

STEWARDSHIP AND OVERSIGHT AGREEMENT

ON PROJECT ASSUMPTION AND PROGRAM OVERSIGHT

BY AND BETWEEN

FEDERAL HIGHWAY ADMINISTRATION WASHINGTON DIVISION

AND THE

WASHINGTON STATE DEPARTMENT OF TRANSPORTATION

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

The scope of FHWA responsibilities, and the legal authority for WSDOT assumption of FHWA responsibilities, developed over time. The U.S. Secretary of Transportation (U.S.DOT Secretary) 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 U.S. DOT Secretary under Title 23 for design, plans, specifications, estimates, contract awards, and inspections with respect to the projects unless the U.S. DOT 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 that do not fall within the specific project approvals listed in Section 106 or are not otherwise authorized by law, the FHWA may authorize a State DOT to perform work needed to reach the FHWA decision point, or to implement FHWA's decision. However, such decisions themselves are reserved to FHWA.

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

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

SECTION II. INTENT AND PURPOSE OF S&O AGREEMENT

The intent and purpose of this S&O Agreement is to document the roles and responsibilities of the FHWA's Washington Division Office (FHWA Division) and WSDOT with respect to project approvals and related responsibilities, and to document the methods of oversight that will be used to efficiently and effectively deliver the FAHP.

The Project Action Responsibility Matrix, Attachment A to this S&O agreement and further described in Section VIII of this S&O agreement, identifies FHWA FAHP project approvals and related responsibilities WSDOT 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 WSDOT on a program-wide basis or have the effect of altering Attachment A.

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

- A. WSDOT 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 WSDOT and the FHWA Division determine that assumption of responsibilities is appropriate.
- B. Approvals and related activities for which WSDOT has assumed responsibilities as shown in Attachment A will apply program-wide unless project-specific actions for which the FHWA 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. WSDOT may not assume responsibilities for Interstate projects that are in high risk categories. (23 U.S.C. 106(c)(1))
- D. WSDOT is to exercise any and all assumptions of the U.S. DOT Secretary's 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. WSDOT *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 WSDOT 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), WSDOT is to exercise the U.S. DOT Secretary's approvals and related responsibilities on these projects in accordance with Federal laws.
- C. WSDOT, at 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, the State may request 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, highway safety manual protocols, practical design protocols , and construction standards.

SECTION V. ASSUMPTION OF RESPONSIBILITIES FOR LOCALLY ADMINISTERED PROJECTS

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

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

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

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

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

- A. Any approval or related responsibility not listed in Attachment A cannot be assumed by the State without prior concurrence by FHWA Headquarters. The following is a list of the most frequently occurring approvals and related responsibilities that may not be assumed by the State DOT:
- 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;
 - Progress payments 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;
 - Addition of any points of access to, or exit from the Interstate System
 - 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);
 - Pre-approval for preventive maintenance project (until FHWA concurs with State DOT procedures);
 - Requests for credits toward the non-Federal share of construction costs for early acquisitions, donations, or other contributions applied to a project;
 - 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, the State DOT 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 the State under 23 U.S.C. 106(c) or other statutory or regulatory authority, as well as approvals and related responsibilities reserved to FHWA.

SECTION IX. HIGH RISK CATEGORIES

- A. In 23 U.S.C. 106(c), Congress directs that the U.S. DOT Secretary shall not assign any approvals or related responsibilities for projects on the Interstate System if the U.S. DOT Secretary determines the project to be in a high risk category. Under 23 U.S.C. 106(c)(4)(8), the U.S. DOT Secretary may define high risk categories on a national basis, State-by-State basis, or national and State-by-State basis.
- B. The FHWA Division has determined there are no high risk categories.

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

- A. In 23 U.S.C. 106(g), Congress directs that the U.S. DOT Secretary shall establish an oversight program to monitor the effective and efficient use of funds authorized to carry out the FAHP. This program includes FHWA oversight of the State's processes and management practices, including those involved in carrying out the approvals and related responsibilities assumed by the State under 23 U.S.C. 106(c). Congress defines that, at a minimum, the oversight program shall be responsive to all areas relating to financial integrity and project delivery.

- B. The FHWA shall perform annual reviews that address elements of the State DOT's financial management system in accordance with 23 U.S.C. 106(g)(2)(A). FHWA will periodically review the State DOT'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 the State DOT, 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 the State DOT 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, balance risk with staffing resources, available funding, and the State's transportation needs. The FHWA may work collaboratively with the State DOT 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 State DOT may use to identify and analyze risks and develop response strategies include the following. These techniques and processes will be used to carry out the requirements of 23 U.S.C. 106(g):

- Program Assessments;
- FIRE Reviews;
- Improper Payment Elimination and Recovery Act Reviews;
- Program Reviews;
- Certification Reviews;
- Recurring or periodic reviews such as the Compliance Assessment Program (CAP);
- Program Management
- 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. The following is not an all-inclusive list but rather a list of only some of the established tools, to assist in carrying out these tasks:

- Method for Communication and Conflict Resolution Plan
- WSDOT's Innovative Initiatives: Practical Design, Practical Solutions, Least Cost Planning
- Route Closure Notifications Process

- FHWA/WSDOT Construction Monitoring Plan
- WSDOT’s Safety Strategies for Program Building
- FHWA Project of Division Interest/Project of Corporate Interest Guide
- FHWA Major Projects Guidance

E. Program Responsibility Matrix

Attachment B to this S&O Agreement is the **Program Responsibility Matrix** that identifies all relevant FHWA program actions and reporting requirements, and FHWA Division and State DOT program contact offices.

F. Manuals and Operating Agreements

State DOT manuals, agreements and other control documents that have been approved for use on Federal-aid projects are listed in Attachment C to this S&O Agreement.

G. Stewardship and Oversight Indicators

The FHWA Division and WSDOT have jointly established Stewardship and Oversight Indicators and Measures (Indicators). The Indicators should set targets, track trends, and implement countermeasures and actions when the data is moving away from the desired target direction. Indicators can provide documented evidence that WSDOT’s assumption of responsibilities is functioning appropriately. Stewardship indicators are incorporated and used in the S&O to help assess performance in administering FAHP requirements and to help determine whether funds are being used effectively to improve the transportation system. The indicators also serve as a tool in conducting annual risk assessments, and may trigger program reviews or program management techniques such as project inspections and/or project document reviews.

Maintaining, updating, and improving the indicators are the continuous responsibility of the FHWA Division and WSDOT. Attachment D provides a summary of all the FHWA Division stewardship indicators.

It is important to note that these “stewardship/oversight indicators” are distinct from the more comprehensive “performance measures” required under MAP-21 that are being developed through the rulemaking process.

SECTION XI. STATE AND LOCAL PUBLIC AGENCY OVERSIGHT REQUIREMENTS AND REPORTING REQUIREMENTS

A. State DOT Oversight and Reporting Requirements:

WSDOT is responsible for demonstrating to FHWA that it is carrying out its responsibilities in accordance with this Agreement. In order to fulfill this responsibility, the WSDOT, at minimum will:

- Provide stewardship and oversight activities on Federal-aid projects as described in the “Project Action Matrix”;
- Provide stewardship and oversight activities on FHWA programs as described in the “Program Action Matrix”;
- Follow the process as outlined in the “WSDOT Environmental Manual” to prepare environmental documentation for Federal-aid projects, in order to ensure compliance with NEPA and other applicable laws. As well as perform the responsibilities as described in the Section 106 Statewide Programmatic Agreement, and in letters to the USFWS and NMFS designating WSDOT as non-Federal representative.
- Prepare project plans in accordance with the Division approved “WSDOT Design Manual”, “WSDOT Bridge Design Manual”, “WSDOT Geotechnical Design Manual”, “WSDOT Hydraulics Manual”, “WSDOT Standard Plans” and other various manuals.
- Conduct construction activities as set forth in the project’s construction documents, “FHWA and WSDOT Construction Monitoring Plan”, in accordance with WSDOT’s Construction Manual; and Division approved “WSDOT Standard Specification for Road, Bridge and Municipal Construction”.
- Ensure nondiscrimination in all of their programs and activities by conducting Equal Employment Opportunity (EEO) contractor training reviews, assigning and monitoring training goals, establishing Disadvantaged Business Enterprise (DBE) goals and monitoring participation. Follow the process outlined in “EEO Assurances”, WSDOT DBE Program Plan”, “Title VI Program/Limited English Proficiency Implementation Plan”, “ADA Self-evaluation and Transition Plan” and other applicable manuals and policies.
- Ensure that all bridges within its borders, including county and municipal owned bridges are inspected in accordance with the National Bridge Inspection (NBIS) and are maintained as part of the National Bridge Inventory (NBI).
- Ensure that the appraisal, acquisition, relocation and property management, as well as the principal activities used to acquire real property for the construction, operation, and maintenance of federal-aid projects is completed in conformance with the Uniform Relocation Act by following the procedures outlined in “WSDOT Right of Way Manual”.

WSDOT will maintain individual Federal-aid project files that will include documentation of all required FHWA actions and WSDOT’s assumed project approvals

as set forth in this Agreement. WSDOT will provide FHWA access to the project files when requested.

B. State DOT Oversight of Locally Administered Projects

B.1. State DOT's are required to provide adequate oversight of subrecipients including oversight of any assumed responsibilities the State DOT delegates to a LPA.

B.2. Pursuant to 23 U.S.C. 106(g)(4), the State DOT shall be responsible for determining that subrecipients of Federal funds have adequate project delivery systems for locally administered projects and sufficient accounting controls to properly manage such Federal-aid funds. The State DOT is also responsible for ensuring compliance with reporting and other requirements applicable to grantees making sub-awards, such as monthly reporting requirements under the Federal Funding Accountability and Transparency Act of 2006, PL 109-282 (as amended by PL 110-252).

B.3. The State DOT 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). The State DOT shall carry out these responsibilities using the following actions, programs, and processes: WSDOT ensures this through their Local Agency Guidelines Manual (LAG) Manual and their certification acceptance program.

B.4. The State DOT shall assess whether a sub-recipient has adequate project delivery systems and sufficient accounting controls to properly manage projects. WSDOT ensures this through their Local Agency Guidelines Manual (LAG) Manual and their certification acceptance program.

B.5. The State DOT 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). WSDOT ensures this through their LAG Manual and their certification acceptance program.

B.6. The State DOT shall assess whether sub-recipient projects receive adequate inspection to ensure they are completed in conformance with approved plans and specifications. WSDOT ensures this through their LAG Manual and their certification acceptance program.

B.7. The State DOT 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. WSDOT ensures this through their LAG Manual and their certification acceptance program.

B.8. The State DOT shall ensure that project actions will be administered in accordance with all applicable Federal laws and regulations. The State DOT will use the process outlined in the LAG Manual for required approvals on sub-recipient projects, and on sub-recipient administered projects. The activities for ensuring compliance oversight should covers but are not limited to the following areas:

- a. Consultant selection and management;
- b. Environment;
- c. Design;
- d. Civil Rights;
- e. Financial management including audits and indirect cost allocation plans;
- f. Right-of-way;
- g. Construction monitoring, including Quality Control/Quality Assurance (QC/QA); and
- h. Contract administration including the State DOT's responsibility to approve a sub-recipient to pursue a contract procurement method other than competitive bidding.

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

WSDOT provides oversight through their Local Programs Division. This dedicated staff manages the program by providing guidance, training, and technical assistance to the Local Agencies.

The Local Agency Guidelines (LAG) manual describes the processes, documents, and approvals necessary to administer federal-aid projects by local transportation agencies. The manual also outlines WSDOT's oversight and review activities. The Division reviews and approves twice a year the LAG Manual to ensure it complies with FHWA Order 5020.2 (Stewardship and Oversight of Federal-Aid Projects Administered by Local Public Agencies, August 14, 2014).

By agreeing to accept federal aid funds, the local agency understands its roles and responsibilities with respect to carrying out the federal aid program. WSDOT is permitted to delegate certain activities, under its supervision, to local agencies (cities, counties, private organizations, or other state agencies) under federal regulation 23 CFR 1.11 and 635.105; however, WSDOT accepts responsibility for delegated activities.

