Washington State Department of Transportation

Publications Transmittal

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PT 05-057	October 2005
Publication Distribution	
To: *All Local Agency Guidelines* holders	
Publication Title	Publication Number
Local Agency Guidelines – Revision 2005-2	M 36-63
Originating Organization	
Washington State Department of Transportation Highways and Local Programs Division through Engineering Publications	

Remarks: All Local Agencies Guidelines Manual Holders:
To download the October 2005 Local Agency Guidelines Manual changes in their entirety electronically, go to: http://www.wsdot.wa.gov/TA.Operations/LAG/LAGHP.htm

Summary of Changes:
Please Note: The following list is a brief overview of each revision. The actual revision should be reviewed in-depth to become completely knowledgeable of the revision.

Foreword
Changed the LAG Committee Table of Organization and the list of contacts.

Chapter 13
Complete chapter rewrite to update information per new laws.

Appendix 14.62
There is one added line in Appendix 14.62 and various other corrections.

Chapter 21
Appendix 21.43 wording has changed in the Design Approval Section. Also a change in the form 140-101, which has been updated in appendix 21.47.

Chapter 22
Section 22.3 has been changed to outline Bridge funding options.

Chapter 24
Changes to the Flow Charts on pages 24-5 and 24-6. There is added text in the section explaining how to update endangered species listings.

Chapter 27
Changed the dates to submit training reports to reflect those in the WSDOT Construction Manual.

Chapter 31
Appendix 31.911, revised 09/05. Updated form has been electronically posted also.

Chapter 34
Complete rewrite to update the process to that currently is in use and reflect the changes in the new transportation act. This rewrite combines information formerly in chapter 64 with the information in chapter 34.
This revision will delete chapter 64.

Chapter 42
Minor changes and corrections to the text.

Chapter 52
Minor changes and corrections to the text. Appendix 52.104 had a minor change to the text.

Chapter 53
Minor revisions to text in section 53.31 and some changes to the Appendices.

Chapter 64
Entire chapter is deleted.

Instructions:

Chapter	Remove		Insert	
	Pages	Sheets	Pages	Sheets
Foreword	i - iv	2	i - iv	2
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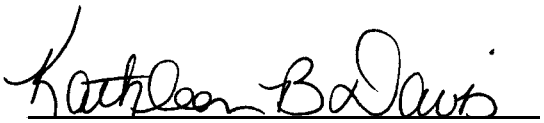
Foreword

This manual was published to provide local agencies with statewide policies and standards to follow when using Federal Highway Administration (FHWA) funds for transportation projects. Considerable effort has been made to provide guidance on how to accomplish the work and document the results, and to incorporate the flexibility options provided by the Safe, Accountable, Flexible, Efficient Transportation Equity Act - A Legacy for Users (SAFETEA-LU).

Numerous committees are involved in this manual, directly and indirectly. A special thanks to the City and County Design Standards and Local Agency Guidelines (LAG) Committee members, and active participation by the Consultant Engineers Council of Washington, the Washington State Department of Transportation (WSDOT) advisors, and the FHWA.

Updating the manual is a continuing process. The LAG Committee will periodically meet to consider changes and issue revisions. Questions, observations, and recommendations are invited. The document comment page is provided to encourage comments. Please use it to transmit comments, including marked copies of manual pages, to WSDOT Headquarters Highways and Local Programs.



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Contents

Chapter 13 Certification Acceptance Program

13.1 General Discussion

The Federal Highway Administration (FHWA) through a Stewardship Agreement, delegates authority to the Washington State Department of Transportation (WSDOT) for approving project development and construction administration. WSDOT has the option of delegating some or all of this authority to qualified local agencies, state or federal agencies, or Tribal governments. This procedure permits an agency to retain more of the approval authority at the local level when developing FHWA assisted transportation projects. WSDOT delegates this authority through a Certification Acceptance (CA) program. The CA program does not eliminate any project development procedures. Benefits of CA to a local agency include savings in time and money since the agency has the authority to develop, advertise, award, and manage its own projects. Another benefit is that only agencies with CA status may construct federal aid projects using agency forces.

CA requires local agencies to commit sufficient staff and other resources to project administration to ensure that all applicable state and federal requirements are met, and that the work can be accomplished efficiently. Once an agency has been certified, the certification agreement remains in effect indefinitely unless rescinded due to lack of performance or modified by one of the parties.

A CA agency has the option of requesting that WSDOT or another CA agency administer any given project.

13.2 Certification Acceptance (CA) Features

A certified agency is the approving authority for administering FHWA funded projects in the following project items:

a. Design.

b. Utility agreements.

c. Railroad agreements.

d. Standard consulting engineering agreements.

e. Public hearings, findings, and orders.

f. Plans, specifications, and estimates.

g. Tied bids.

h. Advertisement, award, and execution of construction contracts.

i. Construction administration.

j. Construction material testing and testing personnel.

All of the above functions should be administered per the responsibilities outlined in the Agency's approved CA Agreement.

WSDOT and FHWA retain approval authority for the following:

WSDOT

a. Implementation of the DBE, Title VI, and EEO programs.

b. Agency Certification Acceptance (CA) approval.

c. Project Final Acceptance.

d. Nonstandard Consultant Agreements, when applicable.

e. Documentation/Project Management Reviews.

FHWA

a. Authorization of FHWA funds.

b. Approval of National Environmental Protection Act (NEPA) and Endangered Species Act (ESA) environmental documents.

c. Right-of-way certification approval.

d. Approval of WSDOT's Disadvantaged Business Enterprises (DBE), Title VI (Civil Rights Act of 1964), and Equal Employment Opportunity (EEO) programs.

e. Approval of the Local Agency Guidelines (LAG) manual.

13.3 Certification Acceptance Requirements

a. Projects must be administered in accordance with the Local Agency Guidelines (LAG) manual.

b. Projects must be administered utilizing a Professional Civil Engineer registered in the state of Washington who is either on staff as a public employee or is a contract employee designated as the agency's Engineer.

c. The agency shall have sufficient expertise and capability to perform and supervise the design, environmental, PS&E, and construction-administration phases of the project.

d. The agency must have designated an official approving authority for all WSDOT-delegated project approvals. This authority (e.g., agency executive or policy body) must officially approve each project step for which it is the approving authority, as identified in the agreement.

13.4 Application for Certification Acceptance

An agency applying to administer contracts under Certification Acceptance procedures must submit two copies of the Certification Acceptance Qualification Agreement and their Table of Organization to the Region Highways and Local Programs Engineer. A "Certification Acceptance Qualification Agreement" form is located at the end of this chapter and is also available through the WSDOT Region Local Programs Engineer.

After receiving the CA Qualification Agreement, the WSDOT Highways and Local Program's Project Development Engineer will conduct an interview with the local agency administrators to determine whether the agency is capable of administering an FHWA-funded project. Areas of consideration will be a determination of past performance, current staffing, overall capability, and knowledge of FHWA and state requirements.

Based on the interview, the Director of H&LP will allow the agency to administer a project under a trial/mentoring status. Immediately following the completion of the project, a Project Management Review (PMR) will be performed to evaluate how the agency performed. A favorable PMR will result in the agency achieving CA status.

13.5 Certification Acceptance (CA) Compliance

The WSDOT Region Local Programs Engineer will consult and advise the CA agency concerning the project-management procedures to be followed. The level of this assistance will depend on the nature of each project and the demonstrated capabilities of the agency. In addition, the Director of Highways and Local Programs will annually select projects for an in-depth procedural review. Typical procedural review questions and documents to be examined during this review are listed in Chapter 53.

The agency may lose CA status, have its delegation of authority reduced to a project or phase of a project, or be placed on probationary CA. This may be the result of

- A PMR or Documentation Review
- An audit by the State Auditor
- Final project inspection
- The qualifications and experience of the agency staff are altered.

If a vacancy occurs in the positions described in the CA Agreement as "Approving Authority," the Region Local Programs Engineer shall be notified and may schedule an interview of the replacement person.

The loss of CA status and reinstatement conditions will be outlined in a letter from H&LP.

13.6 Non-CA Status

If an agency does not have CA status, the following two options are available for administration of a FHWA funded project

Option 1

- CA Agency Administering a Project for a Non-CA Agency

A non-CA agency enters into an Agreement with a CA agency to administer all aspects of the project. This requires approval by the Region Local Programs Engineer.

Option 2

- The Region Local Programs Engineer acts as the CA for the agency and approves an agency to perform specific aspects of a project. An approved plan for the administration of the project is executed between the Region Local Program Engineer and the agency. This category allows projects of smaller sizes to be performed in part by the agency. The project plan shall address such issues as:
- Financing approvals — accounting/billing capabilities.
- Consultant involvement and monitoring. The agency must obtain the approval of the Region Local Programs Engineer prior to selection of a consultant.
- Development of Design and Design Documentation
- Development of plans, specifications, and estimates.
- Approval of contract documents.
- Advertising, award, execution of a contract.
- Contract oversight and documentation.
- Change Order Approval
- Material Approval

Forms

Certification Acceptance Qualification Agreement

Certification Acceptance Interview Form

Certification Acceptance Qualification Agreement

AGENCY _____ **AGENCY NO.** _____

The agency agrees to comply with the following requirements when developing all Federal Highway Administration (FHWA) projects under _____ CA status.

1. Adherence to the *Local Agency Guidelines* and all policies and procedures promulgated by the Washington State Department of Transportation (WSDOT) which accomplish the policies and objectives set forth in Title 23, U.S. Code, Highways, and the regulations issued pursuant thereto.

2. The overall approval authorities and conditions will be as follows:

   a. The project prospectus will be reviewed and approved by the following official.

   _____
   Position Title Only

   b. The local agency agreement will be reviewed and approved by the following official or officials.

   _____
   Position Title Only

   c. The designs and environmental documents will be reviewed and approved by the following state of Washington registered Professional Civil Engineer.

   _____
   Position Title Only

   d. The hearing's findings (if required) will be reviewed and approved by the following official or officials.

   _____
   Position Title or Titles Only

   e. The contract plans, specifications and estimate of cost will be reviewed and approved by the following state of Washington registered Professional Engineer.

   _____
   Position Title or Titles Only

   f. Agreements will be signed by the following responsible local official:

   (1) Railroad _____
   Position Title Only

   (2) Utility _____
   Position Title Only

   (3) Consultant _____
   Position Title Only

   (4) Technical Services _____
   Position Title Only

   g. The award of contract will be signed by the following responsible local official.

   _____
   Position Title Only

   h. All projects will be constructed in conformance with the Washington State Department of Transportation/American Public Works Association (WSDOT/APWA) current *Standard Specifications for Road, Bridge, and Municipal Construction* and such specifications that modify these specifications as appropriate. Multimodal enhancement projects shall be constructed in conformance with applicable state and local codes.

i. The contract administration will be supervised by the following state of Washington registered Professional Civil Engineer.

_____
Position Title Only

j. Construction administration and material sampling and testing will be accomplished in accordance with the WSDOT *Construction Manual* and the *Local Agency Guidelines.*

3. The agency agrees that they have the means to provide adequate expertise and will have support staff available to perform the functions being subdelegated. The support staff may include consultant or state services.

4. The agency agrees that the signature on each project prospectus and local agency agreement will be consistent with section 2 above.

5. All projects under Certification Acceptance shall be available for review by the FHWA and the state at any time and all project documents shall be retained and available for inspection during the plan development and construction stages and for a three year period following acceptance of the project by WSDOT.

6. Approval of the local agency certification by the Director of Highways and Local Programs may be rescinded at any time upon local agency request or if, in the opinion of the Director of Highways and Local Programs, it is necessary to do so. The rescission may be applied to all or part of the programs or projects approved in the local agency certification.

_____ _____
Mayor or Chairman **Date**

WASHINGTON STATE DEPARTMENT OF TRANSPORTATION

Approved By: _____ _____
Director, Highways and Local Programs **Date**

Project Title: _____

Project Location: _____

Road or Street Number: _____ **FA Program:** _____

Project Initiation
(Chapters 12, 32, and 34)

Initials	Date or N/A	
_____	_____	Project in STIP
_____	_____	Federal aid program form (Sheet 1 of Prospectus) to:
		_____ Metropolitan planning organization
		_____ Or WSDOT (Region Highways and Local Programs)
_____	_____	Program of project approved by appropriate agency

Project Prospectus
(Chapters 21, 24, 41, and 43)

_____	_____	Sheet 1
		_____ Project information, local agency project number
		_____ Description of proposed work and existing facility
		_____ Cost estimate of all phases
		_____ Proposed obligation date
		_____ Environmental determination (CE, EIS, EA)
		_____ Request species listing from USFWS, NMFS, DNR, and WDFW
		_____ Signature block
_____	_____	Sheet 2
		_____ Geometric design data
		_____ Accident data
		_____ Environmental considerations
		_____ Performance of work
_____	_____	Sheet 3
		_____ Right-of-way relocation
		_____ Utility relocations
		_____ FAA Involvement
		_____ Signature
		_____ 3-R safety checklist, typical roadway, vicinity map
_____	_____	Project application checklist

Local Agency Agreement
(Chapters 22 and 23)

Initials	Date or N/A	
_____	_____	Billing address
		_____ Description of work matches prospectus
		_____ Check math on agreement
		_____ Federal aid matching percentage
		_____ Method of financing
		_____ Agreement signed by approving authority

Request Preliminary Engineering Funds
(Chapter 14)

_____	_____	Project programmed
_____	_____	Project application package to Region Highways and Local Programs Engineer:
		_____ Project prospectus with attachments
		_____ Local Agency Agreement
		_____ Project application checklist completed
_____	_____	PE funds authorized by the Director of Highways and Local Programs

Consultant Selection Process
(Chapter 31)

_____	_____	Independent estimate for consultant services and recommendation (request) to approving authority
_____	_____	Receive approval to advertise for consultant services
_____	_____	Advertise for consultant services
_____	_____	Develop consultant evaluation selection criteria
_____	_____	Select minimum of three best qualified firms
_____	_____	Submit request for approval of selected firm to approving authority
_____	_____	Conduct preaward audit (if necessary) before negotiations
_____	_____	Approving authority approves selection, negotiation begins
_____	_____	Negotiation completed — submit final draft of agreement, etc., to the approving authority
_____	_____	Receive approval from approving authority
_____	_____	Agreement signed by consultant
_____	_____	Agreement executed by approving authority (consultant may now begin work)
_____	_____	Notice to proceed sent to the consultant
_____	_____	Send copy of agreement to Region Highways and Local Programs Engineer

Consultant Administration
(Chapter 31)

Initials	Date or N/A	
_____	_____	Oversee the consultant's work and billings to ensure compliance with the agreement
_____	_____	Prepare diary to record discussions and visitation with the consultant
_____	_____	Check consultant billings regarding employee classification, wage rate, actual invoices for direct non salary costs, etc.
_____	_____	Enter consultant payment on ledger system
_____	_____	Conduct consultant employee interviews
_____	_____	Establish and maintain a tracking system to monitor consultant agreement expiration dates

Environmental Processes
(Chapter 24)

Categorical Exclusion

_____	_____	For Categorical exclusion to be approved by FHWA complete the Biological Assessment (BA) process and Section 106 process
	_____	Submit species listings requests
	_____	Submit determination of APE to SHPO/THPO
	_____	Complete the ECS using the listings
	_____	Submit completed draft BA to WSDOT Region Highways and Local Programs for review
	_____	Submit completed Section 106 documentation to WSDOT Regional Local Programs for review
	_____	Revise and re-submit BA to Region Highways and Local Programs Office
	_____	Get concurrence from WSDOT, NMFS, and/or USFWS
	_____	Get concurrence from SHPO/THPO
	_____	Submit concurrence letters for BA and Section 106 requirements, final BA, final Section 106 documentation, and final ECS to Region Highways and Local Programs Office for FHWA approval

Environmental Assessment

_____	_____	Prepare SEPA checklist for local environmental assessment
_____	_____	Submit draft environmental assessment to the Director of Highways and Local Programs
_____	_____	Revise draft environmental assessment
_____	_____	Approve draft environmental assessment
_____	_____	Publish environmental assessment notice
_____	_____	Publish opportunity for public hearing
_____	_____	Submit revised environmental assessment and legal notice to the Director of Highways and Local Programs
_____	_____	Finding of no significant impact by FHWA
		-or-
_____	_____	Establish requirement for Environmental Impact Statement

Environmental Impact Statement
(Chapter 24)

Initials	Date or N/A	
_____	_____	Publish notice of intent
_____	_____	Submit interdisciplinary team recommendations to project manager
_____	_____	Develop public involvement plan
_____	_____	Develop data inventory and evaluation from interdiscipinary team
_____	_____	Project manager reviews preliminary discipline reports
_____	_____	Submit preliminary Draft Environmental Impact Statement to the Director of Highways and Local Programs
_____	_____	Receive Washington State Department of Transportation comments on above
_____	_____	Submit camera-ready Draft Environmental Impact Statement to Region Highways and Local Programs Engineer for signature
_____	_____	Receive approval to print Draft Environmental Impact Statement
_____	_____	Submit circulation copies to Regional Highways and Local Programs Engineer
_____	_____	Publish in Federal Register (minimum 45 days comment period)
_____	_____	For state route, obtain Washington State Department of Transportation approval before advertising for public hearing
_____	_____	Advertise opportunity for public hearing
_____	_____	Submit preliminary Final Environmental Impact Statement and draft record of decision to Region Highways and Local Programs Engineer
_____	_____	Receive comments from the Director of Highways and Local Programs
_____	_____	Receive approval to print Final Environmental Impact Statement
_____	_____	Submit final Environmental Impact Statement to Region Highways and Local Programs Engineer
_____	_____	Receive FHWA approval
_____	_____	Circulate final Environmental Impact Statement
_____	_____	Final record of decision approved by FHWA

Location and Design Approval
(Chapter 43)

Initials	Date or N/A	
_____	_____	Submit project prospectus
_____	_____	Submit design report
_____	_____	Submit pavement design criteria
_____	_____	Meet public hearing requirements
_____	_____	Meet environmental requirements
_____	_____	Concurrence with BA effect determinations
_____	_____	ECS approval by FHWA
_____	_____	For major bridge project, submit type, size, and location study to Region Highways and Local Programs Engineer
_____	_____	Obtain FHWA approval of the type, size, and location study
_____	_____	For traffic signal projects, submit warrants for signalization to Region Highways and Local Programs Engineer
_____	_____	Obtain location and design approval
_____	_____	Publish design approval notice

Right-of-Way Funding and Acquisition

Funding (Chapter 14)

_____	_____	Project in STIP
_____	_____	Complete design hearing requirements
_____	_____	Approve right-of-way plan
_____	_____	Submit right-of-way relocation plan (if required) to Region Highways and Local Programs Engineer
_____	_____	Submit right-of-way acquisition plan, right-of-way project funding estimate or true cost estimate, supplement to Local Agency Agreement and FHWA approval of environmental documents, to Region Highways and Local Programs Engineer with request for right-of-way funds
_____	_____	Receive authorization to acquire R/W from the Director of Highways and Local Programs

Acquisition (Chapter 25)

_____	_____	Acquisition procedures approved by the Director of Highways and Local Programs
_____	_____	Set up documentation file for each parcel
_____	_____	Set up commitment file
		Appraisal:
_____	_____	Appraiser meets WSDOT criteria
_____	_____	Give landowner opportunity to accompany appraiser
_____	_____	Signed appraiser certification in file

Initials	Date or N/A	
_____		Appraisal Review:
_____	_____	Appraisal reviewer meets WSDOT criteria
_____	_____	Date of value determination precedes commencement of negotiations
_____	_____	Just compensation set by agency
_____	_____	Signed review appraiser certification in file
_____		Negotiations:
_____	_____	Prepare diary of all owner contacts
_____	_____	Give owner written statement of just compensation (Offer Letter)
_____	_____	Ensure that settlement contains construction clauses
_____	_____	Obtain evidence of clear title
_____	_____	Negotiator disclaimer statement in file
_____		Relocation Plan:
_____	_____	Approved by WSDOT
_____	_____	Send written notice to vacate
_____	_____	Check for filed appeal against local agency offer
_____	_____	Complete relocation
_____	_____	Complete acquisition
_____	_____	Complete administrative settlement documentation
_____	_____	Place a copy of deeds in file
_____	_____	Send:
		_____ Letter of certification
		_____ LPA coordinator conducts certification review
		_____ WSDOT's certification by Real Estate Services, Assistant Director Local Agency Projects

Plans, Specifications, and Estimates
(Chapters 24, 26, 27, and 44)

Initials	Date or N/A	
_____	_____	Review commitment and correspondence file
		When applicable, secure the following permits or interagency coordination:
		_____ Airport roadway clearance from FAA
		_____ Coastal zone management compliance from DOE
		_____ For cultural, archeological, or historic sites SHPO contacted
		_____ Obtain concurrence letters for environmental determination
		_____ Request updated ESA species lists every six months
		_____ When waters modified or controlled, USFWS and State Department of Fisheries and Wildlife consulted
		_____ When stream is affected, permit from DOE
		_____ For timber supporting land, permit from DNR
		_____ When construction might reduce water quality, contact DOE
		_____ For quarries of 2 acres (0.81 ha) and 10,000 tons (9 091 metric tons) or more DNR contacted
		_____ Waters/wetlands — Army Corps of Engineers contacted
		_____ For navigable waterways, permit from Coast Guard obtained
		_____ If wetlands are affected, U.S. Fish and Wildlife Service or National Marine Fisheries Services contacted
		_____ Utility agreement obtained
		_____ Railway agreement(s) obtained
		_____ On all federal aid projects, any revision to Division 1 or Division 1-99 of the Standard Specifications requires prior written approval from Highways and Local Programs
_____	_____	PS&E completed:
		_____ Vicinity map
		_____ Summary of quantities
		_____ Pit, quarry, stockpile, and waste sites
		_____ Reclamation plans
		_____ Roadway sections
		_____ Plans/profiles
		_____ Utility
		_____ Structure notes
		_____ Signing
		_____ Illumination
		_____ Bridge plans
		_____ Traffic control
		_____ Standard plans
		_____ Sheets numbered and dated
		_____ Each sheet signed and stamped by Professional Engineer

	_____	Bridge plans, design calculations, and soil report to Region Highways and Local Programs Engineer (State Ad and Award only)
	_____	Form FHWA-1273 and latest amendment included
	_____	Log of test borings
	_____	Training requirements
	_____	EEO requirement clauses
	_____	For steel, included Buy America requirement
	_____	Traffic control special provisions
	_____	Specialty items
	_____	General special provisions and amendments arranged in order and indexed
	_____	Project proposal
	_____	Federal Aid Proposal Notices (2 pages)
	_____	Noncollusion Declaration
	_____	Contract
	_____	Certification for Federal Aid Contracts (Lobbying)
	_____	DBE Utilization Certification
	_____	Engineer's estimate complete
	_____	Documentation for each item in engineer's estimate
	_____	Justification for nonparticipating items
	_____	Detailed documentation for lump sum items available in project files
	_____	Estimate to Region Highways and Local Programs Engineer
	_____	Training goal set by the Director of Highways and Local Programs
	_____	DBE goal set by the Director of Highways and Local Programs
	_____	Approval of local agency supplied materials
	_____	Sources approved by approving authority
	_____	Approval of stockpiling by the Director of Highways and Local Programs (when payment is requested for material when stockpiling aggregates, etc., for use on a future federal aid project)
	_____	Distribution of preliminary plans as determined by local agency
_____	_____	Field review of PS&E (State Ad and Award only)
_____	_____	For tied bids, letter from approving authority
_____	_____	For State Ad and Award, financial responsibility letter with PS&E documents sent to Region Highways and Local Programs Engineer
_____	_____	PS&E approved by approving authority
_____	_____	Plans, contract specifications and estimate stamped, signed, and dated, and on file in the local agency office
_____	_____	State and federal wage rates added to ad plans
_____	_____	PS&E sent to Region Highways and Local Programs Engineer

Request Construction Funds
(Chapter 14)

Initials	Date or N/A	
_____	_____	Project in STIP
_____	_____	Send letter with the following attachments to Region Highways and Local Programs Engineer requesting construction funds:
		_____ Supplement to Local Agency Agreement, if project includes other phases
		_____ Letter of right-of-way certification
		_____ Final FHWA approval of enviornmental documents

Local Ad and Award

Advertise for Bids (Chapter 46)

_____	_____	Get Highways and Local Programs Contract Number _____ from Region Highways and Local Programs Engineer
_____	_____	Approve ad period of less than 3 weeks
_____	_____	Publish notice of bid opening
_____	_____	Date of publication for sealed bids

Bid Opening (Chapter 46)

_____	_____	Issued addendum (if within one week of bid opening, bid opening should be delayed)
_____	_____	Opened Bids
_____	_____	Prepared bid tabulation sheet
_____	_____	Checked submitted bids for tabulation errors
_____	_____	Completed bid and bidders tabulation sheet
_____	_____	Checked DBE participation project goals — verify DBE certification status
_____	_____	Determine responsive bid
_____	_____	Determine contractor qualifications
_____	_____	Contractor registered by Washington State Department of Labor and Industries
_____	_____	Contractor licensed as required by the laws of the State of Washington
_____	_____	Excluded Parties Listing System checked and documented - (http://epls.arnet.gov)
_____	_____	Award recommendation sent to approving authority
_____	_____	When low bid is over engineer's estimate, submit justification and letter of award recommendation to approving authority
_____	_____	Submit supplement to Local Agency Agreement
_____	_____	Supplement approved by the Director of Highways and Local Programs

Award of Contract (Chapter 46)

Initials	Date or N/A	
_____	_____	Establish contract award date _____
_____	_____	Sent "Award Letter" to successful low bidder
_____	_____	Sent "Condition of Award" to successful low bidder if DBE goals are set in the contract
_____	_____	Notify all unsuccessful bidders
_____	_____	Return bid bonds (except for first three)
_____	_____	Notify second and third bidders of holding bid bonds until execution
_____	_____	Sent award data to the Region Local Programs Engineer:

- _____ Tabulation of bids
- _____ Engineer's estimate
- _____ Actual versus estimated costs shown in Local Agency Agreement
- _____ Award letter
- _____ DBE utilization certification, form 272-056A (if applicable)
- _____ Estimated date of contract completion or number of working days for the contract
- _____ Names and addresses of all firms that submitted a quote to the successful low bidder

DATE OF AWARD IS CUTOFF FOR CHARGING TO PRELIMINARY ENGINEERING

Construction Administration

Execution of Contract (Chapter 46)

_____	_____	Sent contract and contract bond papers to contractor for signature
_____	_____	"Certificate of Insurance" received from contractor
_____	_____	Approving authority executed contract documents
_____	_____	Notified the contractor by phone of the execution of the contract
_____	_____	Executed a copy of the contract to contractor
_____	_____	Sent notice to proceed to contractor, with cc to Region Highways and Local Programs Engineer
_____	_____	Returned bid bonds to second and third bidders

Preconstruction Conference (Chapter 51)

_____	_____	Notice of preconstruction conference to:

- _____ Contractor
- _____ Region Highways and Local Programs Engineer
- _____ Affected utility companies
- _____ Police department
- _____ Fire department
- _____ Hospital
- _____ Ambulance service
- _____ Post Office
- _____ Others _____
- _____ _____
- _____ _____

Initials	Date or N/A	
_____	_____	Preconstruction conference agenda prepared
_____	_____	Preconstruction conference held
		Minutes of meeting to:
		_____ Contractor
		_____ Subcontractors
		_____ Region Highways and Local Programs Engineer
		_____ Other attending persons
		_____ Invited but not represented agencies
		_____ Project file
_____	_____	"Training Program":
		_____ Received from contractor
		_____ Approved by agency
_____	_____	"Apprentice/Trainee":
		_____ Approval request from contractor
		_____ Approved by agency

Construction Documentation (Chapter 52)

_____	_____	"Record of Material Testing" received from WSDOT Materials Laboratory
_____	_____	Contractor provides copies of permits obtained from other agencies and/or property owners:
		_____ Washington State Dept. of Wildlife/Fisheries-Hydraulic Permit
		_____ Washington State Dept. of Ecology
		_____ Irrigation Regionals
		_____ Burlington Northern Railroad
		_____ Union Pacific Railroad
		_____ Air Pollution Control Authority
		_____ _____
		_____ _____
		_____ _____
_____	_____	Temporary water pollution control plan approved
_____	_____	Agency requests updated ESA species listing every six months
_____	_____	Approved contractor's progress schedule
_____	_____	Received railroad insurance from contractor
_____	_____	Construction diary started
_____	_____	Inspector's diary started
_____	_____	"Certification of Materials Origin" received from contractor
_____	_____	Material source approval received
_____	_____	Plans for falsework and forms:
		_____ Received from contractor
		_____ Approved by agency

Initials	Date or N/A	
_____	_____	Required job site posters placed by contractor
		_____ FHWA 1495 and 1495A — "Wage Rate Information"
		_____ FHWA 1022 — "Fraud Notice Poster"
		_____ OFCCP-1420 — "EEO is the Law"
		_____ WISHA LI-416-81 — "Safety and Health Protection on the Job"
		_____ Industrial insurance poster — LI-242-91
		_____ Your rights as a worker — F700-053-000
		_____ Family care and maternity — F700-025-000
		_____ Approved "Statement of Intent to Pay Prevailing Wage"
		_____ Copy of wage rates from contract documents
_____	_____	Daily construction signing records started (Checked twice daily and recorded)
_____	_____	Weekly statement of working days started
_____	_____	Material acceptance sampler appointed
_____	_____	Material independent assurance sampler appointed
_____	_____	Appointed office engineer for progress estimates and final records
_____	_____	Obtain a copy of the scale certifications
_____	_____	Daily scale check
_____	_____	Received FHWA Form 1391 for each July from contractor and subcontractors
_____	_____	FHWA Form 1392 prepared and sent to Region Highways and Local Programs
_____	_____	Received "Request to Sublet Work" and "Subcontractor or Agent Certification" from contractor
_____	_____	Approved request to sublet (subject to 70 percent limit)
_____	_____	Received "Intent to Pay Prevailing Wages" from contractor, subcontractors, and agents
_____	_____	Received approved "Intent to Pay Prevailing Wages" from Labor and Industries (required before first payment)
_____	_____	Checked first certified payroll from contractor and subcontractors to ensure payment of prevailing wages
_____	_____	Conducted random check of each successive payroll
_____	_____	Wage rate interviews conducted
_____	_____	Checked employee interview wage rate against certified payroll and Labor and Industries approved prevailing rate
_____	_____	Assigned Change Order Numbers _____
		(Highways and Local Programs approval required when change order will alter the termini, character, or scope of work. Approval must be obtained before effective date of change order to be eligible for federal participation.)
		_____ Prepare change order that details basis and need for the change
		_____ Extension of time approved _____ days
		_____ Change order signed by contractor
		_____ Change order signed by surety (if required)

Initials	Date or N/A	
		_____ Verbal approval obtained from approving authority
		_____ Signed by approving authority
		_____ Original sent to contractor
		_____ Copy of approved change order sent to Region Highways and Local Programs Engineer
		_____ Supplement to Local Agency Agreement approved by the Director of Highways and Local Programs
_____	_____	Obtained copy of monthly estimate
		_____ Verified and documented that DBE is performing a commercially useful function prior to making a monthly payment
		_____ Prepared estimate
		_____ Checked estimate
		_____ Estimate sent to contractor
		_____ Estimate received from contractor
		_____ Obtain all "Intent to Pay Prevailing Wages" forms (for first month only; no payment can be made to the contractor until the form is received)
_____	_____	Overview of DBE Work (Chapter 26):
		_____ Verify work being done per Condition of Award Letter
		_____ Conduct on-site review(s) of each DBE to determine if the DBE is performing a commercially useful function (CUF)
		_____ Review change orders that affected DBE work
		_____ DBE goal change approved by the Director of Highways and Local Programs
_____	_____	Overview of EEO (Chapter 27):
		_____ Agency designates an EEO officer
		_____ Conduct on-site compliance review
		_____ Monitor DOT Form 820-010 each month for each trade
		_____ Notify contractor of compliance or non-compliance with the contract provisions
		_____ Ensure EEO signs are posted

Project Completion
(Chapter 52)

Initials	Date or N/A	
_____	_____	Prefinal inspection by local agency and contractor completed
_____	_____	Final inspection by local construction agency and contractor completed
_____	_____	Report of Non-American Made Material (GSP 0605.GR1) received from contractor
_____	_____	Notice of completion sent to contractor
_____	_____	Extension of time request with justification received from contractor
_____	_____	Extension of time granted, _____ days
_____	_____	Extension of time refused, _____ days _____ liquidated damages
_____	_____	Letter sent notifying contractor of assessed liquidated damages
_____	_____	Copy of completion notice requesting inspection and acceptance by WSDOT and FHWA sent to the Director of Highways and Local Programs
_____	_____	Contractor submitted claim _____ No claim submitted
_____	_____	Notice of completion to: _____ Department of Labor and Industries _____ Department of Revenue
_____	_____	FHWA Form 47 required for projects on NHS routes over $1 million _____ Yes _____ No _____ Received from contractor
_____	_____	Received "Affidavit of Wages Paid" from contractor and subcontractors
_____	_____	Received ESA species listing for the project every six months
_____	_____	Received "Quarterly Report of Amounts Credited as DBE Participation" from contractor
_____	_____	Release received from Department of Labor and Industries
_____	_____	Release received from Department of Revenue
_____	_____	Comparison of preliminary and final quantities sent to approving authority
_____	_____	Material certification form sent to approving authority
_____	_____	Completed "Report of Contractor's Performance" for prime contractor
_____	_____	As built plan completed (to be retained indefinitely)
_____	_____	Final record book #1 completed
_____	_____	Final estimate approved by the approving authority
_____	_____	Final estimate received from contractor
_____	_____	Paid final estimate
_____	_____	Released retained percentage from escrow or mailed check to contractor

Project Closure
(Chapters 23 and 53)

Initials	Date or N/A	
_____	_____	Completion letter sent to Region Highways and Local Programs Engineer (within 15 days after project is completed)
_____	_____	Final billing sent to Region Highways and Local Programs Engineer (within 90 days after completion)
_____	_____	Completed final field inspection by the Region Highways and Local Programs Engineer. Deficiencies (if any) will be noted on DOT Form 140-500.
_____	_____	Resolve deficiencies found during the above field inspection
_____	_____	Informed by Region Highways and Local Programs Engineer of WSDOT final billing approval

13. Tied Bids

If the project has tied bids (see Chapter 44), indicate the approval date. If the project is tied to another federally funded project, include the federal aid project number of the project, along with other information outlined in Section 44.

