalt Pavement 0 Inch to 2 Inch Depth SY	540	\$ 6.60	\$ 3,564.00	\$ -	0	\$ -	\$ -	\$ -	0	\$ 3,564.00
	Subtotals to Page 5			\$852,537.80	\$ 811,856.78		\$ 78,851.41	\$ -	\$ 890,708.19		\$ (38,170.39)

Progress Estimate No. 6

Contractor's Application No. 4450-6

Project Name/Address: Replacement of Allegany Bridge No. 008 on Potomac Hollow Road Over Moores Run, Contract No. AL472ZM2, FAP No. BDP-BRO-3(288)N										Application No.: SIX (4450-6)	
Application Period: 9/03/2014 - 10/22/2014										Application Date: 10/22/2014	
A		B			C	D		E	F		G
Item Description		Bid Quantity	Unit Price	Bid Value	From Previous Application	Estimated Quantity or % Installed This Period	Amount Due This Period	Materials Presently Stored (not in C)	Total Completed and Stored to Date (D+E)	% (F) B	Balance to Finish (B-F)
Bid Item No.	Description Unit										
	Subtotals from Page 4			\$852,537.80	\$ 811,856.78		\$ 78,851.41	\$ -	\$ 890,708.19		\$ (38,170.39)
	Category 600 - Shoulders										
6001	Traffic Barrier W Beam Using 6 Foot Post LF	15	\$ 32.00	\$ 480.00	\$ -	100	\$ 3,200.00	\$ -	\$ 3,200.00	100	\$ (2,720.00)
6002	Traffic Barrier W Beam Using 8 Foot Post LF	190	\$ 34.00	\$ 6,460.00	\$ -	0	\$ -	\$ -	\$ -	0	\$ 6,460.00
6003	Special Traffic Barrier Three Beam Anchorage - Steel Post EA	4	\$ 2,450.00	\$ 9,800.00	\$ -	4	\$ 9,800.00	\$ -	\$ 9,800.00	4	\$ -
6004	Type 'L' Traffic Barrier Anchorage EA	8	\$ 1.00	\$ 8.00	\$ -	4	\$ 4.00	\$ -	\$ 4.00	4	\$ 4.00
6005	Removal and Disposal of Existing Traffic Barrier W Beam LF	175	\$ 3.00	\$ 525.00	\$ 525.00	0	\$ -	\$ -	\$ 525.00	175	\$ -
	Category 700 - Landscaping										
7001	Placing Furnished Topsoil 2 Inch Depth SY	650	\$ 5.80	\$ 3,770.00	\$ -	1536.86	\$ 8,913.79	\$ -	\$ 8,913.79	1536.86	\$ (5,143.79)
7002	Temporary Seeding LB	5	\$ 90.00	\$ 450.00	\$ -	0	\$ -	\$ -	\$ -	0	\$ 450.00
7003	Temporary Mulching SY	400	\$ 2.65	\$ 1,060.00	\$ 1,864.02	0	\$ -	\$ -	\$ 1,864.02	703.4	\$ (804.02)
7004	Turfgrass Establishment (Permanent Stabilization) SY	910	\$ 2.10	\$ 1,911.00	\$ -	1683.86	\$ 3,536.11	\$ -	\$ 3,536.11	1683.86	\$ (1,625.11)
7005	Stabilization Matting (SWM) SY	600	\$ 4.50	\$ 2,700.00	\$ -	115.7	\$ 520.65	\$ -	\$ 520.65	115.7	\$ 2,179.35
	Category 800 - Utilities										
8001	Sheet Aluminum Signs SF	24	\$ 31.00	\$ 744.00	\$ -	12	\$ 372.00	\$ -	\$ 372.00	12	\$ 372.00
C/O No. 1	Adjust Item No. 4009 Qty SF	412.4	\$ 115.00	\$ 47,426.00	\$ -	0	\$ -	\$ -	\$ -	0	\$ 47,426.00
TOTALS				\$927,871.80	\$ 814,245.80		\$ 105,197.96	\$ -	\$ 919,443.76	99%	\$ 8,428.04

Contractor's Application for Payment No. 5

	Application Period: Aug. 7 - Sept. 2, 2014	Application Date: September 3, 2014
To (Owner): Allegany County Commissioners, 701 Kelly Road, Cumberland, MD 21502	From (Contractor): Carl Belt, Inc., P. O. Box 1210, Cumberland, MD 21501-1210	Via (Engineer): Mr. Adam Patterson, P. E., Allegany County Dept. of Public Works, 701 Kelly Road, Cumberland, MD 21502
Project: Replacement of Allegany Bridge No. 008 on Potomac Hollow Road over Moores Run, Allegany Co., MD	Contract: AL472ZM2, F.A.P No. BDP-BRO-3(288)N	Invoice No. 4450 - 5
Owner's Contract No.: AL472ZM2	Contractor's Project No.: 4450	Engineer's Project No.: AL472ZM2

Change Order Summary		
Approved Change Orders		
Number	Additions	Deductions
Dept. <u>Public Works</u>		
Vendor _____		
Acct. <u>408A-9203</u>		
Auth. <u>AP</u> Date <u>9-5-14</u>		
TOTALS	\$0.00	\$0.00
NET CHANGE BY CHANGE ORDERS		\$0.00

Contractor's Certification

The undersigned Contractor certifies that: (1) all previous progress payments received from Owner on account of Work done under the Contract have been applied on account to discharge Contractor's legitimate obligations incurred in connection with Work covered by prior Applications for Payment; (2) title of all Work, materials and equipment incorporated in said Work or otherwise listed in or covered by this Application for Payment will pass to Owner at time of payment free and clear of all Liens, security interests and encumbrances (except such as are covered by a Bond acceptable to Owner indemnifying Owner against any such Liens, security interest or encumbrances); and (3) all Work covered by this Application for Payment is in accordance with the Contract Documents and is not defective.