WSDOT has a certification process that allows local agencies to administer a federal aid project based on past performance, current staffing, overall capability, and knowledge of FHWA and state requirements. The certification acceptance process is outlined in Chapter 13 of the Local Agency Guidelines Manual (LAG).

WSDOT is also required to conduct verification activities to assure that local agency federal aid projects are implemented in conformance with federal aid requirements.

WSDOT conducts Project Management Reviews (PMR) to assess whether the certified agency administered the project in accordance with federal aid requirements. A PMR reviews all phases of a project from environmental, consultant services, design, to construction. WSDOT and the Division jointly develop the checklists for the PMRs. The Division includes items identified as part of our risk assessment process and items listed as stewardship indicators. The PMR review is conducted at a minimum every three years on the local agency's project with the most risk associated with it and the local agency's certification acceptance is reevaluated.

WSDOT has retained some project level approval actions and conducts various reviews such as, construction inspections, billing reviews, and work-zone traffic control reviews. In addition WSDOT conducts documentation and a final inspection on every local agency federal aid project.

WSDOT submits annually a Stewardship Report that summaries their verification activities, PMRs, other reviews, and stewardship indicators. The annual Stewardship Report addresses any findings or issues, as well corrective action plans if needed.

SECTION XII. IMPLEMENTATION AND AMENDMENTS

- A. This S&O Agreement is effective as of the date of the FHWA Washington Division Administrator's signature, who shall sign this S&O Agreement last.
- B. The FHWA Division and WSDOT 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 WSDOT or FHWA; or
 - Priorities shift as a result of audits, public perception, or changes in staffing at either WSDOT or the FHWA Division Office.
- C. The Division and State DOT agree that changes may occur to the contents of the Attachments to this S&O Agreement and documents incorporated by reference into the S&O Agreement. Except as provided in paragraph XII.D and E, changes to the Attachments and documents incorporated by reference will not require the Division and State DOT to amend this S&O Agreement. The effective date of any revisions to one of

these documents shall be clearly visible in the header of the revised document. This Agreement and any revised document shall be posted on the Division's S&O Agreement internet site within five (5) business days of the effective date

- D. Any changes to the high risk categories must be documented by an amendment to this S&O Agreement.
- E. Any changes to the Project Action Responsibility Matrix must be approved by the FHWA Office of Infrastructure in writing and documented by an amendment to this S&O Agreement.

EXECUTION BY THE FHWA WASHINGTON DIVISION OFFICE

Executed this 3rd day of March, 2015.

Daniel M. Mathis

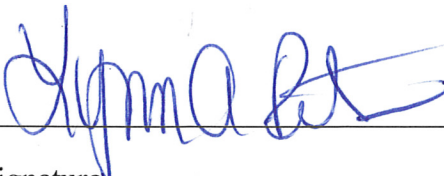
Signature

Daniel M. Mathis

Division Administrator

**EXECUTION BY THE WASHINGTON STATE DEPARTMENT OF
TRANSPORTATION**

Executed this March day of 03, 2015



Signature

Lynn A. Peterson

Secretary of Transportation

ATTACHMENT A

PROJECT ACTION RESPONSIBILITY MATRIX

The following matrix identifies Federal-aid highway program (FAHP) project approvals and related responsibilities on a program-wide basis. The matrix specifies which actions are assumed by the State 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. While FHWA may not delegate decision-making authority to a State unless authorized by law, FHWA may authorize a State DOT to perform work needed to reach the decision point, or to implement the decision.

In the matrix, actions marked with an asterisk (“FHWA*”) are those that FHWA has retained but that could have been assumed by the State through FHWA discretion (on the NHS) or by right (off the NHS). Projects requiring those actions are Projects of Division Interest (PoDIs)¹ projects because of FHWA’s retained authority. Those projects will be governed by a separate PoDI Plan that specifies FHWA and State responsibilities for the project.

The State DOT is responsible for ensuring all individual elements of the project are eligible for FAHP funding, but all final eligibility and participation determinations are retained by FHWA.

¹ The following are considered PoDI projects: Major Projects (>\$500M); Appalachian Development Highway Projects; TIGER Discretionary Grant Projects; NHS Projects with Retained FHWA Project Approval; Non-NHS Projects with Retained FHWA Project Approval; and Projects Selected by FHWA for Risk-based Stewardship & Oversight. Regardless of retained project approval actions, any Federal-aid Highway Project either on or off the NHS that the Division identifies as having an elevated level of risk can be selected for risk-based stewardship and oversight and would then be identified as a PoDI. Please see “Projects of Division Interest (PoDI)/Projects of Corporate Interest (PoCI) Guidance (available at <http://www.fhwa.dot.gov/federalaid/stewardship>).

PROJECT ACTION RESPONSIBILITY MATRIX (Excluding PODI AND POCI Projects, which are governed by PODI/POCI Plans)		
ACTION	AGENCY RESPONSIBLE	
	PROJECTS ON THE NHS	PROJECTS OFF THE NHS
	Assumption of FHWA Responsibilities under 23 U.S.C. 106(c) or other statutory or regulatory authority	Assumption of FHWA Responsibilities under 23 U.S.C. 106(c) or other statutory or regulatory authority
PROGRAMMING (All phases)		
Ensure project in Statewide Transportation Improvement	STATE	STATE

PROJECT ACTION RESPONSIBILITY MATRIX (Excluding PODI AND POCI Projects, which are governed by PODI/POCI Plans)		
ACTION	AGENCY RESPONSIBLE	
	PROJECTS ON THE NHS	PROJECTS OFF THE NHS
	Assumption of FHWA Responsibilities under 23 U.S.C. 106(c) or other statutory or regulatory authority	Assumption of FHWA Responsibilities under 23 U.S.C. 106(c) or other statutory or regulatory authority
Program (STIP)/Transportation Improvement Program (TIP)		
Identify proposed funding category	STATE(1)	STATE(1)
FINANCIAL MANAGMENT (All phases)		
Obligate funds/approve Federal-aid project agreement (project authorizations) (Note: this action cannot be assumed by State)	FHWA	FHWA
Approve the current bill submitted by the STATE DOT for reimbursement of project expenditures. (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	FHWA(2)	FHWA(2)

PROJECT ACTION RESPONSIBILITY MATRIX (Excluding PODI AND POCI Projects, which are governed by PODI/POCI Plans)		
ACTION	AGENCY RESPONSIBLE	
	PROJECTS ON THE NHS	PROJECTS OFF THE NHS
	Assumption of FHWA Responsibilities under 23 U.S.C. 106(c) or other statutory or regulatory authority	Assumption of FHWA Responsibilities under 23 U.S.C. 106(c) or other statutory or regulatory authority
cannot be assumed by STATE except under 23 U.S.C. 327)		
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)
PRELIMINARY DESIGN (Design Phase)		
Consultant Contract Selection	STATE (3)	STATE (3)
The use of sole source Consultant Contract Selection.	STATE(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 (Referred to by the Division and State as “Design Deviations”) [23 CFR 625.3(f)]	FHWA* for Interstate STATE for Non-Interstate	STATE

PROJECT ACTION RESPONSIBILITY MATRIX (Excluding PODI AND POCI Projects, which are governed by PODI/POCI Plans)		
ACTION	AGENCY RESPONSIBLE	
	PROJECTS ON THE NHS	PROJECTS OFF THE NHS
	Assumption of FHWA Responsibilities under 23 U.S.C. 106(c) or other statutory or regulatory authority	Assumption of FHWA Responsibilities under 23 U.S.C. 106(c) or other statutory or regulatory authority
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
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).	STATE(4)	STATE

PROJECT ACTION RESPONSIBILITY MATRIX (Excluding PODI AND POCI Projects, which are governed by PODI/POCI Plans)		
ACTION	AGENCY RESPONSIBLE	
	PROJECTS ON THE NHS	PROJECTS OFF THE NHS
	Assumption of FHWA Responsibilities under 23 U.S.C. 106(c) or other statutory or regulatory authority	Assumption of FHWA Responsibilities under 23 U.S.C. 106(c) or other statutory or regulatory authority
[23 USC 109(a) and FHWA Policy]		
Approve retaining right-of-way encroachments [23 CFR 1.23 (b) & (c)]	FHWA* for Interstate STATE for Non-Interstate	STATE
Approve use of local force account agreements [23 CFR 635.104 & 204]	STATE	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, utility and railroad work [23 CFR 635.309(b)]	STATE	STATE
Prepare 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)]	STATE	STATE
Approve Hardship and Protective Buying [23 CFR 710.503] (If a Federal-aid project) (Note: this	FHWA	FHWA

PROJECT ACTION RESPONSIBILITY MATRIX (Excluding PODI AND POCI Projects, which are governed by PODI/POCI Plans)		
ACTION	AGENCY RESPONSIBLE	
	PROJECTS ON THE NHS	PROJECTS OFF THE NHS
	Assumption of FHWA Responsibilities under 23 U.S.C. 106(c) or other statutory or regulatory authority	Assumption of FHWA Responsibilities under 23 U.S.C. 106(c) or other statutory or regulatory authority
action cannot be assumed by State)		
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 Interstate System)	FHWA for Interstate STATE for Non-Interstate (3)	STATE (3)
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

PROJECT ACTION RESPONSIBILITY MATRIX (Excluding PODI AND POCI Projects, which are governed by PODI/POCI Plans)		
ACTION	AGENCY RESPONSIBLE	
	PROJECTS ON THE NHS	PROJECTS OFF THE NHS
	Assumption of FHWA Responsibilities under 23 U.S.C. 106(c) or other statutory or regulatory authority	Assumption of FHWA Responsibilities under 23 U.S.C. 106(c) or other statutory or regulatory authority
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))	STATE	STATE
Approval of System Engineering Analysis (for ITS) [23 CFR 940.11]	STATE	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 railroad protective insurance limits [23 CFR 646.111]	STATE	STATE
Authorize advertising for bids (FHWA authorization done via construction authorization) [23 CFR 635.112, 309]	STATE	STATE
CONTRACT ADVERTISEMENT AND AWARD (Design Phase)		

PROJECT ACTION RESPONSIBILITY MATRIX (Excluding PODI AND POCI Projects, which are governed by PODI/POCI Plans)		
ACTION	AGENCY RESPONSIBLE	
	PROJECTS ON THE NHS	PROJECTS OFF THE NHS
	Assumption of FHWA Responsibilities under 23 U.S.C. 106(c) or other statutory or regulatory authority	Assumption of FHWA Responsibilities under 23 U.S.C. 106(c) or other statutory or regulatory authority
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]	STATE	STATE
Approve emergency determinations for contracts awarded by other than competitive bidding [23 CFR 635.104 &.204]	STATE	STATE
Approve construction engineering by local agency [23 CFR 635.105]	STATE	STATE
Approve advertising period less than 3 weeks [23 CFR 635.112]	STATE	STATE
Approve addenda during advertising period [23 CFR 635.112]	STATE	STATE
Approval to tie projects for bidding purposes [23 CFR 635.111]	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

PROJECT ACTION RESPONSIBILITY MATRIX (Excluding PODI AND POCI Projects, which are governed by PODI/POCI Plans)		
ACTION	AGENCY RESPONSIBLE	
	PROJECTS ON THE NHS	PROJECTS OFF THE NHS
	Assumption of FHWA Responsibilities under 23 U.S.C. 106(c) or other statutory or regulatory authority	Assumption of FHWA Responsibilities under 23 U.S.C. 106(c) or other statutory or regulatory authority
Concur in use of mandatory borrow/disposal sites [23 CFR 635.407]	STATE	STATE
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 State DOT 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	STATE	STATE