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Ensure that reproductions are readable.

Federal Aid Project Number **Code the PREFIX and ROUTE number as outlined below: (Do not fill in ( ) to be used by WSDOT)**

Prefix

Code	Description
STPUL	STP Urban Funds, population greater than 200,000 (Seattle/Everett, Spokane, Clark County)
STPUS	STP Urban Funds, population 5,000 to 200,000
STPR	STP Rural Funds, population less than 5,000
STPE	Enhancement Program (Section 12.32C)
STPF	Flex Program
CM	Congestion Mitigation/Air Quality Program Nonattainment Areas, population greater than 200,000
STPX	Safety program, elimination of rail-highway hazards on federal aid system
STPXP	Safety program, installation of rail-highway protective devices
STPH	Safety program, hazard elimination program
BRS	Bridge replacement project on rural system, financed with Bridge Replacement Funds
BHS	Bridge rehabilitation project on rural system, financed with Bridge Replacement Funds
BRM	Bridge replacement project on urban system financed with Bridge Replacement Funds
BHM	Bridge rehabilitation project on urban system financed with Bridge Replacement Funds
BROS	Bridge replacement project not on the federal aid system but financed with Bridge Replacement Funds
BHOS	Bridge rehabilitation project not on the federal aid system but financed with Bridge Replacement Funds
ER	Project financed with Emergency Relief Funds

Route Code Federal Aid Project Route Number

Description	Single Route	Multiple Routes
Seattle, Everett Metropolitan Area	4-digit federal route number	Number is 9999
STPUS/STPUL	4-digit federal route number	Number is 99 followed by county number
STPR	4-digit federal route number	Number is Z9 followed by county number
STPH	4-digit federal route number	Number is 000S
STPE	If statewide selection: 1. For federally functionally classified work, 4-digit federal route number nearest or parallel to 2. Use off-system rules If not statewide selection: Number is EN followed by funding year (i.e., EN94)	Same as single routes Same as single routes
STPF	WSDOT to assign	WSDOT to assign
STPX/STPXP On-System Urban	4-digit federal route number	N/A
STPX/STPXP On-System Rural	4-digit federal route number	N/A
STPX/STPXP Off-System Urban	Number is city number	N/A
STPX/STPXP Off-System Rural	Number is 70 followed by county number	N/A
ER	Feds to assign	Feds to assign
BRS/BHS	4-digit federal route number	Number is Z9 followed by county number
BRM/BHM	4-digit federal route number	Number is 99 followed by county number
BROS/BHOS	Use off-system rules	Same as single routes
Off-System County	Number is 20 followed by county number	Same as single routes
Off-System City	Number is city number	Same as single routes

Date Form is filled out.

Local Agency Project Number Limited to eight (8) alpha/numeric characters that your agency identifies.

Federal Employer Tax ID Number Required. Indicate the agency's tax identification number.

Agency Required. This is your agency's name.

Federal Program Title Enter the program number or title from the following list:

20.205 Highway Planning and Construction
20.209 Public Land Highways
Most local agency projects are 20.205.

Project Title Write the project's title, as shown in TIP/STIP.

Project Latitude and Longitude Enter the project start and end latitude and longitude in the format below:
Latitude N XX-XX-XX.XX Longitude W XXX-XX-XX.XX

Project Termini Indicate the beginning and ending limits of the section to be improved. For railway/highway grade crossing projects, show the name of the railroad involved. For intersection projects write the name of the crossroad.

From: To: Indicate MP to MP or KP to KP.

Length of Project Project's length in miles or kilometers.

Award Type Mark the appropriate type.

Federal Agency Indicate where the federal funds are coming from FHWA, etc.

City Number For a city project, write the city number from Appendix 21.45.

County Number Write your county number from Appendix 21.44.

County Name Write the county the project is in.

WSDOT Region Locate your WSDOT region number from Appendix 21.44 or 21.45.

Congressional District Indicate the number of the congressional district or districts in which this project is located.

Legislative District Indicate legislative district(s).

Urban Area Number For projects inside urban areas, locate the appropriate urban area number from Appendix 21.46.

TMA/MPO/RTPO For projects inside urban areas (population greater than 50,000), give the code which represents the MPO for your area.

Code	MPO
BFCG	Benton-Franklin Council of Governments
RTC	Regional Transportation Council
PSRC	Puget Sound Regional Council
SRTC	Spokane Regional Transportation Council
YVCOG	Yakima Valley Conference of Governments
TRPC	Thurston Regional Planning Council
WCOG	Whatcom Council of Governments
CWCOG	Cowlitz-Wahkiakum Council of Governments
SCOG	Skagit Council of Governments
SWRTC	Southwest Washington Regional Transportation Council
WVTC	Wenatchee Valley Transportation Council

Total Estimated Cost Required for each phase of the project; estimate to the nearest hundred dollars.

Local Agency Funding Required for each phase of the project; estimate to the nearest hundred dollars.

Federal Funds Required for each phase of the project; estimate to the nearest hundred dollars.

Phase Start Date Enter the month and year which expenditure for the phase will begin.

Description of Existing Facility

In one or two paragraphs, give a detailed description of the existing facility including but not limited to: (1) type, pavement, lane and shoulder width, horizontal and vertical alignment; and (2) condition of existing surfacing and roadway within project limits, and on adjacent sections at each end of the project. Note any substandard existing alignment and grade or other project deficiencies.

Description of Proposed Work

Check whether the project is new construction, 3-R or 2-R as described in Chapter 42. Explain the nature of the improvement proposed such as widening of existing roadway for additional lanes or left-turn channelization; or to provide signalization to an intersection. Give the purpose of the improvement, such as upgrade facility to current standards, or to remedy a hazardous situation, or reduce congestion. Indicate the major work involved, such as grading, surfacing, bridge construction, drainage, etc. Give a contact person for the project in case there are questions.

Project Prospectus Approval

The project prospectus will be reviewed and approved by the agency. A CA agency has previously designated this official as a part of the Certification Acceptance Qualification Agreement.

The agency shall submit a revised project prospectus when the project termini, scope, right of way, or description of proposed work is revised or modified

Geometric Design Data

Refer to design report data and/or Chapter 42.

Accidents

Enter the required accident information in the appropriate blanks according to the following definitions.

There are three categories of accidents differentiated by increasing degrees of severity — property damage, injury, and fatal. An accident, irrespective of the number of vehicles involved or the number of persons killed or injured, is entered as one accident and defined as follows:

a. Property Damage Accident: If there is damage to one or more vehicles or property, with no injuries and no fatalities, this equals one property damage accident.

b. Injury Accident: If one or more persons are injured, regardless of property damage, this equals one injury accident.

c. Fatal Accident: If one or more persons are killed regardless of property damage, this equals one fatal accident.

Examples:

1. Vehicle leaves roadway and hits utility pole, but driver is not hurt.

   Category: Property Damage Acc.

2. Vehicle slows on roadway, is hit from behind and pushed into vehicle ahead. Two persons are injured.

   Category: Injury Accident (two persons injured)

3. Two vehicles collide at intersection and involve two other vehicles. Two people are killed, three occupants are injured, and one pedestrian is injured.

   Category: Fatal Accident (two fatalities, four injuries)

If the above examples were all of the accidents for a location during a year, the total annual accident experience would indicate:

1 Property damage
1 Injury accident
1 Fatal accident

3 Accidents total
6 Persons injured
2 Persons killed

All accident, injury, and fatality information must be derived from official records.

Performance of Work

PE: Indicate who will be performing the work and the percentage of the work they will do.

CN: Indicate if work is to be done by contract and/or local forces and the percentage to be done by each.

Environmental Classification

Mark the appropriate NEPA class of the project as defined in Chapter 24.2.

Class I, if the nature of the proposed improvement is likely to have a significant impact on the environment and an "Environmental Impact Statement" (EIS) is required. Check the box pertaining to the NEPA/SEPA/Section 404 Interagency Agreement if the project requires an individual permit from the U.S. Corps of Engineers.*

Class II, if the project is not expected to have a significant impact on the environment and a "Categorical Exclusion" (CE) is determined. Completion of the Environmental Classification Summary (ESC) is required.*

Class III, when the significance of the impact on the environment is not clearly established and an "Environmental Assessment" (EA) will be required. Check the box pertaining to the NEPA/SEPA/Section 404 Interagency Agreement if the project requires an individual permit from the U.S. Corps of Engineers.*

***This includes a biological assessment effect determination for each project.**

Environmental Considerations

If the box for either a Class I or Class III category action is checked under the Environmental Classification section, make reference to the enclosed Environmental Classification Summary Form marked preliminary. If the project is a Class II "Projects That Require Documentation and FHWA Approval," make reference to the enclosed Environmental Classification Summary Form, if available at this time, or in a brief narrative, describe the environmental impact of the proposed project.

Right-of-Way Requirements

a. No right-of-way required. Projects need only check no right-of-way.

b. Right-of-way required. A Right-of-Way Project Funding Estimate or True Cost Estimate, a Right-of-Way Plan, and a Relocation Plan (if required).

If right-of-way acquisition becomes necessary on a job previously submitted as having no right-of-way, a Project Funding Estimate or True Cost Estimate would need to be submitted to the Regional Highways and Local Programs Engineer.

Description of Utility Relocation or Adjustments and Existing Major Structures Involved

Indicate the agency responsible for any relocation and/or adjustments.

a. Existing utilities-type of utility, publicly or privately owned, and other pertinent information.

b. Existing major structures — number, year built, overall length and conditions, roadway width, estimated or posted capacity, and proposed treatment of any substandard structures to remain in place.

1. Seattle and Everett
2. Spokane
3. Vancouver
4. Pasco, Kennewick, Richland
5. Yakima, Union Gap, Selah
6. Olympia, Lacey, Tumwater
7. Bremerton, Port Orchard
8. Bellingham
9. Kelso, Longview
10. Aberdeen, Cosmpolis, Hoquiam
11. Walla Walla, College Place
12. Pullman
13. Wenatchee, East Wenatchee
14. Port Angeles
15. Centralia, Chehalis
16. Camas, Washougal
17. Ellensburg
18. Moses Lake, Grant County
19. Oak Harbor
20. Shelton
21. Anacortes
22. Mount Vernon, Burlington
23. Cheney
24. Sunnyside
25. Ephrata
26. Clarkston
27. Toppenish
28. Port Townsend
29. Tacoma
30. Sedro Woolley
31. Grandview
32. Enumclaw
33. Ferndale
34. Lynden
35. Otis Orchards

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Washington State Department of Transportation

Local Agency Federal Aid Project Prospectus

	Prefix	Route	( )
Federal Aid Project Number			
Local Agency Project Number		(WSDOT Use Only)	

Date	
Federal Employer Tax ID Number	

Agency		Federal Program Title ☐ 20.205 ☐ 20.209 ☐ Other	
Project Title		Start Latitude N	Start Longitude W
		End Latitude N	End Longitude W
Project Termini From		To	
From: To:	Length of Project	Award Type ☐ Local ☐ Local Forces ☐ State ☐ Railroad	
Federal Agency ☐ FHWA ☐ Others	City Number	County Number	County Name / WSDOT Region
Congressional District	Legislative Districts	Urban Area Number	TMA / MPO / RTPO

Phase	Total Estimated Cost (Nearest Hundred Dollar)	Local Agency Funding (Nearest Hundred Dollar)	Federal Funds (Nearest Hundred Dollar)	Phase Start Date Month Year
P.E.				
R/W				
Const.				
Total				

Description of Existing Facility (Existing Design and Present Condition)

Roadway Width	Number of Lanes

Description of Proposed Work

☐ New Construction ☐ 3-R ☐ 2-R	Roadway Width	Number of Lanes

Local Agency Contact Person	Title	Phone

Mailing Address	City	State	Zip Code
		WA	

Project Prospectus Approval

By _____ (Approving Authority)

Title _____ Date _____

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■ Supersedes Pervious Editions ■

Agency	Project Title	Date

Geometric Design Data

Description	Through Route	Crossroad
Federal Functional Classification	☐ Urban ☐ Principal Arterial ☐ Minor Arterial ☐ Collector ☐ Rural ☐ Major Collector ☐ Minor Collector ☐ Access Street/Road	☐ Urban ☐ Principal Arterial ☐ Minor Arterial ☐ Collector ☐ Rural ☐ Major Collector ☐ Minor Collector ☐ Access Street/Road
Terrain	☐ Flat ☐ Roll ☐ Mountain	☐ Flat ☐ Roll ☐ Mountain
Posted Speed		
Design Speed		
Existing ADT		
Design Year ADT		
Design Year		
Design Hourly Volume (DHV)		

Accident - 3 Year Experience

Year	Property Damage Accidents	Injury Accidents		Fatal Accidents		Total Number of Accidents
		Number of Accidents	Number of Injuries	Number of Accidents	Number of Fatalities	

Performance of Work

Preliminary Engineering Will Be Performed By	Others %	Agency %
Construction Will Be Performed By	Contract %	Agency %

Environmental Classification

☐ **Final** ☐ **Preliminary**

☐ Class I - Environmental Impact Statement (EIS)
- ☐ Project Involves NEPA/SEPA Section 404 Interagency Agreement

☐ Class II - Categorically Excluded (CE)
- ☐ Projects Requiring Documentation (Documented CE)

☐ Class III - Environmental Assessment (EA)
- ☐ Project Involves NEPA/SEPA Section 404 Interagency Agreement

Environmental Considerations

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Agency	Project Title	Date

Right of Way

☐ No Right of Way Required
* All construction required by the contract can be accomplished within the existing right of way.

☐ Right of Way Required
☐ No Relocation
☐ Relocation Required

Description of Utility Relocation or Adjustments and Existing Major Structures Involved in the Project

FAA Involvement
Is any airport located within 3.2 kilometers (2 miles) of the proposed project? ☐ Yes ☐ No

Remarks

This project has been reviewed by the legislative body of the administration agency or agencies, or it's designee, and is not inconsistent with the agency's comprehensive plan for community development.

Agency _____

Date _____ By _____
Mayor/Chairperson

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22.1 General Discussion

A Local Agency Agreement is an agreement between a local agency and the Washington State Department of Transportation (WSDOT). An agreement is prepared for each federal aid project, and it covers all phases of work involved in the project (preliminary engineering, right-of-way acquisition, construction). Its purpose is to ensure that the federal funds in the agreed-upon amount are spent in accordance with all applicable state and federal laws and regulations. The agreement also specifies the procedure for payment and reimbursement on the project. Appendix 22.45 is used if funds are not available for the local match.

If the federal aid participation ratio entered in the agreement is not the full amount allowed by the Federal Highway Administration (FHWA), then the participation ratio entered becomes the limit of funding allowed.

No costs are eligible for federal aid reimbursement until authorized in writing by WSDOT. This authorization is separate from the agreement.

22.2 Preparation Procedure

An original Local Agency Agreement signed by the approving authority must be submitted by the local agency to the Regional Highways and Local Programs Engineer when the Project Prospectus (Chapter 21) is submitted. This agreement form will be retained by WSDOT. It is the responsibility of the local agency to submit an additional agreement form or a copy if they need an executed agreement for their files. To allow sufficient time for WSDOT review and execution, these documents should be submitted well in advance of the time when federal reimbursement is desired.

Agreements containing errors will be returned to the local agency for correction. Any changes must be initialed by the approving authority (Chapter 13). To avoid this delay, the agency should check all figures prior to submittal, and if in doubt, request assistance from the Regional Highways and Local Programs Engineer.

An agreement form (WSDOT Form 140-039) is contained in Appendix 22.41, with instructions for completing it in Appendix 22.42. Local agency cost estimates for each phase of a project are entered on the form, as well as the project name, length, termini, description, and method of construction financing. These methods are described in Appendix 22.42.

Local agency resolutions or ordinances that may be needed are discussed in Appendix 22.42.

22.3 Supplemental Agreement

Funds requested beyond the amount set forth in a Local Agency Agreement will require execution of a Supplemental Agreement.

Changes to the project funding must be made in accordance with this manual (see Chapter 12).

BRIDGE Projects: If all bids received exceed the construction amount authorized on the local agency agreement, the agency has the following options

- Request and receive approval from Highways and Local Program (H&LP) for the increase.
- Award the project prior to receiving approval of H&LP and incur all costs above the authorized amount.
- With concurrence from H&LP, reject all bids (This is only required on projects that are funded at 100%).

Once additional funds are approved, H&LP will send a letter to the agency outlining the increase. The local agency must then prepare, sign, and submit a Supplemental Agreement to the Region Local Programs Engineer for final approval.

A Supplemental Agreement form (WSDOT Form 140-041) is shown in Appendix 22.43, and instructions for completing it are given in Appendix 22.44. Like the original agreement form, the Supplemental Agreement form requires information about the project's name, length, termini, description, and funding.

22.4 Appendices

22.41 Local Agency Agreement

22.42 Instructions for Preparing Local Agency Agreement

22.43 Local Agency Agreement Supplement

22.44 Instructions for Preparing Local Agency Agreement Supplement

22.45 Sample Withholding Resolution for Construction Financing Method B

Forms

DOT 140-039EF Local Agency Sample Agreement

DOT 140-041EF Local Agency Sample Agreement Supplement

24.1 General Discussion

Since this manual provides an outline of the federal procedures that a local agency must follow for a Federal Highways Administration (FHWA) funded project, only compliance with the National Environmental Policy Act (NEPA) will be described in detail. FHWA's approval of NEPA, in particular their signature on the Environmental Classification Summary (ECS), does not signify an approval of the State Environmental Policy Act (SEPA), nor any applicable local, state, and federal permits. Local agencies are responsible for ensuring compliance with SEPA and obtaining all applicable local, state, and federal permits. While the local agency may utilize the analysis completed in the NEPA process to assist in the completion of SEPA and applicable permits, NEPA approval must not be misconstrued as a guaranteed approval of any other local, state, or federal requirement. The local agency must work with other agencies, as appropriate, to provide the required analysis to complete their responsibilities under SEPA and other local, state, and federal permit and process requirements.

Projects involving federal funds, permits, or land are governed by a number of environmental requirements, including but not limited to:

- NEPA of 1969, 42 USC 4321 et. seq.
- Council on Environmental Quality Regulations for Implementing NEPA, 40 CFR, Part 1500, et. seq.
- Federal Highways Administration and Federal Transit Authority, 23 CFR, Part 771
- Environmental Impact and Related Procedures, 49 CFR, Part 622
- Section 7 of the Endangered Species Act (ESA), 50 CFR, Part 402
- Section 106 of the National Historic Preservation Act, 36 CFR, Part 800
- Presidential Executive Order 12898 - Environmental Justice
- Section 4(f) of the U.S. Department of Transportation Act of 1966

Use this manual and the Washington State Department of Transportation's (WSDOT) *Environmental Procedures Manual* (EPM) (M 31-11) and *Reader-Friendly Tool Kit* to conduct all applicable environmental evaluations. The Tool Kit can be found at: http://www.wsdot.wa.gov/environment/compliance/ReaderFriendly.htm and the EPM can be found at: http://www.wsdot.wa.gov/fasc/EngineeringPublications/Manuals/EPM/EPM.htm. The EPM provides detailed information on the triggers, process, and documentation requirements related to specific environmental considerations. While this chapter provides detailed information on the coordination processes and some of the documentation requirements associated with specific environmental considerations, the EPM and LAG manuals should be used in conjunction to ensure adequate compliance with NEPA and other federal requirements.

Environmental analysis begins with determining the appropriate project NEPA classification, which is normally one of the initial steps in project development. A project will be classified as one of three defined classes, depending upon the significance of its impacts.

Federal regulations require the use of an interdisciplinary approach to assess a project's social, economic, and environmental impacts. "Interdisciplinary" means integrated consideration of the project's aspects through such disciplines as biology, economics, geology, sociology, planning, and archaeology, in addition to traditional civil engineering expertise. Interdisciplinary requirements for each class of project are discussed in Section 24.3, .4, and .5. The Regional Local Programs Engineer can advise local agencies on how to set up an interdisciplinary approach.

24.2 Project Classification

All projects will be classified as a "Class I", "II", or "III" project, as defined in the following sections. The classification needs to occur as early as possible in the project's development, since the scope of the subsequent environmental analysis and documentation process is dependent upon the project's classification.

If a local agency requires assistance in determining the appropriate environmental classification of a project, they are encouraged to contact the Region Local Programs Engineer to arrange for a field review of the proposed project. The FHWA must be involved in determining if a Class I or III classification is appropriate to undertake. This determination must occur early on, prior to initiating the NEPA process.

Flow charts depicting the NEPA environmental processes for each classification of projects are included in Section 24.24. Definitions of the terms used in these processes are provided in the Appendix.

The following defines the three classifications of NEPA documentation and lists the types of work typically associated with each classification.

.21 Class I – Environmental Impact Statement (EIS). Class I projects include actions that are likely to result in significant impacts to the environment by virtue of their impacts to land use, planned growth, development patterns, traffic volumes, travel patterns, transportation services, natural resources, or due to the likelihood of the project's ability to create significant public controversy.

Projects that typically require an EIS, include, but are not limited to:

a. New construction of a controlled access freeway.

b. A highway project of four or more lanes on a new location.

c. New construction or extension of fixed rail transit facilities (e.g., rapid rail, light rail, commuter rail, automated-guideway transit).

d. New construction or extension of a separate roadway for buses or high-occupancy vehicles not located within an existing highway facility.

It is important to note that these types of projects *typically* require an EIS. This does not mean that these types of projects will always require an EIS. Each project must be evaluated for its potential impacts on the environment – the level of significance associated with each impact will determine the appropriate level of documentation.

The local agency completes a preliminary Local Agency "Environmental Classification Summary" (ECS) form, utilizing known project information, as developed in the planning stage and/or Growth Management Act requirements. The ECS is submitted by the local agency with a Project Prospectus and Local Agency Agreement to the Region Local Programs Engineer for submittal to Highways & Local Programs (H&LP). H&LP will submit the preliminary ECS to FHWA and set up a meeting with the appropriate parties to confirm NEPA classification. The preliminary ECS should identify potential issues associated with each alternative, for each environmental consideration. This information will be used by FHWA to determine the appropriate level of NEPA classification. This step must be completed early on in the process.

Class I projects that also require an individual permit from the United States Army Corps of Engineers (COE) are required to complete the Signatory Agency Committee (SAC) Agreement. The SAC is a collection of federal and state regulatory agencies, WSDOT, and FHWA, which will assist in the development of the NEPA document. The focus of the SAC is on aquatic resources and the process is intended to ensure that the resulting project can be permitted and incorporates appropriate environmental protection measures. Agencies with projects that require completion of the SAC process need to contact the Region Local Programs Engineer. The Region Local Programs Engineer will contact H&LP, which will initiate a meeting between all parties and FHWA. Refer to http://www.wsdot.wa.gov/environment/compliance/SAC_committee.htm for a description of the SAC Process.

All NEPA EIS documents will be written in a format consistent with WSDOT's *Reader-Friendly Tool Kit*.

.22 Class II – Categorical Exclusion (CE). Class II projects are actions that generally do not result in significant impacts.

CEs are actions which meet the definition contained in 40 CFR 1508.4 and, based on previous experience with similar actions, do not involve significant environmental impacts. They are actions which:

- do not induce significant impacts to planned growth or land use for the area;
- do not require the relocation of significant numbers of people;

- do not have a significant impact on any natural, cultural, recreational, historic, or other resource;
- do not involve significant air, noise, or water quality impacts;
- do not have significant impacts on travel patterns;
- do not otherwise, either individually or cumulatively, have any significant environmental impacts.

Any action which normally is classified as a CE, but may involve unusual circumstances will require the FHWA and FTA, in cooperation with the applicant, to conduct appropriate environmental studies to determine if the CE classification is appropriate. Such unusual circumstances may include:

- considerable impacts to the environment;
- substantial controversy on environmental grounds;
- impacts to properties protected by Section 4(f) of the Department of Transportation Act or Section 106 of the National Historic Preservation Act; or
- inconsistencies with any federal, state, or local law, requirement, or administrative determination relating to the environmental aspects of the action.

Appropriate environmental studies may include, but are not limited to, the preparation of a biological assessment, cultural resources survey, Section 4(f) evaluation, noise study, air quality study, and wetlands report. The results of these reports (provided the analysis illustrates a lack of significant impacts) support a documented CE (DCE) determination.

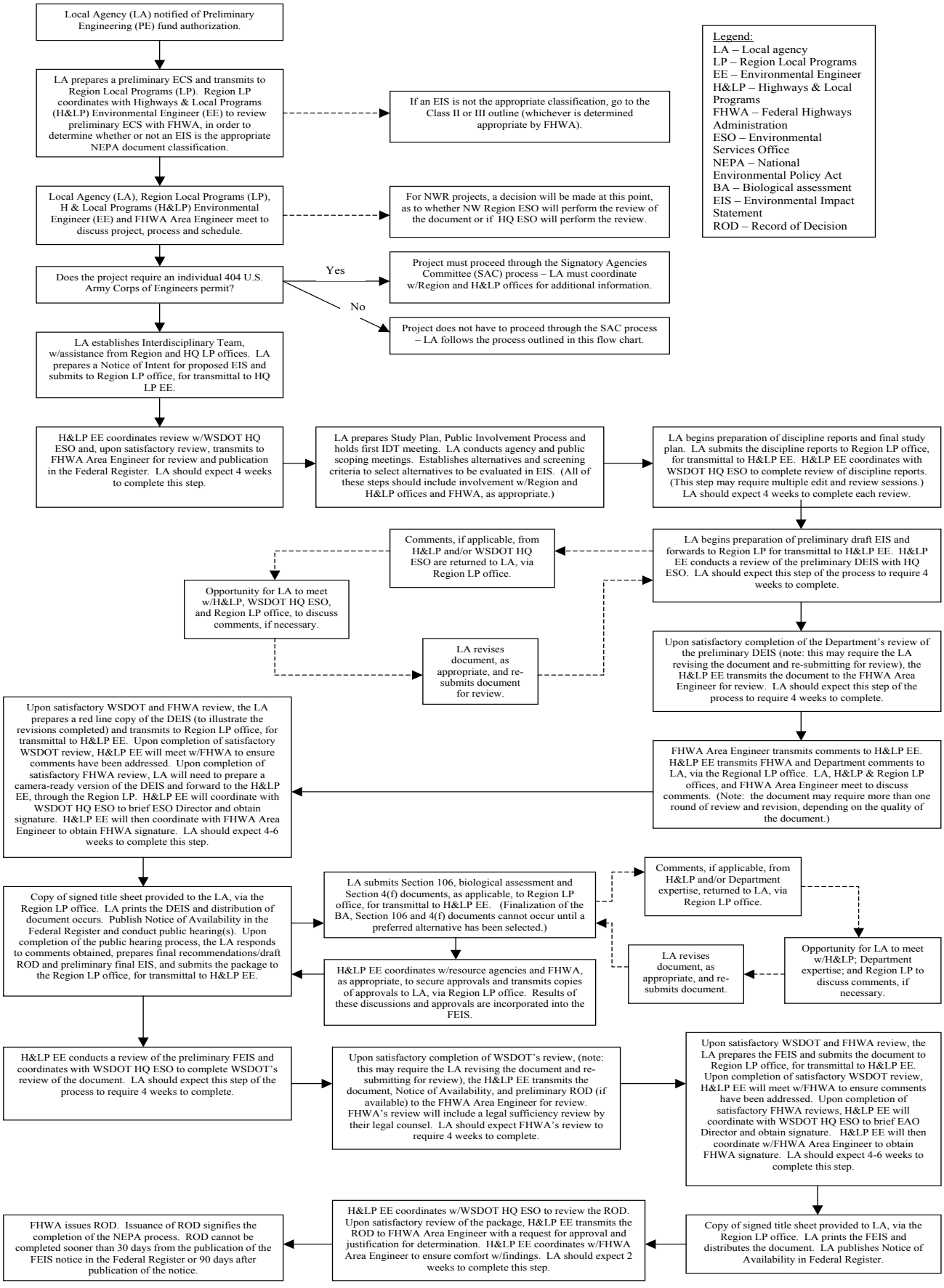
.23 Class III – Environmental Assessment. For actions in which the significance of the impacts of the project on the environment is not clearly established, an EA is prepared to determine the extent of environmental impacts and to determine whether the preparation of an EIS is appropriate. An EIS is not required when the findings of an EA support the issuance of a Finding of No Significant Impacts (FONSI) by FHWA.