By: Thomas Wolf, Treasurer Date: 9/3/2014
(Contractor)

State of: Maryland County of: Allegany

Subscribed and sworn to before me this 3rd day of September, 2014,

Notary Public: Paula J. Nite My Commission expires: 10/17/14

Payment Details	
1. ORIGINAL CONTRACT PRICE	\$880,445.80
2. Net change by Change Orders	\$0.00
3. CURRENT CONTRACT PRICE (Line 1 ± 2)	\$880,445.80
4. TOTAL COMPLETED AND STORED TO DATE (Column F on Progress Estimate)	\$814,245.80
5. RETAINAGE:	
a. <u>5</u> % x Work Completed (Column D on Progress Estimate) ...	\$40,712.29
b. <u>5</u> % x Stored Material (Column E on Progress Estimate)	\$0.00
c. Total Retainage (Line 5a + Line 5b)	\$40,712.29
6. AMOUNT ELIGIBLE TO DATE (Line 4 - Line 5c)	\$773,533.51
7. LESS PREVIOUS PAYMENTS (Line 6 from prior Application)	\$664,404.36
8. AMOUNT DUE THIS APPLICATION	\$109,129.15
9. BALANCE TO FINISH, PLUS RETAINAGE	
(Column G on Progress Estimate + Line 5 above)	\$106,912.29

Approval Section	
Payment of:	\$ <u>109,129.15</u> (Line 8 or other - attach explanation of other amount)
is recommended by:	<u>OK</u> <u>9-5-14</u> (Engineer/Inspector) (Date)
Payment of:	\$ _____ (Line 8 or other - attach explanation of other amount)
is approved by:	<u>Adam Patterson</u> <u>9-5-14</u> (Owner) (Date)
Approved by:	_____ (Funding Agency, if applicable) (Date)

Progress Estimate No. 5

Contractor's Application No. 4450-5

Project Name/Address: Replacement of Allegany Bridge No. 008 on Potomac Hollow Road Over Moores Run, Contract No. AL472ZM2, FAP No. BDP-BRO-3(288)N										Application No.: FIVE (4450-5)		
Application Period: 8/07/2014 - 9/02/2014										Application Date: 9/03/2014		
A			B			C	D		E	F		G
Item Description			Bid Quantity	Unit Price	Bid Value	From Previous Application	Estimated Quantity or % Installed This Period	Amount Due This Period	Materials Presently Stored (not in C)	Total Completed and Stored to Date (D+E)	% (E) B	Balance to Finish (B-F)
Bid Item No.	Description Unit											
Category 100 - Preliminary												
1001	Clearing and Grubbing	LS	1	\$ 6,400.00	\$ 6,400.00	\$ 6,400.00	0%	\$ -	\$ -	\$ 6,400.00	100%	\$ -
1002	Maintenance of Traffic (10% of Categories 2, 4, 5 & 6))	LS	1	\$ 2,200.00	\$ 2,200.00	\$ 1,650.00	15%	\$ 330.00	\$ -	\$ 1,980.00	90%	\$ 220.00
1003	Type B Engineers Office	EA	1	\$ 22,800.00	\$ 22,800.00	\$ 17,100.00	0.15	\$ 3,420.00	\$ -	\$ 20,520.00	0.90	\$ 2,280.00
1004	Temporary Traffic Signs High Performance Wide Angle Retroreflective	SF	376	\$ 14.30	\$ 5,376.80	\$ 6,585.16	0	\$ -	\$ -	\$ 6,585.16	460.5	\$ (1,208.36)
1005	Flagger	HR	160	\$ 45.20	\$ 7,232.00	\$ -	0	\$ -	\$ -	\$ -	0	\$ 7,232.00
1006	Drums for Maintenance of Traffic	EA	75	\$ 86.00	\$ 6,450.00	\$ 3,440.00	0	\$ -	\$ -	\$ 3,440.00	40	\$ 3,010.00
1007	Temporary Crash Cushion Sand Filled Plastic Barrels for M.O.T.	BBL	28	\$ 228.00	\$ 6,384.00	\$ -	0	\$ -	\$ -	\$ -	0	\$ 6,384.00
1008	Remove and Reset Temporary Crash Cushion Sand Filled Plastic Barrels	BBL	7	\$ 84.00	\$ 588.00	\$ -	0	\$ -	\$ -	\$ -	0	\$ 588.00
1009	Replace Temporary Crash Cushion Sand Filled Plastic Barrels	BBL	10	\$ 375.00	\$ 3,750.00	\$ -	0	\$ -	\$ -	\$ -	0	\$ 3,750.00
1010	Temporary Concrete Single Face Traffic Barrier for M.O.T.	LF	1000	\$ 29.00	\$ 29,000.00	\$ 2,117.00	0	\$ -	\$ -	\$ 2,117.00	73	\$ 26,883.00
1011	Reset Temporary Concrete Traffic Barrier Single Face	LF	450	\$ 4.00	\$ 1,800.00	\$ -	0	\$ -	\$ -	\$ -	0	\$ 1,800.00
1012	Reflective Barrier Markers	EA	60	\$ 29.00	\$ 1,740.00	\$ 87.00	0	\$ -	\$ -	\$ 87.00	3	\$ 1,653.00
1013	Vertical Panels	EA	4	\$ 107.00	\$ 428.00	\$ -	0	\$ -	\$ -	\$ -	0	\$ 428.00
1014	Type III Barricade for Maintenance of Traffic	EA	2	\$ 295.00	\$ 590.00	\$ 590.00	0	\$ -	\$ -	\$ 590.00	2	\$ -
1015	Construction Stakeout	LS	1	\$ 22,700.00	\$ 22,700.00	\$ 17,025.00	15%	\$ 3,405.00	\$ -	\$ 20,430.00	90%	\$ 2,270.00
1016	Mobilization	LS	1	\$ 29,400.00	\$ 29,400.00	\$ 23,520.00	15%	\$ 4,410.00	\$ -	\$ 27,930.00	95%	\$ 1,470.00
Subtotals to Page 3					\$146,838.80	\$ 78,514.16		\$ 11,565.00	\$ -	\$ 90,079.16		\$ 56,759.64