PROJECT ACTION RESPONSIBILITY MATRIX (Excluding PODI AND POCI Projects, which are governed by PODI/POCI Plans)		
ACTION	AGENCY RESPONSIBLE	
	PROJECTS ON THE NHS	PROJECTS OFF THE NHS
	Assumption of FHWA Responsibilities under 23 U.S.C. 106(c) or other statutory or regulatory authority	Assumption of FHWA Responsibilities under 23 U.S.C. 106(c) or other statutory or regulatory authority
Review [23 CFR Part 230, Subpart D]).		
Training Special Provision – Approval of Project Goal for training slots or hours [23 CFR Part 230, Subpart A]	STATE	STATE
Training Special Provision – Approval of Project Training Programs (Note: this action cannot be assumed by State) [23 CFR 230.111(d), (e)]	FHWA	FHWA

FOOTNOTES:

1. State is responsible for ensuring that all individual elements of the project are eligible. FHWA will check that the scope of the project as described in submitted project agreement is eligible for the category of funding sought. All final eligibility and participation determinations are retained by FHWA.
2. If there is a 23 U.S.C. 326 or 325 assignment or PCE agreement, decisions are handled in accordance with those assignments or agreements.
3. State's process and modifications to, or variation in process, require FHWA approval.
4. Unusual/Complex bridges and structures are those that the Division determines to have unique foundation problems, new or complex designs, exceptionally long spans, exceptionally large foundations, complex hydraulic elements, or that are designed with procedures that depart from currently recognized acceptable practices (i.e., cable-stay, suspension, arch, segmental concrete, moveable, truss, tunnels, or complex geotechnical walls or ground improvement systems)

Attachment B - Program Responsibility Matrix

Number	Activity	Authority	Frequency	Report Required	WSDOT Action	Division Action	Due Date	FHWA HQ Program Office	FHWA Division Responsible Program Office	State DOT Responsible Program Office	Remarks
1	Appropriations, Allotments, Obligations	31 USC 1341(a)(1)(A)& (B); 31 USC 1517(a); 23 USC 118(b), 23 USC 121	As needed	No	Track	Approve	Not Applicable	Office of Chief Financial Officer	Finance	Program Management and Local Programs	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.
2	Approval of Indirect Cost Allocation Plans (ICAPs)	49 CFR Part 18; 2 CFR 200 Subpart E and Chapter I, Chapter II, Part 200, et-al. (previously 2 CFR 225); ASMB-C-10	As needed	Yes - Certified ICAP	Prepare and submit to Division	Approve	Not Applicable	Office of Chief Financial Officer	Finance	Accounting Office	The State will certify that the ICAP was prepared in accordance with 2 CFR 200 Subpart E and 2 CFR Chapter I, Chapter II, Part 200, et al.
3	FIRE Program Activities	FHWA Order 4560.1B (or as superseded)	Ongoing	As requested	Provide Oversight	Conduct Reviews	Ongoing	Office of Chief Financial Officer	Finance	Program Management, Local Programs, and Accounting Office	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.
4	Audit Coordination/FHWA Financial Statement Audit/State External Audit Reviews/State Internal Audit Reviews	FMFIA, 49 CFR 18.26, OMB Circular A-87, A-123, 133, 127, GAAP, CFO Act of 1990; DOT Order 8000 1C	As needed	As needed	Submit	Review	Not Applicable	Office of Chief Financial Officer	Finance	Program Management, Local Programs and Internal Audit	WSDOT submits Management Decision Letter to Division for review. WSDOT assures corrective action is taken to resolve audit findings and FHWA will monitor activities to ensure implementation.
5	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	No	Provide Information and Documentation	Conduct Reviews	Determined by HQ	Office of Chief Financial Officer	Finance	Program Management, Local Programs, and Accounting Office	State will provide all required data collection form information to meet required deadlines and FHWA will review.
5a	Submit electronic request via RASPS for Federal reimbursement in accordance with approved CMIA or as directed by FHWA to meet fiscal year close and adjusted billing schedules, such as for holidays	CMIA	As Needed	No	Submit	Approve	Ongoing	Office of Chief Financial Officer	Finance	Accounting Office	State Submits Bill
6	Transfer of Funds between programs or to other FHWA offices or agencies as requested by State	23 USC 126	As needed	No	Prepare Transfer Form	Approve and Submit to FHWA HQ	Not Applicable	Office of Chief Financial Officer	Finance	Program Management and Local Programs	State will submit requests for transfer and FHWA approves and processes the funding transfers to Federal Transit Administration (or other Federal Agency) and FHWA, HQ.
7	Reviews of State Transportation Departments Financial Management Systems - Financial Integrity	23 USC 106(g)(2)(A)	As needed	As needed	Ensure Compliance	Conduct Reviews	Not Applicable	Office of Chief Financial Officer	Finance	Accounting Office	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).
8	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	As needed	Provide Oversight	Conduct Reviews	Not Applicable	Office of Chief Financial Officer	Local Programs Engineer / Finance	Local Programs	When needed
9	Periodic Reviews of States Monitoring of sub-recipients	23 USC 106(g)(4)(B)	As needed	As needed	Provide Oversight	Conduct Reviews	Not Applicable	Office of Infrastructure	Local Programs Engineer	Local Programs	When needed

Attachment B - Program Responsibility Matrix

Number	Activity	Authority	Frequency	Report Required	WSDOT Action	Division Action	Due Date	FHWA HQ Program Office	FHWA Division Responsible Program Office	State DOT Responsible Program Office	Remarks
10	Approval of Increased Federal Share Agreement (Sliding Scale)	23 USC 120(b)(2)	As determined by the Federal Share Agreement	If needed	Prepare and submit to Division	Approve	Not Applicable	Office of Chief Financial Officer	Finance	Program Management and Local Programs	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. Can pertain to Toll Credit Certification as well.
11	Advance Construction	23 USC 115	As needed	No	Prepare and submit to Division	Approve	Not Applicable	Office of Chief Financial Officer	Finance	Program Management and Local Programs	Requested at the project level on the federal aid agreement
12	Flexible Match	23 USC 323	As needed	No	Prepare and submit to Division	Approve	Not Applicable	Office of Chief Financial Officer	Finance	Program Management and Local Programs	Requested at the project level on the federal aid agreement
13	Tapered Match	23 USC 121	As needed	No	Prepare and submit to Division	Approve	Not Applicable	Office of Chief Financial Officer	Finance	Program Management and Local Programs	Requested at the project level on the federal aid agreement
14	Prepare / Review Title VI Plan Accomplishments and Next Year's Goals	23 CFR 200.9(b)(10) & (11)	Annually	Yes	Prepare and submit to Division	Approve	1-Oct	Office of Civil Rights	Civil Rights	Office of Equal Opportunity	Division office reviews and approves.
15	Prepare / EEO Contractor Compliance Plan accomplishments and next year's goals	23 CFR 230, Subpart C, Appendix A, Part I, III	Annually	Yes	Prepare and submit to Division	Approve	1-Oct	Office of Civil Rights	Civil Rights	Office of Equal Opportunity	Division office reviews and approves.
16	Prepare / Review State Internal EEO Affirmative Action Plan (Title VII) Accomplishments and Goals	23 CFR 230.311, Subpart C, Appendix A, Part II	Annually	Yes	Prepare and submit to Division	Approve	1-Oct	Office of Civil Rights	Civil Rights	Office of Equal Opportunity	Division office reviews and approves. Courtesy copy to FHWA HQ.
17	DBE Program Revisions	49 CFR 26.21(b)(2)	As needed	No	Prepare and submit to Division	Approve	At time of Revision	Office of Civil Rights	Civil Rights	Office of Equal Opportunity	Division office reviews and approves. May require concurrence from FHWA HQs.
18	Prepare / DBE Uniform Awards and Commitment Report	49 CFR 26, Appendix B	Semi-Annual	Yes	Prepare and submit to Division	Review and submit to FHWA HQ	June 1st and December 1st	Office of Civil Rights	Civil Rights	Office of Equal Opportunity	WSDOT must submit report to Division one week prior to due date(s), in order for Division to submit to HQs on or before June 1 & Dec. 1.
19	Prepare / Annual Analysis and Corrective Action Plan (if necessary)	49 CFR 26.47(c)	Annual (as necessary)	No	Prepare and submit to Division	Approve	December 31st	Office of Civil Rights	Civil Rights	Office of Equal Opportunity	Division Office approves sends copy to HCR
20	Prepare / State DBE Program Goals	49 CFR 26.45(f)(1)	Triennial	Yes	Prepare and submit to Division	Approve	August 1st	Office of Civil Rights	Civil Rights	Office of Equal Opportunity	Division office reviews, prepares decision document for legal sufficiency review prior to approval action.
21	Prepare / Review On-the-Job-Training (OJT) goals & accomplishments	23 CFR 230.111(b)	Annually	Yes	Prepare and submit to Division	Review and Comment	30-Jan	Office of Civil Rights	Civil Rights	Office of Equal Opportunity	Division office reviews and comments.
22	Prepare/Review of OJT and DBE Supportive Services (SS) fund requests	23 CFR 230.113 & 23 CFR 230.204	Annual	Yes	Prepare and submit to Division	Approve	TBA	Office of Civil Rights	Civil Rights	Office of Equal Opportunity	Division reviews and submits to FHWA HQs recommending approval.
23	Return of any unused discretionary grant program funding (i.e., OJT & DBE SS)	23 CFR 230.117(2)	Annual	If needed	Prepare and submit to Division	Submit to FHWA HQ	TBA	Office of Civil Rights	Civil Rights and Finance	Office of Equal Opportunity in coordination with WSDOT Accounting Office	Division reviews and takes appropriate action to return funds to FHWA HQs. Division works with HCR and CFO
24	Prepare / Review of Report on Supportive Services (OJT & DBE)	23 CFR 230.113(g), 230.121(e), 230.204(g)(6)	Quarterly	Yes	Prepare and submit to Division	Monitor expenditures and evaluate program effectiveness		Office of Civil Rights	Civil Rights	Office of Equal Opportunity	Division office reviews and comments.
25	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	Yes	Prepare and submit to Division	Analyze and submit to FHWA HQ	1-Dec	Office of Civil Rights	Civil Rights	Office of Equal Opportunity	Recommendation sent to HQ for approval.
26	Prepare / Review State DOT Employment Statistical Data (EEO-4)	23 CFR, Subpart C, Appendix A	Biannual	Yes	Prepare and submit to Division	Analyze and submit to FHWA HQ	1-Dec	Office of Civil Rights	Civil Rights	Office of Equal Opportunity	Report sent to HQ quarterly for informational purposes and recommendation sent to HQ annually for approval.
27	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	Yes	Prepare and submit to Division	Submit to FHWA HQ	30-Oct	Office of Civil Rights	Civil Rights	Office of Equal Opportunity	Divisions submit data to HCR who prepares report for DOCR