The local agency completes a preliminary Local Agency "Environmental Classification Summary" (ECS) form, utilizing known project information, as developed in the planning stage and/or Growth Management Act requirements. The ECS is submitted by the local agency with a Project Prospectus and Local Agency Agreement to the Region Local Programs Engineer for submittal to H&LP. H&LP will submit the preliminary ECS to FHWA and set up a meeting with the appropriate parties to confirm NEPA classification.

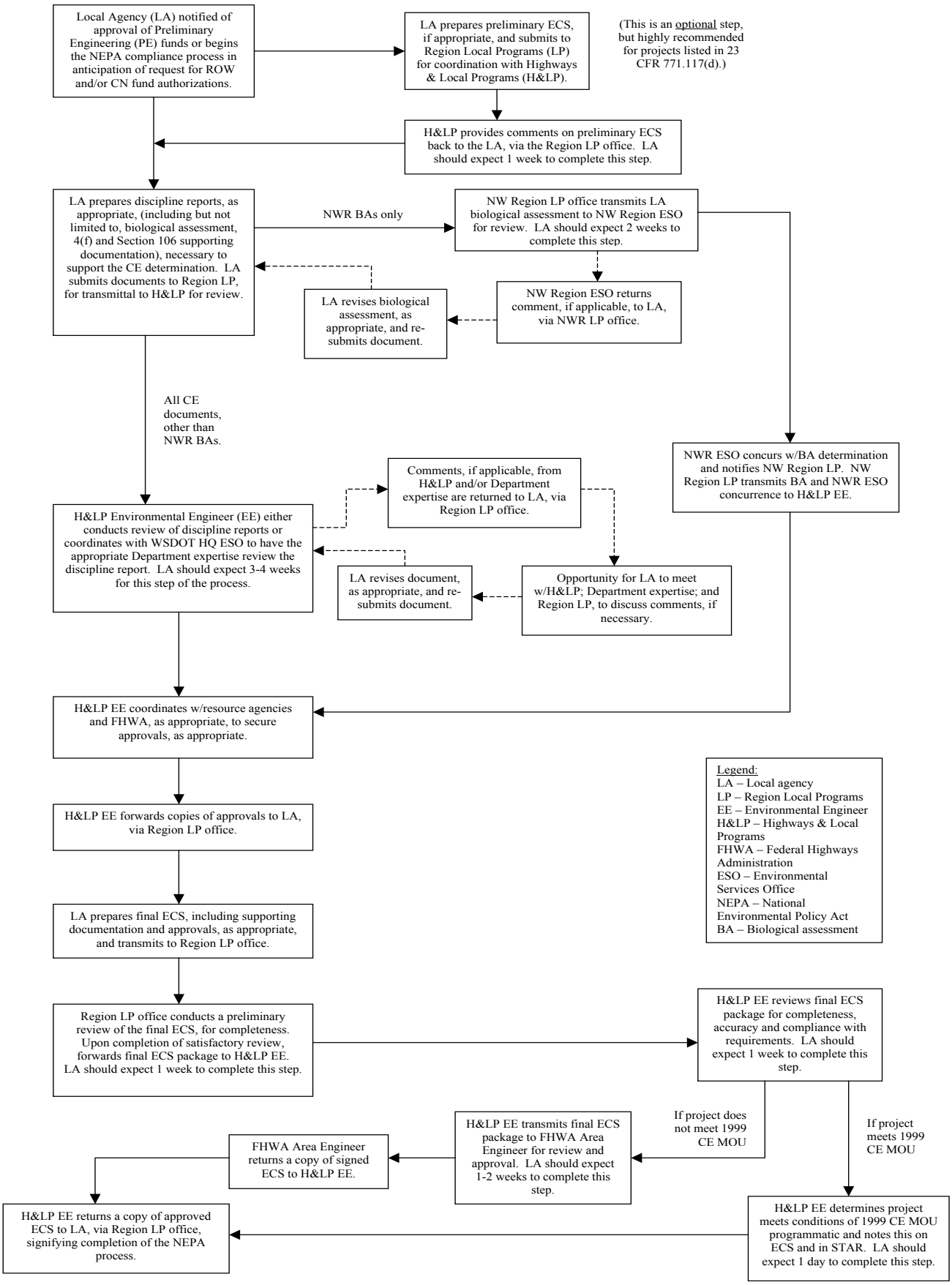
All NEPA EA documents will be written in a format consistent with WSDOT's *Reader-Friendly Tool Kit*.

.24 Progress Flow Charts for Class I, II, and III Projects. The following flow charts illustrate the individual processes that Class I, II and III projects will follow.

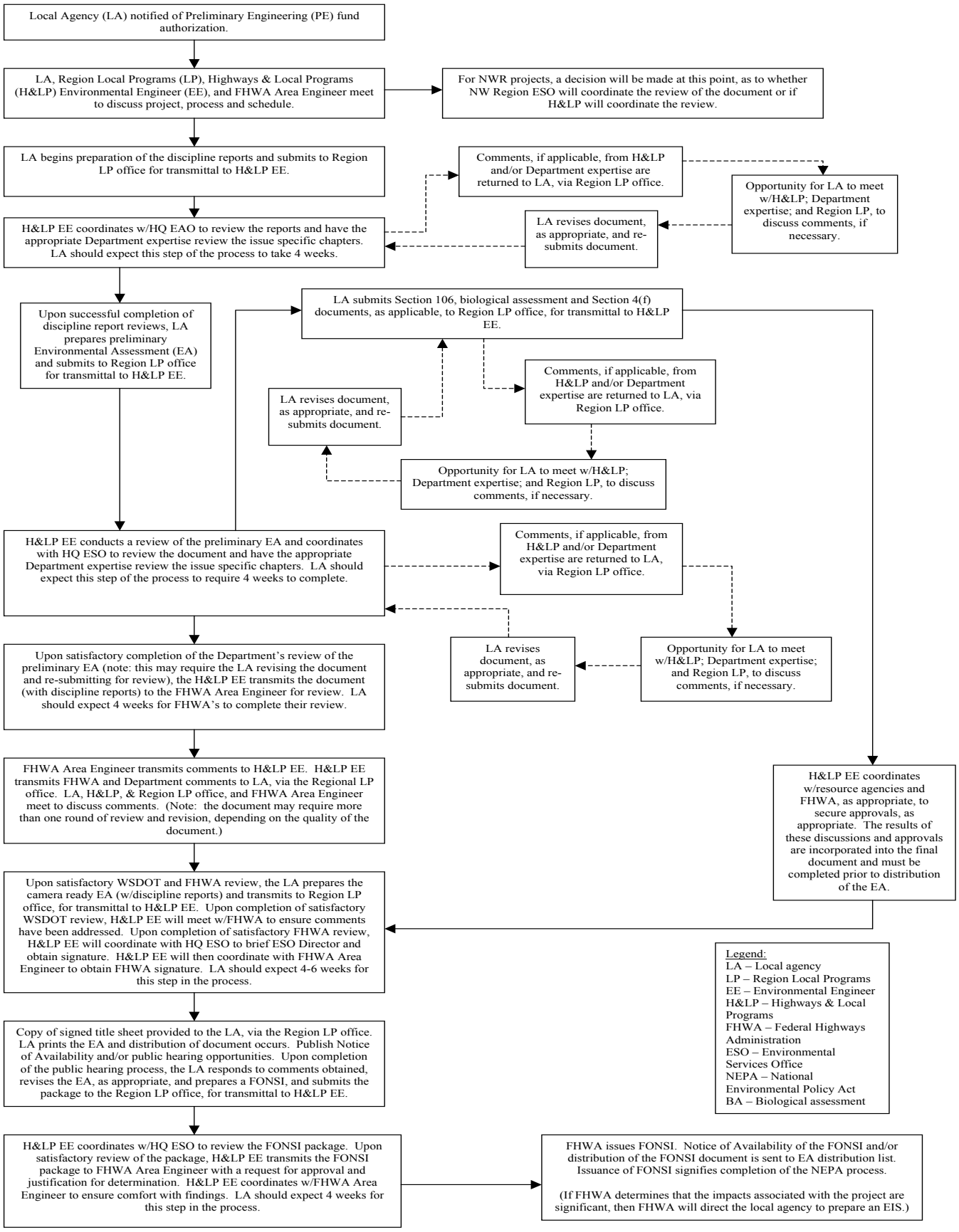
Process Outline for Review and Submittal of Class I Projects (Environmental Impact Statement)
The following outlines the process through which EISs are developed and approved.



Process Outline for Review and Submittal of Class II Projects (Documented CE)
The following outlines the process through which CEs are developed and approved.



Process Outline for Review and Submittal of Class III Projects (Environmental Assessment)
The following outlines the process through which EAs are developed and approved.



24.3 Procedures for Class I (EIS) Projects

The activities described in this section are summarized on the flow chart for Class I projects contained in Section 24.24.

.31 Notice of Intent. After FHWA authorization of preliminary engineering funds and confirmation of the NEPA classification, the local agency prepares a Notice of Intent (NOI) for publication in the Federal Register advising federal, state, and local agencies that an EIS will be prepared. The contents and guidelines for preparation of the notice are found in FHWA Notice N6640.19 of March 24, 1980. The notice is submitted to the Region Local Programs Engineer, who will forward the NOI to H&LP for transmittal to FHWA. FHWA will forward the NOI for inclusion in the Federal Register.

.32 Cooperating Agencies. The local agency will prepare a list of agencies, which may have a vested interest in the proposed project. Vested interest may be defined, as either a funding partner; ownership of required property; regulatory authority to issue a needed permit; or possession of special expertise within an affected environment.

The local agency will send the proposed list and a draft letter (which outlines the proposed project activities and potential issues) to the Region Local Programs office, which will transmit the documentation to H&LP. H&LP will coordinate with FHWA to send the letters to appropriate agencies. These letters need to be sent out as early as possible, typically prior to formal scoping (see Section 24.34).

The level of involvement of an interested cooperating agency will vary. FHWA, WSDOT, the local agency, and the cooperating agency will meet to define and agree upon roles and expectations at the beginning of the project.

.33 Interdisciplinary Team (IDT). The local agency appoints experts in various disciplines to an IDT, which functions as an advisory board. The IDT provides objective in-depth studies, analyses, reports, guidance, and recommendations concerning the proposed improvements as it relates to social, economic, and environmental issues.

The disciplines and personnel selected for the IDT depend on the nature and magnitude of the project. The local agency may request (through the Region Local Programs Engineer) participation of various WSDOT expertises on the IDT. Participation of WSDOT personnel will occur on an as available basis and may be supplemented by the local agency with consultants, personnel from other federal, state, and local agencies; and the community. The IDT, community groups, and planning agencies may suggest inclusion of additional disciplines.

Duties and responsibilities of the IDT include:

- Review and approval of a study plan and public involvement plan.
- Evaluation of alternative courses of action.
- Preparation of reports (data and conclusion of technical studies; views of citizens, officials, and groups).
- Submission of recommendations to the project proponent.

The local agency, in consultation with various disciplines, WSDOT, and FHWA, prepares a proposal, identifies all affected parties, and outlines environmental concerns and alternatives to be included in the scoping process.

.34 Scoping. Scoping is a process used to identify potential environmental concerns or controversy and alternatives for the EIS, as early as possible. It may include a series of meetings, telephone conversations, or written comments involving various agencies, interest groups, and individuals.

The local agency is responsible for the development and coordination of the scoping process. Specific scoping objectives include:

- to identify the affected public and agency concerns;
- to define the issues and alternatives to be examined in the EIS;
- to ensure that the draft EIS adequately addresses relevant issues and concerns;
- to facilitate an efficient EIS preparation process, by assembling the cooperating agencies and determining which permits and reviews need to be incorporated into the schedule and establishing completion times.

Prior to the scoping process, the local agency provides affected agencies, Tribes, interest groups, and the IDT with information about the proposal including a brief description, statement of goals, tentative alternatives, probable environmental impacts and issues, maps, drawings, and a proposed schedule for completion of the EIS document and permitting process. The information should request feedback, particularly on the schedule, if a group is unable to attend the scheduled scoping meeting. A copy of the proposal must be sent to the Region Local Programs Engineer for transmittal to H&LP. Copies of any agency responses must also be sent to H&LP, through the Region Local Programs Engineer.

The local agency will document proceedings and correspondence concerning the scoping process. The scoping process continues through the development of the DEIS.

.35 Study Plan and Public Involvement Plan.

a. The local agency will prepare a study plan. It should be completed immediately after the issues and alternatives have been identified in the initial stages of the scoping process. The study plan, which outlines the environmental studies to be conducted, is prepared by the local agency and approved by the IDT, WSDOT, and FHWA. The study plan describes the level of effort to be applied to define the interdisciplinary approach, public involvement, alternatives to be studied, and social, economic, and environmental issues.

The study plan should include the following:

1. Title sheet
   i. Project title
   ii. Date
   iii. Approval date and signature of:
      1. Project manager
      2. Agency administrator
2. Vicinity map
3. Purpose and need:
   i. Purpose of the project
   ii. Need (known deficiencies)
   iii. History (if applicable)
   iv. How proposed project will address the need
4. Scope of work
   i. Interdisciplinary approach (brief description of how the team uses information to reach decisions)
   ii. Alternatives
   iii. Public involvement summary (to date)
   iv. Brief description of areas of primary importance and significant controversy
5. List of cooperating agencies
6. Studies to be prepared and areas of responsibility
   i. List of studies to be prepared and disciplines involved
   ii. Identify IDT members and project manager
   iii. Identify education and experience of all expertise in format required for EIS
7. Staffing and budget requirements
8. Project schedule
9. Date and location of scoping meetings
10. Appendix: Public involvement plan

b. The local agency must prepare a public involvement plan that outlines the procedures for presenting information to the public, obtaining comments, and ensuring consideration of public opinion. Consideration must also be given to Limited English Proficiency populations that may be impacted by the proposed project and the methods that will be employed to ensure those populations are informed and afforded the opportunity to provide comment.

In preparing the public involvement plan, consider the following:

1. Methods to provide information and receive comments:
   i. public meetings
   ii. surveys of public opinion
   iii. meetings with groups with special interests in transportation
   iv. information centers or booths
   v. advisory committees
   vi. meetings with public officials
   vii. news releases (all mass media)
   viii. newsletters
2. Time schedule to accomplish each task
3. Methods to be used in considering public comments during the decision-making process.
4. Personnel, time, and funds required to conduct the program.
5. The public involvement plan is part of the scoping process.

.36 Selection of Alternatives. The alternatives to be studied are identified by the local agency, IDT, and through the scoping process. The IDT studies proposed alternatives and determines their likely social, economic, and environmental impacts. Generally, each alternative is developed to the same level of detail, so that a comparison of effects can be made. The draft DEIS shall evaluate all reasonable alternatives to the action and discuss the reasons why other alternatives, which may have been considered, were eliminated from detailed study. Alternatives should be openly discussed with all affected groups.

Alternatives considered normally include the following:

- The no-action alternative, which may include short-term minor reconstruction activities (safety improvements, etc.) that are part of an on-going plan for continuing operation of the existing roadway.
- Improvement of the existing facility, which can include resurfacing, restoration, rehabilitation, and reconstruction types of activities.
- Construction of new transportation facilities on new routes and locations.
- Multi-modal alternatives, including public transit, rail, or other modes dictated by the characteristics of the study area. These may be under the jurisdiction of other lead agencies and require early coordination.
- Combinations of the above alternatives (excluding the no-action alternative).

As the lead federal agency, FHWA must be coordinated with in determining which alternatives to analyze in the EIS and in selecting the preferred alternative.

.37 Data Collection, Inventory, and Evaluation. The IDT develops an inventory of social, economic, environmental, and engineering data and concerns. The information is used to define the environment; to predict and analyze the project's impacts; to help define the preferred alternative; to prepare environmental documents; and to inform other agencies, interest groups, or individuals. Sources of data include, but are not limited to field studies, consultation, and coordination with other agencies and the public. WSDOT's *Environmental Procedures Manual* and FHWA's Technical Advisory T6640.8A are general guides to the types of information, depth of studies, and procedures to be used in collection, inventory, and evaluation of required environmental data.

.38 Reports and Recommendations.

a. Discipline Reports. After data has been collected, inventories compiled, and analyses completed, reports are prepared to address each environmental discipline to be considered, as previously identified by the IDT and the results of the analysis. If the project will impact Section 4(f) resources, a separate Section 4(f) Evaluation must be prepared and included as a separate section in the EIS. (See Section 24.9 for additional information.)

Discipline report preparation needs to adhere to the guidance provided in WSDOT's *Environmental Procedures Manual* and to the extent possible, WSDOT's *Reader-Friendly Tool Kit.* The *Environmental Procedures Manual* will also assist local agencies in determining when a discipline report is required. If an agency is uncertain as to whether or not a discipline report is appropriate for a particular project, contact the Region Local Programs Engineer. The report documents the technical studies and investigations performed and provides a summary of findings, and a list of recommendations. The technical portion of the discipline report provides evidence that all areas of potential impact have been considered and presents information to support the findings or lack thereof of significance and effect, and demonstrates that the study provides adequate information to satisfy applicable environmental regulations.

The local agency and the IDT are responsible for reviewing the discipline reports and ensuring the reports' accuracy and completeness. Upon completion, the local agency will submit the reports to the Region Local Programs Engineer for transmittal to H&LP. H&LP will coordinate with Department expertise to review the reports. Any comments or edits will be transmitted to the local agency for revision and re-submittal. The process is not completed until WSDOT approval is secured on each discipline report prepared.

b. Draft Environmental Impact Statement (DEIS). The DEIS is prepared by the local agency and IDT. It identifies the alternatives under consideration and presents an analysis of their impacts on the environment, based on the findings of the discipline reports. Typically, the DEIS does not identify a preferred alternative. The DEIS includes a summary of the early coordination process, including scoping, and identifies key issues and pertinent information received through the coordination process.

All EIS documentation must comply with the requirements of NEPA, 23 CFR 771, and the Council on Environmental Quality (CEQ) guidelines.

The local agency begins with the preparation of a preliminary DEIS. The local agency submits the document to the Region Local Programs Engineer for transmittal to H&LP. H&LP coordinates a review of the preliminary DEIS within the Department. Any comments or edits will be transmitted to the local agency for revision and re-submittal. Upon completion of WSDOT's review and approval, the preliminary DEIS is transmitted to FHWA for review and comment. Each review of the document by WSDOT and FHWA will typically require thirty (30) days to complete. A copy of the preliminary DEIS may also be sent to cooperating agencies for review and comment, depending upon the roles and responsibilities defined for cooperating agencies.

If the project is required to undergo the SAC process, all SAC agencies will be also be afforded a thirty (30) day period to review and comment on the preliminary DEIS.

Upon approval from both WSDOT and FHWA, the local agency prepares the DEIS and submits the document to the Region Local Programs Engineer for transmittal to H&LP. H&LP will coordinate with WSDOT's Environmental Services Office and FHWA to schedule a briefing for signature of the document's title sheet. WSDOT's Director of the Environmental Services Office will sign the title page for WSDOT and the FHWA Division Administrator or appropriate Area Engineer will sign the title page for FHWA. Once signed, the title page will be returned to the local agency for reproduction and inclusion within the DEIS. Upon completion, the local agency will print sufficient copies to send out to the pre-determined distribution list.

The local agency will transmit copies of the DEIS to the Region Local Programs Engineer, who will forward the copies on to H&LP. H&LP will transmit copies of the DEIS to the Environmental Protection Agency for processing, so that a notice of availability can be published in the Federal Register. A comment period of not less than 45 days begins with publication in the Federal Register.

The DEIS shall be made available to the public and transmitted to the individuals and agencies on the distribution list no later than the date the document is filed with the EPA.

The local agency circulates the DEIS to any agency, organization, public official, or person who expresses interest in the project or requests a copy. The agency also provides a copy to any governmental agency authorized to develop and enforce environmental standards or issue permits. Generally, all copies of the DEIS are circulated to the distribution list, free of charge. After initial circulation, a printing fee may be charged as long as it does not exceed the cost of printing.

.39 Hearings and Notices. When the local agency advertises for an environmental, design, or combined hearing, or offers a notice of opportunity for public hearing, the notice will comply with the requirements of 23 CFR 771.111(h) and will announce the availability of the environmental document and where it may be obtained for review. Where hearings are not required by statute, an informational meeting may serve as a useful forum for public involvement in the environmental process.

The local agency will prepare a notice of availability and forward it to the Region LPE, for transmittal to H&LP. H&LP will forward copies of the DEIS and the notice of availability to the EPA for publication in the Federal Register. The notice in the Federal Register must be published at least fifteen (15) days in advance of the public hearing. The Federal Register notice will establish a period of forty-five (45) days for public comment on the DEIS.

The local agency is responsible for publishing other notifications. Other methods of notification may include, but are not limited to, publication in a newspaper of general circulation; notification of groups who have indicated an interest in the project; neighborhood publications; ethnic periodicals; and contacting news media. The notice must be published at least fifteen (15) days prior to the public hearing.

.40 Final Reports and Approvals.

a. Final Recommendation. The local agency reviews comments from the hearings and those received from evaluation of the DEIS and prepares responses to those comments. The local agency will forward the responses on to the Region LPE, for transmittal to H&LP, upon completion.

   The local agency analyzes and coordinates comments on the DEIS with the IDT and prepares a recommendation for a preferred alternative. The local agency must notify the Region LPE regarding the local agency's selection of the preferred alternative. The Region LPE will forward the local agency's recommendation on to H&LP, which will transmit it to FHWA. Ultimately, FHWA is responsible for selection of the preferred alternative.

b. Final Environmental Impact Statement (FEIS). The local agency prepares the preliminary FEIS and forwards the document to the Region LPE, for transmittal to H&LP. H&LP coordinates a review of the preliminary FEIS and responses to comments, within the Department. If the project is required to undergo the SAC process, all SAC agencies will be also be afforded a thirty (30) day period to review and comment on the preliminary FEIS.

   The FEIS contains the preferred alternative, evaluates all reasonable alternatives considered, discusses substantive comments received on the DEIS, summarizes public involvement, and describes procedures required to ensure that mitigation measures are implemented. The FEIS also documents compliance with environmental laws and executive orders.

   While FHWA Technical Advisory T 6640.8A outlines three options for preparing the FEIS (the Traditional Approach; the Condensed FEIS; and the Abbreviated Version), FHWA's preference is to prepare the FEIS using the Traditional Approach. This approach incorporates the DEIS essentially in its entirety, with changes made as appropriate throughout the document to reflect the selection of the preferred alternative, modifications to the project, updated information, changes in the assessment of impacts, selection of mitigation measures, the results of coordination, comments on the DEIS, and the responses to those comments.

   Upon completion of the Department's review of the FEIS, H&LP forwards the document to FHWA for review. FHWA's review of the FEIS includes a legal sufficiency review. Once both FHWA and WSDOT are satisfied with the preliminary FEIS, the local agency will prepare the FEIS. H&LP will coordinate with FHWA and the WSDOT Environmental Services Office (ESO) to schedule a briefing on the FEIS to secure signatures on the title page. FHWA will not sign the FEIS until compliance with other federal environmental regulations such as, but not limited to, Section 7 of the Endangered Species Act, Section 106 of the National Historic Preservation Act, and Section 4(f) of the U.S. Department of Transportation Act, is achieved. The signed title is returned to the local agency for reproduction and inclusion in the FEIS.

   Responsibility for circulation of the FEIS is shared between the local agency and WSDOT. The local agency notifies the public in a similar manner as for the DEIS, except that no comments are requested. The local agency circulates the FEIS for public review to any person, organization, or agency that submitted substantive comments; any agency with authorization to issue permits for the project; and public institutions.

c. Record of Decision (ROD). The local agency prepares a draft of the ROD and transmits a copy to the Region LPE, who forwards a copy to H&LP. The draft ROD is transmitted with the FEIS. The ROD includes the following information:

1. Decision. Identify the selected alternative. Reference to the FEIS may be used to avoid repetition.
2. Alternatives considered. Briefly describe each alternative (with reference to the FEIS) and justify the decision made. Where the selected alternative is different than the environmentally preferred alternative, the ROD should clearly state the reasons for not selecting the environmentally preferred alternative.
3. Measures to minimize harm. Describe all measures to minimize environmental harm that have been adopted for the proposed action.
4. Monitoring or enforcement program. Describe any monitoring or enforcement program that has been adopted for the specific mitigation measures, as outlined in the FEIS.
5. Commitment list. Include a list of the commitments and mitigation measures made as part of the project. This list should match the list in the commitment file, described in Section 24.11.

Upon completion of review, H&LP forwards the ROD to FHWA for review and approval. A copy of the signed ROD is transmitted back to the local agency, through the Region LPE.

24.4 Procedures for Class II (CE) Projects

The activities described in this section are summarized on the flow chart for Class II projects. Class II projects may be defined as either documented Categorical Exclusions (DCEs) or programmatic CEs.

It is important to utilize Appendix 24.112 and the *Environmental Procedures Manual* in completing the documentation to support a CE classification. The EPM will assist in determining which discipline reports are required and, more importantly, the level of detail and content that is appropriate. Use of these tools will help ensure that discipline reports are not prepared when the project's impacts do not warrant additional analysis. If an agency is uncertain as to the appropriateness of a discipline report or the content, the agency may contact the Region Local Programs office for assistance.

.41 Documented Categorical Exclusions. DCEs require documentation in the form of discipline reports to support the CE determination and FHWA approval. The local agency completes an ECS form and prepares discipline reports, as appropriate. These may include, but are not limited to, an Air Quality Analysis, Wetlands Report, Cultural Resources Survey, Biological Assessment, and Section 4(f) Evaluation. The WSDOT's *Environmental Procedures Manual* will assist local agencies in determining when a discipline report is required. If an agency is uncertain as to whether or not a discipline report is appropriate for a particular project, contact the Region Local Programs Engineer. Agencies may also wish to discuss the level of detail required in the discipline report with the Regional Local Programs Engineer to avoid exceeding the minimum analysis requirements for any given discipline report.

The local agency transmits the completed NEPA documents (discipline reports and ECS) to the Region Local Programs Engineer, who will forward them to H&LP. H&LP will coordinate with Department expertise, as appropriate, to review the discipline reports. H&LP will coordinate with the Region Local Programs Engineer and the local agency to address any comments, as appropriate.

Upon completion of the Department's review, H&LP will coordinate with state and federal resource agencies, as appropriate, to secure concurrence with the project's impacts. Once approvals are obtained, H&LP will forward the ECS package to FHWA for review and approval. H&LP will forward a copy of the FHWA signed ECS to the Region Local Programs Engineer, for transmittal to the local agency.

Public involvement is not required for a DCE, but it is always recommended for consideration, depending on the proposed project, location, surrounding populations, and public sentiment towards the project.

.42 Programmatic Categorical Exclusions. Projects that meet the requirements of the 1999 Memorandum of Understanding between WSDOT and FHWA on Programmatic Categorical Exclusions do not require FHWA approval. (See Appendix 24.117 for additional information.) Programmatic CEs generally do not result in impacts to any environmental considerations. Documentation needs for the programmatic CE are similar to those for DCEs.

The local agency completes an ECS form and prepares discipline reports, as appropriate. These may include, but are not limited to, an Air Quality Analysis, Cultural Resources Survey, and Biological Assessment.

The local agency transmits the completed NEPA documents to the Region Local Programs Engineer, who will forward them to H&LP. H&LP will coordinate with Department expertise, as appropriate, to review the discipline reports. H&LP will coordinate with the Region Local Programs Engineer and the local agency to address any comments, as appropriate.

Upon completion of the Department's review, H&LP will approve the ECS for FHWA and forward a copy of the WSDOT signed ECS to the Region Local Programs Engineer, for transmittal to the local agency.

24.5 Procedures for Class III (EA) Projects

The activities described in this section are summarized on the flow chart for Class III projects contained in Section 24.24.

.51 Cooperating Agencies. After FHWA authorization of preliminary engineering funds and confirmation of the NEPA classification, the local agency prepares a list of agencies, which may have a vested interest in the proposed project. Vested interest may be defined, as either a funding partner; ownership of required property; regulatory authority to issue a needed permit; or possession of special expertise within an affected environment.

The local agency will send the proposed list and a draft letter (including proposed project activities and potential issues) to the Region Local Programs office, which will transmit the documentation to H&LP. H&LP will coordinate with FHWA to send the letters to appropriate agencies. These letters need to be sent out as early as possible, typically prior to formal scoping (see Section 24.52).

The level of involvement of an interested cooperating agency will vary. FHWA, WSDOT, the local agency, and the cooperating agency will meet to define and agree on roles and expectations at the beginning of the project.

.52 Scoping. Formal scoping is not required for a Class III project. However, the local agency must coordinate with affected federal, state, and local agencies, Tribes, interest groups, and the public to determine the scope of the project, alternatives to be considered, and the issues to be addressed. If the local agency decides to conduct a formal scoping process, the agency should follow the guidance outlined in Section 24.34.

The formation of a formal IDT is also not necessary. The local agency must coordinate with the appropriate expertise, however, in order to prepare discipline reports and analysis.

.53 Data Collection, Inventory, and Evaluation. The local agency develops an inventory of social, economic, environmental, and engineering data and concerns. The information is used to define the environment; to predict and analyze the project's impacts; to help define the preferred alternative; to prepare environmental documents; and to inform other agencies, interest groups, or individuals. Sources of data include, but are not limited to field studies, consultation, and coordination with other agencies and the public. WSDOT's *Environmental Procedures Manual* and FHWA's Technical Advisory T6640.8A are general guides to the types of information, depth of studies, and procedures to be used in collection, inventory, and evaluation of required environmental data.

.54 Public Involvement. The local agency conducts public meetings, mail notices, and uses other methods appropriate to the magnitude of the project to provide and obtain information. Public involvement methods are discussed in Section 24.35.