Progress Estimate No. 5

Contractor's Application No. 4450-5

Project Name/Address: Replacement of Allegany Bridge No. 008 on Potomac Hollow Road Over Moores Run, Contract No. AL472ZM2, FAP No. BDP-BRO-3(288)N									Application No.: FIVE (4450-5)		
Application Period: 8/07/2014 - 9/02/2014									Application Date: 9/03/2014		
A		B			C	D		E	F		G
Item Description		Bid Quantity	Unit Price	Bid Value	From Previous Application	Estimated Quantity or % Installed This Period	Amount Due This Period	Materials Presently Stored (not in C)	Total Completed and Stored to Date (D+E)	% (F) B	Balance to Finish (B-F)
Bid Item No.	Description Unit										
Subtotals from Page 2				\$146,838.80	\$ 78,514.16		\$ 11,565.00	\$ -	\$ 90,079.16		\$ 56,759.64
Category 200 - Grading											
2001	Class 1 Excavation CY	45	\$ 49.00	\$ 2,205.00	\$ 3,258.50	0	\$ -	\$ -	\$ 3,258.50	66.5	\$ (1,053.50)
2002	Select Borrow CY	10	\$ 58.00	\$ 580.00	\$ 3,062.40	50	\$ 2,900.00	\$ -	\$ 5,962.40	102.8	\$ (5,382.40)
2003	Removal of Existing Pavement CY	50	\$ 27.00	\$ 1,350.00	\$ 896.40	0	\$ -	\$ -	\$ 896.40	33.2	\$ 453.60
Category 300 - Drainage											
3001	No. 67 Aggregate For Stormwater Management CY	14	\$ 95.00	\$ 1,330.00	\$ -	0	\$ -	\$ -	\$ -	0	\$ 1,330.00
3002	Mountable Berm LF	20	\$ 14.00	\$ 280.00	\$ -	0	\$ -	\$ -	\$ -	0	\$ 280.00
3003	Stabilized Construction Entrance TON	100	\$ 46.00	\$ 4,600.00	\$ 4,847.94	0	\$ -	\$ -	\$ 4,847.94	105.39	\$ (247.94)
3004	Diversion Fence LF	175	\$ 13.00	\$ 2,275.00	\$ 1,261.00	0	\$ -	\$ -	\$ 1,261.00	97	\$ 1,014.00
3005	Class III Riprap SY	160	\$ 165.00	\$ 26,400.00	\$ 54,928.50	0	\$ -	\$ -	\$ 54,928.50	332.9	\$ (28,528.50)
3006	Maintenance of Stream Flow LS	1	\$ 25,800.00	\$ 25,800.00	\$ 25,800.00	0%	\$ -	\$ -	\$ 25,800.00	100%	\$ -
3007	Silt Fence LF	635	\$ 3.30	\$ 2,095.50	\$ 1,531.20	0	\$ -	\$ -	\$ 1,531.20	464	\$ 564.30
Category 400 - Structures											
4001	Removal of Existing Bridge & Guardrail LS	1	\$ 16,700.00	\$ 16,700.00	\$ 16,700.00	0%	\$ -	\$ -	\$ 16,700.00	100%	\$ -
4002	Hillman Beams LS	1	\$ 175,450.00	\$175,450.00	\$ 175,450.00	0%	\$ -	\$ -	\$ 175,450.00	100%	\$ -
4003	Off Load Beams LS	1	\$ 1,300.00	\$ 1,300.00	\$ 1,300.00	0%	\$ -	\$ -	\$ 1,300.00	100%	\$ -
4004	Beam Prep LS	1	\$ 1,350.00	\$ 1,350.00	\$ 1,350.00	0%	\$ -	\$ -	\$ 1,350.00	100%	\$ -
4005	Beam Fill LS	1	\$ 3,900.00	\$ 3,900.00	\$ -	100%	\$ 3,900.00	\$ -	\$ 3,900.00	100%	\$ -
Subtotals to Page 4				\$412,454.30	\$ 368,900.10		\$ 18,365.00	\$ -	\$ 387,265.10		\$ 25,189.20