Attachment B - Program Responsibility Matrix

Number	Activity	Authority	Frequency	Report Required	WSDOT Action	Division Action	Due Date	FHWA HQ Program Office	FHWA Division Responsible Program Office	State DOT Responsible Program Office	Remarks
28	Prepare / Review ADA Complaint Reports of Investigation	28 CFR 35.190	As needed	Yes	Prepare and submit to Division	Submit to FHWA HQ	Not Applicable	Office of Civil Rights	Civil Rights	Office of Equal Opportunity	Division office reviews, FHWA HQ approves and issues finding.
29	Prepare/Review Americans with Disabilities Act (ADA) /Sec. 504 Program Plan, accomplishments and next year's goals	49 CFR 27.11(c), EO 12250	Annually	Yes	Prepare and submit to Division	Review and submit to FHWA HQ	1-Oct	Office of Civil Rights	Civil Rights	Office of Equal Opportunity	Division office reviews and approves.
30	Return of unexpended funds used for Summer Transportation Institutes	23 CFR 230.117(2)	Annual	If applicable	Prepare and submit to Division	Submit to FHWA HQ	August 30; however, State procurement rules may govern	Office of Civil Rights	Civil Rights	Office of Equal Opportunity	Divisions work with HCR and CFO
31	Prepare / Review Request for National Summer Transportation Institute (NSTI) Proposals (SOWs)	23 USC 140(b)	Annual	If applicable	Prepare and submit to Division	Review and submit to FHWA HQ	TBA	Office of Civil Rights	Civil Rights	Office of Equal Opportunity	Divisions recommend approval. HCR gives final approval
32	Prepare / Review NSTI Report (questionnaire)	23 USC 140(b)	Annual	If applicable	Prepare and submit to Division	Review and submit to FHWA HQ	October 15th	Office of Civil Rights	Civil Rights	Office of Equal Opportunity	Divisions provide to HCR
33	Receipt of State Consultation Process with Tribal Governments	23 CFR 450.210(c)	As needed	N/A	N/A	N/A	Not Applicable	Office of Federal Lands Highway	N/A	N/A	Informational Purposes.
34	Approval of Contracting Procedures for Consultant Selection	23 CFR 172.5 & 172.9	As needed	N/A	Prepare and submit to Division	Review and Approve	Not Applicable	Office of Infrastructure	Construction/Contract Admin	Design Office & Local Programs	FHWA Division Office Approval.
35	Determination of High Risk Categories - Limitation on Interstate Projects	23 USC 106(c)(4)(B)	As needed	N/A	Provide Information and Documentation	Provide Information and Documentation	Not Applicable	Office of Infrastructure	Assistant Division Administrator		Office of Program Administration determines national categories and must concur on any State designations.
36	Approval of State 3R Program	23 CFR 625.4(a)(3), 23 USC 109(n)	As needed	N/A	N/A	N/A	Not Applicable	Office of Infrastructure	Safety/Design Engr	Design Office	WSDOT's current design process replaced the 3R program.
37	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	N/A	N/A	Review and Approve	Not Applicable	Office of Infrastructure	Safety/Design Engr	Design Office	FHWA HQ regulatory action to adopt NHS standards.
38	Approval of preliminary plans of Major and Unusual Bridges on the Interstate Highway System	(M1100.A)	As needed	N/A	Submit	Review and Approve	Not Applicable	Office of Infrastructure	Bridge	Bridge Design Office	Director of HIBS has approval of preliminary plans of Major and Unusual Bridges on the Interstate Highway System (M1100.A)
39	Approval of State Standard Specifications	23 CFR 625	As needed	No	Submit	Review and Approve	Not Applicable	Office of Infrastructure	Construction/Contract Admin	Construction Division	FHWA Division Office Approval.
40	Verify State Design Exception Policy complies with FHWA Policy	23 CFR 625.3	As needed	N/A	N/A	Review and Approve	Not Applicable	Office of Infrastructure	Safety/Design Engr	Design Office & Local Programs	FHWA Division Office Approval.
41	Approval of State Standard Detail Plans	23 CFR 625.3	As needed	N/A	Submit	Review and Approve	Not Applicable	Office of Infrastructure	Safety/Design Engr	Design Office	FHWA Division Office Approval.
42	Approval of Pavement Design Policy	23 CFR 626.3	As needed	N/A	Submit	Review and Approve	Not Applicable	Office of Infrastructure	Construction/Contract Admin	Design Office	FHWA Division Office Approval.
43	Review of Value Engineering Policy and Procedures	23 CFR 627.1(b)&(c), 23 CFR 627.7 FHWA Order 1311.1B	As needed	No	Submit	Review	Not Applicable	Office of Infrastructure	VE Coordinator	Design and Construction	FHWA Division Office Review.
44	Review of Value Engineering Annual Report	23 CFR 627.7, FHWA Order 1311.1B	Annual	Yes	Submit	Review and submit to FHWA HQ	Not Applicable	Office of Infrastructure	VE Coordinator	Design and Construction	FHWA Division Office collects, reviews, and submits to HQ for review and reporting.
45	Review and Approval of Interstate Access Requests	23 USC 111, 23 CFR 710, 74 FR 43743-43746 (Aug. 27, 2009)	As needed	IJR as needed	Submit	Review and Approve	Not Applicable	Office of Infrastructure	Safety/Design Engr	Design Office	FHWA Division Office approval with concurrence from HQ on more complex access requests.
46	Approval of Liquidated Damages Rate	23 CFR 635.127	Every 2 years	N/A	Submit	Approve	Not Applicable	Office of Infrastructure	Construction/Contract Admin	Construction Division	FHWA Division Office Review and Approval.
47	Approval of Quality Assurance Program	23 CFR 637.205	As needed	N/A	Submit	Approve	Not Applicable	Office of Infrastructure	Construction/Contract Admin	Construction Division	State administers, with programmatic agreement by the Division Office, as part of their materials testing and construction quality assurance/acceptance program.

Attachment B - Program Responsibility Matrix

Number	Activity	Authority	Frequency	Report Required	WSDOT Action	Division Action	Due Date	FHWA HQ Program Office	FHWA Division Responsible Program Office	State DOT Responsible Program Office	Remarks
48	Assure Central Laboratory accredited by AASHTO Accreditation Program or FHWA approved comparable program	23 CFR 637.209	As needed	N/A	N/A	Routine Program Oversight	Not Applicable	Office of Infrastructure	Construction/Contract Admin	Construction Division	State administers, with programmatic agreement by the Division Office, as part of their materials testing and construction quality assurance/acceptance program.
49	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	N/A	N/A	Routine Program Oversight	Not Applicable	Office of Infrastructure	Construction/Contract Admin	Construction Division	State administers, with programmatic agreement by the Division Office, as part of their materials testing and construction quality assurance/acceptance program.
50	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	N/A	N/A	Routine Program Oversight	Not Applicable	Office of Infrastructure	Construction/Contract Admin	Construction Division	State administers, with programmatic agreement by the Division Office, as part of their materials testing and construction quality assurance/acceptance program.
51	Review Independent Assurance Annual Report	23 CFR 637.207	Annually	Yes	Submit	Review	1-Mar	Office of Infrastructure	Construction/Contract Admin	Construction Division	State administers, with programmatic agreement by the Division Office, as part of their materials testing and construction quality assurance/acceptance program.
52	Assure Labor Compliance - Prevailing Wage Rate	23 USC 113	As needed	N/A	N/A	Routine Program Oversight	Not Applicable	Office of Infrastructure	Civil Rights	Construction Division	FHWA Division Office Review and Approval
53	Determination of Eligible Preventive Maintenance Activity - Cost-Effective Means of Extending Useful Life Determination	23 USC 116(e)	As needed	N/A	N/A	Routine Program Oversight	Not Applicable	Office of Infrastructure	Construction/Contract Admin	Program Management, Maintenance, and Materials	FHWA Division Office Approval. WSDOT/FHWA approved PIF Procedures.
54	Approval of Utility Agreement / Alternate Procedure	23 CFR 645.119	As needed	N/A	Prepare and submit to Division	Review and Approve	Not Applicable	Office of Infrastructure	Safety/Design Engr and Right of Way	Design Office	FHWA Division Office Approval
55	Approval of Utility Accommodation Policy	23 CFR 645.215, 23 USC 109(l), 23 USC 123	As needed	N/A	Prepare and submit to Division	Review and Approve	Not Applicable	Office of Infrastructure	Safety/Design Engr and Right of Way	Design Office	FHWA Division Office Approval
56	Review Bridge Construction, Geotechnical, and Hydraulics	23 CFR 650	As needed	As needed	Routine Program Oversight	Routine Program Oversight	Not Applicable	Office of Infrastructure	Bridge		Division office coordinates review with applicable RC and HQ individuals.
57	Review Plans of Corrective Action established to address NBIS compliance issues	23 CFR 650, 23 USC 144	Annually	N/A	Prepare and submit to Division	Review and Take Action	31-Dec and 31-Mar	Office of Infrastructure	Bridge	Bridge Preservation Office & Local Programs	Division office performs annual compliance review and reports results to HQ.
58	Review NBI Data Submittal	23 CFR 650 Subpart C, Annual Memo from HQ, 23 USC 144	Annually	N/A	Submit to FHWA HQ	Address issues raised by FHWA HQ	1-Apr	Office of Infrastructure	Bridge	Bridge Preservation Office & Local Programs	Division resolve errors with States; States submit to HQ.
59	Review structurally deficient bridge construction Unit Cost submittal	23 USC 144	Annually	N/A	Prepare and submit to Division	Review and submit to FHWA HQ	1-Apr	Office of Infrastructure	Bridge	Bridge and Local Programs	Submit to HQ.
60	Review Section 9 of the Rivers and Harbors Act Submittals (Bridge Permits)	23 CFR 650 Subpart H; 33 CFR 114 & 115	As needed	N/A	Routine Program Oversight	Routine Program Oversight	Not Applicable	Office of Infrastructure	Bridge	N/A	
61	Approval for reduction of expenditures for off-system bridges	23 USC 133(g)(2)(B)	As needed	N/A	Prepare and submit to Division	Review and submit to FHWA HQ	Not Applicable	Office of Infrastructure	Bridge	Local Programs	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.
62	Determination on Adequacy of State's Asset Management Plan	23 USC 119(5)	Annually beginning second fiscal year after establishment of the process	N/A	Routine Program Oversight	Routine Program Oversight	As needed	Office of Infrastructure	Performance Innovation Engr	Program Management	
63	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	N/A	Routine Program Oversight	Routine Program Oversight	As needed	Office of Infrastructure	Performance Innovation Engr	Program Management	
64	Review Reporting on Performance Targets	23 USC 150(e)	Beginning four years after enactment of MAP-21 and biennially thereafter	Yes	Prepare and submit to Division	Review and Approve	TBD	Office of Infrastructure	Performance Innovation Engr	Program Management	

Attachment B - Program Responsibility Matrix

Number	Activity	Authority	Frequency	Report Required	WSDOT Action	Division Action	Due Date	FHWA HQ Program Office	FHWA Division Responsible Program Office	State DOT Responsible Program Office	Remarks
65	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	N/A	Routine Program Oversight	Routine Program Oversight	If needed	Office of Infrastructure	Performance Innovation Engr	Program Management	
66	States and sub-recipient failure to maintain projects - Notice and withholding Federal-aid Funds	23 USC 116(d)	As needed	N/A	Notify Division	Review and Approve	Not Applicable	Office of Infrastructure	Finance and Field Operations Team	Program Management and Local Programs	
67	Emergency Relief (ER) Damage Assessments and Reports	23 CFR 668 23 USC 120 and 125	As needed	N/A	Submit	Review and Approve	Not Applicable	Office of Infrastructure	ER Coordinator	Maintenance, Program Management and Local Programs	Perform with State.
68	Toll Credit and Maintenance of Effort (MOE) Calculation and Agreement	23 USC 120(i)	Annually	As requested	Prepare and submit to Division	Approve	Not Applicable	Office of Infrastructure	Finance	Program Management	State will calculate the amount of eligible toll credit and submit for approval. FHWA will review and approve the request.
69	Local Public Agency (LPA) Oversight	49 CFR Part 18 – 18.37 and 18.40; OMB Circular A-133; 23 USC 106(g)(4)	As needed				Not Applicable	Office of Infrastructure	Local Programs Engineer	Local Programs	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.”
70	Approval to Sell, Lease or Otherwise Dispose of a Ferry Purchased with Federal-aid Funds	23 USC 129 (c)(6)	As needed	N/A	Prepare and submit to Division	Review and submit to FHWA HQ	Not Applicable	Office of Infrastructure	Ferry Boat Program Coordinator	WSF	Division Office reviews and submits for Office of Program Administration for Administrator Approval
71	Territorial Highway Program - Approval of Territory Agreement	23 USC 165(c)(5)	Reviewed and Revised as needed every two years	N/A	N/A	N/A	Not Applicable	Office of Infrastructure	N/A	N/A	Division Office works with Office of Program Administration and HCC
72	TIFIA Credit Program	23 USC 601-609	As needed	No	Work with TIFIA Office	Work with TIFIA Office	Not Applicable	Office of Innovative Program Delivery	Finance / Major Project Engineer	Financial Management	Project sponsors submit requests for credit assistance to the TIFIA JPO for review; approval by the Secretary
73	GARVEEs	23 USC 122; GARVEE Guidance 3/14	As needed	No	Prepare and submit to Division	Approve	Not Applicable	Office of Innovative Program Delivery	Finance	Financial Management	MOUs strongly suggested for each GARVEE issue. FM contacts OIPD for review/concurrence before final approval
74	State Infrastructure Banks	NHS Act Section 308; 23 USC 610; SIB Guidance 3/14	Annual Report	Yes	Prepare and submit to Division	Approve	Not Applicable	Office of Innovative Program Delivery	Finance	Local Programs	Division sends copy of report to OIPD. SIB submits annual report to Division Office.
75	Section 129 Tolling Authority Requests	23 USC 129(a)	As needed	N/A	Submit MOU	Execute MOU in coordination with FHWA HQ	Not Applicable	Office of Innovative Program Delivery	Operations/ITS	Tolling Division	At the option of the project sponsor, may execute a Tolling Eligibility MOU with the Division Office; HIN coordinates FHWA HQ review
76	Section 166 HOV/HOT Lanes Tolling Authority Requests	23 USC 166(d)	As needed	N/A	Submit MOU	Execute MOU in coordination with FHWA HQ	Not Applicable	Office of Innovative Program Delivery	Operations/ITS	Tolling Division	At the option of the project sponsor, may execute a Tolling Eligibility MOU with the Division Office; HIN coordinates FHWA HQ review
77	Value Pricing Pilot Program Tolling Authority Requests	ISTEA Section 1012(b)	As needed	N/A	Submit Toll Authority Request	Coordinate with WSDOT and FHWA HQ	Not Applicable	Office of Innovative Program Delivery	Operations/ITS	Tolling Division	Requests submitted to HIN to coordinate review; approval by the Administrator
78	Interstate System Reconstruction and Rehabilitation Pilot Program Tolling Authority Requests	TEA-21 Section 1216(b)	As needed	N/A	Submit Toll Authority Request	Coordinate with WSDOT and FHWA HQ	Not Applicable	Office of Innovative Program Delivery	Operations/ITS	Tolling Division	Applications submitted to HIN to coordinate review; approval by the Administrator
79	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	Yes	Prepare and submit to Division	Receive and Review with FHWA HQ	Not Applicable	Office of Innovative Program Delivery	Operations/ITS	Tolling Division	Division Office to receive the reports.