.55 Reports and Recommendations.

a. Discipline Reports. Generally discipline reports are prepared in a similar manner as outlined in Section 24.38. Analyses are conducted to the extent where the specific environmental impacts can be determined. If the analyses of the discipline reports indicate that impacts are significant, the local agency must contact the Region LPE to set up a meeting with FHWA and H&LP. If FHWA agrees with the findings, preparation of an EIS is required.

b. Environmental Assessment. The local agency prepares a preliminary Environmental Assessment (EA) in accordance with the EA outline in WSDOT's *Environmental Procedures Manual* and *Reader Friendly Tool-Kit*. If the project involves the use of Section 4(f) properties, a separate 4(f) Evaluation is required and is included as a separate section in the EA. (See Section 24.9 for additional information.)

The preliminary EA and draft Section 4(f) Evaluation are submitted to the Region LPE. The Region LPE will forward copies of the document to H&LP for coordination of the review and comment with WSDOT's Environmental Services Office (ESO). Any comments or edits will be transmitted to the local agency for revision and re-submittal. Upon completion of WSDOT's review and approval, the preliminary EA is transmitted to FHWA for review and comment. Each review of the document by WSDOT and FHWA will typically require thirty (30) days to complete.

Upon approval from both WSDOT and FHWA, the local agency prepares the revised EA and submits the document to the Region Local Programs Engineer for transmittal to H&LP. H&LP will coordinate with WSDOT's Environmental Services Office and FHWA to schedule a briefing for signature of the document's title sheet. WSDOT's Director of the Environmental Services Office will sign the title page for WSDOT and the FHWA Division Administrator or appropriate Area Engineer will sign the title page for FHWA. Once signed, the title page will be returned to the local agency for reproduction and inclusion within the EA. Prior to signature, compliance with other federal environmental regulations such as, but not limited to, Section 7 of the Endangered Species Act, Section 106 of the National Historic Preservation Act, and Section 4(f) of the U.S. Department of Transportation Act, must be achieved.

Upon completion, the local agency will print sufficient copies to send out to the pre-determined distribution list. The local agency will transmit copies of the EA to the Region Local Programs Engineer, who will forward the copies on to H&LP.

A notice announcing the availability of the EA is published by the local agency in a newspaper of general circulation. The local agency also coordinates the circulation of the EA to affected individuals, interested parties, and local, state, and federal agencies with jurisdiction.

If Section 4(f) property is involved, the document is also circulated to the Department of Interior, as appropriate. See Section 24.9 for additional detail.

.56 Hearings and Notices. A public hearing is not required for a Class III project. However, a public hearing is strongly recommended if:

1) there is substantial controversy with the project;
2) FHWA, WSDOT, or the local agency desire a hearing; or
3) an agency with jurisdiction requests a hearing.

If a public hearing is held, the hearing must not be scheduled any sooner than fifteen (15) calendar days following the availability of the EA. Notice of the public hearing must be published in the local newspaper. The public hearing notice follows the format and time schedule outlined in Section 24.39.

If a hearing is not held, the local agency will publish a notice in the local newspaper (similar to the public hearing notice) notifying the public that the EA is available for review and comment. The notice also provides the location of documents and how to obtain additional copies.

The public review and comment period for an EA is thirty (30) days – regardless of whether a hearing is held. If a Section 4(f) evaluation is included, a forty-five (45) day public review and comment period is required.

.57 Finding of No Significant Impacts (FONSI). If the conclusions of the EA and public comment support significant impacts, the local agency will initiate preparation of an EIS (following FHWA's support of that direction).

If the findings of the EA and feedback from public comment do not indicate the existence of significant impacts, the local agency will prepare responses to the comments received; edit the EA as appropriate or draft an errata to the document; and prepare a draft FONSI for the project.

The local agency submits this package to the Region LPE for transmittal to H&LP. H&LP will review the package and, if deemed acceptable, forward it on to FHWA for review and approval. Provided FHWA agrees with the findings, FHWA will sign the FONSI and return a copy to H&LP, for transmittal to the Region LPE and local agency.

24.6 Project Re-evaluation

Whenever single or cumulative conditions have occurred that might cause new or more severe environmental impacts, the local agency shall re-evaluate an environmental document.

A written re-evaluation is required when either of the following conditions exist:

1. An acceptable FEIS has not been submitted to FHWA within three years from the date of the DEIS circulation.
2. Major steps to advance the project (such as approval to acquire a substantial portion of the right-of-way or approval of PS&E) have not occurred within **three years** of NEPA approval (i.e., FHWA's approval of the ECS, issuance of a FONSI, or ROD).

   The local agency re-evaluates the project by completing a new ECS, regardless of the project's NEPA classification. The re-evaluation needs to indicate whether any new information is known that alters the previous analysis and findings. If so, the local agency needs to conduct appropriate environmental studies to support the updated conclusions.

   The re-evaluation is submitted in written form to the Region LPE. The Region LPE will transmit a copy of the re-evaluation to H&LP for review and coordination with FHWA. FHWA will determine, based on the findings of the re-evaluation, if additional documentation is appropriate (e.g., a supplemental EIS, updated EA or ECS, depending on the original NEPA classification).

24.7 Biological Assessments

All federal actions are subject to Section 7 of the Endangered Species Act. FHWA must fulfill its responsibilities under the ESA, including coordination with NOAA Fisheries and the U.S. Fish and Wildlife Services (USFWS), as appropriate, prior to approval of NEPA. The following sections describe the process for completing Section 7 consultation.

.71 Species Listings. The agency must request ESA species listings to assist in assessing a project's environmental impacts from NOAA Fisheries, USFWS, the Washington State Department of Natural Resources (DNR), and the Washington State Department of Fish and Wildlife (WDFW). The listings for NOAA Fisheries and USFWS are available, on a jurisdiction wide basis, on the agencies' respective web pages.

For species that are proposed for listing, but not yet listed, any federal action must be evaluated to determine whether it jeopardizes the continued existence of the species. For projects that will not be completed before the proposed listing can take affect, the species should be treated as if it were listed with a conditional effect determination.

.72 Project Evaluation. Section 7 of the ESA requires that all projects with a federal nexus (i.e., the project requires a federal permit or approval, includes federal funding, or is located on federal lands), be evaluated to determine the project's effects on listed or proposed species and/or designated critical habitat. The species information and completion of the ECS's Part 5 checklist will assist the agency in completing the project evaluation. The evaluation is a guide to assess the project's impacts to any listed species or critical habitat.

Depending on the evaluation and the extent of the project's impacts, the effect determination (Section 24.73) will be one of the following:

- No effect
- May affect, not likely to adversely affect
- May affect, likely to adversely affect

The local agency will document, through a biological assessment (BA), the impacts of the project. The following options are available, depending on the effect determination:

a. For "no effect" determinations:

   1. Part 5 Checklist of the ECS. Local agencies are encouraged to use the Part 5 checklist, contained within the ECS, to satisfy the requirements of Section 7, if the agency can generally respond with a "no" to most of the questions and include appropriate justification in the comments section. If the agency cannot respond with a "no" response to most of the questions, then a separate "no effect" BA may be appropriate.
   2. A no effects biological assessment. Typical items to include in the document are:

      i. Species listings

      ii. Action area

iii. Proposed activities

iv. Project's lack of impacts and justification for the no effects determination

b. For "may affect" determinations. An evaluation that concludes a "may affect" determination for any species and/or designated critical habitat, requires the preparations of a separate BA document. Typically the document will include:

- A brief description and location of the project
- Action area
- Description of listed species and/or critical habitat within the project area
- Evaluation of the potential effects on listed species and/or critical habitat
- Assertion of "effect" determination for each species and/or critical habitat
- Development and recommendation of conservation measures
- Bibliography

.73 Effect Determinations. If a federal aid project is located within an area where listed species are present, the ESA requires that FHWA make a determination as to the effect of the project on the listed species and/or critical habitat. FHWA must make this determination and then consult with the Services (NOAA Fisheries and USFWS), as appropriate, depending on the effect determination.

a. No effects (NE). This conclusion is appropriate if the project will result in no impacts to listed species and critical habitat. The agency will document the no effects determination, utilizing the options described in Section 24.72.

Upon completion of the no effects documentation, the local agency will forward a copy to the Region Local Programs Engineer, who will in turn forward the document to H&LP. H&LP will coordinate a review of the document by a WSDOT biologist. Upon successful completion of the WSDOT review process, H&LP will transmit a copy of the no effects documentation to FHWA, with a recommendation for approval of the no effects determination. FHWA's signature on the ECS form will constitute their approval of a no effects BA.

WSDOT's review of the BA will generally require 2 to 3 weeks. Note that the process may require multiple submittals and revisions before approval is secured.

FHWA is not required to consult with the Services on no effects determinations.

b. May affect, not likely to adversely affect (NLTAA). This conclusion is appropriate when the project may result in some effect to the listed species, but the effect is beneficial, insignificant, or discountable.

Upon completion of the BA document, the local agency will forward a copy to the Region Local Programs Engineer, who will in turn forward the document to H&LP. H&LP will coordinate a review of the document by a WSDOT biologist. Upon successful completion of the WSDOT review process, H&LP will transmit a copy of the BA to the Services, as appropriate, for review and concurrence as part of informal consultation.

WSDOT's review of the BA will generally require 2 to 3 weeks. Note that the process may require multiple submittals and revisions before approval.

In informal consultation, NOAA Fisheries and USFWS, as appropriate, must concur in writing with the not likely to adversely affect conclusion. The Services' concurrence must be obtained before FHWA can approve NEPA. Upon receipt of the concurrence letter, H&LP will transmit a copy of the letter to the Region, for transmittal to the local agency.

The Services are typically afforded 35 days to complete informal consultation.

c. May affect, likely to adversely affect (LTAA). This conclusion is appropriate when the project will result in a take to listed species and/or designated critical habitat that is not beneficial, can be measured, and is likely to occur.

Upon completion of the BA document, the local agency will forward a copy to the Region Local Programs Engineer,

who will in turn forward the document to H&LP. H&LP will coordinate a review of the document by a WSDOT biologist. Upon successful completion of the WSDOT review process, H&LP will transmit a copy of the BA to FHWA for review and concurrence.

Upon concurrence, FHWA will forward the BA to the Services, as appropriate, and request the initiation of formal consultation. The ESA provides the Services 90 days to consult on a project with an adverse affect determination. During this time, the Services will determine if there is adequate information to develop the Biological Opinion (BO). The ESA allows for the request of a 60-day extension to complete the consultation and it is not uncommon for the Services to submit a request to FHWA for the extension.

The BO documents the Service's findings and concludes whether or not a proposed project will result in a finding of jeopardy to a species or an adverse modification to designated critical habitat. The Services are afforded forty-five (45) days to complete the BO. The BO will outline the measures to be taken to minimize impacts and the restrictions on take.

Upon completion of a draft BO, the Service will forward a copy to FHWA for review and coordination with WSDOT and the local agency. Upon agreement, the Service will complete the BO and issue a copy to FHWA. FHWA will forward a copy to H&LP, which will send a copy to the Region LPE, for transmittal to the local agency.

The description of work and conditions listed in the BO serve as the basis for justifying FHWA's findings and the Service's agreement. If any changes to the proposed project activities or deviations from the conditions are considered, the local agency must contact the Region LPE, prior to initiating those changes. Depending on the magnitude of the proposed changes, coordination and approval from FHWA and the Services may be required before the changes are initiated.

.74 Listing Updates. Until construction of the project is completed, the agency must obtain updated species listings from NOAA Fisheries and USFWS web pages, every six months. The six-month period begins from the date of ESA concurrence (either from the Services or from FHWA). The Listings for both agencies are available at the following web links:

NMFS Species Listing: http://www.nwr.noaa.gov/esalist.htm

USFWS Species Listings: http://ecos.fws.gov/tess_public/TESSWebpage

Agencies must evaluate whether or not any changes have occurred to the listings. If no changes have occurred, the agency should prepare a short memorandum noting such and include both the memo and a print of the species listings in the project file. If changes have occurred, agencies should also request listing updates from WDFW and DNR and update the projcet BA accordingly; and coordinate with WSDOT and FHWA to complete any additional consultation requirements.

The six-month period begins from the date of EASA concurrence (either from the Services or FHWA, depending on the effects determination).

Verification that local agencies have obtained updated listings (a print out of the two federal resource agencies' species listings web pages) and evaluated potential changes will be included as part of the agency's project management review (PMR).

.75 Pre-Biological Assessment Meetings. FHWA and WSDOT conduct monthly meetings (commonly referred to as Pre-BA meetings) with representatives of the U.S. Fish and Wildlife Service and NOAA Fisheries (the Services) to discuss projects and secure feedback from the Services during the preparation of the BA. These meetings typically occur at the USFWS and NOAA Fisheries offices in Lacey.

Attendance at a Pre-BA meeting is required for the following projects:

- All formal consultation projects (i.e., projects that will result in a may effect, likely to adversely affect determination to listed species and/or designated critical habitat).
- All projects that involve in water work where listed fish or Orcas may be present.
- All projects that involve in water pile driving in listed fish bearing waters, including Puget Sound.
- All projects that involve blasting within one mile of a point location for bald eagle, northern spotted owl site center, or occupied or suitable marbled murrelet habitat, or within 1/4 mile of a listed fish bearing water.

- All projects (that are not conducting blasting) which occur within suitable (including suitable critical) habitat or within 60 yards of suitable habitat for spotted owls and marbled murrelets during their respective nesting seasons.
- All projects that occur within designated or proposed critical habitat for any plant or animal species and which have the potential to alter the habitat. Projects that only occur within unoccupied or unsuitable critical habitat which do not modify the critical habitat may not need to attend.
- Projects that complete activities within ¼ mile (if not in line of sight) or ½ mile (if in line of sight) of a bald eagle nest during the nesting season (Jan. 1- Aug. 15) or winter roost or wintering concentration area during October 31 – March 31.

Projects that do not have to participate in a Pre-BA meeting include:

- Projects that are a no effect for species under the jurisdiction of both NOAA and USFWS.

While attendance at Pre-BA meetings is mandatory for all projects that meet the above applicable requirements, local agencies may be able to replace their physical attendance at a Pre-BA meeting with an agreed upon alternative meeting format or participation method (for example, conference calls or field meetings).

Local agencies that have a project that meets one of the applicable criteria must contact their Region Local Programs Engineer for inclusion in a future Pre-BA meeting. The Region Local Programs Engineer will work with H&LP's Environmental Office to schedule participation. Informal or formal consultation with the Services on project BAs that meet the preceding criteria will not begin until participation at the Pre-BA meeting has occurred.

.76 Stormwater. The biological assessment documentation must contain affirmation that the proposed project's water quality/ quantity treatment for new and any existing impervious surface will be in compliance with WSDOT's *2004 Highway Runoff Manual* or an equivalent manual. With respect to determining the impacts of stormwater considerations to listed species and habitat, consideration should be given to the proposed treatment and what impacts may result.

24.8 Section 106 Process

Any project, activity, or program funded in whole or part, under the direct or indirect jurisdiction of a federal agency, including those carried out on behalf of a federal agency; and those actions requiring a federal permit, license, or approval, are considered to be an undertaking and, thus, are subject to the requirements detailed in Section 106 of the National Historic Preservation Act of 1966 (NHPA). Section 106 calls for meaningful coordination with interested parties to develop a project in a manner that avoids and/or minimizes impacts to historic and cultural resources. As such, initiation of the Section 106 process should occur as early as possible. It is suggested that consideration of the following process occur as early as during the preparation of the project prospectus.

"Meaningful" consultation and coordination may assume a variety of forms depending on the location of the project, nature of the proposed undertaking, and extent of impacts to cultural and/or historic resources. Refer to WSDOT's *Environmental Procedures Manual* (Section 456) and WSDOT's *Centennial Accord Plan* for recommended best practices for ensuring adequate and appropriate consultation with the Office of Archaeology and Historic Preservation (OAHP), Tribes, and any other interested consulting parties. Local agencies must recognize, however, that all coordination and correspondence with OAHP, Tribes, and any interested consulting party must be initiated and coordinated through H&LP or FHWA.

The following sections outline the process a local agency must complete prior to FHWA's authorization of NEPA approval:

.81 Determination of Exempt Status. The following list identifies those undertakings that have limited areas of impact, which are unlikely to contain properties listed or eligible for inclusion in the National Register of Historic Places. This list of projects was developed as part of a Programmatic Agreement between FHWA, OAHP, and WSDOT. These projects can be considered to have no effect on historic properties.

If the local agency's proposed project meets one of the following exemptions, no coordination with OAHP or with the Tribes on the area of potential effects (APE) and the impacts of the undertaking is required. Although consultation with the Tribes will not be initiated, quarterly notices will be sent to the Tribes by H&LP to inform the Tribes of which projects were processed using the Programmatic Agreement.

Exemptions:

A. All work to be done on the bridges of the National Highway System (NHS) and non-NHS state highways which are less than 40 years old, unless an inventory has shown the bridge to be exceptionally significant.

B. All work within interchanges and within medians of divided highways unless the median has been undisturbed by construction.

C. All work between the highway and an adjacent frontage road, unless the area between is undisturbed.

D. Replacement or extension of culverts and other drainage structures with waterway openings of 100 square feet (9.3 square meters) or less and which *do not* extend beyond previous construction limits.

E. Roadway surface replacement, overlays, shoulder treatments, pavement repair, seal coating, pavement grinding, and pavement marking where there will be no expansion of the wearing surface, unless within a historic district.

F. Installation of new lighting, signals, and other traffic control devices, and replacement or repair of lighting, signals, and traffic control devices where the existing units were installed less than 50 years ago, except if the project is immediately adjacent to, or located within, eligible bridges, historic properties, or historic districts.

G. Installation, replacement, or repair of safety appurtenances such as guardrails, barriers, glare screens, and energy attenuators (except on National Register listed or previously determined eligible bridges, properties, or districts).

H. Fencing, including salvage yards, provided no grading or other landscaping is involved.

I. Landscaping on fill slopes and back slopes only. All landscaping beyond toe of fill slopes or beyond top of back slope must be reviewed.

J. Repair or replacement in kind of curb and gutter, sidewalk and catch basins on the same location except the following: replacement projects and construction of handicapped access ramps projects adjacent to National Register eligible or listed properties.

K. Railway crossing signs and signal installation or modification and surface improvements.

L. Emergency structural repairs to maintain the structural integrity of a bridge (except National Register listed or eligible bridges), roadway overlays, and painting. Bridge reconstruction, which does not include roadway widening, or modification of existing piers and abutments, but which may include bridge repairs, deck replacement or repair, railing repair and other maintenance work.

M. Construction of turning lanes and pockets, auxiliary lanes (e.g., truck climbing, acceleration and deceleration lanes) and shoulder widening where only placement of fill material is involved, or within an area previously disturbed by vertical and horizontal construction activities.

N. Placement of fill material on the side slopes of intersection crossroads and accesses for purposes of flattening these slopes to meet safety criteria, provided that no topsoil is removed beyond the area of previous horizontal and vertical disturbance.

O. Hazardous waste removal and disposal from within an area previously disturbed by vertical and horizontal construction activities, which constitutes a public hazard and which requires immediate removal.

P. Placement of riprap within an area previously disturbed by vertical and horizontal construction activities to prevent erosion of waterways and bridge piers.

Q. Routine roadway, roadside, and drainage system maintenance activities necessary to preserve existing infrastructure and maintain roadway safety, drainage conveyance, and storm water treatment in previously disturbed areas.

If the local agency determines that their project is included in one of the exemption activities listed previously, the local agency documents this determination in Part 4, Question 3 of the ECS.

.82 Identification of the Area of Potential Effects (APE). If the proposed project is not exempt from the Section 106 process, the local agency must determine the area of potential effects, analyze the potential impacts of their project on cultural and historic resources, and coordinate with OAHP, Tribes, and any other interested parties, as appropriate.

The local agency will submit documentation containing the following information to the Region Local Programs office, in order to initiate the Section 106 process:

- Description of the APE, including the legal description, detailed maps (*identifying the project site and outlining the proposed APE on the map is recommended*), and photos of the project site.
- Areas of potential soil disturbance (include depth of excavation; approximate volume of soil to be removed; etc.).
- All locations from which elements of the project are visible or audible.
- Construction of staging areas or detour routes.
- Description and pictures of historic structures, landmarks or cultural significant sights within the proposed APE (if known and available).
- Proximity to local landmarks, towns, or milepost markers.

The local agency forwards this information to the Region Local Programs office, which will transmit the documentation to H&LP. WSDOT's H&LP will transmit the information to OAHP, area Tribes, and any other interested parties. The transmittal will request comment on the proposed APE, the party's interest in participating in the consultation process, and any information the party may have on concerns or identification of historic and/or cultural resources located within the APE.

If a response to the initial inquiry letter is not received within thirty (30) days of the initial transmittal, project development will be allowed to continue forward. Section 106 of the NHPA, however, does allow the Tribe to enter into the consultation process at any point in the project development – regardless of whether they respond to the initial inquiry letter or not.

Upon receipt of any responses from OAHP, area Tribes, or interested consulting parties, H&LP will coordinate with the Region Local Programs Office and local agency to provide additional information, initiate meetings, and seek resolution to concerns with those parties as appropriate.

.83 Cultural and Historic Resources Survey. After determining the APE, the local agency must prepare a cultural and historic resources survey to identify any resources present within the APE and determine the impacts of the project on those resources, as appropriate. The survey cannot be approved until the APE is approved.

Typical items to include in the survey documentation consist of:

- a description of the undertaking;
- a description of the APE, including photographs, maps, and drawings as necessary;
- a description of the steps taken to identify historic properties;
- a description of the historic properties, if present;
- a recommendation of effect determinations;
- justification for the effect determination - including efforts to avoid, minimize, and mitigate impacts; and
- a summary of coordination efforts with OAHP, area Tribes, and other interested consulting parties.

An individual who meets or acts under the direct supervision of an individual who meets the Secretary of Interior's Standards must conduct these evaluations.

Depending on the evaluation and the extent of the project's impacts, the effect determination on historic and cultural resources will be one of the following conclusions:

- No historic properties affected (or no effects to historic properties)
- No adverse affect (or no historic properties adversely affected)
- Adverse affect (or historic properties are adversely affected)

.84 Effect Determinations. Section 106 of the NHPA requires FHWA to make a determination of effect from the undertaking on any historic and/or cultural resources present within the APE.

a. No historic properties affected. This is the appropriate conclusion if the project will not impact any historic and/or cultural resources or if no resources are present within the APE.

   If this conclusion is appropriate, the local agency will provide documentation of this finding, including the information outlined in Section 24.83, to the Region Local Programs office. The Region Local Programs office will transmit the documentation to H&LP. Upon receipt of the documentation and review, H&LP will forward the submittal to one of WSDOT's Cultural Resources Specialists for review. This review typically requires 3 to 4 weeks and may require more than one revision, prior to WSDOT's approval.

   Upon agreement from WSDOT's Cultural Resources Specialist, H&LP will forward a copy of the survey to OAHP, area Tribes, and any other interested consulting parties for review and comment.

   If OAHP, area Tribes, or any interested consulting parties do not object to the agency's findings within thirty (30) days of receipt of the documentation, the local agency will have fulfilled its responsibilities under Section 106 of the NHPA. Failure to respond within thirty days shall constitute agreement with the findings.

   If OAHP, area Tribes, or any consulting parties do object to the agency's findings, they will contact H&LP and H&LP will coordinate, as appropriate, with FHWA, the Region Local Programs office, and the local agency to resolve the objections.

   Upon successful resolution of issues, OAHP and any interested Tribes and consulting parties send concurrence letters to H&LP, officially concluding the Section 106 consultation process.

b. No adverse effects. This conclusion is appropriate when historic properties are present and an undertaking may impact those properties, but the impacts do not meet the criteria for an adverse affect (as outlined in Section 24.84(c)).

   The local agency may propose a finding of no adverse affect when the impacts of the undertaking do not meet the criteria for an adverse affect or the undertaking is modified (through coordination with OAHP, area Tribes, and interested consulting parties) to prevent an adverse affect on any historic or cultural resources.

   If this conclusion is appropriate, the local agency will provide documentation of this finding, including the information outlined in Section 24.83, to the Region Local Programs office. The Region Local Programs office will transmit the documentation to H&LP. Upon receipt of the documentation and review, H&LP will forward the submittal to one of WSDOT's Cultural Resources Specialists for review. This review typically requires 3 to 4 weeks and may require more than one revision, prior to WSDOT's approval.

   Upon agreement from WSDOT's Cultural Resources Specialist, H&LP will forward a copy of the survey to OAHP, area Tribes, and any other interested consulting parties for review and comment.

   If OAHP, area Tribes, or any consulting parties do not object to the agency's findings within thirty (30) days of receipt of the documentation, the local agency will have fulfilled its responsibilities under Section 106 of the NHPA. Failure to respond within thirty days shall constitute agreement with the findings.

   Disagreement with the findings. If OAHP or any consulting party disagrees with the local agency findings, within the 30-day review period, the party shall specify the reasons for disagreeing with the findings and forward their response to H&LP. H&LP will coordinate, as appropriate, with FHWA, the Region Local Programs office, and the local agency to resolve the objections.

   If resolution is not achieved, H&LP will request FHWA elevate the matter to the Advisory Council for Historic Preservation (ACHP). The ACHP will review the finding and notify the local agency of its determination within fifteen (15) days of receiving the documentation from FHWA. The local agency must proceed in accordance with the ACHP's determination. If the ACHP does not respond within fifteen days of receipt of the finding, the local agency may assume concurrence with the finding and proceed accordingly.

c. Adverse effects. An adverse effect determination is appropriate when an undertaking may alter, directly or indirectly, any of the characteristics of a historic property that is on or eligible for the National Register of Historic Places in a manner that diminishes the integrity of the property's location, design, setting, materials, workmanship, feeling, or association.

   Adverse effects on historic properties include, but are not limited to:

   - physical destruction of or damage to all or part of the property;

- alteration of property, including restoration, rehabilitation, repair, maintenance, etc. that is not consistent with the Secretary's Standards for the Treatment of Historic Properties (36 CFR Part 68) and applicable guidelines;
- removal of the property from its historic location;
- change of the character of the property's use or of physical features within the property's setting that contribute to its historic significance; and
- introduction of visual or audible elements that diminish the integrity of the property's significant historic features.

If this conclusion is appropriate, the local agency will provide documentation of this finding, including the information outlined in Section 24.83, to the Region Local Programs office. The Region Local Programs office will transmit the documentation to the H&LP. Upon receipt of the documentation and review, H&LP will forward the submittal to one of WSDOT's Cultural Resources Specialists for review. This review typically requires 3 to 4 weeks and may require more than one revision, prior to WSDOT's approval.

Upon agreement from WSDOT's Cultural Resources Specialist, H&LP will forward a copy of the survey to FHWA for review and comment. Upon agreement, FHWA will notify the ACHP of the adverse effect finding and invite the ACHP to participate in the consultation process. The ACHP shall advise FHWA and all other consulting parties whether it will participate within 15 days of receipt of notice.

Following agreement from FHWA, H&LP will forward a copy of the survey to OAHP, area Tribes, and any other interested consulting parties for review and comment. OAHP, area Tribes, or any interested consulting parties are afforded thirty (30) days to review the documentation provided and return comment. Failure to respond within thirty days shall constitute agreement with the findings.

The local agency, Region Local Programs office, H&LP, and FHWA will consult with OAHP, area Tribes, and any other interested consulting party to seek opportunities to avoid, minimize, or mitigate the adverse effect. If agreement is reached between all parties on how the adverse effects will be resolved, all appropriate parties will execute a Memorandum of Agreement (MOA). The FHWA will submit a copy of the executed MOA to the ACHP, prior to approving NEPA.

Situations may arise in which all parties do not concur with the proposed resolution for any adverse affects. If such a situation arises, FHWA, as the lead federal agency, has the authority to proceed forward, without the approval of concurring parties, if FHWA believes the process has included all possible measures to minimize and address impacts. If this situation arises, FHWA will consider proceeding forward on a case by case basis, only after all other possible solutions have been evaluated.

24.9 Section 4(f) Process

Section 4(f) of the Department of Transportation Act of 1966 prohibits FHWA from approving the use of land from a significant publicly owned park, recreation area, or wildlife and waterfowl refuge, or any significant historic site unless a determination is made that:

- There is no feasible and prudent alternative to the use of land from the property; and
- the proposed action includes all possible planning to minimize harm to the property resulting from such use.

Section 4(f) requirements apply to a historic site when the property is either on or eligible for the National Register of Historic Places. While the two processes should be coordinated, recognize that one does not supersede the other.

When a project proposes the use of a Section 4(f) resource, a Section 4(f) evaluation is required. The evaluation may take the form of either a Programmatic Section 4(f) Evaluation or an Individual Section 4(f) Evaluation.

.91 Programmatic Section 4(f) Evaluations. There are four nationwide programmatic Section 4(f) evaluations. They include:

- Section 4(f) Statement and Determination for Independent Bikeway or Walkway Construction Projects
- Programmatic Section 4(f) Evaluation and Approval for FHWA Projects that Necessitate the Use of Historic Bridges

- Final Nationwide Section 4(f) Evaluation and Approval for Federally-Aided Highway Projects with Minor Involvements with Historic Sites
- Final Nationwide Section 4(f) Evaluation and Approval for Federally-Aided Highway Projects with Minor Involvements with Public Parks, Recreation Lands, and Wildlife and Waterfowl Refuges

Each programmatic evaluation requires certain conditions be met for use. The programmatic evaluations do not exempt a project from Section 4(f), nor do they relax the requirements. Rather the programmatic evaluations offer a streamlined approach to the coordination required under Section 4(f). See Chapter 455 of the Environmental Procedures Manual (EPM) for additional information on the specific conditions of each programmatic evaluation.

If the local agency determines that a programmatic evaluation is appropriate, the agency must document their findings, including how the project meets the criteria of the programmatic evaluation; the analysis of alternatives, including an avoidance alternative; the findings of the analysis; measures to minimize harm to the Section 4(f) resources; coordination; and include a signature approval line for FHWA. Typically, a letter from the agency with jurisdiction over the Section 4(f) resource, indicating the agency's comfort with the project and its impact on the Section 4(f) resource, is also included in the documentation.

Upon completion of the documentation, the local agency will forward the documentation on to the Region Local Programs Engineer, who will transmit the information to H&LP for review. Upon completion of H&LP's review, H&LP will forward the document on to FHWA for review and approval.

.92 Individual Section 4(f) Evaluations. If the proposed project will impact a Section 4(f) resource, but does not meet the conditions of a programmatic evaluation, the local agency must prepare an individual Section 4(f) Evaluation.