Progress Estimate No. 5

Contractor's Application No. 4450-5

Project Name/Address: Replacement of Allegany Bridge No. 008 on Potomac Hollow Road Over Moores Run, Contract No. AL472ZM2, FAP No. BDP-BRO-3(288)N								Application No.: FIVE (4450-5)			
Application Period: 8/07/2014 - 9/02/2014								Application Date: 9/03/2014			
A		B			C	D		E	F		G
Item Description		Bid Quantity	Unit Price	Bid Value	From Previous Application	Estimated Quantity or % Installed This Period	Amount Due This Period	Materials Presently Stored (not in C)	Total Completed and Stored to Date (D+E)	% (E) B	Balance to Finish (B-F)
Bid Item No.	Description Unit										
Subtotals from Page 3				\$412,454.30	\$ 368,900.10		\$ 18,365.00	\$ -	\$ 387,265.10		\$ 25,189.20
Category 400 - Structures (Cont.)											
4006	Deck Concrete CY	29	\$ 1,750.00	\$ 50,750.00	\$ -	32	\$ 56,000.00	\$ -	\$ 56,000.00	32	\$ (5,250.00)
4007	Nebraska Tubular Bridge Rail LF	64	\$ 344.00	\$ 22,016.00	\$ -	0	\$ -	\$ -	\$ -	0	\$ 22,016.00
4008	Epoxy Coated Reinforcing Steel in the Deck, Abutments & Wingwalls LB	5,220	\$ 3.05	\$ 15,921.00	\$ 2,594.51	7716.12	\$ 23,534.17	\$ -	\$ 26,128.68	8566.78	\$ (10,207.68)
4009	GRS Abutment SF	960	\$ 115.00	\$110,400.00	\$ 152,869.50	43.1	\$ 4,956.50	\$ -	\$ 157,826.00	1372.4	\$ (47,426.00)
4010	GRS Wingwall SF	2,270	\$ 45.50	\$103,285.00	\$ 76,804.00	194.4	\$ 8,845.20	\$ -	\$ 85,649.20	1882.4	\$ 17,635.80
4011	Structural Excavation CY	2,250	\$ 13.00	\$ 29,250.00	\$ 22,770.80	0	\$ -	\$ -	\$ 22,770.80	1751.6	\$ 6,479.20
4012	Temporary Bridge LS	1	\$ 77,750.00	\$ 77,750.00	\$ 69,975.00	0%	\$ -	\$ -	\$ 69,975.00	90%	\$ 7,775.00
4013	Incentive / Disincentive LS	1	\$ 5,000.00	\$ 5,000.00	\$ -	0%	\$ -	\$ -	\$ -	0%	\$ 5,000.00
Category 500 - Paving											
5001	Saw Cut LF	315	\$ 3.50	\$ 1,102.50	\$ -	17	\$ 59.50	\$ -	\$ 59.50	17	\$ 1,043.00
5002	Hot Mix Asphalt Superpave 12.5 MM for Surface, PG 64-22, Level 2 TON	115	\$ 133.00	\$ 15,295.00	\$ -	0	\$ -	\$ -	\$ -	0	\$ 15,295.00
5003	Crusher Run Aggregate (CR-6) TON	230	\$ 25.00	\$ 5,750.00	\$ 3,682.50	100	\$ 2,500.00	\$ -	\$ 6,182.50	247.3	\$ (432.50)
5004	Grinding Hot Mix Asphalt Pavement 0 Inch to 2 Inch Depth SY	540	\$ 6.60	\$ 3,564.00	\$ -	0	\$ -	\$ -	\$ -	0	\$ 3,564.00
Subtotals to Page 5				\$852,537.80	\$ 697,596.41		\$ 114,260.37	\$ -	\$ 811,856.78		\$ 40,681.02

Progress Estimate No. 5

Contractor's Application No. 4450-5

Project Name/Address: Replacement of Allegany Bridge No. 008 on Potomac Hollow Road Over Moores Run, Contract No. AL472ZM2, FAP No. BDP-BRO-3(288)N										Application No.: FIVE (4450-5)	
Application Period: 8/07/2014 - 9/02/2014										Application Date: 9/03/2014	
A		B			C	D		E	F		G
Item Description		Bid Quantity	Unit Price	Bid Value	From Previous Application	Estimated Quantity or % Installed This Period	Amount Due This Period	Materials Presently Stored (not in C)	Total Completed and Stored to Date (D+E)	% (F) B	Balance to Finish (B-F)
Bid Item No.	Description Unit										
Subtotals from Page 4				\$852,537.80	\$ 697,596.41		\$ 114,260.37	\$ -	\$ 811,856.78		\$ 40,681.02
Category 600 - Shoulders											
6001	Traffic Barrier W Beam Using 6 Foot Post LF	15	\$ 32.00	\$ 480.00	\$ -	0	\$ -	\$ -	\$ -	0	\$ 480.00
6002	Traffic Barrier W Beam Using 8 Foot Post LF	190	\$ 34.00	\$ 6,460.00	\$ -	0	\$ -	\$ -	\$ -	0	\$ 6,460.00
6003	Special Traffic Barrier Three Beam Anchorage - Steel Post EA	4	\$ 2,450.00	\$ 9,800.00	\$ -	0	\$ -	\$ -	\$ -	0	\$ 9,800.00
6004	Type 'L' Traffic Barrier Anchorage EA	8	\$ 1.00	\$ 8.00	\$ -	0	\$ -	\$ -	\$ -	0	\$ 8.00
6005	Removal and Disposal of Existing Traffic Barrier W Beam LF	175	\$ 3.00	\$ 525.00	\$ 525.00	0	\$ -	\$ -	\$ 525.00	175	\$ -
Category 700 - Landscaping											
7001	Placing Furnished Topsoil 2 Inch Depth SY	650	\$ 5.80	\$ 3,770.00	\$ -	0	\$ -	\$ -	\$ -	0	\$ 3,770.00
7002	Temporary Seeding LB	5	\$ 90.00	\$ 450.00	\$ -	0	\$ -	\$ -	\$ -	0	\$ 450.00
7003	Temporary Mulching SY	400	\$ 2.65	\$ 1,060.00	\$ 1,251.60	231.1	\$ 612.42	\$ -	\$ 1,864.02	703.4	\$ (804.02)
7004	Turfgrass Establishment (Permanent Stabilization) SY	910	\$ 2.10	\$ 1,911.00	\$ -	0	\$ -	\$ -	\$ -	0	\$ 1,911.00
7005	Stabilization Matting (SWM) SY	600	\$ 4.50	\$ 2,700.00	\$ -	0	\$ -	\$ -	\$ -	0	\$ 2,700.00
Category 800 - Utilities											
8001	Sheet Aluminum Signs SF	24	\$ 31.00	\$ 744.00	\$ -	0	\$ -	\$ -	\$ -	0	\$ 744.00
TOTALS				\$880,445.80	\$ 699,373.01		\$ 114,872.79	\$ -	\$ 814,245.80	93%	\$ 66,200.00