Attachment B - Program Responsibility Matrix

Number	Activity	Authority	Frequency	Report Required	WSDOT Action	Division Action	Due Date	FHWA HQ Program Office	FHWA Division Responsible Program Office	State DOT Responsible Program Office	Remarks
80	Project Management Plan (Major Projects)	23 U.S.C. 106(h)(2)	Prior to first federal authorization of construction funds for a Major Project	As needed	Prepare and submit to Division	Division Office will conduct concurrent review with HQ Office of Innovative Program Delivery.	Not Applicable	Office of Innovative Program Delivery	Finance and Field Operations Team	Tolling Division	State DOT 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.
81	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.	As needed	Prepare and submit to Division	Division Office will conduct concurrent review with HQ Office of Innovative Program Delivery.	Annually as noted in the approved Initial Financial Plan	Office of Innovative Program Delivery	Finance and Field Operations Team	Tolling Division	State DOT 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.
82	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.	As needed	Prepare and submit to Division	Division Office will review and approve Financial Plans for Other Projects in accordance with its stewardship and oversight agreement with the State DOT or Project Sponsor.	Annually as noted in the approved Initial Financial Plan	Office of Innovative Program Delivery	Finance and Field Operations Team	Tolling Division	Other Projects are defined as projects with an estimated total cost of \$100 million or more that have not been designated as Major Projects. State DOT or Project Sponsor will prepare and submit annual Financial Plans to the Division Office, only upon request.
83	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	No	Prepare and submit to Division	Review and approve	As needed	Office of Operations	Planning	Planning	Initial PFN designation under development
84	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	No	Prepare and submit to Division	Review and approve	As needed	Office of Operations	Planning	Planning	OST lead
85	Review Freight Transportation Conditions and Performance Report	23 USC 167(g)	Two years after enactment of MAP-21 and every two years thereafter	To be determined	To be determined	To be determined		Office of Operations	Planning	Planning	OST lead
86	Review HOV Operations Report for Tolloed Use and Low-Emission and Energy-Efficient Vehicle Use	23 USC 166(d)	Annually	N/A	N/A	N/A	N/A	Office of Operations	Operations/ITS	Tolling Division	Not applicable in WA State.
87	Congestion Partnerships Assessment	Annual Memo from HQ	Annually	N/A	N/A	N/A	1-Jul	Office of Operations	Operations/ITS	Tolling Division	This activity is no longer supported by FHWA HQs.
88	Operations Support Program	Annual Memo from HQ	Annually	N/A	N/A	N/A	1-Jul	Office of Operations	Operations/ITS	Tolling Division	This activity is no longer supported by FHWA HQs. Eligibility determination made by HQ. July 1 date for approval to issue funding for current FY.
89	Traffic Incident Management Self-Assessment	Annual Memo from HQ	Annually	Yes	Prepare and submit to Division	Review and submit to FHWA HQ	1-Jul	Office of Operations	Planning	Traffic	Complete with partners and forward to HQ.
90	Work Zone Self-Assessment	Annual Memo from HQ	Annually	Yes	Prepare and submit to Division	Review and submit to FHWA HQ	7/1/2013, This project is currently on hiatus and has not been determined whether it will be reestablished or not.	Office of Operations	Construction/Contract Admin	Traffic	Complete with partners and forward to HQ.
91	Approval of State-Prepared Manual on Uniform Traffic Control Devices - State Traffic Control Manuals	23 CFR 655.603, 23 USC 109(d)	As needed	No	Submit	Review and Approve	Not Applicable	Office of Operations	Safety/Design Engr	Design and Traffic	

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Number	Activity	Authority	Frequency	Report Required	WSDOT Action	Division Action	Due Date	FHWA HQ Program Office	FHWA Division Responsible Program Office	State DOT Responsible Program Office	Remarks
92	Review Vehicle Size & Weight State Enforcement Plan	23 CFR 657.11, 23 USC 127	Annually	N/A	N/A	Review and Approve	1-Oct	Office of Operations	Planning	WA State Patrol Commercial Vehicle	WSP loads report into FHWA HQ software. Division reviews and approves
93	Review Vehicle Size & Weight Enforcement Certification	23 CFR 657.13, 23 USC 141	Annually	N/A	Submit	Acknowledge and Review	1-Jan	Office of Operations	Planning	WSDOT Commercial Vehicle	WSDOT Commercial Vehicles Division loads into FHWA HQ software. Division acknowledges data consistent with SEP.
94	Approval of National Network Modifications	23 CFR 658.11	As needed	No	Request changes	Information Only	Not Applicable	Office of Operations	Planning	Data Office	WSDOT Data Office sends to FHWA HQ.
95	Intelligent Transportation System Architecture & Standards	23 CFR Part 940	As needed	N/A	As Needed	Routine Program Oversight	Not Applicable	Office of Operations	Operations/ITS	Traffic and MPOs	
96	Approval of Work Zone Significant Project Determination	23 CFR 630.1010	As needed	N/A	Routine Program Oversight	Routine Program Oversight	Not Applicable	Office of Operations	Safety/Design, Construction/Contract Admin, or Field Operations Team	Traffic	
97	Approval of Exceptions to Work Zone Procedures for Interstate Projects	23 CFR 630.1010	As needed	N/A	Routine Program Oversight	Routine Program Oversight	Not Applicable	Office of Operations	Safety/Design, Construction/Contract Admin, or Field Operations Team	Traffic	As outlined in the Stewardship and Oversight Agreement and PODI project specific oversight plan
98	Approval of Work Zone Policy and Procedures Conformance Review	23 CFR 630.1014	At appropriate intervals	Yes	Prepare and submit to Division	Review and Approve	Not Applicable	Office of Operations	Construction/Contract Admin	Traffic	
99	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	Yes	Provide Information and Documentation	Prepare and Submit to FHWA HQ	Not Applicable	Office of Operations	Construction/Contract Admin	Traffic	Division office prepares and submits report to FHWA HQ.
100	Approval of State Planning Work Program and Revisions (Part 1)	23 CFR 420.111, 23 CFR 420.115, and 23 CFR 420.209	Biennially	Yes	Prepare and submit to Division	Review and Approve	Prior to Program Period	Office of Planning, Environment & Realty	Planning	Multi-modal Planning & Local Programs	FHWA Division Office Approval.
101	Approval of State Research and Development Work Program (Part 2)	23 CFR 420.111, 23 CFR 420.115, and 23 CFR 420.209	Biennially	Yes	Prepare and submit to Division	Review and Approve	Prior to Program Period	Office of Planning, Environment & Realty	Planning	Multi-modal Planning	FHWA Division Office Approval.
102	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	Yes	Prepare and submit to Division	Review and Approve	Not Applicable	Office of Planning, Environment & Realty	Planning	Multi-modal Planning & Local Programs	FHWA Division Office Approval.
103	Review of State Public Involvement Procedures	23 CFR 450.210(a)	As needed	No	Prepare and submit to Division	Review and Approve	As Available	Office of Planning, Environment & Realty	Planning and Civil Rights	Multi-modal Planning & Local Programs	FHWA Division Office Review to Assure Compliance.
104	Receipt of State Consultation Process for Non-metropolitan Local Officials	23 CFR 450.210(b)	As needed	No	Prepare and submit to Division	Review and Approve	Not Applicable	Office of Planning, Environment & Realty	Planning	Multi-modal Planning	Informational Purposes.
105	Review of Long-range Statewide Transportation Plan	23 CFR 450.214	As needed	No	Prepare and submit to Division	Review and Comment	Not Applicable	Office of Planning, Environment & Realty	Planning	Multi-modal Planning	FHWA Division Office Review to Assure Compliance.
106	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	No	Prepare and submit to Division	Review and Approve	Not Applicable	Office of Planning, Environment & Realty	Planning	Local Programs	Joint FHWA and FTA approval.
107	Approval of STIP Amendments	23 CFR 450.218(a) & (c)	As needed	No	Prepare and submit to Division	Review and Approve	As provided	Office of Planning, Environment & Realty	Planning	Local Programs	Joint FHWA and FTA approval.
108	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	Yes	Prepare and submit to Division	Review and Approve	Not Applicable	Office of Planning, Environment & Realty	Planning	Multi-modal Planning	DUPLICATES ITEM 127: FHWA and FTA issue a joint finding concurrent with STIP approval.
109	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	No	Prepare and submit to Division	Review and Comment	Not Applicable	Office of Planning, Environment & Realty	Planning	Multi-modal Planning & Local Programs	Received with STIP.
110	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	No	Review and Recommend Action	Review and Approve	Not Applicable	Office of Planning, Environment & Realty	Planning	Multi-modal Planning	Joint FHWA and FTA approval.
111	Approval of Non-TMA UPWP	23 CFR 450.308(b) and 23 CFR 420 (Subpart A)	Prior to Program End	No	Review and Recommend Action	Review and Approve	Not Applicable	Office of Planning, Environment & Realty	Planning	Multi-modal Planning	May use simplified work statement.