The individual Section 4(f) Evaluation is completed in two steps. First, the local agency prepares a Draft Section 4(f) Evaluation. The draft evaluation must include the following information:

- A description of the proposed project, including purpose and need for the project.
- A brief introduction – including the basic requirements of Section 4(f); the Section 4(f) resources that will be impacted by the project; and alternatives to be considered.
- Description of each Section 4(f) resource – including, as appropriate, maps, size, type of property and ownership, function, access and usage, etc.
- Environmental impacts during and post construction for each alternative on each Section 4(f) resource.
- Avoidance alternatives.
- Mitigation measures, commitments, and monitoring procedures to minimize harm to the Section 4(f) resource.
- Coordination with other agencies – including, as appropriate, jurisdiction with authority over Section 4(f) resource, OAHP, ACHP, etc.

Upon completion of the draft evaluation, the local agency will forward a copy to the Region Local Programs Engineer, who will transmit a copy to H&LP. Upon completion of H&LP's review, H&LP will forward the document on to FHWA for review and approval. Upon agreement with findings, FHWA will forward a copy of the evaluation to their legal counsel for a thirty (30) day review. Upon completion of FHWA's review, the evaluation is transmitted to the U.S. Department of Interior (DOI) in Washington, D.C. and, as appropriate, the Departments of Agriculture (USDA) and Housing and Urban Development (HUD). DOI is afforded a minimum forty-five (45) day review. Upon receipt of DOI's comments, H&LP will notify the local agency, through the Region Local Programs Engineer, of the comments and the need to complete the final Section 4(f) evaluation.

The final Section 4(f) Evaluation must contain the following information:

- All the information required in the draft evaluation.
- A discussion as to why there are no feasible and prudent alternatives for each Section 4(f) property involved. (Feasible means that it is possible to construct using sound engineering practices – disregarding any other considerations and costs. Prudent means that an alternative does not involve extraordinary costs, community disruption, or other considerations.)

- A discussion concluding that the proposed project includes all possible. planning to minimize harm to the Section 4(f) resource.
- A summary of the formal coordination and concurrence by DOI.
- Copies of all formal coordination comments.
- Concluding statement that there are no feasible and prudent alternatives to using the Section 4(f) resource.

Upon completion of the final evaluation, the local agency will forward the documentation on to the Region Local Programs Engineer, who will transmit the information to H&LP for review. Upon completion of H&LP's review, H&LP will forward the document on to FHWA for review and approval.

24.10 Environmental Commitment Tracking

During the development of the NEPA documentation, the local agency may make commitments that will result in avoidance, minimization, or mitigation of adverse effects. It is the responsibility of the local agency to document any commitments made and ensure they are carried out as agreed upon.

.101 Commitment File. As an initial part of project development, the local agency establishes a project commitment file. Establishment of this file generally coincides with preparation of the environmental document or may occur at later stages, as appropriate. The file consists of proposed mitigation measures, commitments made to resource or other agencies with permitting authority, and other commitments made on the project. The file normally consists of design and environmental commitments. Other commitments may be added at the local agency's discretion, such as right-of-way, access, maintenance, permits, and agreements.

The local agency maintains the commitment file throughout the life of a project. The organization and tracking of commitments is the discretion of the local agency.

The local agency must request concurrence from the Region Local Programs Engineer for any significant alteration to mitigation measures that directly or indirectly impact commitments made as part of the NEPA process. This includes alterations proposed during the construction or maintenance of the project.

.102 Project Reviews. Ultimately, it is FHWA's responsibility to ensure any commitments made during NEPA are adhered to. The local agency is responsible for monitoring project development, construction, and maintenance to ensure that environmental commitments are kept and adverse effects are mitigated.

Environmental commitment files will be reviewed as part of the Project Management Review (PMR) process.

24.11 Appendices

24.111 Definitions
24.112 Instructions for Completing the Environmental Classification Summary
24.113 Local Agency Environmental Classification Summary
24.114 Biological Assessment Coordination Process
24.115 Biological Assessment Checklist
24.116 27 Tribes and Treaty Ceded Areas of Washington State
24.117 1999 CE Memorandum of Understanding Between FHWA and WSDOT

Chapter 27 Equal Employment Opportunity and Training

27.1 General Discussion

To effectively assure Equal Employment Opportunity (EEO), it is the policy of the Federal Highway Administration (FHWA) to require that all federal aid highway construction contracts include specific requirements to implement the Title VI Program, related civil rights laws and regulations. These specific requirements apply to contractors and all their subcontractors (not including material suppliers) holding subcontracts of $10,000 or more. To be eligible for federal aid funds, the local agency must comply with the civil rights requirements.

The following statement shall be accepted by local agencies and contractors as their operating policy:

> It is the policy of this Company to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, religion, sex, color, national origin, or disability. Such action shall include: employment upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship, preapprenticeship, and/or on-the-job training.

Local agencies and their contractors must each designate an EEO officer to ensure compliance with the EEO Title VI, Section 504, and training policy.

The Washington State Department of Transportation (WSDOT) will monitor both the local agency and its contractors for compliance as part of the normal project management reviews and through contract compliance reviews of selected contracts.

The local agency, by signature to the Local Agency Agreement, agrees to the following:

a. To assist and cooperate actively with the state in obtaining contractor and subcontractor compliance with the equal opportunity clause and rules, regulations, and relevant orders of the FHWA and/or Secretary of Labor.

b. To furnish the state such information as it may require for the supervision of such compliance and otherwise assist the state in the discharge of its primary responsibility for securing compliance.

c. To refrain from entering into any contract or contract modification subject to Executive Order 11246 of September 24, 1965, as amended, with a contractor debarred from, or who has not demonstrated eligibility for, government contracts and federally-assisted construction contracts pursuant to the Executive Order and other pertinent rules, laws, and regulations.

d. To carry out such sanctions and penalties for violation of the equal opportunity clause as may be imposed upon contractors and subcontractors by the state, FHWA, or the Secretary of Labor pursuant to Part II, subpart D of the Executive Order.

   In addition, the agency agrees that if it fails or refuses to comply with these undertakings, the state may take any or all of the following actions:

   - Cancel, terminate, or suspend the Local Agency Agreement in whole or in part;
   - Refrain from extending any further assistance to the agency regarding the failure or refusal to comply until satisfactory assurance of future compliance has been received from the agency; and
   - Refer the case to the Department of Justice for appropriate legal proceedings.

The local agency must consult the WSDOT/APWA *Standard Specifications*, *Amendments, General Special Provisions*, and the WSDOT *Construction Manual* to administer the EEO and training programs.

27.2 Training

To meet federal requirements, each contract must comply with applicable GSPs and Form FHWA-1273.

Training goals are established by the Highways and Local Programs Operations Engineer on selected federal aid construction contracts. The goals are set based on the formula developed by WSDOT, and the goal setting process takes into account the following factors:

1. The dollar amount of the project (normally Highways and Local Programs will not set goals on projects of less than $500,000).
2. Type of work. Project must lend itself to training.
3. Availability of minorities and women for training.

4. Geographic location of the project.
5. Duration of the work (normally Highways and Local Programs will not set training goals on projects of less than 60 working days).

The formula is a combination of opportunity and population ratings based on location. These are multiplied by the dollar amount of the project and provide a base figure for training hours. This is a base figure which is adjusted depending on the length of the project and the type of work. The Highways and Local Programs Operations Engineer determines the training hours, but the number of trainees is left to the discretion of the local agency. The local agency must submit an engineer's estimate for the duration of the contract including estimated number of working days to the Region Local Programs Engineer as a basis for the Highways and Local Programs Project Development Engineer to set goals. (The training goals and DBE goals are established at the
same time.)

If the local agency has a WSDOT approved EEO/On-the-Job Training (OJT) Plan which sets training goals, the agency may use those goals to establish specific project goals.

27.3 Contract Administration

.31 General. The local agency has the responsibility to:

a. Conduct preconstruction conferences during which EEO and training Special Provisions for federal aid contracts are discussed with the contractor. (Emphasis should be made regarding the applicability of goal-by-craft versus average-of-all-crafts.)

b. Ensure that the contractor posts and maintains notices and posters setting forth the contractor's EEO policy. A supply of OFCCP Poster No. 1420, Equal Employment Opportunity is the Law, shall be made available to the contractor.

c. Monitor on-site compliance with the EEO and training Special Provisions of federal aid contracts.

d. Ensure that their contractors locate, qualify, and increase the skills of minority groups, women employees, and applicants for employment as specified in the training provisions.

e. Prepare and/or ensure the preparation of the required EEO and training reports.

.32 EEO Reports.

a. PR 1391: This report is submitted by the contractor and subcontractors showing all the employees in the work force including an ethnic breakdown on their federal aid highway construction projects under construction during the month of July. The report is a summation of employees on their last payroll period preceding the end of July. The local agency retains this form in its project files.

b. PR 1392: Summation of the July PR 1391 reports received from all contractors and subcontractors that were working on federally-assisted projects during the month of July. This report is prepared by the local agency and sent to the Region Local Programs Engineer by August 30. The Region Local Programs Engineer will summarize agencies PR1392 into one PR1392. This summarized report is due at WSDOT Headquarters Highways and Local Programs by September 10 annually.

c. DOT Form 820-010 Monthly Employment Utilization Report: This report includes the total work hours for each employee classification in each trade in the covered area for the monthly report period. All Contractors/Subcontractors having contracts of $100,000 or more that are federally funded shall submit WSDOT Form 820-010 to the Local Agency by the **fifth of the month** during the term of the contract. The Contractors/Subcontractors shall maintain this information in their files for all federally and locally funded projects under $100,000. The hours reported represent the contractor's and subcontractor's federal and nonfederal funded projects in the SMSA or EA per the GSP. The completed form will represent a work force greater than what is on your project if the contractor or subcontractor has another project in the same SMSA or EA.

   To monitor the forms submitted during the term of the contract, the local agency will summarize a contractor's progress. The results of the summary will show whether the contractor is meeting the employment percentages that appear in the GSP.

.33 Training Reports.

a. Form 272-060: Federal Aid Highway Construction Annual Project Training Report, is maintained by the local agency's Project Engineer as trainees are approved. Question 10 is to be completed from the project payroll/trainee records. Form 272-060 is due in the Region Local Programs office by December 10th.

b. Form 272-061: Federal Aid Highway Construction Cumulative Training Report, extracts the information taken from Form 272-060. The Region Local Programs Engineer prepares this report which is due in the Headquarters by December 20.

27.4 Monitoring During Construction

.41 EEO. During the project construction, the local agency must monitor the contractor's performance to ensure compliance with its Title VI and Section 504 EEO policy. To accomplish this, the local agency must designate an EEO officer. The EEO officer's duties are to conduct reviews with the contractor, maintain records, reports, and required Title VI statistical data concerning the contractor's performance, and ensure that the local agency itself is in compliance with its EEO policy.

.42 Training. When training hours are assigned to the project, the local agency must verify that the trainee is on the project and is receiving beneficial training in accordance with the approved training program. When the trainees are on the project, the local agency shall periodically conduct interviews with them to determine if they are receiving the training as specified in the approved training program. The "Trainee Questionnaire" form or similar forms should be used to document the employee interviews and the contractor's compliance with the training requirement.

The contractor will submit certified monthly detailed invoices showing the related weekly payroll number, name of the trainee, total hours trained under the program, previously paid hours, hours due, and the dollar amount due this estimate. These invoices must be kept with the project records and will become part of the temporary final records to be retained for three years after acceptance of the project by WSDOT and FHWA.

27.5 Compliance Review

In addition to the selected compliance review of local agency contracts by WSDOT External Civil Rights (ECR), the Highways and Local Programs Operations Engineer's Office will review Title VI and Section 504 EEO and training compliance during its regular project management reviews. If, upon such examination, it is determined that further review is needed, the Olympia Service Center Highways and Local Programs Office may initiate a further investigation.

The evaluation of the local agency's and its contractor's compliance is based on the provisions included in the contract.

Forms

See Chapter 11 of the WSDOT *Construction Manual*.

Supplemental Signature Page for Standard Consultant Agreement	Consultant/Address/Telephone
Agreement Number	Project Title And Work Description
Federal Aid Number	
Local Agency	

THIS AGREEMENT, made and entered into this _____ day of _____, _____, between the Local Agency of _____, Washington, hereinafter called the ÒAGENCYÓ and the above organization hereinafter called the ÒCONSULTANTÓ.

In witness whereof, the parties hereto have executed this AGREEMENT as of the day and year first above written.

CONSULTANT

By _____

Consultant _____

By _____

Consultant _____

LOCAL AGENCY

By _____

Agency _____

By _____

Agency _____

By _____

Agency _____

By _____

Agency _____

DOT Form 140-089A EF
Revised 4/98

Washington State Department of Transportation

Supplemental Agreement Number _____	Organization and Address
Agreement Number	
Project Number	Phone
Project Title	New Maximum Amount Payable **$**
Description of Work	

The Local Agency of _____

desires to supplement the agreement entered into with _____

and executed on _____ and identified as Agreement No. _____

All provisions in the basic agreement remain in effect except as expressly modified by this supplement.

The changes to the agreement are described as follows:

I

Section 1, SCOPE OF WORK, is hereby changed to read:

_____

_____

_____

II

Section IV, TIME FOR BEGINNING AND COMPLETION, is amended to change the number of calendar days for completion of the work to read: _____

III

Section V, PAYMENT, shall be amended as follows:

_____

_____

as set forth in the attached Exhibit A, and by this reference made a part of this supplement.

If you concur with this supplement and agree to the changes as stated above, please sign in the appropriate spaces below and return to this office for final action.

By: _____ By: _____

_____ _____

Consultant Signature Approving Authority Signature

_____

Date

DOT Form 140-063 EF
Revised 8/2005

34.1 General Discussion

The primary objective of the Federal Highway Bridge Program (HBP) is to enhance travel safety through replacement and rehabilitation of bridges, owned by cities and counties that are physically deteriorated and are structurally deficient or functionally obsolete. The HBP also funds systematic preventive maintenance activities for structures (23 U.S.C. 116(d)). Routine maintenance is not eligible for HBP funding.

This chapter describes the process for inspecting and selecting bridge projects to be funded using HBP funds.

34.2 Bridge Condition Inspection Program

A methodical Bridge Inspection Program is mandatory for agencies that want to qualify for HBP funds.

The Federal Highway Administration (FHWA) has set the national standards for the proper safety inspection and evaluation of bridges in a document called the National Bridge Inspection Standards (NBIS). These standards are located in the Code of Federal Regulations, 23 Highways Part 650, Subpart C. The December 14, 2004 electronic version of the NBIS can be found online at http://www.fhwa.dot.gov/bridge/. Information and guidance on bridge condition inspection in Washington State is located in the Washington State Bridge Inspection Manual (WSBIM). An electronic version of the WSBIM can be accessed at http://www.wsdot.wa.gov/TA/Operations/BRIDGE/BRIDGEHP.HTM. Reference these documents for additional information on the following subjects.

34.21 Delegation of NBIS Responsibilities

Each State Transportation Department is required to have an Inspection Organization responsible to inspect all bridges that are owned by the state, county, and city. The H&LP Local Agency Bridge Engineer will function as the Program Manager for county and city bridge owners. WSDOT has the option of delegating some of this authority to qualified local agencies.

34.22 Bridge Inspection Types and Frequencies

Each structure in the National Bridge Inventory (NBI) shall receive a routine inspection at 24-month intervals. Routine Inspections may require special access equipment to perform a hands-on inspection. Inspections that require special access or procedures are performed for county and city bridge owners by the State at no cost to the agency.

Inspections that require special equipment or procedures are:

1. Complex Bridges
2. Underwater Inspection
3. Bridges with fracture critical elements

Inspection requirements are outlined in the flow chart in Appendix 34.602 of this manual and detailed in the WSBIM.

34.23 Qualification of Bridge Inspection Personnel

Federal regulations specify the requirements for two of the positions within a Bridge Inspection organization:

- Program Manager
- Team Leader

The **Program Manager** is the individual in charge of the program, that has been assigned or delegated the duties and responsibilities for bridge inspection, reporting, and inventory. The program manager provides overall leadership and is available to inspection team leaders to provide guidance.

Minimum Qualifications for Program Manager are:

- Registered Professional Engineer or 120 months of inspection experience
- And successful completion of FHWA approved Comprehensive Bridge Inspection Training Course.

The **Team Leader** is the individual in charge of an inspection team responsible for planning, preparing and performing field inspection of the bridge. The Team Leader is required to be onsite for all condition inspection activities, and is responsible for inspection and inventory coding.

Minimum Qualifications for Team Leader are:

- Qualified Program Manager
- Or, 60 months of bridge inspection experience and successful completion of FHWA approved Comprehensive Bridge Inspection Training Course
- Or, Certified Level III or IV NICET bridge safety inspector and successful completion of FHWA approved Comprehensive Bridge Inspection Training Course
- Or, BS degree in engineering, and successfully passed EIT, and 24 months Bridge Inspection experience, and successful completion of FHWA approved Comprehensive Bridge Inspection Training Course
- Or, Associates degree in engineering, and 48 months bridge inspection experience, and successful completion of FHWA approved Comprehensive Bridge Inspection Training Course

The flow chart in Appendix 34.601 describes the required qualifications for the Program Manager and Team Leader positions. The time requirements listed for qualification are measured by the actual time spent performing the designated activity or related tasks.

All applications for Program Manager and Team Leader certification will be reviewed and approved by the WSDOT H&LP. Certification is issued to an individual that meets the qualifications, not the agency. Certifications will be in writing to the individual in question. This written Certification will become part of the "Staff Qualification" file that the agency must maintain and which will be checked during QA/QC reviews. Agencies must retain a minimum of one certified Team Leader to have inspection responsibilities delegated to them.

Agencies that elect to hire consultants for bridge inspections are required to use qualified persons. The WSDOT Bridge Preservation office maintains a list of qualified inspection service consultants which is available through H&LP.

34.24 Continued Certification of Bridge Inspection Personnel

Bridge Inspectors certified by the State must participate in a continuing education program to maintain certification. This program includes attending a refresher course every three years and a field evaluation performed by WSDOT H&LP during QA/QC reviews (see Section 34.3). Visit the Website at: http://www.wsdot.wa.gov/TA/T2Center/Training/Software/ for Bridge Training opportunities.

34.25 Bridge Inspection Records and File Requirements

Bridge owners are required to maintain a complete and current official bridge file for each National Bridge Inventory (NBI) structure. This file is to be maintained throughout the life of the bridge. Chapters 1 and 6 of the WSBIM list information the official bridge file should contain and detailed guidance on what to include.

Agencies must identify bridges requiring special attention and keep these Master Lists with the official bridge files. Items such as, Fracture Critical Member Inspections, Load Posted Bridges, Underwater Inspections, Complex Bridge Inspections, and Scour Critical Bridges, should be noted on the Master Lists.

Additionally, each member of the Inspection staff is required to have a current file detailing their experience and training.

34.26 Bridge Load Ratings

All load ratings must be stamped and signed by the Professional Engineer performing the rating and placed in the official bridge file discussed in section 34.25. Bridges must be posted or restricted when the maximum load carrying capacity drops below the maximum unrestricted legal load. Additional load rating requirements are available in Chapter 5 of the WSBIM.

34.27 Bridge Scour Analysis

A scour evaluation is required for each bridge over water. Chapter 5 of the WSBIM provides information necessary to perform this evaluation. The scour analysis must yield the federal scour code as detailed in Chapter 2 of the WSBIM under the Washington State Bridge Inventory System (WSBIS) WB76-80 card. This evaluation becomes part of the official bridge file discussed in section 34.25.

NOTE: Codes U, T and 6 are temporary codes and must be replaced with one of the permanent codes as soon as possible.

Plans of action for monitoring as well as scour mitigation plans are required for bridges determined “scour critical”.

34.28 Critical Damage Bridge Repair Reports

A Critical Damage Bridge Repair Report must be completed whenever a bridge is identified as having significant structural damage causing emergency load restrictions, lane closure, bridge closure, or if a bridge has failed.

H&LP Local Agency Bridge Engineer must be notified by telephone or e-mail within one working day of identification of a problem. This notification starts a series of reports that are ultimately forwarded to FHWA. This series of reports allows the local agency, H&LP, and FHWA to track the status of critically damaged bridges until the bridge is returned to full service. See Chapter 7 of the WSBIM for contact information, timelines, forms and procedures.

34.3 Quality Assurance and Quality Control Reviews

H&LP conducts Quality Assurance and Quality Control (QA/QC) reviews statewide to maintain compliance with the NBIS standards and verify local bridge inspection programs are functioning effectively. Agencies will be reviewed a minimum of once every three years. H&LP will work with agency personnel in evaluating the program’s strengths and weaknesses and make suggestions for correction of any program deficiencies.

The QA/QC reviews will factor in to the recertification of Team Leaders along with results from refresher training and individual evaluations. Some important elements that will be checked during the QA/QC review include the following:

a. Staff qualifications

b. Completeness and organization of bridge files;

c. Accurate and current Master Lists;

d. Accurate and properly documented bridge load ratings;

e. Accurate and complete scour evaluations including scour codes and plans of action for all scour critical bridges;

f. Thoroughness and completeness of inspections;

g. Inspection frequency as outlined by the NBIS, see Appendix 34.602.

The results of the review will be discussed with the agency followed by a formal letter summarizing the review.

34.31 WSDOT High Cost Bridge Inspection Program

Inspections requiring special access such as provided by scaffolding or an Under Bridge Inspection Truck (UBIT), fracture critical inspections, complex bridge inspections, and underwater inspections are considered High Cost Bridge Inspections. WSDOT provides this inspection at no cost to the agency.

34.4 Small City Bridges

Washington Counties have accepted inspection responsibilities for bridges owned by small cities (populations less than 5,000 people) located within their boundaries under the High Cost Inspection Agreement. Counties will be reimbursed for the cost of load ratings and scour evaluations performed for Small City bridges.

34.5 Highway Bridge Program Call for Projects

Counties and cities submit bridge projects to WSDOT in response to the Highway Bridge Program Call for Projects. These bridge projects must meet the eligibility requirements in Section 34.51.

The application requirements will be outlined in the actual call for projects.

34.51 Highway Bridge Program Eligibility.

A bridge project must fulfill the following federal criteria to be eligible for HBPfunding:

1. The bridge must be a minimum of 20 feet in length measured along the centerline.
2. It must be recorded in the Washington State Bridge Inventory System (WSBIS) maintained by the WSDOT Bridge Preservation Office.
3. For replacement and rehabilitation, the bridge must be structurally deficient (SD) or functionally obsolete (FO) with sufficiency ratings as follow:
   a. For Replacement: less than 50.
   b. For Rehabilitation: 80 or less.
4. Preventive Maintenance: Eligible activities may be funded for bridges regardless of sufficiency rating.
5. No replacement or rehabilitation projects can have been performed using HBP funds in the past 10 years. There is no moratorium following preventive maintenance projects.

The Federal Highway Administration (FHWA) has developed a formula that calculates sufficiency ratings and assigns SD or FO designations. This computation is performed by the WSBIS using inventory and inspection data submitted by state and local agency bridge inspectors. The sufficiency rating is based on four factors: structural adequacy and safety, serviceability and functional obsolescence, essentiality for public use, and special reductions. Ratings can range from 0 (worst) to 100 (best). Chapter 5 of the Washington State Bridge Inspection Manual (WSBIM) further explains sufficiency ratings and outlines criteria for structural deficiency and functional obsolescence. An online version of this manual is available at: http://www.wsdot.wa.gov/TA/Operations/Bridge/WSBIM.pdf . A sufficiency rating generator is included as part of the Laptop98 Bridge Inspection software available for download at http://www.wsdot.wa.gov/TA/Software/.

34.52 Bridge Replacement Design Standards

Bridges shall be designed based on the following criteria:

1. Live Load: HL 93, HS 25-44 or equivalent.
2. Vertical Clearances: Clearance over roadways is a minimum 16.5 feet. Clearance over railroads is a minimum 23.5 feet.
3. Bridge Width: The bridge curb to curb width is determined using the Local Agency Guidelines Manual (LAG), Chapter 42, Design Standards. The design ADT is based on the forecast 20 years in the future beyond the start of construction.
4. Bridge Length: The length of the replacement bridge can be affected by one or both of the following factors:
   a. The bottom of the superstructure will be 3 feet above the 100 year flood or as determined by field review.
   b. The abutment and pier locations(s) of a new bridge generally reduce the existing backwater elevation. In fish bearing waters, acceptable rise in the backwater elevation is 0.2 foot above the no-bridge conditions, as referenced in WAC 220-110-070(1)(h). For non-fish bearing waters, the acceptable rise in the backwater elevation is 1 foot above no-bridge conditions.

5. Bridge Type: The bridge type selected will be the most economical type for the span length needed, based on sound engineering judgment and/or economics.
6. Bridge Foundation Type: The type and depth of the foundation elements will depend on the results of the geotechnical and scour analyses.

34.53 Bridge Rehabilitation Criteria

To qualify as a rehabilitation project, the total rehabilitation costs shall not exceed 70% of the replacement costs. Rehabilitation projects will be subject to the following requirements:

1. Structural deficiencies will be removed
2. Structure will be brought up to current standards.
3. Completed bridge must load rate at or above an H-15 inventory rating.

34.54 Preventive Maintenance Criteria

These funds are intended for systematic preventive maintenance projects with a minimum estimated cost of $30,000. Project eligibility and priority ranking is based on the Washington State Bridge Management System (BMS) element data. See Chapter 4 of the WSBIM for BMS information. These items have been approved as state wide systematic cost effective maintenance programs.

- Systematic preventive maintenance
  - Bridge Member Strengthening
  - Movable Bridge Electrical/Mechanical
  - Deck/Joint Repair
  - Steel Bridge Painting
  - Seismic Retrofit

34.55 Eligible Bridge Costs

The following are eligible bridge costs:

1. Bridge Construction – all items typically detailed by bridge designers (concrete, re-bar, piling, barriers, expansion dams, etc.)
2. Bridge aesthetics - limited to the treatment required in the approved NEPA documents. Typically, paints or pigmented sealers and fractured fin finishes on concrete structures will not be approved.
3. Demolition of existing structures
4. Detour – all work items required to accommodate the construction of the new bridge
5. Traffic control for the work zone - prorated by costs of bridge vs. approach work
6. Structural Excavation and Backfill for Bridge – includes abutments, wing walls, footings, cofferdams, etc.
7. Riprap Protecting Bridge Structure within the right-of-way – riprap placed within the right-of-way to protect the structure can be considered a bridge item.
8. Approach Slab – the approach slab is a reinforced concrete element that protects the bridge and abutments from impacts and can be considered a bridge item.
9. Approach Guardrail Transition Section. Approach guardrail systems are installed in accordance with Standard Plans and are considered a bridge item provided site conditions do no require unusually long transitions.
10. Retaining Walls (up to 20 feet maximum distance from the abutment) – retaining walls are structural elements that serve the same functions as the standard bridge wing walls and are designed by bridge designers. Retaining walls beyond these limits would not be considered bridge items.

11. Bridge Drainage – including components necessary to carry water from the structure.
12. Environmental Mitigation - prorated for the bridge, demolition of existing structure, and/or detours.
13. Mobilization – prorated by costs of bridge and approach work.

Approach costs are generally limited to 15% of the above items. The approach cost percent will be identified in the funding approval letter sent to the agency.

An agency desiring funds for any items that are beyond the costs of a typical bridge, shall identify the items, identify the associated costs, and obtain approval from H&LP prior to requesting additional funds.

34.56 On-Site Field Review of Candidates.

The on-site field review verifies the condition of the bridge, review site information and finalizes scope of work.

a. Field Review Team. The Field Review Team consists of the WSDOT H&LP Bridge Engineer (Review Team leader), a local agency bridge owner representative, the Region Local Programs Engineer, and FHWA Division Bridge Engineer whenever possible. On non-CA agency bridges, the Field Review Team will also have a representative from the agency providing CA services for the non-CA agency. The H&LP Bridge Engineer may add other representatives as deemed appropriate for specialized conditions.

b. Review Procedures.

   1. The Field Review Team conducts an on-site review of proposed bridge projects. The Field Review Team may use results of a previous review for a bridge submitted but not funded, provided the review was conducted within the past three years.
   2. The Bridge Inspection Report is reviewed at the site. The Field Review Team looks for inconsistencies between condition codes, load ratings, postings, and other factors. The WSDOT H&LP Bridge Engineer calculates an independent sufficiency rating based on codes agreed to by the review team. The final sufficiency rating may change again based on information requested by the team but not available during the field review.
   3. The items submitted with the application are reviewed at the site. The Field Review Team reviews the site in detail and decides on which of three funding program best fits the condition of the bridge.
      a. Replacement projects, the bridge is rated as a good, fair, or poor project for replacement.
      b. Rehabilitation projects.
      c. Systematic Preventive maintenance.
   4. A consensus is reached on the appropriate funding program and scope of work for the project.
   5. The project cost estimate submitted by the agency is discussed in detail and revised as appropriate.

34.57 Bridge Selection

The Bridge Replacement Advisory Committee (BRAC) convenes after the on-site field reviews are completed. Bridge projects are presented to the Committee ranked by their sufficiency rating or other criteria by specific funding program. Results of the field review, Review Team recommendations, and other pertinent information are presented to the committee. The Committee reviews all of the projects and then recommends projects for funding.

The BRAC consists of seven voting members and two alternates, four county engineers/public works directors, and four city engineers/public works directors and H&LP Engineering Services Manager serves as Chair. Alternates initially serve one year as a non-voting member then for three more years as a voting member. Alternates for either city or county may participate in the event a voting member from their respective association is absent.

The Director of H&LP reviews the list of projects recommended by the BRAC, accepts or modifies their recommendations, and approves a final list of bridges to receive funding. Counties and cities will receive a funding notification letter informing them that their bridge project has been approved for funding. The letter will identify the anticipated federal funding level and asks the agency to submit their request for funds through their Region Local Programs Engineer. This letter will also identify the percentage for bridge approach cost participation and any other requirements specific to the project.

34.58 Cost Increases

If bids are received that exceed the construction amount authorized on the local agency agreement the agency has the following options:

- Request and receive approval from Highways and Local Program (H&LP) for the increase.
- Award the project prior to receiving approval of H&LP and incur all costs above the authorized amount.
- With Concurrence from H&LP, reject all bids (This is only required on projects that are funded at 100%).