GARRETT COUNTY

DEPARTMENT OF ENGINEERING

Frederick A. Thayer III Courthouse
313 East Alder Street, Room 104
Oakland, Maryland 21550
301-334-7481 Phone
301-334-5019 Fax

April 16, 2012

Mr. Anthony Crawford
Maryland State Highway Administration
District Engineer, District 6
Attn: Randall R. Wiley
1251 Vocke Road
Lavale, MD 21502

RE: Cherry Glade Access Road
SHA Contract No. GA399M1
F.A.P. No. APL-3(199)E

Dear Mr. Crawford:

In accordance with Federal Highway Bridge Program guidelines, attached is a copy of pay requests No. 1 through No. 4 from Beitzel Corporation, in the amounts listed below and related information indicating payment to the Contractor from the Garrett County Board of County Commissioners. The amount herein reflects construction costs for the above referenced project. Garrett County requests reimbursement for 80% of the construction costs equal to \$292,774.79.

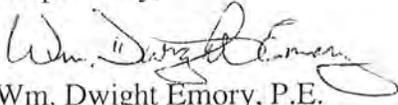
Pay Application Number	Reimbursable (80%)
No. 1: \$28,499.06	\$ 22,799.25
No. 2: \$64,781.44	\$ 58,825.15
No. 3: \$130,395.58	\$104,316.46
No. 4: <u>\$142,292.41</u>	<u>\$113,833.93</u>
Totals \$365,968.49	\$292,774.79

Please make electronic payment to:

Susquehanna Bank
Routing Number:
Account Number:
Federal Tax ID No.:

Please advise if you have any questions concerning Garrett County's request for reimbursement of construction funds. I may be reached at 301.334.3988.

Respectfully,

A handwritten signature in black ink that reads "Wm. Dwight Emory". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Wm. Dwight Emory, P.E.

Director

Enclosures: Canceled Checks, Pay Applications, Worksheet Estimates

Cc: Wendy Yoder
Jay Moyer

Lawrence J. Hogan, Jr., *Governor*
Boyd K. Rutherford, *Lt. Governor*



Pete K. Rahn, *Acting Secretary*
Melinda B. Peters, *Administrator*

MEMORANDUM

TO: Ms. Jessica Silwick
Enhancement Program Liaison
Transportation Enhancement Program

FROM: Mr. Stephen A. Bucy, P.E. 
ADE of Construction D-6

DATE: January 27, 2015

SUBJECT: Contract: Grantsville Safe Routes to School
Contract No. AX352B51
FAP No. SRTS-1(913)E

Attached is reimbursement No. 1 from The Town of Grantsville with a total dollar amount of \$131,717.20 for the above referenced project. The District 6 Construction Office has reviewed the invoiced amount for the construction costs submitted by BYCO Enterprises, Inc., through Century Engineering and Garret County Community Action Committee, and is satisfied with the work completed to date. Please sign and process this invoice as appropriate.

Thank you for your cooperation. If you have any questions, please contact me at 301-729-8410 or by email at sbucy@sha.state.md.us.

SAB:lap

Attachments

cc: Ms. Meg Ellis Circuit Rider, GCCAC, Inc.
Mr. Aaron Teets, Project Engineer, Century Engineering
Mr. Dan McKenzie, Field Document Reviewer, District 6
Contract File

January 21, 2015

Hi Dan,

I'm not sure who needs to sign this for the Grantsville Safe Routes to School project, but I thought I would start with you. If it is not you would you be kind enough to get it to the right person. My understanding is that Aaron Teets of Century Engineering submitted this previously for review.

Once signed, please return to me for payment to BYCO. Of course, if there are any questions or comments please let me know.

I'll copy for the engineer and contractor if you would keep a copy for your records.

THANKS

Meg

Meg Ellis
Circuit Rider
GCCAC, Inc.
104 East Center Street
Oakland, MD 21550

PARTIAL PAYMENT REQUEST

NUMBER: 1

PERIOD: OCTOBER, 2014 TO DEC. 30, 2014

CONTRACTOR: BYCO ENTERPRISES, INC. 11746 Bittinger Road, Grantsville, MD 21536
 OWNER: TOWN OF GRANTSVILLE
 ENGINEER: CENTURY ENGINEERING, INC.
 JOB DESCRIPTION: GRANTSVILLE SAFE ROUTES TO SCHOOL SIDEWALK PROJECT
 PROJECT NO: SRTW-1(913)E