Attachment B - Program Responsibility Matrix

Number	Activity	Authority	Frequency	Report Required	WSDOT Action	Division Action	Due Date	FHWA HQ Program Office	FHWA Division Responsible Program Office	State DOT Responsible Program Office	Remarks
112	Approval of UPWP Revisions and Amendments (All MPO's)	23 CFR 420.115	As needed	No	Review and Recommend Action	Review and Approve	Not Applicable	Office of Planning, Environment & Realty	Planning	Multi-modal Planning	Joint FHWA and FTA approval. Meet with agencies and WSDOT.
113	Review of UPWP Performance and Expenditure Reports (All MPOs)	23 CFR 420.117(b)	Not more frequently than quarterly	No	Review and Recommend Action	Review and Approve	Not Applicable	Office of Planning, Environment & Realty	Planning	Multi-modal Planning	
114	Approval of Report Before Publication (All MPOs)	23 CFR 420.117(e)	As needed	Yes	Prepare and submit to Division	Review and Approve	Not Applicable	Office of Planning, Environment & Realty	Planning	Multi-modal Planning	Waiver may be granted.
115	Approval to use Planning Funds outside Urbanized Areas for States Receiving Minimum Apportionment	23 USC 104(d)(1)(A)(ii)	As needed	No	Review and Recommend Action	Review and Approve	Not Applicable	Office of Planning, Environment & Realty	Planning	Multi-modal Planning	
116	Review of Metropolitan Planning Area Boundary (Establishment and Changes)	23 CFR 450.312	As needed	No	Prepare and submit to Division	Review and Approve	Not Applicable	Office of Planning, Environment & Realty	Planning	Multi-modal Planning	Approval by MPO and the Governor, shape files forwarded to HQ. (Comment: No action is required by FHWA/FTA).
117	Review of Metropolitan Transportation Planning Organizations (MPO) Designation and Re-designation	23 CFR 450.310	As needed	No	Review and Approve	Review and Comment	Not Applicable	Office of Planning, Environment & Realty	Planning	Multi-modal Planning	Require agreement between Governor and local governments.
118	Review of Metropolitan Planning Agreements (MPA) for Attainment or Entire Nonattainment Area	23 CFR 450.314(a)	When Completed	No	Prepare and submit to Division	Review and Comment	Not Applicable	Office of Planning, Environment & Realty	Planning	Multi-modal Planning	Between MPO/State DOT/Transit Operator. Included in UPWP or Prospectus (23 CFR 450.314(d)).
119	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	No	Prepare and submit to Division	Review and Comment	Not Applicable	Office of Planning, Environment & Realty	Planning	Multi-modal Planning	Between MPO/State DOT/State AQ Agency.
120	Review of MPO Public Participation Procedures	23 CFR 450.316(a)	As needed	No	Review and comment	Review and Comment	Not Applicable	Office of Planning, Environment & Realty	Planning and Civil Rights	Multi-modal Planning	DUPLICATIVE ITEM. Must be developed and published. May apply to numerous disciplines, not just Planning.
121	Review of Metropolitan Transportation Plan (MTP) in Attainment Areas (and Updates)	23 CFR 450.322	Every 4 yrs.	No	Review and comment	Review and Comment	Not Applicable	Office of Planning, Environment & Realty	Planning	Multi-modal Planning	
122	Review of MTP in Non-Attainment and Maintenance Areas (and Updates)	23 CFR 450.322	Every 5 yrs.	No	Review and comment	Review and Comment	Not Applicable	Office of Planning, Environment & Realty	Planning	Multi-modal Planning	
123	Review of MTP Amendments	23 CFR 450.322(c)	As Needed	No	Review and comment	Review and Comment	Not Applicable	Office of Planning, Environment & Realty	Planning	Multi-modal Planning	
124	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	No	Review and Recommend Action	Review and Approve	Not Applicable	Office of Planning, Environment & Realty	Planning	Multi-modal Planning	After receipt of MPO determination; Joint FHWA and FTA determination; In consultation with the Environmental Protection Agency (EPA).
125	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	No	Review and comment	Review and Comment	Not Applicable	Office of Planning, Environment & Realty	Planning	Multi-modal Planning & Local Programs	No succinct Federal approval action is required for the TIP. FHWA/FTA approval of the TIP is through the STIP approval process.
126	Review of TIP Amendments	23 CFR 450.324(a); 23 CFR 450.328(b)	As needed	No	Review and comment	Review and Comment	Not Applicable	Office of Planning, Environment & Realty	Planning	Multi-modal Planning & Local Programs	No succinct Federal approval action is required for the TIP. FHWA/FTA approval of the TIP is through the STIP approval process.
127	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)	No	Review and Recommend Action	Review and Approve	Not Applicable	Office of Planning, Environment & Realty	Planning	Multi-modal Planning	Applies to non-attainment and maintenance areas only. After receipt of MPO determination, joint determination with FTA (in cooperation with EPA).
128	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	Yes	Prepare and submit to Division	Develop and Submit	Not Applicable	Office of Planning, Environment & Realty	Planning	Multi-modal Planning & Local Programs	DUPLICATIVE ITEM. At least every four years, joint finding with FTA when TIP is submitted.
129	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	No	Prepare and submit to Division	Review and Comment	Not Applicable	Office of Planning, Environment & Realty	Planning	Multi-modal Planning	Required for all MPOs. May be included in the STIP, TIP, or UPWP, at least every 4 years.

Attachment B - Program Responsibility Matrix

Number	Activity	Authority	Frequency	Report Required	WSDOT Action	Division Action	Due Date	FHWA HQ Program Office	FHWA Division Responsible Program Office	State DOT Responsible Program Office	Remarks
130	In TMAs, Certification that Planning Process is in Accordance with Applicable Requirements	23 CFR 450.334(b), 23 USC 134(k)(5)	Every 4 yrs.	Yes	Prepare and submit to Division	Review and Comment		Office of Planning, Environment & Realty	Planning	Multi-modal Planning	Joint FHWA and FTA Certification.
131	Approval of Federal-Aid Urban Area Boundaries	23 CFR 470.105 (a), 23 USC 101(a)(33)	As needed	No	Prepare and submit to Division	Review and Approve	Not Applicable	Office of Planning, Environment & Realty	Planning	Multi-modal Planning	
132	Approval of Revision of Functional Classification	23 CFR 470.105 (b)	As needed	No	Prepare and submit to Division	Review and Approve	Not Applicable	Office of Planning, Environment & Realty	Planning	Data Office	
133	Approval by Administrator of Interstate Additions & Revisions	23 USC 103(c)(1)(D), 23 CFR 470.111, 23CFR 470.115 (a)	As needed	No	Prepare and submit to Division	Review and Submit	Not Applicable	Office of Planning, Environment & Realty	Planning	Data Office	Approval by HQ – Administrator.
134	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	No	Prepare and submit to Division	Review and Submit	Not Applicable	Office of Planning, Environment & Realty	Planning	Data Office	Approved by HQ - Office Director.
135	Review of CMAQ Annual Report	CMAQ Guidance Memo October 31, 2006 and Revised Interim Guidance Operating Assistance under MAP-21 (July 2014)	Annually	Yes	Prepare and submit to Division	Review and Comment	1-Mar	Office of Planning, Environment & Realty	Planning & Local Programs	Planning & Local Programs	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.
136	Transportation Planning Excellence Awards		Annually	No	Prepare and submit to Division	Review and Comment	1-Feb	Office of Planning, Environment & Realty	Planning	Multi-modal Planning	Call for entries for the FHWA FTA Transportation Planning and Excellence Awards.
137	Approval of Local Technical Assistance Program (LTAP) Centers Work Plan and Budget	FHWA LTAP Field Manual	Annually	No	Prepare and submit to Division	Review and Comment	31-Mar	Office of Planning, Environment & Realty	Planning	Local Programs	FHWA HQ approval.
138	Approval of Public Involvement Program Procedures	23 CFR 771.111(h), 23 USC 128	As needed	No	Prepare and submit to Division	Review and Comment	Not Applicable	Office of Planning, Environment & Realty	Planning	Multi-modal Planning	Duplicate. Public Involvement Program Procedures applies to all discipline areas.
139	Approval of NEPA Procedures, including Section 4(f)	23 CFR 771; 23 CFR 774; SAFETEA-LU 6007 & 6009, 23 USC 109(h)	As needed	N/A	Routine Program Oversight	Routine Program Oversight	Not Applicable	Office of Planning, Environment & Realty	Environment	Environmental Services Office and Local Programs	FHWA approves the WSDOT Environmental Manual which includes all of these procedures.
140	Approval of Noise Policies	23 CFR 772.7, 772.9, and 772.13, 23 USC 109(i)	As needed	N/A	Submit	Approve	Not Applicable	Office of Planning, Environment & Realty	Environment	Environmental Services & Local Programs	FHWA approves State noise abatement policy.
141	EIS Status Updates	FHWA Strategic Goal - EIS Timeliness	Quarterly	N/A	N/A	Provides updates to FHWA HQ	(Fiscal Year - Oct, Jan, Apr, Jul)	Office of Planning, Environment & Realty	Environment	Environmental Services Office and Local Programs Office	FHWA Division office makes this update to FHWA HQ and generally does not need to request it from WSDOT. 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.
142	Endangered Species Act Cost Report		Annually	N/A	Submit	Review and submit to FHWA HQ	1-Mar	Office of Planning, Environment & Realty	Environment	Environmental Services Office	
143	Exemplary Ecosystem Initiatives Applications		Annually	N/A	Submit	Request applications	1-Apr	Office of Planning, Environment & Realty	Environment	Environmental Services Office	Submittal of applications for these awards is voluntary.
144	Approval of Acquisitions, Appraisals, and Relocations Program and Procedures	49 CFR Part 24, The UA	As needed	N/A	N/A	N/A	Not Applicable	Office of Planning, Environment & Realty	Right of Way	Real Estate Services and Local Programs	The LAG Manual Chapter 25 defers to the ROW Manual for many areas. TBD local programs policy.

Attachment B - Program Responsibility Matrix

Number	Activity	Authority	Frequency	Report Required	WSDOT Action	Division Action	Due Date	FHWA HQ Program Office	FHWA Division Responsible Program Office	State DOT Responsible Program Office	Remarks
145	Early Acquisitions	23 CFR 710.501 and 23 CFR 771.113(d)(4)	As needed	N/A	Prepare and submit to Division	Approve	Not Applicable	Office of Planning, Environment & Realty	Right of Way/Field Ops	Real Estate Services and Local Programs	WSDOT prepares/submits appendix to NEPA document with justification showing acquisition did not bias NEPA decision. Added the other early acquisition citation. 23 CFR 710 is supposed to be going through a NPRM soon, so the citations may change (if the information in 771 is moved into 710)
146	Local Public Agency Oversight (Right of Way)	49 CFR 24.4(b); 23 CFR 710.201	As needed	yes, as a stewardship indicator	Submit	Review	Not Applicable	Office of Planning, Environment & Realty	Right of Way and Local Programs Coordinator	Local Programs	
147	Approval of Highway Facility Relinquishment	23 CFR 620.203	As needed	N/A	Submit	Approve	Not Applicable	Office of Planning, Environment & Realty	Right of Way	Real Estate Services and Local Programs	There is a programmatic in place with WSDOT for relinquishments off the interstate to be approved by WSDOT. There is not a similar agreement for LPA system.
148	Approval of ROW Disposal Authorization Request	23 CFR 710.409	As needed	N/A	Submit	Approve	Not Applicable	Office of Planning, Environment & Realty	Right of Way	Real Estate Services and Local Programs	Added the other early acquisition citation. 23 CFR 710 is supposed to be going through a NPRM soon, so the citations may change (if the information in 771 is moved into 710).
149	Approval of ROW Operations Manual (Organization, Policies and Procedures), Updates, and Certification	23 CFR 710.201	January 1, 2001 and every 5 years thereafter or as required by changes in State law or Federal regulation or law	N/A	Submit	Approve	Not Applicable	Office of Planning, Environment & Realty	Right of Way	Real Estate Services and Local Programs	WSDOT submits update to the manual annually for approval. Submits request for certification every five years. Local Program Office will need to be involved in the approval of Chapters 15, 16, and 17.
150	Approval of Exception to Charging Fair Market Value	23 CFR 710.403 and 23 CFR 710.409	As needed	N/A	Submit	Approve	Not Applicable	Office of Planning, Environment & Realty	Right of Way	Real Estate Services and Local Programs	Submit disposals at less than fair market value for approval.
151	Approval of Interstate Real Property Use Agreements	23 CFR 710.405	As needed	N/A	Submit	Approve	Not Applicable	Office of Planning, Environment & Realty	Right of Way	Real Estate Services	WSDOT submits interstate use and occupancy requests and airspace leases for Division approval.
152	Approval of Request for Federal Land Transfer	23 CFR 710.601	As needed	N/A	Submit	Submits requests for Letter of Consent to federal agency and executes Highway Easement Deed	Not Applicable	Office of Planning, Environment & Realty	Right of Way	Real Estate Services	WSDOT submits FLT package and the Division requests for Letter of Consent to federal agency and executes Highway Easement Deed.
153	Approval of Request for Direct Federal Acquisition	23 CFR 710.603	As needed	N/A	requests FHWA to take lead on federal acquisition	Works with HEPR	Not Applicable	Office of Planning, Environment & Realty	Right of Way	Real Estate Services	This will likely never be used since FHWA HQ Realty would have to take it on, and they prefer that the Federal Land Transfer process is used instead.
154	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	N/A	Submit	Approve	Not Applicable	Office of Planning, Environment & Realty	Right of Way	Real Estate Services and Local Programs	WSDOT submits WACs and Manual for Division approval.
155	Approval of Requests to Exempt Certain Nonconforming Signs, Displays, and Devices	23 CFR 750.503	As needed	N/A	Submit	Approve	Not Applicable	Office of Planning, Environment & Realty	Right of Way	Traffic	WSDOT's Outdoor Advertising Program Manager is located in the traffic office.
156	Approval of Railroad Agreement Alternate Procedure	23 CFR 646.220	As needed	N/A	Submit	Approve	Not Applicable	Office of Planning, Environment & Realty	Construction/Contract Admin	Real Estate Services and Local Programs	
157	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	N/A	Submit	Review and submit to FHWA HQ	Not Applicable	Office of Planning, Environment & Realty	Right of Way	Real Estate Services and Local Programs	Requests reviewed and approved by HEPR Office Director.
158	Review of Uniform Relocation Assistance & Real Property Acquisition Report -(OMB Form 2125-0030)	49 CFR 24.9c & Appendix B 49 CFR 24.603	Annually	yes, as part of the annual statistical report	Submit	Review and submit to FHWA HQ	15-Nov	Office of Planning, Environment & Realty	Right of Way	Real Estate Services & Local Programs	Submitted to FHWA Headquarters (HQ).