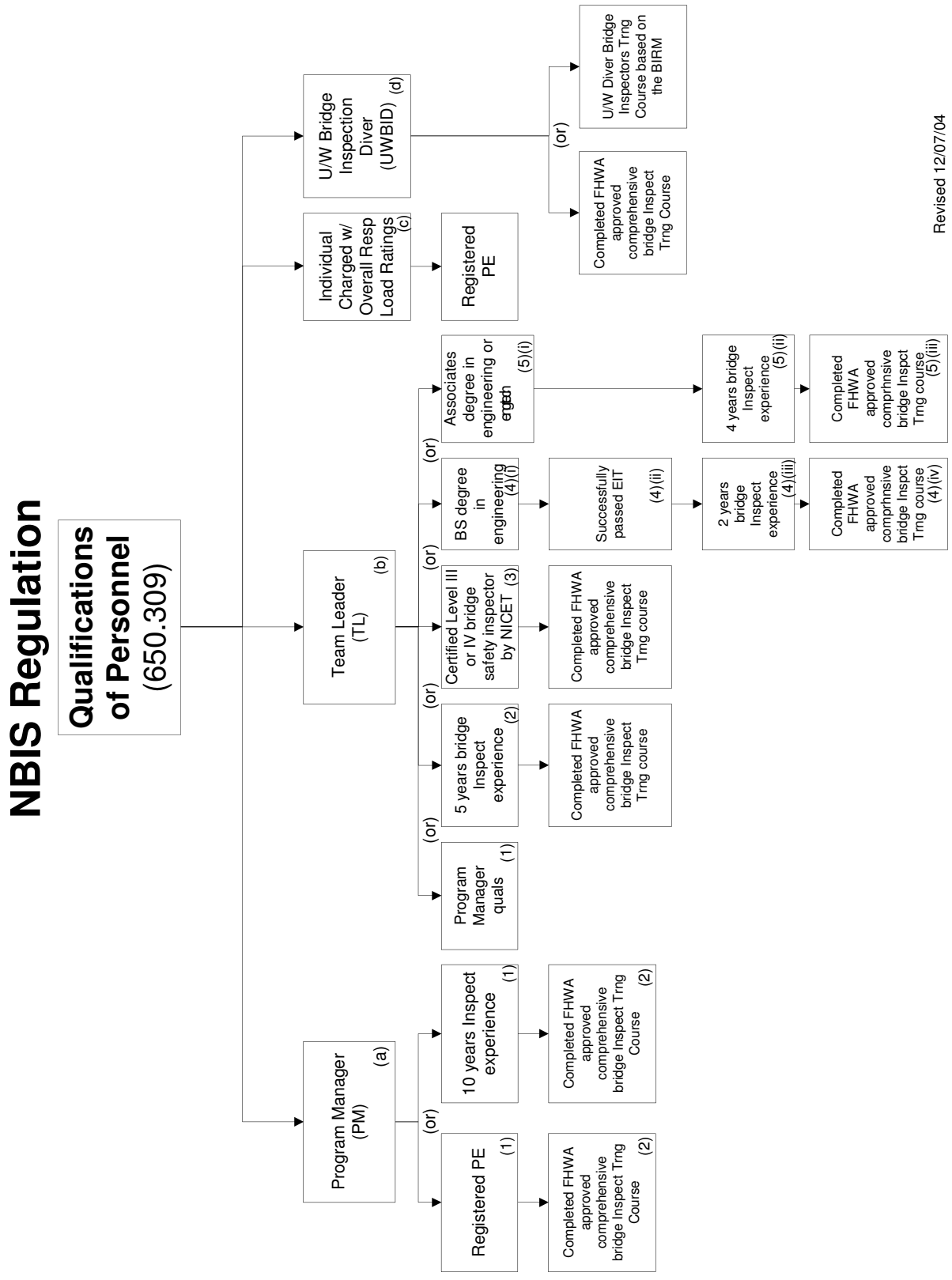
Once the additional funds are approved, H&LP will send a letter to the agency outlining the increase and then the local agency must prepare, sign, and submit a Supplemental Agreement to the Region Local Programs Engineer for further processing.

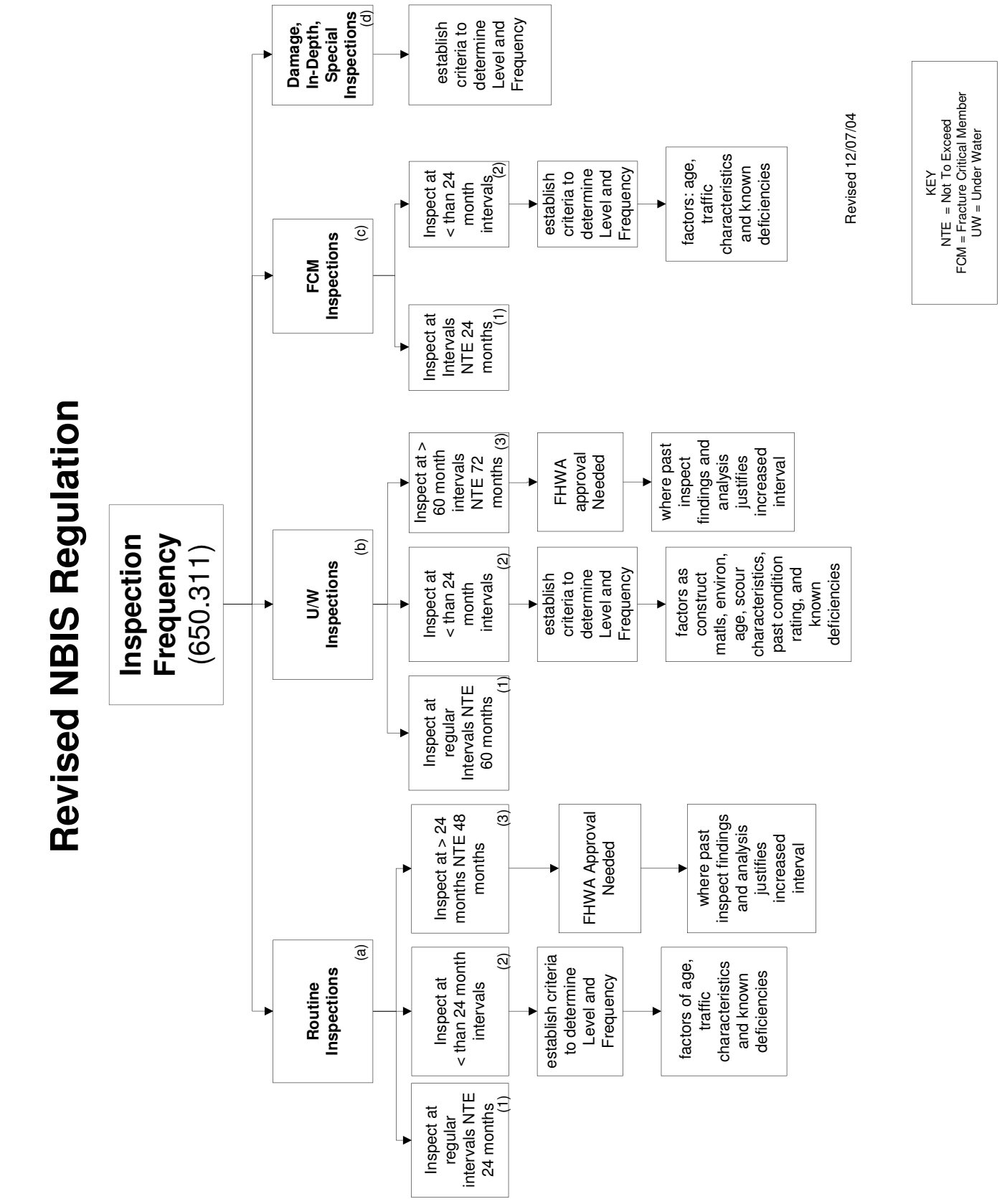
34.6 Appendices

34.601 NBIS Regulation Qualifications of Personnel

34.602 NBIS Regulation Inspection Frequency

34.603 Bridge Inspection Experience and Training Report DOT Form 234-100


NBIS Regulation
Qualifications of Personnel (650.309)
Program Manager (PM) (a)
Registered PE (1)
Completed FHWA approved comprehensive bridge Inspect Trng Course (2)
(or)
10 years Inspect experience (1)
Completed FHWA approved comprehensive bridge Inspect Trng Course (2)
Team Leader (TL) (b)
Program Manager quals (1)
(or)
5 years bridge Inspect experience (2)
Completed FHWA approved comprehensive bridge Inspect Trng course
(or)
Certified Level III or IV bridge safety inspector by NICET (3)
Completed FHWA approved comprehensive bridge Inspect Trng course
(or)
BS degree in engineering (4)(i)
Successfully passed EIT (4)(ii)
2 years bridge Inspect experience (4)(iii)
Completed FHWA approved comprhnsive bridge Inspct Trng course (4)(iv)
(or)
Associates degree in engineering or engtech (5)(i)
4 years bridge Inspect experience (5)(ii)
Completed FHWA approved comprhnsive bridge Inspct Trng course (5)(iii)
Individual Charged w/ Overall Resp Load Ratings (c)
Registered PE
U/W Bridge Inspection Diver (UWBID) (d)
(or)
Completed FHWA approved comprehensive bridge Inspect Trng Course
U/W Diver Bridge Inspectors Trng Course based on the BIRM
Revised 12/07/04


Revised NBIS Regulation
Inspection Frequency (650.311)
Routine Inspections (a)
Inspect at regular intervals NTE 24 months (1)
Inspect at < than 24 month intervals (2)
establish criteria to determine Level and Frequency
factors of age, traffic characteristics and known deficiencies
Inspect at > 24 months NTE 48 months (3)
FHWA Approval Needed
where past inspect findings and analysis justifies increased interval
U/W Inspections (b)
Inspect at regular Intervals NTE 60 months (1)
Inspect at < than 24 month intervals (2)
establish criteria to determine Level and Frequency
factors as construct matls, environ, age, scour characteristics, past condition rating, and known deficiencies
Inspect at > 60 month intervals NTE 72 months (3)
FHWA approval Needed
where past inspect findings and analysis justifies increased interval
FCM Inspections (c)
Inspect at Intervals NTE 24 months (1)
Inspect at < than 24 month intervals (2)
establish criteria to determine Level and Frequency
factors: age, traffic characteristics and known deficiencies
Damage, In-Depth, Special Inspections (d)
establish criteria to determine Level and Frequency
Revised 12/07/04
KEY
NTE = Not To Exceed
FCM = Fracture Critical Member
UW = Under Water

Washington State Department of Transportation

Bridge Inspector Experience and Training Record

Team Leader Name	Date

Agency Name

Education

Institution	Major	Years	Degree

Professional Registration

State	Branch/Agency	Registration Number

Bridge Inspection Training

Course	Hours	Sponsor	Dates

Special Technical Course

Course	Hours	Sponsor	Dates

Bridge Inspection Experience

Agency/Firm	Bridge Duties	Years

To the best of my knowledge, the above information is true and accurate.

Team Leader's Signature _____ Date _____

Having reviewed the above information, I conclude that this individual meets the minimum qualifications for a bridge inspection team leader as specified in the current National Bridge Inspection Standards.

Team Leader's Supervisor's Signature _____ Date _____

Supervisor's Name (Print) _____ Title _____

DOT Form 234-100 EF
8/98

42.01 Introduction

The City Design Standards Committee and the County Design Standards Committee, in accordance with RCWs 35.78.030 and 43.32.020, meet on a regular basis to review and update the City and County Design Standards for Non-NHS facilities.

The Local Agency Engineer may approve use of the minimum AASHTO and related standards as contained in the references. Design deviations must have the approval of the Washington State Department of Transportation (WSDOT) Highways and Local Programs in accordance with RCW 35.78.040 or RCW 36.86.080 as appropriate.

These standards apply to new construction and reconstruction projects, 3R and 2R projects, and low volume road and street projects on Non-NHS routes which are federal functional classifications as Principal Arterials, Minor Arterials, or Collectors.

Included in the standards are the Non-NHS Local Agency Design Matrices. The matrices are used to standardize design element requirements based on project type for Non-NHS facilities. The Local Agency Design Matrices may serve as design documentation for decisions made.

In adopting these standards, the committees seek to encourage standardization of road design elements where necessary for consistency and to assure that motoring, bicycling, and pedestrian public safety needs are met. Considerations include safety, convenience, context sensitive solutions, proper drainage, and economical maintenance. The committees recognize that cities and counties must have the flexibility to carry out the general duty to provide streets, roads, and highways for the diverse and changing needs of the traveling public.

These standards cannot provide for all situations. They are intended to assist, but not to substitute for, competent work by design professionals. It is expected that land surveyors, engineers, and architects will bring to each project the best skills from their respective disciplines. These standards are also not intended to limit any innovative or creative effort, which could result in better quality, better cost savings, or both. An agency may adopt higher standards to fit local conditions. Special funding programs may also have varying standards.

The decision to use a particular road design element at a particular location should be made on the basis of an engineering analysis of the location. Thus, while this document provides design standards, it is not a substitute for engineering judgment.

Engineers should take into account all available information, including available funding, and use the professional judgment that comes from training and experience to make the final design determination. There shall be a record, of the matters considered during the design process that justify decisions made regarding the final project design. The project Design Approval document must be stamped by a licensed professional engineer per RCW 18.43.070.

42.02 Committee Membership

City Design Standards Committee RCW 35.78.020	County Design Standards Committee RCW 43.32.010	Other Participants
Lynn Price, PE Project Manager City of Bremerton lprice@ci.bremerton.wa.us	**Jim Whitbread, PE** County Engineer Stevens County jwhitbre@co.stevens.wa.us	**Jim Seitz** Association of Washington Cities Jims@awcent.org
Ken Brown, PE Design Engineer City of Spokane kbrown@spokanecity.org	**Bryan Thorp, PLS** Design and Construction Manager Benton County bryan.thorp@co.benton.wa.us	**Randy Hart, PE** County Road Administration Board randy@crab.wa.gov
Mike Johnson, PE Roadway Design Supervisor City of Seattle mike.johnson@seattle.gov	**Dale Rancour, PE** County Engineer Thurston County rancoud@co.thurston.wa.us	**Bob Moorhead, PE** Special Projects Manager Transportation Improvement Board robertm@tib.wa.gov
K. Wendell Adams, PE City Engineer City of Yakima kadams@ci.yakima.wa.us	**Jon Brand, PE** Assistant Director of Roads & Engineering Kitsap County jbrand@co.kitsap.wa.us	**Dave Olson** WSDOT Design OlsonDa@WSDOT@wa.gov
Martin Hoppe, PE, PTOE City of Lacey Transportation Manager mhoppe@ci.lacey.wa.us	**Bob McEwen, PE** Program Engineer Snohomish County Bob.mcewen@co.snohomish.wa.us	**Gary Hughes, PE** Federal Highway Administration Gary.Hughes@FHWA.dot.gov
Pat O'Neill, PE City Engineer City of University Place poneill@cityofup.com	**Paul Bennett, PE** County Engineer Lincoln County paulb@co.lincoln.wa.us	**Jeff Weber, PE** Consulting Engineers Council of Washington jeffw33@earthlink.net

These design standards were developed with the approval and authorization of:

Michael W. Horton, PE
Committee Chair
Engineering Services Manager
Headquarters Highways and Local Programs
Washington State Department of Transportation

42.03 Local Agency Design Matrices - Non NHS Routes

The Local Agency Design Matrices were created as part of the Local Agency Standards to assist designers in determining the design level for the geometric and safety elements of a project. The Local Agency Design Matrix Checklist may serve as documentation for design decisions made.

.031 Using the Matrices

The column headings on each of the three design matrices are **design elements.** They are based principally on the thirteen controlling design criteria recognized by FHWA: design speed, lane width, shoulder width, bridge width, structural capacity, horizontal alignment, vertical alignment, grade, stopping sight distance, cross slope, superelevation, vertical clearance, and horizontal clearance. Within the column headings, some of the controlling criteria have been combined (for example, design speed is part of horizontal and vertical alignment). The matrices are divided into three tables, one each for Roadways, Cross Roads, and Bridges. Within the three tables the project types are identical, design elements vary depending on which elements apply.

A **blank cell** within the design matrix signifies that the design element need not be addressed because it is beyond the scope of the project type.

Design levels of City and County Design Standards (D), AASHTO (A), and Agency Evaluate (AE), are used in the matrix. The **design level** codes are noted in the cells by D, A or AE or by a number corresponding to a footnote.

Optional Checklists have been provided for the designer to use with the matrix. A checklist is available for each type of project in Appendix 42.101.

Matrix Cells: Each Matrix cell is either blank or has a coded design level.

.032 Design Levels

If the Design Level is **D**, use the Geometric Cross-Section for Two-Way Roads and Streets within the City and County Design Standards on page 10.

If the design level is **A**, the design standard is AASHTO (the most current edition of the AASHTO publication "A Policy on Geometric Design of Highway and Streets," "Guidelines for Geometric Design of Very Low-Volume Local Roads (ADT< 400)," or as noted in the City and County Design Standards.

When the Matrix cell has either a "D" or an "A" and the final design utilizes something less than Design Level A, a Design Deviation, approved by Headquarters Highways and Local Programs, is required.

A **Blank Cell** on a matrix line indicates that particular design element requires no evaluation or documentation. If the agency decides to improve or modify a blank cell design element, that element must meet Design Level A and the agency must justify in their design document files why the decision to upgrade the design element was made. Per FHWA guidelines, if an improvement in a **"Blank Cell"** area is made, it must meet all requirements of design level A. Or if, in the opinion of the agency's design Engineer, Design Level A cannot be achieved, a **Design Exception** may be considered.

AE in a matrix cell indicates that an agency needs to determine if the existing design element is less than Design Level A. If the existing design element meets or exceeds Design Level A the agency notes that in the design documents and no further action is required. If the existing design element is less than Design Level A, the agency shall determine the impacts and cost effectiveness of upgrading the design element to Design Level A. The decision whether or not to upgrade, and its analysis and justification shall be in the agency design documentation files. If the agency upgrades, Design Level A applies. Or if, in the opinion of the agency's design Engineer, Design Level A cannot be achieved, a **Design Exception** may be utilized.

A **Design Exception** may be utilized if, in the opinion of the local agency's design Engineer, the existing design element is being improved but Design Level D or A cannot be achieved. For example, design standard requires a 6 foot wide shoulder for a project, the existing condition is a two foot wide shoulder but the best that can be reasonably achieved is a 4 foot wide shoulder. This is a **Design Exception**, improvement is being made but not to Design Level A.

.033 Local Agency Design Matrices NHS and State Routes

Refer to the WSDOT Design Manual for matrix selection and documentation requirements on NHS and State Routes. Contact the Region Local Programs Engineer for guidance.

42.04 Local Agency Design Matrix Definitions

.041 Design Elements

Design elements are the principal elements of design that are common to projects. The following elements are shown on the Design Matrix.

Horizontal Alignment is the horizontal attributes of the roadway including horizontal curvature, superelevation, and stopping sight distance; all based on design speed.

Vertical Alignment is the vertical attributes of the roadway including vertical curvature, profile grades, and stopping sight distance; all based on design speed.

Lane Width is the distance between lane lines.

Shoulder Width is the distance between the outside or inside edge line and the edge of in-slope, or face of barrier.

Lane and Shoulder Taper (pavement transitions) are the rate and length of transition of changes in width of roadway surface.

Pedestrian Facility is a facility designed to meet the needs of pedestrians in accordance with city, county, and ADA requirements concurrent with a local agency project

Sidewalk Width is the width of a sidewalk from the face of curb to the back of sidewalk.

Cross Slope, Lane is the rate of elevation change across a lane. This element includes the algebraic difference in cross slope between adjacent lanes.

Cross Slope, Shoulder is the rate of elevation change across a shoulder.

Superelevation The rotation of the roadway cross section in such a manner as to overcome part of the centrifugal force that acts on a vehicle traversing a curve.

Fill/Ditch Fore Slope is downward slope from edge of shoulder to bottom of ditch or catch.

Clear Zone is the total roadside border area, starting at the edge of the traveled lane, available for use by errant vehicles. This area may consist of a shoulder, a recoverable slope, a nonrecoverable slope, and/or a clear run-out area.

Safety Improvements are the safety items listed under the "Safety Improvements" section of these standards.

Shared Use Bicycle and Pedestrian Facilities are walkways, paths, or trails for use by bicyclist or shared use by both pedestrian and bicycle traffic. Refer to Chapter 10.20 of the WSDOT Design Manual to locate design parameters for any facility allowing bicycle traffic.

Turn Radii The geometric design of the intersection to allow the design vehicle for each turning movement to complete the turn without encroachment.

I/S (Intersection) Sight Distance is the distance that the driver of a vehicle on the crossroad can see along the through roadway, as compared to the distance required for safe operation.

I/S Angle is the angle between any two intersecting legs at the point that the center lines intersect.

Barriers Standard Run (Std Run) are guardrail and other barriers excluding terminals, transitions, attenuators, and bridge rails.

Barriers Bridge Rail is barrier on a bridge excluding transitions.

Bridge Vertical Clearance is the minimum height between the roadway including shoulder and an overhead obstruction.

Bridge Structural Capacity is the load bearing ability of a structure.

Terminals are crashworthy end treatment for longitudinal barriers that is designed to reduce the potential for spearing, vaulting, rolling, or excessive deceleration of impacting vehicles from either direction of travel. Impact attenuators are considered terminals and beam guardrail terminals include anchorage.

Transitions are sections of barriers used to produce a gradual stiffening of a flexible or semi-rigid barrier as it connects to a more rigid barrier or fixed objects.

.042 Project Type Definitions

New Construction involves the construction of a new roadway facility or structure where nothing of its type currently exists.

Reconstruction projects add additional travel lanes to an existing roadway or bridge and 50 percent or more of the project length involves vertical or horizontal alignment changes, the project will be considered reconstruction.

3R projects focus primarily on the preservation and extending of the service life of existing facilities and on safety enhancements. Work may include: resurfacing, pavement structural and joint repair, lane and shoulder widening, alterations to vertical grades and horizontal curves, bridge repair, removal or protection of roadside obstacles, and improving bridges to meet current standards for structural loading and to accommodate the approach roadway width.

2R projects focus primarily on restoration of pavement structure, crown correction, ride quality basic safety, and spot safety. Widening shoulders for continuity with the existing roadway cross section is acceptable.

Railroad is a project to reduce the accident frequency and severity at grade crossings. Project elements may include, signals, bells, signage, pavement markings gates or surfacing at the crossing. Railroad-highway grade separation projects are also in this category. If the project includes other roadway work, use 3R matrix line.

Bridge New/Replacement is a new bridge or a replacement of an existing bridge.

Bridge Widening is the widening of existing bridges.

Bridge-Other are Project types that may include, scour mitigation, painting, seismic retrofit, deck repair, strengthening, rehabilitation, and electrical mechanical repairs.

Paths and/or Trails is the construction of non-motorized facilities that are independent of a roadway alignment.

Pedestrian Facilities are projects with a main focus of providing pedestrian facilities for public use.

Other, Interpretive Centers, Etc.. projects may include, bicycle facilities, structures, bus shelters, archeology and historic preservation, and buildings..

Parking Facilities are projects that construct parking facilities. Project types may include Park and Ride facilities and on-street parking.

.043 Other Definitions

Average Daily Traffic (ADT). The general unit of measure for traffic defined as the total volume during a given time period (in whole days), greater than one day and less than one year, divided by the number of days in that time period.

Design Hourly Volume (DHV). The DHV is generally the 30th highest hourly volume (30 DHV) of the future year chosen for design. On the average rural road or arterial, DHV is about 15 percent of ADT. For urban areas, DHV is usually between 8 to 12 percent of the ADT.

Low Volume Roads and Streets. For this document, a collector or lower classified road or street with an ADT of less than 400.

Resurfacing. The addition of a layer or layers of paving material to provide additional structural integrity or improved serviceability and rideability.

Restoration. Work performed on either pavement sections or bridge decks to render them suitable for an additional stage of construction. This may include supplementing the existing roadway by increasing surfacing and paving courses to provide structural capability and minor shoulder widening to provide roadway section continuity. Restoration will generally be performed within the existing right-of-way.

Rehabilitation. Similar to "Restoration" except the work may include, but is not limited to, the following:

- Reworking, strengthening, or removing and replacing the base and/or subgrade.
- Recycling or reworking existing materials to improve their structural integrity.
- Adding underdrains.
- Replacing or restoring malfunctioning joints.
- Substantial pavement under-sealing when essential for stabilization.
- Pavement grinding to restore smoothness, providing adequate structural thickness remains.
- Removing and replacing deteriorated materials.
- Crack and joint sealing but only when the required shape factor is established by routing or sawing.
- Improving or widening shoulders.

Rehabilitation may require acquisitions of additional right-of-way.

Traveled Lane. The portion of the roadway intended for the movement of vehicles, exclusive of shoulders and lanes for parking, turning, and storage for turning.

.044 Safety Improvements

When using AASHTO guidance for clear zone determinations, the designer should take into account all AASHTO guidance (i.e. AASHTO Roadside Design Guide) relating to clear zone and project circumstances. See references section of this chapter.

Mandatory Upgrades

1. Update all delineation and signing in accordance with the current MUTCD. (This does not include replacement of sign bridges or cantilever supports.)
2. Modify substandard guardrail transitions and terminals to current standards.

Agency Evaluate Need

3. Adjust existing features that are affected by resurfacing, such as guardrails, monuments, catch basins, and access covers. Adjustment may include asphalt tapers as appropriate.
4. Modification of drainage structures, which present a hazard in the clear zone, e.g. Beveled end sections/safety bars for both parallel and cross-drains.
5. Remove, relocate, reduce severity of hazard by providing crashworthy features, protect, or delineate roadside obstacles inside the design clear zone.
6. Restore sight distance at public road intersections and the inside of curves through low cost measures if they are available such as removal or relocation of signs and other obstructions, and cutting of vegetative matter. The local agency Engineer will determine if the measures are low cost.

⇩ Project Type	Roadways														
Design Elements ⇨	Horiz. Align.	Vert. Align.	Lane Width	Shldr Width	Lane & Shldr Taper	Pedestrian Facilities	Cross Slope Lane	Cross Slope Shldr	Fill/ Ditch Slopes	Safety Improvements	Shared Bike/Ped Facilities*	Turn Radii	I/S Sight Dist	I/S Angle	Guardrail & Barrier
New Construction	D	D	D	D	D	1	D	D	D	A	3	A	D	A	A
Re-Construction	A	A	A	A	A	1	A	A	A	A	3	A	A	A	A
3R	AE	AE	AE	AE	AE	1	AE	AE	AE	4	3	AE	AE	AE	1
2R							AE	AE		4	3				1
Railroad (If roadway work included use 3R line)										AE	3		AE		1
Bridge Rehabilitation, Paint, Seismic, etc....															
Trails	3	3	3	3			3	3	3	3	3	3		3	
Pedestrian Facility Improvement Projects						1									
Other, Interpretive Centers, etc.…	2	2	2	2	2	1	2	2	2	A	3	2	2	2	2
Parking Facilities	A	A	A	A	A	1	A	A	A	A	3	A	A	A	1

□ Blank Cell

D Design Level D

A Design Level A

AE Agency Evaluate to Design Level A

(1) When provided, must meet current standards

(2) See LAG Manual chapter 62 -- Appendix 62.70

(3) When provided must meet WSDOT Design Manual Chapter 1020 standards

(4) Refer to Safety Improvements on page 8. Mandatory Upgrade items 1 and 2, all others are AE

* If Facility is not used for bikes, chapter 1020 does not apply

See Using Matricies and Design Levels on Pages 3 and 4

Non-NHS Local Agency Design Matrix

Table 1.1

⇩ **Project Type**	**Cross Roads**						
Design Elements ⇨	Horiz. Align	Vert. Align	Lane Width	Shldr Width	Fill/ Ditch Slopes	Safety Improvements	Shared Bike/Ped Facilities*
New Construction	AE	AE	AE	AE	AE	4	3
Re-Construction	AE	AE	AE	AE	AE	4	3
3R	AE	AE	AE	AE	AE	4	3
2R							3
Railroad (If roadway work included use 3R line)							
Bridge Rehabilitation, Paint, Seismic, etc....							
Trails							
Pedestrian Facility Improvement Projects							
Other, Interpretive Centers, etc.…	2	2	2	2	2	2	2
Parking Facilities	A	A	A	A	A	3	3

□ Blank Cell

D Design Level D

A Design Level A

AE Agency Evaluate to Design Level A

(1) When provided, must meet current standards

(2) See LAG Manual chapter 62 -- Appendix 62.70

(3) When provided must meet WSDOT Design Manual Chapter 1020 standards

(4) Refer to Safety Improvements on page 8. Mandatory Upgrade items 1 and 2, all others are AE

* If Facility is not used for bikes, chapter 1020 does not apply

See Using Matricies and Design Levels on Pages 3 and 4

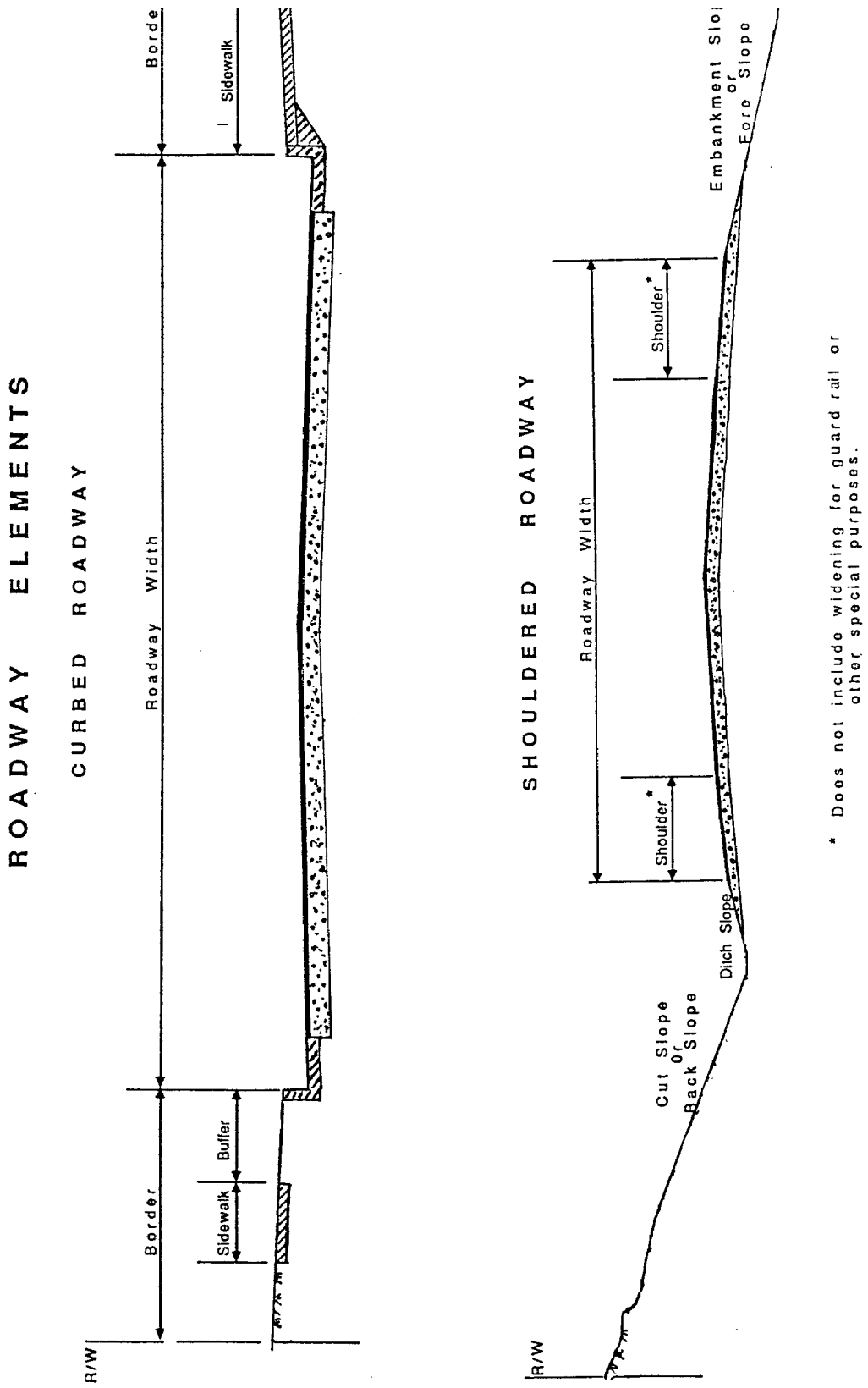
Non-NHS Local Agency Design Matrix

Table 1.2

⇩ **Project Type**	**Bridges**				
Design Elements ⇨	Lane Width	Shldr Width	Vertical Clear.	Structural Capacity	Bridge Rail
New Construction	D	D	D	D	D
Re-Construction	A	A	D	D	D
3R	AE	AE	AE	AE	1
2R			AE	AE	1
Railroad (If roadway work included use 3R line)					1
Bridge Rehabilitation, Paint, Seismic, etc....					
Trails	3	3	3	3	3
Pedestrian Facility Improvement Projects					
Other, Interpretive Centers, etc.…	2	2	2	2	2
Parking Facilities	A	A	AE	AE	1

Non-NHS Local Agency Design Matrix

Table 1.3



Cross Section

42.05 Design Level D Standards for Two Way Roads and Streets

Design Standards	Arterial							Collector				
	Principal			Minor								
	Curbed(4)	Shouldered		Curbed(4)	Shouldered			Curbed(4)	Shouldered			
	DHV All	DHV Below 200	DHV 200 and Over	DHV All	DHV Below 100	DHV 100 to 200	DHV 201 and Over	DHV 400 and Over	ADT 400 to 750	ADT 751 to 1000	DHV 100 to 200	DHV 201 and Over
Right of Way	Not less than required for all design elements.											
Roadway Width(1)(2)(7)(9)	24ft	36ft	40ft	24ft	32ft	36ft	40ft	24ft	26ft	28ft	34ft	40ft
Lane width:												
(A) Exterior(2)(7)	12ft	12ft	12ft	12ft	12ft	12ft	12ft	12ft	10ft	10ft	11ft	12ft
(B) Interior Thru(2)	11ft	11ft	11ft	11ft	11ft	11ft	11ft	11ft	10ft	10ft	11ft	11ft
(C) Two Way Left Turn(2)	11ft	11ft	11ft	11ft	11ft	11ft	11ft	11ft	10ft	10ft	11ft	11ft
(D) Exclusive Turn(2)	11ft	11ft	11ft	11ft	11ft	11ft	11ft	11ft	10ft	10ft	11ft	11ft
(E) Parking(2)	10ft(3)			10ft(3)					(5)			
Shoulder Width(6)(7)(9)(2)		6ft	8ft		4ft	6ft	8ft		3ft	4ft	6ft	8ft
Clear Zone/Side Slopes	AASHTO(10)											
Ditch Slope (in slope)	Slopes steeper than 4:1 should only be used when achieving a 4:1 slope is impractical.											