PROJECT STATUS

Original Contract Amount	<u>\$ 144,284.00</u>	Amount Requested to Date*	<u>92%</u> (%)
Revised Contract Amount	<u>\$ 144,284.00</u>	Value of Stored Material*	<u>0%</u> (%)
Original Completion Date	<u>DEC. 31, 2014</u>	Work in Place*	<u>100%</u> (%)
Revised Completion Date	<u></u>	Contract Time Expired	<u>0%</u> (%)

(*before retainage)

Item Number and Description	Contract Amount				Work Completed This Period		Total to Date	
	Quantity	Unit	Unit Price	Total Cost	Quantity	Amount	Quantity	Amount
Traffic Control	1	LS	500.00	500.00	1.00	500.00	100%	500.00
Clearing and Prep	1	LS	3,750.00	3,750.00	1.00	3,750.00	100%	3,750.00
8" Concrete Curb-Type A	810	LF	37.35	30,253.50	805.00	30,066.75	99%	30,066.75
Sawcut Exiting Pavement	810	LF	2.00	1,620.00	805.00	1,610.00	99%	1,610.00
Pavement Repair	810	LF	3.15	2,551.50	805.00	2,535.75	99%	2,535.75
Concrete Sidewalk	4050	SF	12.65	51,232.50	4,074.40	51,541.16	101%	51,541.16
ADA Frame & Grate	1	EA	2,140.00	2,140.00	1.00	2,140.00	100%	2,140.00
Aggregate	70	CY	139.35	9,754.50	81.20	11,315.22	116%	11,315.22
Earthwork	150	CY	110.00	16,500.00	163.98	18,037.80	109%	18,037.80
Mobilization	1	LS	8,350.00	8,350.00	1.00	8,350.00	100%	8,350.00
Payment Bond	1	EA	1.00	1.00	1.00	1.00	100%	1.00
Performance Bond	1	EA	3,200.00	3,200.00	1.00	3,200.00	100%	3,200.00
Maintenance Bond	1	EA	1.00	1.00	-	-	0%	-
Construction Contingency	1	EA	14,430.00	14,430.00	-	-	0%	-
TOTALS				144,284.00		133,047.68		133,047.68

Amount	This Period	Previous Period	To Date
Original Contract Work Performed	133,047.68	\$ -	133,047.68
Change Order Work Per Attachment A	-	\$ -	-
Payment for Stored Materials Per Attachment B	-	\$ -	-
Subtotal	133,047.68	\$ -	133,047.68
Less <u>1</u> % Retainage	1,330.48	\$ -	1,330.48
Amount Payable	131,717.20	\$ -	131,717.20

The undersigned Contractor certifies that the work covered by this application for payment has been completed in accordance with the contract documents, that all amounts have been paid by him for work which previous certificates for payment were issued and payments received from the Owner, and that the current payment shown herein is not due. The undersigned further agrees that the quantities requested herein actually describe the actual work completed to date.

BYCO ENTERPRISES, INC.

Contractor's Name
 By: Brian W. Schroyer
 BRYAN W. SCHROYER, VICE PRESIDENT
 Date: DEC. 31, 2014

Subscribed and Sworn to before me
 this 31ST day of DECEMBER, 2014.

Carol S. Tice
 Carol S. Tice, Notary Public
 State of Maryland, Garrett County
 My Commission Expires 02-15-18.

I hereby certify that we have carefully inspected the work and as a result of my inspection and to the best of my knowledge and belief, the quantities shown in this estimate are correct and have not been shown in previous estimates and the work has been performed in accordance with the contract documents. I further certify that 1 man months were required for inspection during this period.

Century Engineering, Inc
 Name of Architect/Engineering Firm
 By: [Signature]

Date: 1/20/15
 Title: Project Engineer

Approved by Owner's Representative:

By: [Signature]
 Title: Project Manager
 Date: 1/21/15

Accepted by Funding Agency Representative:

The review and acceptance of Partial Payment Requests by this Agency does not attest to the correctness of the quantities shown or that the work performed in accordance with the plans and specifications.

By: _____
 Title: _____
 Date: _____

APPENDIX I

SHA CONTACT INFORMATION



SHA Contacts for Sub-recipient Projects:

- **Program Managers**
 - **Program Types:**
 - **Federal Aid Bridge** Phone: (410) 545-8074
 - **Transportation Alternative (TA)** Phone: (410) 545-5653
 - **Safe Routes to School (SRTS)** Phone: (410) 545-5653
 - **Recreational Trails** Phone: (410) 545-8637
 - **Appalachian Regional Commission (ARC)** Phone: (410) 545-5780
 - **Scenic Byways** Phone: (410) 545-8637

- **Office of Finance**
 - **Federal Aid Office** Phone: (410) 545-5774
 - **Federal Aid Billing Section** Phone: (410) 545-5505

- **Office of Procurement and Contract Management** Phone: (410) 545-0433

- **Office of Planning & Preliminary Engineering**
 - **Cultural Resources Team** Phone: (410) 545-2897
 - **NEPA Compliance** Phone: (410) 545-8564

- **Office of Environmental Design** Phone: (410) 545-8640
 - **Environmental Programs Division** Phone: (410) 545-8628
 - **Landscape Operations Division** Phone: (410) 545-8590

- **Office of Real Estate ROW** Phone: (410) 545-0021

- **Office of Traffic and Safety**
 - **Traffic Development and Support Division (Railroad Cert.)** Phone: (410) 787-5867

- **Office of Highway Development**
 - **ADA Review Team** Phone: (410) 545-8766
 - **Innovative Contracting Division** Phone: (410) 545-8814
 - **Design Technical Services Division** Phone: (410) 545-8730