Attachment B - Program Responsibility Matrix

Number	Activity	Authority	Frequency	Report Required	WSDOT Action	Division Action	Due Date	FHWA HQ Program Office	FHWA Division Responsible Program Office	State DOT Responsible Program Office	Remarks
159	Review of Real Property Acquisition Statistical Report	FHWA Order 6540.1	Annually	yes	Submit	Review and submit to FHWA HQ	15-Nov	Office of Planning, Environment & Realty	Right of Way	Real Estate Services and Local Programs	
160	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	N/A	Submit	Review and Approve	Not Applicable	Office of Planning, Environment & Realty	T2 Engineer	Engineering Policy and Innovation	FHWA Division Office Approval.
161	Periodic Review of States Management Process of the Research, Development & Technology Transfer Program	23 CFR 420.209	Periodic	N/A	N/A	Routine Program Oversight	Not Applicable	Office of Planning, Environment & Realty	T2 Engineer	Engineering Policy and Innovation	FHWA Division Office Periodic Review.
162	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	Yes	Submit	Review and Approve	90 Days After End Of Period	Office of Planning, Environment & Realty	Planning	Engineering Policy and Innovation	FHWA Division Office Approval.
163	Approval of SPR research reports	23 CFR 420.117	Prior to publication unless prior approval is waived	Yes	Submit	Review and Approve	Not Applicable	Office of Planning, Environment & Realty	Planning	Engineering Policy and Innovation	FHWA Division Office Approval unless waived.
164	Annual Traffic Reports	Traffic Monitoring Analysis System and Traffic Monitoring Guide reporting	When Published	No	Prepare and submit to Division	WSDOT submits directly to FHWA HQ	As needed	Office of Highway Policy information	Planning	Engineering Policy and Innovation	When Published
165	Approval of Annual Field Review Report	HPMS Field Review Guidelines (2013) Continuous Process Improvement Model for HPMS(February 2003)	Annually	Yes	Prepare and submit to Division	Review and Approve	15-Dec	Office of Highway Policy information	Planning	Data Office	Review memo to HQ.
166	Approval of Certified Public Road Mileage	23 CFR 460.3(b)	Annually	Yes	Prepare and submit to Division	Review and Approve	1-Jun	Office of Highway Policy information	Planning	Data Office	Each year, the Governor of each State and territory or a designee must certify Public Road Mileage. FHWA reviews the mileage and reports it to NHTSA for Apportionment of Safety Funds.
167	Approval of Data Submittal	23 CFR 420.105(b), HPMS Field Manual	Annually	N/A	Submit	Review and Approve	15-Jun	Office of Highway Policy information	Planning	Data Office	State DOT sends directly to HQ and advises Division Office
168	Highway Statistics Reports	Guide to Reporting Highway Statistics		No	Prepare and submit to Division	Monitor		Office of Highway Policy information	Planning	Planning -- Info Only	Information. State DOT e sends directly to HQ.
169	Motor Fuels Report	A Guide to Reporting Highway Statistics, Chapter 2	Due 60 days after end of each reporting month	Yes	Submit	Monitor		Office of Highway Policy information	Planning	Planning -- Info Only	WA Dept. of Licensing e sends directly to FHWA HQ.
170	Vehicles and Drivers (561, 562, 566, and 571)	A Guide to Reporting Highway Statistics, Chapters 3, 4, 5, and 6	1-Apr	N/A	N/A	N/A	1-Apr	Office of Highway Policy information	Planning	WA State Dept. of Licensing	State DOT e sends directly to HQ.
171	Finance (531, 532, 541, 542, and 543 (optional))	A Guide to Reporting Highway Statistics, Chapters 8 and 9	1-Apr	No	WSDOT submits to FHWA HQ	Monitor	1-Apr	Office of Highway Policy information	Planning	WA State Dept. of Licensing	State DOT e sends directly to HQ.
172	Transportation Bond Referendums	A Guide to Reporting Highway Statistics, Chapter 9	When Published	N/A	N/A	N/A	When Published	Office of Highway Policy information	Planning		
173	State DOT / Toll Authority Audits and Published Annual Reports and Form 539 (optional)	A Guide to Reporting Highway Statistics, Chapter 10	When Published	N/A	N/A	N/A	When Published	Office of Highway Policy information	Planning	Tolling Division	
174	Finance (536)	A Guide to Reporting Highway Statistics, Chapter 11	30-Sep	N/A	N/A	N/A	30-Sep	Office of Highway Policy information	Planning	WA State Dept. of Licensing	Biennially for odd-numbered years. Due nine months after end of reporting year.
175	Finance (534)	A Guide to Reporting Highway Statistics, Chapter 12	15-Jun	N/A	N/A	N/A	15-Jun	Office of Highway Policy information	Planning	WA State Dept. of Licensing	Annually for State, Biennially for local.
176	Highway Finance and Tax Legislation	A Guide to Reporting Highway Statistics, Chapter 13	When Published	N/A	N/A	N/A	When Published	Office of Highway Policy information	WA State Dept. of Licensing		

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Number	Activity	Authority	Frequency	Report Required	WSDOT Action	Division Action	Due Date	FHWA HQ Program Office	FHWA Division Responsible Program Office	State DOT Responsible Program Office	Remarks
177	State DOT Budgets and Published Annual Reports	A Guide to Reporting Highway Statistics, Chapter 13	When Published	N/A	N/A	N/A	When Published	Office of Highway Policy information	Planning		
178	Motor Fuel Oversight Review	July 24, 2001 HQ Memo	Initial baseline reports no later than December 31, 2003	N/A	N/A	N/A		Office of Highway Policy information	Planning	WA State Dept. of Licensing	Annual progress reports and statement of verification by June 30. Submitted via UPACS.
179	Review of Biennial - Toll Facilities in the United States	23 CFR 450.105(b) HPMS Field Manual	Biennially - Odd Years	Yes	Provide Information and Documentation	Prepare and Submit to FHWA HQ	June 15 (Odd Years)	Office of Highway Policy information	Safety/Design Engr	Tolling Division	Division Office sends to HQ.
180	State Highway Maps (Tourist)		When Published	No	Prepare and submit to Division	Monitor	When Published	Office of Highway Policy information	Planning	WSDOT Map	Two copies to each Division Office and 100 copies to HQ.
181	Traffic Flow Maps		When Published	No	Prepare and submit to Division	WSDOT submits directly to FHWA HQ	When Published	Office of Highway Policy information	Planning	WSDOT Transportation Data and GIS Office	When Published.
182	Vehicle Classification Data	MAP-21, HPMS Field Manual, Traffic Monitoring Guide	15-Jun	No	Prepare and submit to Division	WSDOT submits directly to FHWA HQ	15-Jun	Office of Highway Policy information	Planning	WSDOT Transportation Data and GIS Office	Part of Annual HPMS submittal.
183	Highway Use Tax Evasion Grant Awards	23 USC 143	Intermittent	No	Monitors	Monitor	Not Applicable	Office of Highway Policy information	Planning	WA State Dept. of Licensing	WA Dept. of Licensing Monitors. 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.
184	Heavy Vehicle Use Tax (HVUT) – Certification of verifying proof-of-payment of HVUT	23 CFR 669	Annual	No	Submit	Notifies FHWA HQ	1-Jan	Office of Highway Policy information	Planning	WA State Dept. of Licensing	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 and WA Dept. of Licensing Submits Letter.
185	Heavy Vehicle Use Tax (HVUT) Review Program – Triennial review of State program	23 CFR 669.21	Triennial	Yes	Monitors	Conduct Reviews	Not Applicable	Office of Highway Policy information	Planning	WA State Dept. of Licensing	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. WA Dept. of Licensing proves HVUT is checked.
186	Permanent ATR Data	Heavy Vehicle Travel Information System Field Manual	Monthly	No	Prepare and submit to Division	WSDOT submits directly to FHWA HQ	Monthly	Office of Highway Policy information	Planning	WSDOT Transportation Data and GIS Office	Within 20 days after the close of the month for which the data were collected.
187	Continuous Automatic Vehicle Classifier Data	Heavy Vehicle Travel Information System Field Manual	Monthly	No	Prepare and submit to Division	WSDOT submits directly to FHWA HQ	Monthly	Office of Highway Policy information	Planning	WSDOT Transportation Data and GIS Office	Send up to one week of data per quarter
188	Weight and Vehicle Classification Data Collected at Weigh-in-motion sites	Heavy Vehicle Travel Information System Field Manual	15-Jun	No	Prepare and submit to Division	WSDOT submits directly to FHWA HQ	As needed	Office of Highway Policy information	Planning	WSDOT Transportation Data and GIS Office	WIM data collected at non-continuous sites during a year should be submitted by June 15 of the following year. If continuous WIM data are available, then up to one week of data per quarter.
189	Approval of MAP-21 compliant SHSP update within the legislatively required timeframe.	23 U.S.C. 148 (d)(2)(B)	Non Recurring	N/A	Prepare and Submit to Division	Approve and Submit to FHWA HQ	By Aug. 1 of the fiscal year after the HSIP final rule is established	Office of Safety	Safety/Design Engr	Modal Safety Executive Committee	FHWA Division Offices provide copy of SHSP process approval letter to HQ.