(1) For curbed, distance from face of curb to face of curb. For shouldered, distance from paved edge to paved edge of shoulder.

(2) May be reduced to minimum allowed by AASHTO.

(3) 8 feet may be acceptable when the lane is not likely to become a traffic lane in the foreseeable future.

(4) Curbed section is appropriate for urban setting.

(5) Industrial areas 8 feet to 10 feet. Residential areas 7 feet to 10 feet.

(6) When guardrail is necessary, provide 2 feet of widening or longer posts to ensure lateral support.

(7) For roads with traffic volumes of less than 400 ADT, the low volume road and street standards may be used.

(8) Federal functional classification defined by WSDOT (Planning and Programming Service Center).

(9) For guidance for one-way streets, see AASHTO, and the current uniform fire code.

(10) When using AASHTO guidance for clear zone determinations, the designer should take into account all AASHTO materials relating to clear zone and project circumstances. See the reference section of this publication.

Note: **Design Hourly Volume (DHV).** The DHV is generally the 30th highest hourly volume (30 DHV) of the future year chosen for design. On the average rural road or arterial, DHV is about 15 percent of ADT. For urban areas, DHV is usually between 8 to 12 percent of the ADT or AADT.

Detectable Warnings (Truncated Domes)	For dimensions, see WSDOT Standard Plans F3a - F3e. For material contrast requirements, see ADA guidance from the U.S. Access Board at http://www.access-board.gov/ada-aba.htm
New Sidewalks (when provided)	• **Minimum Width** — 60 inches continuous clear width or 36 inches clear width with 60 inch by 60 inch clear passing spaces at 200-foot minimum intervals. • **Surface** — Firm, stable, and slip resistant. See Appendix 42.10 • **Crosslopes** — 1:50 (2%) maximum. • **Running Slope** — When adjacent to road, must be consistant with the slope established by the roadway. If separate from the roadway must conform to ADA guidance. See appendix 42.10. • **Buffer** — Separation from vehicular ways by curbs or other barriers.
Temporary Work or Alterations	Refer to ADA rules at http://www.wsdot.wa.gov/eesc/design/policy/Documents/ADASupplementFinalJune21-2004.pdf rights-of-way, the designer should refer to international building codes and WAC 51-30 for the appropriate standards.

42.06 Roadway Geometrics

The 2001 AASHTO publication, "A Policy on Geometric Design of Highways and Streets" (Green Book) is referenced below by page number, table, or figure number for design elements of the urban and rural highway. For those design elements not specifically identified in the table below, such as crown, superelevation, design speed, number of lanes, pavement design, intersection design, vertical clearance over walkway areas, etc.., designers should refer to AASHTO. The designer should read all text associated with the standards and should also consider other related tables and text. Additionally, design references are provided in the References for New Construction and Reconstruction, 3R, and 2R Standards.

AASHTO QUICK REFERENCE GUIDE	
Design Elements	**References**
Stopping Sight Distance	Stopping Sight Distance (wet pavement) Exhibit 3-1, page 112, and text on pages 425 (rural) and page 435 (urban).
Passing Sight Distance	Single vehicle passing a single vehicle (Exhibit 3-7, page 124). Minimum passing sight distance single vehicle (Exhibit 3-7, page 124).
Roadway/Approach/ Departure Sight Distance	Exhibit 9-50 through 9-70, pages 654-682, "Intersection sight distance."
Horizontal Curvature (Radius)	Exhibit 3-14, page 145, "Minimum Radius for Design of Rural Highways, Urban Freeways, and High-Speed Urban Streets Using Limiting Values of e and f."
Vertical Sag Curves	Exhibit 3-78, page 278 "Design Controls for Sag Vertical Curves - Open Road Conditions." Exhibit 3-79, pages 280, "Design Controls for Sag Vertical Curves."
Vertical Crest Curves	Exhibit 3-75, page 273, "Design Controls for Crest Vertical Curves – Open Road Conditions." Exhibit 3-76, page 274, "Design Controls for Stopping Sight Distance and for Crest Vertical Curves." Vertical Curves Based on Passing Sight Distance."
Vertical Grade	Exhibit 6-4, page 427, " Maximum Grades for Rural Collectors." Exhibit 6-8, pages 436, "Maximum Grades for Urban Collectors."

.061 Bridge Standards

Design Elements	References
Bridge Width	The minimum bridge width for two-way structures is the greater of: (1) the design roadway width, or (2) the existing roadway width.
Loading	HS 25-44 (for federally funded projects), others may use HS 20-44.
Vehicular Railing	AASHTO Crash Tested Rail, or Approved Crash Tested Rail.
Pedestrian Railing	AASHTO.
Approach Railing	AASHTO Crash Tested Rail, or Approved Crash Tested Rail.
Vertical Clearance	16.5 feet minimum.

.062 Other Standards

Design Elements	References
Bicycle	Chapter 1020 of the WSDOT Design Manual (RCW 35.75.060 and 36.82.145).
Signing	MUTCD, as modified by the Washington State Transportation Commission per RCW 47.36.030.
Americans with Disabilities Act-1990 ADA	Code of Federal Regulations 28 CFR Part 36, Interim Final Rules U.S. Department of Justice. The Architectural and Transportation Barriers Compliance Board WSDOT/APWA Standard Plan F-3 Current International Building Code, Washington State Amendments, WSDOT Instruction Letter in Appendix 44.02 or on the web at http://www.wsdot.wa.gov/eesc/design/policy/Documents/ADASupplementFinalJune21-2004.pdf
Sidewalks	Sidewalk Details, A Guide for Washington Local Agencies, Tribes and Nations, March 2001.
Low Volume Roads	2001 AASHTO Geometric Design of Very Low Volume Local Roads (ADT < 400)

42.07 3R Projects

.071 General Discussion

Funding restrictions and other considerations do not always allow improvement of all existing roads and streets to the standards desirable for new construction. Therefore, when pavement condition deteriorates to the level of minimal standards, a cost-effective pavement improvement is needed.

A project becomes 3R when the proposed improvement consists of resurfacing, restoration, or rehabilitation to preserve and extend the service life of the roadway, or enhances the safety of the traveling, bicycling, and/or walking public.

3R projects primarily involve work on an existing roadway surface and/or subsurface. Their purpose includes extending the service life, providing additional pavement strength, restoring or improving the original cross-section, increasing skid resistance, decreasing noise, improving the ride of the roadway, and enhancing safety.

Many factors influence the scope of 3R projects, including:

- Roadside conditions.
- Funding constraints.
- Environmental concerns.
- Changing traffic and land use patterns.
- Deterioration rate of surfacing.
- Accidents or accident rates.

Normally, all 3R improvements are made within the existing right-of-way, although acquiring right-of-way and/or easements should be considered when and where practical.

Each 3R project should be considered in context with the entire route between logical termini and within the constraints imposed by limited funding and other considerations.

As a minimum, normally include the following for a 3R project:

- Guardrail end treatments upgraded to current standards.
- Appropriate transition and connection of approach rail to bridge rail.
- Beveled end sections for both parallel and cross-drain structures located in the clear zone.
- Relocating, protecting, or providing breakaway features for sign supports and luminaires.
- Protection for exposed bridge piers and all abutments.
- Modification of raised drop inlets that present a hazard in the clear zone.

It is desirable to provide a roadside clear of fixed objects and nontraversable obstacles. The priority for action relative to roadside obstacles is: (1) remove; (2) redesign; (3) relocate; (4) reduce severity by crashworthy features; (5) protect or (6) delineate.

On all projects, which include structures with deficient safety features, consideration must be given to correcting the deficient features. When complete upgrading is not practical, a partial or selective upgrading and/or other improvements should be considered to mitigate the effects of the substandard elements.

42.08 2R Projects

.081 General Discussion

Funding restrictions do not always allow improvement of existing roadways to the standards desired. Therefore, when pavement condition reaches a minimal condition, cost effective pavement improvements are needed.

Resurfacing and restoration (2R) projects involve work to restore the existing roadway surface and appurtenances for safe and efficient highway operation. This type of project provides for resurfacing of the existing roadway to provide structural adequacy, to restore the roadway surface condition, and to consider making minor safety improvements.

Resurfacing of the roadway will normally be to the existing width. This should consider paving of previously unpaved shoulders. If short lengths of narrower lanes or shoulders exist within the project limits, widening should be considered to provide roadway section continuity within the project limits.

42.09 References

The designer may use the standards and rationales incorporated into the following manuals (see the following page for addresses to acquire reference materials).

AASHTO

- A Policy on Geometric Design of Highways and Streets, 2001 Edition.
- Guide for Design of Pavement Structures
- Highway Drainage Guidelines
- Guide for Roadway Lighting
- Roadside Design Guide

Transportation Research Board (TRB)

- Highway Capacity Manual

Washington State Department of Transportation (WSDOT)

- Standard Specifications for Road, Bridge, and Municipal Construction
- Supplement to MUTCD (WAC 468-95)
- Bridge Design Manual
- Highway Hydraulics Manual
- Standard Plans for Road, Bridge, and Municipal Construction
- Design Manual (except for 2R/3R)
- Pavement Design Manual
- A Guide for Local Agency Sidewalk Details, WSDOT Headquarters Highways and Local Programs, Washington State Technology Transfer Center

Institute of Transportation Engineers (ITE)

- Traffic Engineering Handbook

FHWA

- Manual of Uniform Traffic Control Devices (MUTCD)

ADA

- Federal/Register, June 20, 1994, Interim Final Rules, 36 CFR-Part 1191 Architectural and Transportation Barriers Compliance Board
- International Building Code, Washington State Amendments

Roundabouts

- NCHRP Synthesis 264 — Modern Roundabout Practice in the United States, Transportation Research Board
- FHWA — Roundabouts, An Informational Guide
- WSDOT *Design Manual*, Chapter 915

Traffic Calming

- A Guidebook for Residential Traffic Management, Final Report, December 1994, WSDOT Highways and Local Programs Service Center, Washington State Technology Transfer Center.

.091 Addresses to Acquire Reference Materials

AASHTO American Association of State Highways
and Transportation Officials
444 North Capitol Street NW, Suite 249
Washington, DC 20001
(202) 624-5800
(202) 624-5806 (fax)

TRB Transportation Research Board
National Research Council
2101 Constitution Avenue NW
Washington, DC 20418

WSDOT Engineering Publications
Department of Transportation
Transportation Building, Room SD3
Olympia, WA 98504-7400
(360) 705-7430
(360) 705-6861 (fax)

ITE Institute of Transportation Engineers
525 School Street SW, Suite 410
Washington, DC 20024
(202) 554-8050
(202) 863-5486 (fax)

MUTCD Superintendent of Documents
U.S. Government Printing Office
Washington, DC 20402

ADA Office of the General Counsel
Architectural and Transportation Barriers
Compliance Board
1331 F Street NW, Suite 1000
Washington, DC 20004-1111
(202) 272-5434 (Voice), 272-5449 (TDD)
(202) 272-5447 (fax)

42.10 Appendices

Appendix 42.101 Optional Checklists for 3R, 2R, Reconstruction and New Construction projects

Appendix 42.102 Addressing ADA Accessible Facilities on Road and Street and Highway Projects. Instructional Letter Effective 06/29/2004.

City and County Design Standards

Appendix 42.101

Local Agency Non-NHS Design Matrix Checklists

This chapter is used for NHS and non-NHS routes by Local Agencies operating under Certification Acceptance (CA) and choosing to administer construction contracts themselves. In the sequence of project development, this follows *Local Agency Guidelines (LAG) Manual*, Chapter 46, Local Advertising and Award Procedures.

Local Agencies whose construction contracts are administered by the Washington State Department of Transportation (WSDOT) should refer to *LAG Manual,* Chapter 51, WSDOT Administered Projects.

The following chart illustrates the contract administration and oversight responsibilities for the Federal Highway Administration (FHWA) (F), WSDOT (S), and local CA agencies(L):

Action	Local CA NHS & non-NHS	Local non-CA Agency non-NHS
a. Construction Fund Authorization	F	F
b. Changes/Extra Work/Nonparticipation	L	S/L
c. Claims	L	S/L
d. Project Inspections	L	S/L
e. Final Inspection	S	S
f. Final Acceptance	S	S
g. Periodic Review/Program Evaluation (PR/PE)	F	NA

Title 23 USC and 23 CFR provisions apply to all NHS Federal aid projects regardless of federal funding source or approval authority. State standards may be used on non-NHS projects, except for federal requirements pertaining to contracts (bid proposal content including Davis Bacon and DBE) and procurement procedures (competitive bidding and Brooks Act).

52.1 General Discussion

WSDOT is responsible for the proper expenditure of FHWA funds on Local Agency projects. Highways & Local Programs will consult and work with Local Agencies as needed and will perform systematic project management reviews to ensure that proper procedures are followed.

Except for transportation enhancement projects, construction will be administered, and materials will be inspected, in accordance with the WSDOT *Construction Manual* and this chapter of the *LAG*. For exceptions, see Appendix 52.108. In case of conflicting guidelines, this chapter governs the *Construction Manual*. FHWA projects are subject to Disadvantaged Business Enterprise (DBE) and Equal Employment Opportunity (EEO) compliance reviews by WSDOT. Refer to *LAG,* Chapter 62, Enhancement Projects, for criteria governing construction of enhancement projects.

Appendix 52.105 illustrates the major timeline for construction contracts and provides more details for specification references.

52.2 Preconstruction Conference

After a contract is awarded, the Local Agency should arrange a conference with the contractor. The Local Agency Engineer shall notify the Regional Local Programs Engineer of the time and place of the conference.

On large, complex projects, a preconstruction conference should be held before each construction phase. It may be desirable to hold separate conferences for some specialized construction items such as paving, roadside planting, or electrical work. The preconstruction conference may include a partnering session, if appropriate. For a sample conference agenda, refer to Appendix 52.101.

The meeting should be documented and copies of the minutes transmitted to the Regional Local Programs Engineer and each agency, organization, and firm that has involvement or interest in the project (see Appendix 52.102).

52.3 Quality Control

The quality of materials and workmanship on a project must conform to the contract specifications so that the public funds expended will have purchased a safe, economical, and fully functional transportation facility.

.31 General. The source for each type of material must be approved by the Local Agency.

The Qualified Products List (QPL) is compiled by WSDOT Materials Laboratory (Mats Lab) Documentation Section and published by WSDOT Engineering Publications. The QPL is available in hardcopy or can be accessed on the internet at: http://www.wsdot.wa.gov/fossc/mats/QPL/QPl.cfm. Upon request, the Region Local Programs Engineer will provide a hardcopy of the QPL.

Local Agencies requesting a Record of Materials (ROM) from WSDOT's Mats Lab should submit their request at the time of award to avoid delaying the contractor. The average processing time is approximately four (4) weeks.

Reimbursement of FHWA funds may be denied for work done contrary to, or in disregard of, the contract documents.

Local Agencies making improvements to National Highway System (NHS) routes with **federal funding** must comply with WSDOT's qualified tester program. If a Local Agency is not certified to perform the tests, they can contact a qualified testing laboratory or their Regional Local Programs Engineer to make arrangements for WSDOT to perform the testing on the project.

.32 Exceptions to qualified tester program. Local Agencies making improvements to the traveled lanes of the National Highway System (NHS) with **federal funding** must comply with WSDOT's qualified tester program. Projects that cross or connect to an NHS route may be exempted by the Regional Local Programs Engineer from these requirements when quantities within the NHS travel lanes are minor. For projects with other than minor quantities, a Local Agency must comply with the program.

.33 Use of WSDOT mix designs. Local Agencies utilizing a WSDOT mix design for a project may use that mix design beyond the year it was submitted for approval, provided the contractor supplies written certification that all material properties meet the original WSDOT mix design.

52.4 Progress Payments

Progress payments must be based on measurements of work performed so that the contractor can be fairly compensated and so that public funds will not be expended on work that has not yet been done.

.41 General. Progress estimates should be prepared on a pre-selected date each month to the contractor. The Local Agency shall document the quantities paid each month. Progress estimates should be prepared promptly and may be forwarded to the contractor for review and signature.

.42 Statement of Intent to Pay Prevailing Wages. The contractor and subcontractors of every tier shall submit form LI 700-29 to Washington State Department of Labor & Industries (L&I) for approval of the wage rates they intend to pay. Each statement must be accompanied by the filing fee established by L&I and required by RCW 39.12.030 and 040.

The approved pink copy of form LI 700-29 shall be on file with the Local Agency before any payment is made to the contractor. Subcontractors of every tier shall have an approved copy of this form on file with the Local Agency before any payment can be made for their work.

52.5 Changes and Extra Work

Prior to beginning work on a contract, a Local Agency should have a written policy for the approval of change orders to ensure that appropriate procedures are followed. Without a written change order policy delegating approval authority, the designated CA Agreement approval authority must approve all change orders.

It is important to distinguish between actual changes to the contract work and normal overruns and under-runs that may occur. No change order work shall be done prior to approval being given by the appropriate authority, verbal or written. Verbal approval requires written documentation including a description of work that adequately describes the extent of the change. Verbal approval must be followed by a written change order. No contract payment shall be made prior to having the written change order approved by the appropriate authority.

When changes in the work will alter the termini, character, and scope of an approved project, approval of Highways & Local Programs is required prior to the commencement of the physical work. Refer to *LAG Manual,* Chapter 21, The Project

Prospectus, for further information. All change orders must be numbered in sequence.

Change order documentation is composed of two parts,

a. The approved change order signed by the agency and the contractor, and

b. The backup documentation. The backup documentation shall include an explanation in sufficient detail so that everyone involved will understand the need for the change, and how the change will affect the overall contract. The explanation shall include a detailed justification of the cost and/or any adjustment to working days associated with the change. The detailed cost justification shall be documented independent of the contractor's proposal to substantiate the change.

.51 Administrative Settlement Costs. Administrative settlement costs are costs related to the defense and settlement of contract claims. These will include, but are not limited to salaries of contracting officers or their authorized representatives, attorneys, or members of arbitration boards, appeal boards, etc., that are allowable to the findings and determination of contract claims, but not including administrative or overhead costs.

FHWA funds may participate in administrative settlement costs which are:

- Incurred after notice of claim,
- Properly supported,
- Directly allocable to a specific FHWA project, or
- For employment of special counsel for review and defense of contract claims when recommended by the agency's legal counsel and approved in advance by WSDOT.

When a claim is submitted, the Regional Local Programs Engineer should be contacted for advice on how to proceed.

52.6 Termination of Contract

Section 1-08.10 of the *Standard Specifications*, Termination of Contract, contains procedures and criteria for termination of a contract. Prior to termination action against a contractor, the Local Agency must obtain Highways & Local Programs concurrence.

52.7 Compliance With Federal Contract Provisions

FHWA requires that all subcontracts at any tier be in writing, per 23 CFR, Section 635.116(b). This includes both contracts between the prime contractor and their subcontractors, and contracts between subcontractors and their agents.

Each of these subcontracts must also physically contain the following documents. None of these documents can be included by reference only.

- The general special provision (GSP) entitled "Required Federal Aid Provisions,"
- Form FHWA 1273 "Required Contract Provisions, Federal Aid Construction Contracts," and
- The minimum wage rates for the contract as required by RCW 39.12 and Title 29 of the Code of Federal Regulations (CFR).

It is the responsibility of the Local Agency to ensure full compliance with the provisions above.

Implementation of the DBE and EEO programs are also federal contract requirements. For information, refer to *LAG Manual,* Chapter 26, DBE, and Chapter 27, Equal Employment Opportunity and Training.

52.8 Physical Completion of Construction

The Local Agency will carry out the following requirements to terminate the construction contract and ready the project for acceptance by WSDOT and FHWA:

.81 Notice of Physical Completion. Within ten (10) calendar days after physical completion of the work by the contractor, the Local Agency Project Engineer shall notify the contractor by letter that the construction is physically complete, and that the

project is subject to inspection, audit, and acceptance by WSDOT. The agency shall diligently pursue closure of the contract.

.82 Final Inspection. The Local Agency Project Engineer shall send a request for WSDOT inspection and acceptance to the Regional Local Programs Engineer within 15 days of physical completion of work by the contractor. A copy of the physical completion letter that is sent to the contractor should accompany the request.

.83 Final Reports. A construction project is considered complete when the items listed below have been completed. All certifications and reports shall be retained for at least three (3) years after final acceptance of the project.

a. Final Estimate (Approving Authority File). When the contractor has a claim pending against the Local Agency and wants to receive a final estimate, a claim must be submitted in writing, detailing the specific items and amounts. When a claim is submitted, immediately contact the Regional Local Programs Engineer so that FHWA can be informed of the claim's details at an early stage. See Section 1-09.12(2) of the WSDOT/APWA *Standard Specifications*.

b. Comparison of Preliminary and Final Quantities (Approving Authority File). This is a listing of items that show the preliminary and final quantities.

c. Certified Final Bill for Utility Agreement, if applicable, to Regional Local Programs Engineer.

d. Final Records (Approving Authority File). The Local Agency Project Engineer must document the work performed on the contract. Documentation consists of field books, inspector's record of field tests, Project Engineer's and inspector's diaries, all invoices, weigh bills, truck measurements, quantity tickets, receiving reports, field office ledgers, mass diagrams, cross-sections, computer listings, and work profiles. Photographs or video tapes before, during, and after construction could be useful, especially if care is taken to show any unusual conditions, equipment, or procedures.

   Final records shall be retained by the Local Agency for at least three (3) years following acceptance of the project by Highways & Local Programs. The Local Agency will receive the administrative review letter showing the starting and ending date of the three-year retention period from the Director of Highways & Local Programs Division of WSDOT (OMB Circular A-128).

e. Record of Material Samples and Tests.

f. Materials Certification (Appendix 52.104). The intent of the materials certification is to assure that the quality of all materials incorporated into the project are in conformance with the plans and specifications, and thus ensure a service life equivalent to the design life.

1. This materials certification shall be completed in accordance with Section 9-1.5 of the *Construction Manual* or Chapter 52.3 of the *LAG Manual* and is submitted along with the completion letter to the Regional Local Programs Engineer.

g. Affidavit of Wages Paid. Upon completion of a contract, the prime contractor and every subcontractor or agent shall submit Form LI-700-7, "Affidavit of Wages Paid" to L&I for certification of the wage rates paid on the project. Each affidavit must be accompanied by the filing fee established by L&I.

   Local Agencies are required to retain a percentage of money earned by the contractor according to the provisions of RCW 60.28.011. An L&I certified copy of Form LI-700-7 from the prime contractor, and every subcontractor or agent, must be on file with the Local Agency before the retained sum will be released.

h. Release for the Protection of Property Owner and General Contractor. Form LI-263-83, furnished by L&I, shall be properly executed by the prime contractor and submitted to L&I upon completion of the contract. When L&I, based on its records, has verified that the industrial insurance and medical-aid premiums have been paid by the prime contractor and every subcontractor, a statement to that effect will be issued by the L&I contract release clerk. A copy of this statement must be on file with the Local Agency before the retained percentage can be released.

i. WSDOT Form 422-102, "Quarterly Reports of Amounts Credited as DBE Participation," shall be submitted by the contractor to the Local Agency on all projects that contain DBE goals. This form should also be submitted when a qualified DBE contractor or subcontractor is employed on a project, regardless of whether that DBE is a condition of award or not. This form is submitted on a quarterly basis in January, April, July, and October. See *LAG Manual*, Chapter 26, Disadvantaged Business Enterprises.

.84 Project Acceptance. The approving authority's approval of the final estimate will be considered as the Local Agency's acceptance of the project.

52.9 The NHS System

This section addresses criteria to be used for projects on the National Highway System (NHS) routes. The Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA), established a major new federal aid system, the NHS. Although ISTEA provided

that certain key routes, such as the Interstate Highway System, be included in NHS, most of NHS was not specified. The Secretary of Transportation of USDOT was directed by Congress to develop the NHS in cooperation with the states and local areas. In 1995, Congress approved the system. According to the Federal Highway Administration (FHWA), the NHS "is the centerpiece of the newly structured federal aid highway program." The NHS includes the interstate system; other routes identified for their strategic defense characteristics; routes providing access to major ports, airports, public transportation, and intermodal transportation facilities; and principal arterials that provide regional service.

The NHS that was developed by the Washington State Department of Transportation (WSDOT) Planning and Programming Service Center, in cooperation with local and regional officials, based on guidelines established by the U.S. Secretary of Transportation and on the functional reclassification (see Section 12.36). The NHS in Washington has about 3,384 miles.

Although a part of the NHS, the Interstate System retains its separate identity and receives separate funding. The Local Agency mileage on the NHS, by agency, is listed in Appendix 52.109.

52.91 Types of Eligible Projects

These include construction, rehabilitation, resurfacing, restoration, and operational improvements for highways, highway safety improvements, highway related technology transfer activities, and carpool and vanpool projects.

52.92 Standards

Local Agencies making improvements to NHS routes **with federal funding** must comply with WSDOT's qualified tester program. Refer to *LAG Manual,* Chapter 52, Section 52.3, for requirements.

Design and construction standards for all new construction or reconstruction projects, and for all 3R multi-lane limited access projects on the NHS, shall meet or exceed AASHTO standards in accordance with Title 23 USC, Section 109(b) and Section 109(c). For other projects on the NHS, the currently approved standards stipulated in the WSDOT Design, Construction, and LAG manuals, as applicable or subsequent approved revisions, will be met.

For 3R NHS projects, on other than multi-lane limited access facilities, regardless of funding, the minimum design standards will be the WSDOT *Design Manual* (M 22-01) Standards or approved revisions.

These standards are applicable for both WSDOT administered and Local Agency administered (through WSDOT) projects. FHWA will be notified promptly of all policy changes in these manuals, laws, regulations, or directives affecting FHWA projects.

52.93 NHS Certification Acceptance

All Local Agency NHS projects will be administered under Certification Acceptance (CA) procedures, regardless of the federal funding source, except for certain high cost or unique bridge projects.

52.94 Projects Within Interstate Rights-of-Way

Since all projects within the Interstate rights-of-way (R/W) have the potential to impact safety and operations on the Interstate route, Local Agencies must incorporate Interstate design criteria and construction quality. It is the Federal Highway Administration's (FHWA) policy that all projects within the Interstate R/W should be administered by WSDOT. However, given the scope and extent of non-Interstate projects within the Interstate R/W, it is recognized that Local Agency administration of some projects may be acceptable, and all requests will be considered on a case-by-case basis.

Whenever a Local Agency proposes a project within the Interstate R/W, the Local Agency must develop an agreement with WSDOT that clearly outlines each others' duties and responsibilities to maintain the integrity of the Interstate facility, from both safety and quality perspectives. The agreement should be executed prior to design approval and must be executed prior to

advertising for bids. The following requirements must be incorporated into the agreement:

a. Responsibilities. WSDOT and the Local Agency must each assign a responsible Project Engineer,

b. Design. WSDOT must review and approve all highway plans, profiles, deviations, structural plans, false-work plans, shoring plans, and traffic control plans for any work within the Interstate R/W,

c. Plans, specifications, and estimates. WSDOT must review and approve the plans and specifications for any work within Interstate R/W,

d. Advertising and award. The Local Agency must confer with the WSDOT Project Engineer on any pre-award issues affecting the quality and timing of the contract,

e. Construction: All construction, materials, and quality control requirements contained in the current editions of the WSDOT *Standard Specifications* and *Construction Manual* must be incorporated into the agreement,

f. Contract changes. All contract changes affecting work within the Interstate R/W must have the prior concurrence of the WSDOT Project Engineer, and

g. Final Inspection. The final inspection of the project must be performed by WSDOT Olympia Service Center or the Region Construction (Operations) Engineer and must evidence their approval.