- **Office of Construction**
 - **Director** Phone: (443) 572-5235
 - **Contract Awards Team** Phone: (443) 572-5215
 - **Engineering Support Section** Phone: (443) 572-5247
 - **Regional Construction Engineer (Local Public Agency Projects)** Phone: (443) 572-5228
 - **Regional Safety Officers** Phone: (443) 572-5236

- Partnering Coordinator Phone: (410) 545-0366

- **Office of Materials Technology**
 - Materials Management Division Chief Phone: (443) 572-5020
 - Materials POC for Alternative Project Types Phone: (443) 572-5167

- **District Offices**
 - District Engineer See Table 1
 - Assistant District Engineer –Construction See Table 1
 - Assistant District Engineer – Traffic See Table 1
 - Assistant District Engineer – Project Development See Table 1
 - Utility Engineer See Table 1
 - Regional Engineer for Access Permits See Table 1
 - Area Materials Engineer See Table 1
 - Office of Equal Opportunity (OEO) Compliance Officer See Table 1
 - Contract Finals (aka Field Document Reviewer, Sketchbook) See Table 1

SHA Districts

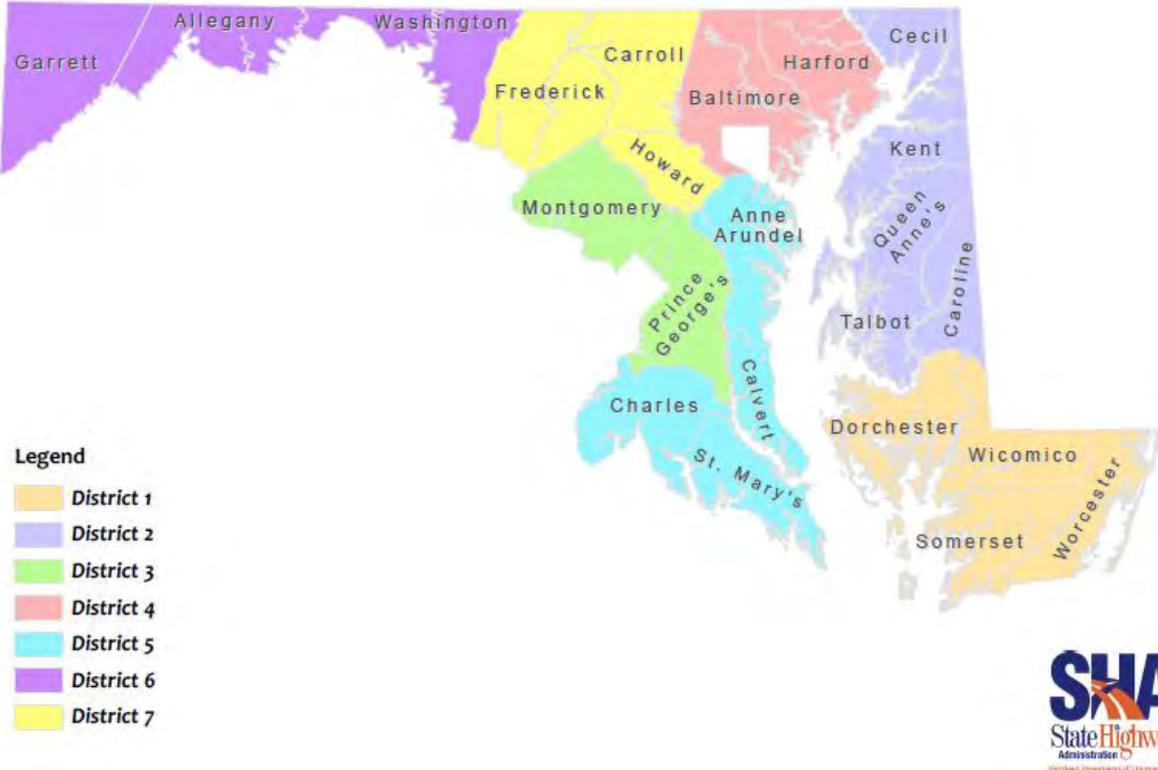


Figure 1: SHA District Map

Table 1: SHA District Points of Contact**District 1: Dorchester, Somerset, Wicomico, Worcester Counties**

Point of Contact	Name	Phone #	Email
District Engineer	Donnie Drewer	410.677.4006	DDrewer@sha.state.md.us
ADE-Construction	Ryan White	410.677.4020	RWhite2@sha.state.md.us
ADE-Traffic	Dallas Baker	410.677.4040	dbaker5@sha.state.md.us
ADE-Project Development	Hicham Baassari	410.677.4023	hbaassari@sha.state.md.us
Utility Engineer	Milan Shah	410.677.4095	mshah1@sha.state.md.us
Regional Engineer-Access Permits	Rochelle Outten	410.677.4098	ROutten@sha.state.md.us
Area Materials Engineer	Scott Stomps	410.822.4494	SStomps@sha.state.md.us
OEO Compliance Officer	Brandee Vaughan	410.677.4089	BVaughan@sha.state.md.us
Contract Finals	Lisa Johnson	410.677.4085	LJohnson@sha.state.md.us