Attachment B - Program Responsibility Matrix

Number	Activity	Authority	Frequency	Report Required	WSDOT Action	Division Action	Due Date	FHWA HQ Program Office	FHWA Division Responsible Program Office	State DOT Responsible Program Office	Remarks
190	Highway Safety Improvement Program (HSIP) and Railway-Highway Crossing Program (RHCP) Reports	23 USC 148(h), 23 CFR 924.15	Annually	Yes	Prepare and Submit to Division	Approve and Submit to FHWA HQ	31-Aug	Office of Safety	Safety/Design Engr	Modal Safety Executive Committee	As per MAP-21 guidance, reports are due to FHWA Division Office by August 31st, and to the Office of Safety by September 30.
191	Transportation Performance Management (TPM) for Safety	23 USC 150, 23 USC 134, 23 USC 135, 23 USC 148(i)	Annually	Yes (Annual HSIP Report)	Set Targets	Monitor, Approve, and Submit to FHWA HQ	31-Aug	Office of Safety	Safety/Design Engr	Modal Safety Executive Committee	Per MAP-21, States and MPOs must set targets for established measures. Targets must be assessed for achievement
192	Review Drug Offender Driver's License Suspension Law & Enforcement Certification (Section 159)	23 USC 159 23, CFR 192.5	Annually	Governor's Certification	Prepare and Submit to Division	Submit to FHWA HQ	1-Jan	Office of Safety	Safety/Design Engr	Capital Program Development & Management	Certifications due to the Division Office by January 1.
193	Section 154/164 Compliance Status - Funds Reservation	23 USC 154 and 23 USC 164	Annually	N/A	Prepare and Submit to Division	Submit to FHWA HQ	30-Oct	Office of Safety	Safety/Design Engr	Capital Program Development & Management	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.
194	Review Safety Belt Compliance Status	23 USC 153, 23 CFR 1215.6	Annually	Yes	N/A	Monitor	Annually	Office of Safety	Safety/Design Engr	N/A	NHTSA
195	High Risk Rural Roads (HRRR) Special Rule	23 USC 148(g)(1)	Annually	N/A	N/A	N/A	Annually	Office of Safety	Safety/Design Engr	Capital Program Development & Management and Local Programs	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.
196	Older Drivers and Pedestrians Special Rule	23 USC 148 (g)(2)	Annually	Yes	Prepare and submit to Division	Approve and Submit to FHWA HQ	31-Aug	Office of Safety	Safety/Design Engr	Local Programs & CPDM	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.
197	FHWA Emergency Preparedness Program	Executive Order 12656 and FHWA Order 1910.2C	As needed	Yes	Prepare and submit to Division	Approve and Submit to FHWA HQ	Not Applicable	Office of Operations	Planning	WSDOT EOC	

Approved Procedures, Agreements, & Manuals		Require FHWA Approval
WSDOT Manuals		
	Bridge Design Manual (M 23-50)	X
	Bridge Inspection Manual (M 36-64)	X
	Construction Manual (M 41-01)	X
	DBE Program Plan	X
	Design Manual (M 22-01)	X
	EEO Assurances (Part I Contractor Compliance and Part II Internal Employment)	X
	Environmental Manual (M 31-11)	X
	General Special Provisions	X
	Geotechnical Design Manual (M 46-03)	X
	Hydraulics Manual (M 23-03)	X
	Local Agency Guidelines (M 36-63)	X
	MUTCD-Washington Modifications	X
	ROW Manual (M 26-01)	X
	Standard Specifications for Road, Bridge and Municipal Construction (M 41-10)	X
	Statewide Transportation Improvement Program (STIP)	X
	TITLE VI Program/Limited English Proficiency Implementation Plan	X
	Standard Plans (M 21-01)	X
	Accounting Manual Chapter 9 – Federal Information	
	Ad and Award Manual (M 27-01)	
	Agreement Manual (M 22-99)	
	Consultant Service Procedures Manual (M 27-50)	
	Emergency Procedures Manual (M 3014)	
	Gray Notebook	
	H&LP Environmental Classification Summary (ECS) Guidebook	
	Highway Advertising Control (M 22-95)	
	Highway Runoff Manual (M 31-16)	
	Maintenance Manual (M 51-01)	
	Materials Manual (M 46-01)	
	Plans Preparation Manual (M 22-31)	
	Project Control and Reporting Manual (M 3026)	
	Research Procedures Manual, January 1995	
	Roadside Manual (M 25-30)	
	Roadside Policy Manual (M3110.01)	
	Temporary Erosion and Sediment Control Manual (M 3109.01)	
	Transportation Attainment Report (Asset Mgmt)	
	Traffic Manual (M 51-02)	
	Utilities Manual (M 22-87)	
	Vessel Engineering Manual (M68-03)	
	Work Zone Traffic Control Guidelines (M 54-44)	
Programmatic Agreements		
	Safety Strategies for Program Building	X
	ADA Self Evaluation and Transition Plan(s) (FHWA has delegated authority from the Department of Justice to monitor and enforce compliance of its recipients/subrecipients)	
	Approval and State Payment System (RASPS) Interface Connection Security Agreement	
	Fiscal Management Information System (FMIS) Interface Connection Security Agreement	
	Individual Tribal Agreements	
	Section 106 Statewide Programmatic Agreement	
	WSDOT Disposals and Turnbacks for Continued Highway Purpose - Non Interstate	

Other Miscellaneous Program Direction		
	FHWA Approval of Criteria for 48-Month Bridge Inspection Intervals 05/07/1998	X
	FHWA Approval of WSDOT Video Bridge Deck Inspection 03/15/2005	X
	State Planning and Research (SPR) Work Program	X
	August 16, 1999 Letter to USFWS designating WSDOT as FHWA's non-Federal representative on informal ESA consultations	
	Cash Management Improvement Act Agreement	
	FHWA Memo Requiring Coordination of Design Exceptions from the 16-ft Vertical Clearance Standard Over the Interstate System 10/6/1997	
	FHWA Order - Financial Integrity Review and Evaluation (FIRE) Program	
	FHWA Recording and Coding Guide for the Structure Inventory and Appraisal of the Nation's Bridge	
	ITS Regional Architectures and Strategic Plans	
	May 10, 1999 Letter to NOAA designating WSDOT as FHWA's non-Federal representative on informal ESA consultations	
	Washington Strategic Highway Safety Plan – Target Zero	

Summary of WADIV Annual Stewardship Indicators

The Stewardship Indicators data will be collected on a calendar year cycle, indicators will be due to the Division by the following February. Most indicators will be submitted directly from WSDOT to the appropriate Division Program Manager, unless noted otherwise. The Field Operations Team Leader will coordinate with the Division Program Managers and compile a Stewardship Indicators Summary Report.

Number	Program Area	WADIV Annual Stewardship Indicators	WSDOT	Local Agencies	Comments
1	Bridge	Total number of bridge inspections due in calendar year, and the number actually performed. Indicator will be expressed as a percentage, for all structures reported for both State and locally-owned structures, and reported annually.	X	X	Local Programs Bridge Engineer will submit locally owned structures report separate of WSDOT owned structures.
2	Bridge	Total costs expended for NBI inspections annually. Indicator will be expressed as a percentage, for all NBI bridge inspections completed for both State and locally-owned structures, and reported annually.	X	X	Local Programs Section of WSDOT will provide a generic query to local agencies and will report separately of WSDOT. The indicator will be ballpark information at best.
3	Bridge	Total deck area of structurally deficient NHS bridges for the state of Washington. Indicator will be expressed as a percentage, for all structures reported by the state of Washington overall, and for both State and locally-owned structures, and reported annually.	X	X	Local Programs Bridge Engineer will submit locally owned structures report separate of WSDOT owned structures.
4	Bridge	Total deck area of structurally deficient non-NHS bridges for the state of Washington. Indicator will be expressed as a percentage, for all structures reported by the state of Washington overall, and for locally-owned structures, and reported annually.	X	X	Local Programs Bridge Engineer will submit locally owned structures report separate of WSDOT owned structures.
5	Bridge	Total number of load restricted structures within the state of Washington compared to non-load restricted structures. Indicator will be expressed as a percentage, for all structures reported by the state of Washington overall for NHS routes and non-NHS routes, and for both State and locally-owned structures and reported annually.	X	X	Local Programs Bridge Engineer will submit locally owned structures report separate of WSDOT owned structures.

Number	Program Area	WADIV Annual Stewardship Indicators	WSDOT	Local Agencies	Comments
6	Civil Rights	Number of complaints received (formal/informal) regarding prompt payment/return of retainage and actions taken.	X		Local Programs and WSDOT report this information to OEO. OEO complies and submits report to FHWA Division Civil Rights Manager.
7	Civil Rights	Timeliness of reporting (Program Plan/Update submissions).	X		
8	Civil Rights	# of agencies with updated ADA Transition Plans inclusive of their public right of way facilities.	X		Local Programs will report this information separate of WSDOT as part of their annual Stewardship Report.
9	Construction and Contract Administration	Advertised Bid Opening Date vs. Actual Bid Opening Date	X		
10	Construction and Contract Administration	Original Working Days vs. Final Working Days by Region	X		
11	Construction and Contract Administration	Award Amount vs. Engineer's Estimate (Avg. % By Region)	X		Local Programs reports similar information as part of their Annual Stewardship Report.
12	Construction and Contract Administration	Final Amount vs. Award Amount (Avg. % by Region)	X		
13	Construction and Contract Administration	Compile and submit all Public Interest Findings Yearly	X	X	Both WSDOT and Local programs currently collect and submit PIFs
14	Local Agency	Continued submission of Annual Stewardship Report.			Typical Information included: Project Management Reviews, Value Engineering, Ineligible Items, Agency Certifications
15	Design, Pre-Construction, Contract Admin	WSDOT will report annually the following: • Design Standards - Report on Design Variances (number, type, description, justification) • # of Approved PIFs for Proprietary Items	X		Local Programs will report this information separate of WSDOT as part of their annual Stewardship Report.

Number	Program Area	WADIV Annual Stewardship Indicators	WSDOT	Local Agencies	Comments
		# of Approved PIFs for Agency Forces			
16	Environment	List of Programmatic CE certifications, including the particular subsection of 23 CFR 771.117 that applies and information on the duration of each project. The report shall be posted within 15 days of the end of each quarter (data available from the WSDOT ECS database and the Highways and Local Programs tracking spreadsheet).	X		Local Programs and WSDOT reports this directly the FHWA WA Division Environmental Program Manager Quarterly
17	ITS/Mobility	# of Adaptive Signal Control WSDOT and H&LP projects deployed, and % of these that used high-risk ITS Systems Engineering process.	X		Local Programs Traffic Service Manager and WSDOT's Signal, Illumination & ITS Engineer will submit report to FHWA WA Division Transportation Mobility Engineer. Local Programs will report this information separate of WSDOT as part of their annual Stewardship Report.
18	ITS/Mobility	# of High Risk ITS WSDOT and H&LP projects deployed, and % of these that used high-risk ITS Systems Engineering process.	X		Local Programs Traffic Service Manager and WSDOT's Signal, Illumination & ITS Engineer will submit report to FHWA WA Division Transportation Mobility Engineer. Local Programs will report this information separate of WSDOT as part of their annual Stewardship Report.
19	Research	The biennial number of Research or Technology Transfer projects initiated and completed.	X		
20	Right of Way	# of ROW Cert 3's issued. Two categories should be reported: # of Cert 3's resolved by bid opening # of Cert 3's that exempted parcels, allowing construction to start before acquisition was complete	X		WSDOT ROW Manager will submit report to FHWA Division ROW Manager

Number	Program Area	WADIV Annual Stewardship Indicators	WSDOT	Local Agencies	Comments
21	Right of Way	# of acquisitions that occur through condemnation and/or alternate dispute resolution techniques.	X		WSDOT ROW Manager and will submit report to FHWA Division ROW Manager
22	Right of Way	Local Agency Acquisition Summary Report		X	Local Programs ROW Manager will submit as part of the annual stewardship report to FHWA
23	Right of Way	# of Qualified Certificates with a summary of the issues of why they are qualified,	X		WSDOT ROW Manager and will submit report to FHWA Division ROW Manager
24	Right of Way	# of times does the Appraisal Reviewer: o Sends appraisal back for corrections o Becomes the appraiser of record	X		WSDOT ROW Manager will submit report to FHWA Division ROW Manager
25	Right of Way	# of Relocation reconsideration/Appeals with a summary of the issues.	X		WSDOT ROW Manager and will submit report to FHWA Division ROW Manager
26	Highway Beautification Act	WSDOT provides an annual report on Outdoor Advertising.	X		
27	Highway Beautification Act	WSDOT provides annual report on Junkyard Control	X		