Only Local Agencies with full certification acceptance authority may enter into such an agreement with WSDOT.

The agreement must be submitted to FHWA prior to construction. FHWA reserves the right to assume full oversight of the project.

52.95 NHS Components

About 118 miles of the NHS are not under WSDOT's jurisdiction. Although the State has not included any future routes on NHS, certain routes will be advanced for the NHS later. These projects would be either extensions or realignments of existing NHS routes.

52.10 Appendices

52.101 Sample Preconstruction Conference Agenda
52.102 Sample Preconstruction Conference Minutes
52.103 Sample Letter Requesting WSDOT Project, Inspection and Acceptance
52.104 Sample Materials Certification
52.105 Timeline for Construction Contracts
52.106 Weekly Statement of Working Days
52.107 Change Order
52.108 Exceptions to the WSDOT *Construction Manual*
52.109 List of Local Agency NHS Routes
52.110 Local Agency NHS Route Terminii

Forms

See Chapter 11 of the WSDOT *Construction Manual*.
FHWA Form WH-347

Project _____ Contract No. _____

Checklist for Project Certification

	Yes	No	
1.	_____	_____	Request for approval of material sources was submitted for all items listed on the record of materials and as required by Chapter 9-4 of the WSDOT *Construction Manual* or alternative procedures authorized by LAG Appendix 52.108.
2.	_____	_____	All preliminary samples requested by or for approval of source were submitted and approved or an alternate approval material or product was used.
3.	_____	_____	All samples and documentation including manufacturer's certificate of compliance, shop drawings, mill test certificates, etc., as required by the record of materials were submitted and subsequently approved.
4.	_____	_____	If job quantities differed from those listed on the record of materials, acceptance samples were taken at the frequency listed in Chapter 9-5.7 of the *Construction Manual* or alternative procedures authorized by LAG Appendix 52.108.
5.	_____	_____	All items requiring inspection at the point of fabrication were so inspected and were accepted at the jobsite by the presence of an approved stamp, sticker, tag, or mark.
6.	_____	_____	The results of the tests on acceptance samples indicate that the materials incorporated in the construction work, and the construction operations controlled by sampling and testing, were in conformity with the approved plans and specifications. Exceptions to the plans and specifications are explained on the back hereof (or on attached sheet).
7.	_____	_____	Items added by change order and not listed on the record of materials were accepted in accordance with procedures listed in Chapter 9 of the *Construction Manual* or alternative procedures authorized by LAG Appendix 52.108.

Note: Any "No" answers on this checklist must be fully explained and documented. Attach test reports representing nonspecification material as well as an explanation of the circumstances leading to acceptance of said material. All seven items must be completed before the project can be certified.

Certified
Signature _____ Date _____
(Approving Authority)

_____ __	• Award Date 1-03 WSDOT	
_____ __	• Execution (WSDOT), Notice to Proceed (APWA)	
_____ __	• Begin Work 1-08.4 WSDOT	
Working or Calendar Days set by Contract		
_____ __	• Substantial Completion	1-08.9 WSDOT 1-05.11(1) APWA
_____ __	• Physical Completion	1-08.5 WSDOT 1-05.11(2) APWA
_____ __	• Contract Completion	1-05.12 APWA
_____ __	• Completion Date/Final Acceptance	1-08.5 WSDOT 1-05.12 APWA
See Prompt Pay Section 1-09.9		
_____ __	• Final Payment	1-09.9(4) APWA
_____ __	• Retainage Release	1-09.9(2) APWA

Exceptions to the WSDOT *Construction Manual*. The following exceptions to the WSDOT *Construction Manual* may be used by the local agency. If these methods are not utilized, the WSDOT *Construction Manual* shall prevail.

- The local agency may develop their own Record of Materials, and approve manufacturers not listed on the approved WSDOT manufacturers list.
- Asphalt plant inspectors and scalepersons are not required at established commercial sources. This exception does not allow the agency to eliminate acceptance sampling of the materials.
- The following items may be accepted with an approved catalogue cut and documented by visual inspection or a manufacturer's material certification (provided manufacturer's certification is based on actual testing):
  - Electrical items and accessories
  - Paving or geotextile fabrics
  - Fencing of any kind
  - Landscaping or irrigation items
  - Glare screens
  - Traffic buttons or paints
  - Guardrail items
  - Drainage items

  Re Bar Tie Wire
  Backer Rod under RCS Expansion Joint
  Rebar Chairs and Dobie Blocks
  Temporary Items
  Sandbags, Rope, and Wood Stakes
  Compost
  Monument Case and Cover (Certificate of Material Origin is required)
- Minor quantity aggregate items from an established commercial source, treated or untreated, with a current testing frequency less than 500 tons, (450 tonnes) may be increased to 500 tons (450 tonnes) and can be accepted without testing
- Local agencies may test their own signal cabinets.
- Local agencies may lower the density testing requirements to 90 percent of the rice density for non structural overlay pavement designs with a thickness of 1.25 to 2 inches (30 to 50 mm). This should be limited to areas or projects with documented foundation problems and on overlay of existing pavements.
- Local agencies are not required to follow the qualified testing program outlined in the WSDOT *Construction Manual* if the agencies projects are not on the NHS, or are on the NHS and the project does not contain federal funding.

  AND

  The acceptance sampling frequencies and test methods are done in accordance with Chapter 9 of the WSDOT *Construction Manual* and the exceptions listed above.

  In addition to mandatory acceptance sampling, a local agency may choose to do independent assurance sampling. If a local agency elects to do independent assurance sampling, the procedures listed below shall be followed.

  - Assurance sampling and testing will be done independent of acceptance testing, not utilizing the same testing equipment or performed by the same personnel. Assurance samples of aggregate may be taken by the field inspector and split two ways. One split will be tested by the inspector in the field as an acceptance sample and the other split will be an assurance sample for immediate testing and comparison with field results.
  - Assurance sample testing does not reflect on the acceptability of the material involved. Acceptance under the contract is determined by the acceptance testing process. Assurance testing is performed to obtain an independent verification of proper testing procedure and equipment.

Comparison of Assurance and Acceptance Test Results. Assurance sample results will be compared with the acceptance test results of the companion samples.

Reports of the comparison of results will be placed in the project file. The degree of conformance will be determined according to the deviation ranges noted below. Gradation test results will be compared only on specification screens.

Test	Normal Range of Deviation	Maximum Range of Deviation
Sand Equivalent	±8 points	±15 points
Fracture	±5 percent	±10 percent
Asphalt Content (ACP & ATB)	±0.3 percent	±0.6 percent
Sieve Analysis — All Items:		
No. 4 (4.75 mm) sieve and larger	±5 percent	±8 percent
No. 6 (3.35 mm) sieve to No. 80 (0.180 mm) sieve	±3 percent	±6 percent
No 100 (0.150 mm) and No. 200 (0.075 mm) sieve	±2 percent	±4 percent

In the table above, "Normal Range" indicates an acceptable range of variation between test results and no action is required. Test results which fall in this category will be so indicated by the wording *"normal deviati*on" on the assurance test reports. Test results falling outside of the "Normal Range" but within the "Maximum Range," will be indicated by the wording *"questionable deviati*on" on the assurance test reports. For deviations falling into this category, the Project Engineer or a representative shall review the original test report form, advise the responsible test operator of the deviation, and review the test procedure at the next opportunity.

Test results exceeding the maximum range will be indicated by the wording *"excessive deviati*on." For deviations falling in the excessive category, the Project Engineer or a representative will notify the appropriate personnel for corrective action. Corrective action will include review of sampling procedures, sample splitting procedures, testing procedures, and testing equipment. Actions and results of these investigations will be documented to the project file by a notation. These may include comments or findings by the Lab and testing personnel.

Independent Assurance Sampling Frequency Guide

Item	Test	Assurance Sample
Gravel Borrow	Grading & SE	1 – 20,000 Ton
Select Borrow	Grading & SE	1 – 20,000 Ton
Sand Drainage Blanket	Grading	1 – 20,000 Ton
Gravel Base	Grading,SE & Dust Ratio	1 – 20,000 Ton
CSTC	GradingSE & Fracture	1 – 10,000 Ton
CSBC Grading,	SE & Fracture	1 – 10,000 Ton
Maintenance Rock	Grading,SE & Fracture	1 – 10,000 Ton
Ballast Grading,	SE & Dust Ratio	1 – 10,000 Ton
Shoulder Ballast	Grading & Fracture	1 – 10,000 Ton
Backfill for Sand Drains	Grading	1 – 10,000 Ton
Crushed Coverstone	Grading, SE & Fracture	1 – 5,000 Ton
Crushed Screening		
$^5/_8 - ^1/_4$	Grading & Fracture	1 – 5,000 Ton
$^1/_2 - ^1/_4$	Grading & Fracture	1 – 5,000 Ton
$^1/_4 - 0$	Grading & Fracture	1 – 5,000 Ton
Gravel Backfill For		
Foundations	Grading, SE & Dust Ratio	1 – 5,000 Ton
Walls	Grading, SE & Dust Ratio	1 – 5,000 Ton
Pipe Bedding	Grading, SE & Dust Ratio	1 – 5,000 Ton
Drains	Grading	1 – 5,000 Ton

Independent Assurance Sampling Frequency Guide Cont.

Item	Test	Assurance Sample
PCC Paving		
Coarse Aggregate	Grading	1 – 10,000 Ton
Fine Aggregate	Grading	1 – 5,000 Ton
Completed Mix		
Consistency	Slump	1 – 25,000 SY
Air Content	Air	1 – 25,000 SY
Yield	Cement Factor	1 – 25,000 SY
Test Beam	Flexural Strength	1 – 25,000 SY
PCC Structures		
Coarse Aggregate	Grading	1 – 5,000 Ton
Fine Aggregate	Grading	1 – 2,500 Ton
Consistency	Slump	1 – 1,000 CY
Air Content	Air	1 – 1,000 CY
Cylinders (28-day)	Compressive Strength	1 – 1,000 CY
Yield	Cement Factor	1 – 1,000 CY
Cement	Chemical & Physical Certification (Verification Sample)	1 – 1,000 Ton
Asphalt Materials		Verification
Paving Asphalt (AR, AC, PBA)		1 qt. every 3rd shipment
Liquid Asphalt (Cutback, Emulsion)		1 qt. every other shipment
Emulsion for ACP Tack Coat		None required

STP Distribution Attributable to the Proposed NHS System

Local Jurisdiction by MPO/RTPO	Approximate NHS Miles	%NHS	Lead Agency
Clallam County	0.85	0.72	
Richland	0.85	0.72	
Dept of Energy/Benton Co.	2.35	1.99	
Pasco	0.58	0.49	BFCG
Douglas County	3.74	3.17	
East Wenatchee	0.21	0.18	Douglas County
King County	1.77	1.50	
Bellevue	2.16	1.83	
Federal Way	0.40	0.34	
Kent	1.55	1.31	
Kirkland	1.29	1.09	
Renton	3.02	2.56	
Seatac	2.35	1.99	
Seattle	38.29	32.41	
Shoreline	0.91	0.77	
Tukwilla	2.67	2.26	
Port of Seattle	1.25	1.06	
Kitsap County	10.45	8.84	
Port Orchard	0.73	0.62	
Pierce County	0.25	0.21	
Lakewood	1.08	0.91	
Fife	0.12	0.10	
Tacoma	1.13	0.96	
Snohomish County	4.19	3.35	
Lynnwood	0.09	0.08	
Mountlake Terrace	0.09	0.08	
Everett	1.59	1.35	PSRC
Spokane County	4.33	3.66	
Spokane	3.23	2.73	SRTC
Whitman County	2.78	2.35	
Pullman	0.44	0.37	Whitman County
Thurston County	0.75	0.63	
Lacey	5.14	4.35	
Olympia	2.18	1.85	
Tumwater	2.50	2.12	TRPC
Walla Walla Port	0.72	0.61	Walla Walla County
Whatcom County	0.26	0.22	
Bellingham	4.90	4.15	WCOG
Yakima County	1.79	1.52	
Union Gap	0.58	0.49	
Yakima	2.43	2.06	YVCOG
Vancouver	0.28	0.24	
Island County	1.88	1.59	
Total	**118.15**	**100.00%**	

53.1 General Discussion

After substantial completion of the work, the agency shall diligently pursue contract completion. In cases where the contractor is not diligently pursuing completion, the agency shall impose liquidating damages penalties, completion of remaining work with local forces or unilateral closure and claims against the contractor.

After the construction phase of a non-NHS FHWA transportation project, done either by competitive bidding or by local agency forces, specific procedures are carried out to terminate the project's finances and review project performance. These procedures are necessary in order to settle any outstanding contract obligations, and to ensure that funds were expended properly.

Chapter 53 lists requirements for closing the project accounts at WSDOT and FHWA and discusses project management reviews and project audits.

Consistent with criteria established for FHWA oversight, the following chart establishes responsibilities for preparation of project closing documents and actions for FHWA (F), WSDOT (S), and Local CA agencies (L):

	Local CA Agency non-NHS	Local non-CA Agency non-NHS
Documents		
a. Completion Letter	L	S/L
b. Material Certification	L	S/L
c. List of Change Orders	L	S/L
d. WSDOT Final Accep. Date	L	S/L
e. Comparison of Quantities	L	S/L
f. DOT 140-500	S	S
Actions		
a. Nonpart. Approval	S	S
b. Advance FMIS Steps	F	F
c. Final Voucher	S/F	S/F

(FMIS = Federal Management Information Systems)

53.2 Closure

After the construction contract is complete, a 90-day project closure period begins. This closure period is initiated upon receipt of either a completion letter from the local agency or a final inspection of the project from the Region Local Programs Office. During this period, the local agency must complete the requirements described below.

No further payment will be made after the date indicated on the 90-day closure letter without the approval of the Director of Highways and Local Programs.

The local agency may request, however, that the 90-day closure period be extended. In this case, the local agency shall submit a written request to the Director of Highways and Local Programs justifying an extended closure period.

.21 Completion Letter. Within 15 calendar days of completion as defined in Division 1-99 of the Standard Specifications, the local agency shall submit a physical completion letter to the Region Local Programs Engineer.

.22 WSDOT Project Review. The Region Local Programs Engineer will conduct the final field inspection. It is suggested that the Region Local Programs Engineer be invited to the final project inspection with the contractor. If the final inspection reveals items that must be corrected or resolved before the project can be closed, these will be noted in the final inspection report. The Region Local Programs Engineer will work with the local agency to make the necessary corrections or to accomplish resolutions. If there is an unresolvable item indicating that a portion of project work is ineligible for FHWA reimbursement, WSDOT will issue a letter of notification outlining the ineligible work items and related costs.

.23 Final Billing. Within 90 calendar days of the completion date, the local agency shall submit the following documents to the Region Local Programs Engineer, clearly marked "Final Billing:"

a. The local agency's final billing on Form PPC2.

b. Written justification for billings exceeding the Local Agency Agreement amount. These require approval by the Director of Highways and Local Programs.

Upon receipt of the final billing, WSDOT will pay the federal share or bill the local agency as appropriate.

.24 Project Approval. The Director of Highways and Local Programs will inform the local agency when FHWA has approved the Final Voucher and will explain what records must be retained and for how long.

53.3 Project Management Review

In order to be reasonably certain that local agencies are administering FHWA funds in accordance with the *Local Agency Guidelines*, the Highways and Local Programs Operations Engineer will conduct project management reviews annually on selected local agency ad-and-award projects. These reviews will cover:

- General procedural compliance items noted in OMB Circular A-128.
- Procedures in the *Local Agency Guidelines*.
- Items of special interest developed from State Auditor's reports, recommendations from FHWA, and previous process reviews.
- Compliance with "Equal Employment Opportunity" and "Disadvantaged Business Enterprise" programs.

.31 Preparation. The Director of Highways and Local Programs, through the Region Local Programs Engineer, will schedule management reviews with the designated agencies and will request that the local agency managers participate. The local agency should have all pertinent documentation ready for the scheduled review. Typical procedural review questions are listed in Appendix 53.51. Typical documents to be examined during this review are also listed in Appendix 53.51. All deficiencies will be identified for the agency at the Project Management Review (PMR). Copies of documentation not available at the time of review shall be submitted through the Region Local Programs Engineer within 30 calendar days. After the 30-day period, the final PMR letter will be sent to the agency.

.32 Deficiencies. If no major deficiencies are found in the local agency's project management methods, the local agency will be informed in writing of the review team's findings and recommendations.

If major deficiencies exist, the local agency will be asked to take corrective action within 60 days. If the deficiencies include ineligible work, WSDOT will issue a citation letter.

If deficiencies exist in the agency's procedures, management practices, or systems, or if specific project errors are found, WSDOT's administrative response might be one or more of the following:

- No action against the agency.
- Joint conference with the Local Agency, Region Local Programs Engineer, and the Director of Highways and Local Programs or his designee.
- Limit or withhold the agency's future Certification Acceptance authority (Chapter 13) to the extent deemed necessary:
  a. Allow Certification on a project-by-project basis.
  b. Direct WSDOT to assign a Project Engineer to each project for supervision, inspection, and administration.
  c. Contract the supervision, inspection, and administration to a consulting firm.
  d. Delay project authorization until adequate supervision, inspection, and administration is available from the local agency, WSDOT, or consultants.
- Establish a repayment plan when violations to procedures make certain expenditures ineligible for federal reimbursement. Per Section VII of the Local Agency agreement, withholding of funds from the local agency's gasoline tax distribution may be necessary if a satisfactory repayment plan is not established within 45 days.

53.4 Financial and Compliance Audit

.41 By the State Auditor. The local agency is responsible for ensuring that an audit is performed in accordance with OMB Circular A-128. WSDOT is also responsible for ensuring that FHWA funds are properly expended. The State Auditor will therefore audit each local agency.

.42 By WSDOT. A project audit by WSDOT Auditors is triggered by deficiencies found during:

a. A routine audit by the State Auditor, either on an FHWA project or on any other project where federal funds are involved.

b. A project management review.

.43 Project Records. Project records shall be maintained in accordance with the terms of the Local Agency Agreement and shall be made available to the audit personnel upon request. It is helpful if field notes and other documentation are available in sufficient detail to facilitate the audit review.

.44 Audit Report. The state auditor will submit a formal audit report to the Director of Highways and Local Programs and to FHWA. If findings on a particular audit arise, Highways and Local Programs will contact the agency to confirm the findings and coordinate resolution with the agency and Highways and Local Programs. Audit findings must be resolved within six months of the date that the audit report is issued. Audits will normally include the following categories:

- Interagency Agreements
- Land Development or Land Acquisition Projects
- Tier Contracting Procedures
- Fund Management — Transactions
- Accounting Methods — Cash or Accrual
- DBE-EEO Practices
- Use of Grant Acquired Equipment

53.5 Appendices

53.51 Local Agency Documentation Review Checklist

53.52 Final Inspection of Federal Aid Project

53.53 Quarterly Report of Amounts credited as DBE Participation

Local Agency Documentation Review Checklist

Agency: _____ Date: _____

Project Title: _____

Federal Aid Project No.: _____ Contract No.:_____

Reviewers: _____

_____

_____

LAG Ref.

13 Table of Organization and CA Agreement Review:

Action	Approving Authority
Design Approval	_____
PS&E Approval	_____
Contract Award	_____
Contract Aministration	_____

Preliminary Engineering:

43.1 Design Approved By: _____ Date: _____

44.1 PS&E Approved By: _____ Date: _____

44.22 Agency Supplied Materials Approved By: _____

44.22 Sole Source Items? Yes _____ No _____

21.1 Changes in Scope, Limits, Character, Cost? Yes _____ No _____

44.22 Tied Bids Approved By: _____ Date: _____

Advertising and Award:

46.21 FHWA Construction Authorization Date: _____

46.24 Advertising Dates: _____

46.24 Three Week Advertising Period? Yes _____ No _____

46.24 Affidavits of Publication in File? Yes _____ No _____

46.25 Bid Opening Date: _____

46.27 Award Date: _____

46.26 Award to Lowest Bidder? Yes _____ No _____

If Not, Explain: _____

46.28 Contract Execution Date: _____

46.28 Contract Award Amount: _____

46.3 Award Information Transmitted to WSDOT? Yes _____ No _____

52 First Working Day: _____ No. of Working Days: _____

No. of Working Days Complete: _____

52.2 Preconstruction Conference Minutes Review:

Meeting held? Yes _____ No _____

Meeting documented? Yes _____ No _____

44.1 Commitment File:

24.94 Environmental and Permit Conditions Met Yes _____ No _____

ECS Approval date _____

Six month updates Yes _____ No _____

LAG Ref.

25 Right-of-Way

Right-of-Way Acquired Yes _____ No _____
Right-of-Way Acquisition Procedures Dated: _____
Listing of Right-of-Way Staff Current Yes _____ No _____
25.11 Project Right-of-Way Certification Dated: _____

52 Administrative Settlements

52.51 Were any claims settled by Adminstrative Settlement? Yes _____ No _____
Were claims submitted to Local Programs Engineer? Yes _____ No _____
Comments: _____
_____
52.1 Project Diaries and Inspector's Daily Reports Signed and Up to Date? Yes _____ No _____

52.4 Payrolls:

Wage Rates Included in Contract? Yes _____ No _____
Certified by Contractor? Yes _____ No _____
Checked and Initialed by Agency? Yes _____ No _____

27 EEO Compliance:

27.32 PR-1391 on File and PR 1392 sent to Region Local Programs? Yes _____ No _____
Comments: _____
_____
_____

Training:

Training Goal Set? Yes _____ No _____ Hours _____
Training Plan Approved by Agency: Yes _____ No _____
Training Goal Met? Yes _____ No _____ Hours _____
Comments: _____
_____
_____

26 DBE Compliance:

26.2 DBE Goal Set: _____%
26.2 DBE Condition of Award Amount: $_____
26.2 How Was DBE Certification Verified Prior to Award? _____
52.5 Change Orders Affects on DBEs: Yes _____ No _____
52.5 Additional Work Provided to DBEs? Yes _____ No _____
52.5 Any Changes to DBE Goals? Yes _____ No _____
26.2 DBE goals approved by H&LP? Yes _____ No _____
26.2 Quarterly Report of Amounts Credited as DBE Participation
Sent to Region Local Programs Engineer? Yes _____ No _____

Contract Completion:

52.81 Completion Date: _____
52.81 Completion Letter to Contractor transmitted to Local Programs: _____
52.83 End of Project Materials Certification From Project Engineer to Approving Authority Date: _____

44 Traffic Control

44.22e TCP or K Plans Included in contract? Yes _____ No _____
44.22e Detour included in contract? Yes _____ No _____
44.22e If yes, agreements included in contract? Yes _____ No _____

Construction Contract Administration: (Change Orders)

CO#	Written App. Date	Major Items Involved	Cost Change +/-	W/D +/-	Agency Justified Independently
1					
2					
3					
4					
5					
6					
7					
8					
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30					

Prime and Subcontractor Information

	Name	Amount	Request to Sublet 421-012	DBE	Fed. Aid Certification 420-004	Statement of Intent to Pay Prev.Wages F700-029-000	Wage Rate Interview 424-003	DBE Review 272-051	Affidavit of Wages Paid F700-007-000	Monthly Employee Util. Rpt 820-010	Payroll
1											
2											
3											
4											
5											
6											
7											
8											
9											
10											
11											
12											
13											
14											
15											

Total Amount Sublet $

% of Contract Sublet =
(Maximum 70%)

NOTES:

Materials Documentation Review - Aggregate Item

Agency _____ Federal Aid Number: _____
Project Title: _____
Reviewed by: _____ Date: _____

Bid Item _____ Material _____

Plan Quantity	_____	Revised Quantity	_____	Paid Quantity	_____
Lag Exception Noted	_____	Field Note Record	_____		_____
ROM Maintained	_____	RAM #_____Codes	_____	Appr. Source-Pit #	_____
Preliminary Sample	_____	Acceptance Test	_____	Scale Certification	_____
Scaleman's Daily Rpt.	_____	Certified Ticket	_____	Max. Density Curve	_____
Compaction Test	_____	Small Quantity	_____	Visual Inspection	_____

Comments:

Acceptable_____ Deficiency As Noted_____

Materials Documentation Review - Asphalt Item

Agency _____ Federal Aid Number: _____
Project Title: _____
Reviewed by: _____ Date: _____

Bid Item _____ Material _____

Plan Quantity	_____	Revised Quantity	_____	Paid Quantity	_____
Lag Exception Noted	_____	Field Note Record	_____		_____
ROM Maintained	_____	RAM #_____Codes	_____	Appr. Source-Pit #/AC	_____
Qualified Products List	_____	Prelim. Samp.-Agg./AC	_____	Accept. Test-Agg.	_____
Accept. Test-AC	_____	Appr. Mix Design #	_____	Bill of Lading-AC	_____
Scale Certification	_____	Scaleman's Daily Rpt.	_____	Certified Ticket	_____
Lane/Shld. Breakout	_____	Compaction Test	_____	Small Quantity	_____
Visual Inspection	_____				

Comments:

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Acceptable_____ Deficiency As Noted_____

Materials Documentation Review - Concrete Item

Agency _____ Federal Aid Number: _____
Project Title: _____
Reviewed by: _____ Date: _____

Bid Item _____ Material _____

Plan Quantity	_____	Revised Quantity	_____	Paid Quantity	_____
Lag Exception Noted	_____	Field Note Record	_____		_____
ROM Maintained	_____	RAM #_____Codes	_____	Plant Certificate	_____
Appr. Source-Pit #/PC	_____	Appr. Source-Mfg. Item	_____	Qualified Products List	_____
Prelim. Samp.-Agg./PC	_____	Accept. Test-Agg.	_____	Accept. Test.-Bag PC	_____
Mill Test Rpt.# on Ticket-Bulk PC___		Appr. Mix Design #	_____	Cert. of Material Origin	_____
Certified Ticket	_____	Cylinder/Beam Breaks	_____	Conc. Pipe Acc. Rpt.	_____
WSDOT Inspected	_____	Small Quantity	_____	Visual Inspection	_____

Comments:

Acceptable_____ Deficiency As Noted_____

Materials Documentation Review - Metal Item

Agency _____ Federal Aid Number: _____
Project Title: _____
Reviewed by: _____ Date: _____

Bid Item _____ Material _____

Plan Quantity	_____	Revised Quantity	_____	Paid Quantity	_____
Lag Exception Noted	_____	Field Note Record	_____		_____
ROM Maintained	_____	RAM #_____Codes	_____	Approved Source	_____
Qualified Product List	_____	Mfg. Cert.	_____	Cert. of Mat. Origin	_____
Shop Drawing	_____	Test Report	_____	Fabrication Approved	_____
Sign Accept. Report	_____	Bill of Lading	_____	Approved for Shipment	_____
Small Quantity	_____	Visual Inspection	_____		

Comments:

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Acceptable_____ Deficiency As Noted_____

Materials Documentation Review - Wood Item

Agency _____ Federal Aid Number: _____
Project Title: _____
Reviewed by: _____ Date: _____

Bid Item _____ Material _____

Plan Quantity	_____	Revised Quantity	_____	Paid Quantity	_____
Lag Exception Noted	_____	Field Note Record	_____		_____
ROM Maintained	_____	RAM #_____Codes	_____	Approved Source	_____
Qualified Product List	_____	Preliminary Sample	_____	Lbr. Grading Cert.	_____
Appr. for Shipment	_____	Small Quantity	_____	Visual Inspection	_____

Comments:

Acceptable_____ Deficiency As Noted_____

Materials Documentation Review - Electrical Item

Agency _____ Federal Aid Number: _____
Project Title: _____
Reviewed by: _____ Date: _____

Bid Item _____ Material _____

Plan Quantity	_____	Revised Quantity	_____	Paid Quantity	_____
Lag Exception Noted	_____	Field Note Record	_____		_____
ROM Maintained	_____	RAM #_____Codes	_____	Approved Source	_____
Qualified Product List	_____	Preliminary Sample	_____	Acceptance Test	_____
Mfg. Cert.	_____	Cert. of Mat. Origin	_____	Shop Drawing	_____
App. for Shipment	_____	Mill Test Report	_____	Catalog Cut	_____
Small Quantity	_____	Visual Inspection	_____		

Comments:

Acceptable_____ Deficiency As Noted_____

Materials Documentation Review - All Items

Agency _____ Federal Aid Number: _____
Project Title: _____
Reviewed by: _____ Date: _____

Bid Item _____ Material _____

Plan Quantity	_____	Revised Quantity	_____	Paid Quantity	_____
Lag Exception Noted	_____	Field Note Record	_____		_____
ROM Maintained	_____	RAM #_____Codes	_____	Approved Source	_____
Qualified Prod. List	_____	Preliminary Sample	_____	Acceptance Test	_____
Appr. Mix Design #	_____	Bill of Lading	_____	Scale Certification	_____
Certified Ticket	_____	Scaleman's Daily Rpt.	_____	Mfg. Certificate	_____
Catalog Cut	_____	Shop Drawing	_____	Mill Test Report	_____
WSDOT Inspected	_____	Max. Density Curve	_____	Compaction Test	_____
Cylinder Breaks	_____	Small Quantity	_____	Visual Inspection	_____

Comments:

Acceptable_____ Deficiency As Noted_____

Washington State Department of Transportation

Final Inspection of Federal Aid Project
Constructed Under 23 U.S.C. 117

Project Title		
Federal Aid Number	Contract Number	Agency
Date of Inspection	Inspection Made By	

Compliance

Marking and signing in conformance with MUTCD?	☐ Yes ☐ No
Clear Zone requirements met?	☐ Yes ☐ No
NEPA requirements met?	☐ Yes ☐ No
ADA requirements met?	☐ Yes ☐ No

Comments:

Notable Items (i.e., labor disputes, changed conditions, environmental, shutdowns, etc.):

☐ This project has been completed in substantial conformance with the project prospectus and contract plans.

Signature of Local Programs Engineer	Date

DOT Form 140-500 EF
Revised 5/05

Washington State Department of Transportation

Quarterly Report of Amounts Credited as DBE Participation

Quarter (1st, 2nd, 3rd, 4th) or Final _____ of Year _____	State Contract Number Federal Employer I.D. Number
Contractor	

DBE Participant Name and Federal Employer I.D. Number	Contract Type	Date of Payment	*Dollar Credit Amount

Contract Type:

S = Subcontractor
M = Manufacturer
J = Joint Venture
A = Agent
R = Regular Dealer
V = Service Provider

I, the undersigned, do hereby certify that in connection with all work on the project for which this statement is submitted, each DBE participant contracted by me has been paid on the dates shown. *Further, I certify that the amounts shown under "Dollar Credit Amount" are in accordance with the "**DBE Eligibility**" portion of the DBE Special Provision.

Signature _____ Title _____

This form is due on the 20th of the month following the end of the respective Quarter (April, July, October, January).

DOT Form 422-102 EF
Revised 8/03