District 2: Caroline, Cecil, Kent, Queen Anne's, Talbot Counties

Point of Contact	Name	Phone #	Email
District Engineer	Greg Holsey	410.810.3210	GHolsey@sha.state.md.us
ADE-Construction	Vacant	410.810.3270	
ADE-Traffic	Jeffrey Wentz	410.810.3240	jwentz@sha.state.md.us
ADE-Project Development	Thomas Revelle	410-778-3061	TRevelle@sha.state.md.us
Utility Engineer	Robert Tucker	410-810-3276	RTucker1@sha.state.md.us
Regional Engineer-Access Permits	Rochelle Outten	410.677.4098	ROutten@sha.state.md.us
Area Materials Engineer	Scott Stomps	410.822.4494	SStomps@sha.state.md.us
OEO Compliance Officer	Brandee Vaughan	410.810.3272	BVaughan@sha.state.md.us
Contract Finals	Dave Redman	410.778.3061	DRedman@sha.state.md.us

District 3: Montgomery, Prince George's Counties

Point of Contact	Name	Phone #	Email
District Engineer	Brian Young	301.513.7300	BYoung@sha.state.md.us
ADE-Construction	Victor Grafton	301.513.7385	VGrafton@sha.state.md.us
ADE-Construction	Vacant	301.513.7328	
ADE-Traffic	Anyesha Mookherjee	301.513.7498	AMookherjee@sha.state.md.us
ADE-Traffic	Venu Nemani	301.513.7404	VNemani@sha.state.md.us
ADE-Project Development	Erica Rigby	301.513.7346	ERigby@sha.state.md.us
Utility Engineer	John Nesbitt	301.513.7350	JNesbitt@sha.state.md.us
Regional Engineer-Access Permits	Pranoy Choudhury	301.513.7325	PChoudhury@sha.state.md.us
Area Materials Engineer	Evroc Goocharan	410.409.8117	EGoocharan@sha.state.md.us
OEO Compliance Officer	Valerie Paton	410.545.0394	VPaton@sha.state.md.us
Contract Finals	James Alvarez	301.513.7338	JAlvarez@sha.state.md.us

District 4: Baltimore, Harford Counties

Point of Contact	Name	Phone #	Email
District Engineer	David Peake	410.229.2310	DPeake@sha.state.md.us
ADE-Construction	Jesse Free	410.229.2421	JFree@sha.state.md.us
ADE-Traffic	Erin Kuhn	410.229.2381	EKuhn@sha.state.md.us
ADE-Project Development	Wendy Wolcott	410.229.2321	WWolcott@sha.state.md.us
Utility Engineer	Michael Pasquariello	410.229.2341	MPasquariello@sha.state.md.us
Regional Engineer-Access Permits	Richard Zeller	410.229.2332	rzeller@sha.state.md.us
Area Materials Engineer	Linda Gale	443-572-5024	LGale@sha.state.md.us
OEO Compliance Officer	Shirley Blake	410.229.2448	SBlake@sha.state.md.us
Contract Finals	Vacant	410.229.2318	

District 5: Anne Arundel, Calvert, Charles, St. Mary's Counties

Point of Contact	Name	Phone #	Email
District Engineer	Tim Smith	410.841.1001	TSmith2@sha.state.md.us
ADE-Construction	Peter Keke	410.841.1004	PKeke@sha.state.md.us
ADE-Traffic	Kimberly Tran	410.841.1019	KTran@sha.state.md.us
ADE-Project Development	Debra Russell	410.841.1079	DRussell@sha.state.md.us
Utility Engineer	Aaron Jones	410.841.1039	ajones3@sha.state.md.us
Regional Engineer-Access Permits	Erich Florence	410.841.1044	EFlorence@sha.state.md.us
Area Materials Engineer	Scott Stomps	410.822.4494	SStomps@sha.state.md.us
OEO Compliance Officer	Earl Richmond	410.841.1048	ERichmond@sha.state.md.us
Contract Finals	Constance Garr	410.841.1056	CGarr@sha.state.md.us

District 6: Allegany, Garrett, Washington Counties

Point of Contact	Name	Phone #	Email
District Engineer	Anthony Crawford	301.729.8485	ACrawford@sha.state.md.us
ADE-Construction	Stephen Bucy	301.729.8410	SBucy@sha.state.md.us
ADE-Traffic	Linda Puffenbarger-Zerbee	301.729.8444	lzerbee@sha.state.md.us
ADE-Project Development	Joel Resh	301.729.8487	JResh@sha.state.md.us
Utility Engineer	David Felker	301.729.8439	dfelker@sha.state.md.us
Regional Engineer-Access Permits	Mark McKenzie	301.729.8465	mmckenzie@sha.state.md.us
Area Materials Engineer	Vacant	301.842.2406	
OEO Compliance Officer	Matthew Troutman	301.729.8492	MTTroutman@sha.state.md.us
Contract Finals	Dan McKenzie	301.729.8413	DMcKenzie1@sha.state.md.us

District 7: Frederick, Carroll, Howard Counties

Point of Contact	Name	Phone #	Email
District Engineer	Mark Crampton	301.624.8012	MCrampton@sha.state.md.us
ADE-Construction	Marc Mandel	301.624.8201	MMandel@sha.state.md.us
ADE-Traffic	John Concannon	301.624.8141	JConcannon@sha.state.md.us
ADE-Project Development	Teri Soos	301.624.8159	tsoos@sha.state.md.us
Utility Engineer	Andrea Abend	301.624.8116	AAbend@sha.state.md.us
Regional Engineer-Access Permits	Scott Newill	301.624.8151	SNewill@sha.state.md.us
Area Materials Engineer	Vacant	301.842.2406	
OEO Compliance Officer	Cheryl 'Cheri' Randow	301.624.8134	CRandow@sha.state.md.us
Contract Finals	Marylou Ward	301.624.8130	MWard@sha.state.md.us

*Note: Personnel changes can be frequent at times. Table 1 indicates Points of Contact current as of January 2016.