

<b>OFFICE OF STATE AID ROAD CONSTRUCTION</b>			S.O.P. NO. SA II-2-5
<b>STANDARD OPERATING PROCEDURES</b>			Page 1 of 4
Subject: S.O.P. PROCESSING FEDERALLY FUNDED PROGRAMS (EXCEPT APL PROGRAMS)			Distribution A, B, C, D, E
EFFECTIVE  July 1, 2005	ISSUED  July 1, 2005	SUPERSEDES Page 1 of 4  S.O.P. NO. SAD II-2-5  EFFECTIVE: June 1, 1987	APPROVED  J. Brooks Miller, Sr.  STATE AID ENGINEER

**PURPOSE:** To State Procedures Followed By The Office of State Aid Road Construction When Processing Programs Which Propose The Use Of Federal Funds And Do Not Require Federal Overview. (Appalachian Local Access Road Projects Are Covered In S.O.P. No. SA II-2-6).

**GENERAL:** Federal Aid Surface Transportation Funds and other types of Federal Funds are distributed to the various counties as set out in S.O.P. No. SA I-2-13. Programs for construction are received from the respective counties and are processed by State Aid as set forth herein.

1. **PROGRAMMING FUNDS:** The County Engineer prepares a construction program which utilizes the County's allotment of Federal Funds in the various types of work for which the funds are provided. The Board of Supervisors adopts this construction program and forwards it to State Aid for review, approval, and incorporation into the county's annual construction program.
2. **REVIEW BY STATE AID:** Upon receipt of a construction program from a county which contemplates the use of federal funds, State Aid accomplishes an internal review approval procedure as follows:
  - 2.1. The program is initially reviewed by a Transportation Planner to assure correct system identification, project number, road name and federal route number. The program is also checked for priority of construction and supervisor's district.
  - 2.2. The program is next reviewed by the State Aid District Engineer as to acceptability of proposed termini; proper design criteria (S.O.P. SA II-1-31); correctness of estimated costs as dictated by type of proposed construction, and current prices being bid for this type of proposed work and accuracy of all other data provided.
  - 2.3. After completing his initial review, the State Aid District Engineer then forwards the program to the Assistant State Aid Engineer, and to the State Aid Engineer for their tentative approval of the proposed work.
  - 2.4. After the State Aid Engineer indicates his tentative approval by signing the program, the program is routed to the Director of Accounting And Finance for entry into the fiscal records of the affected county.
  - 2.5. The program is then returned to the respective State Aid District Engineer who notifies the Board by letter, of State Aid's approval of the individual programmed project, contingent upon the successful completion off all applicable Project Notification and Review (P. N. & R.) requirements. (i.e. clearance from State Historic Preservation Officer, Public Hearing requirements and environmental concurrences from F.H.W.A.) A copy of the approved program is furnished the Board and the County Engineer.

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- 2.6. The program is next returned to a Transportation Planner who sets up and maintains a log of submittals and approvals through the project development phase.
3. STATEWIDE TRANSPORTATION IMPROVEMENT PROGRAM: A Statewide Transportation Improvement Program (STIP) must be submitted to and approved by the Federal Highway Administration (FHWA).
- 3.1. By January 1 of each year a list of proposed projects will be submitted to the MDOT STIP Coordinator. The list will include all Federal Transportation Projects for at least the following three years (October 1 of the first year through September 30 of the second succeeding year).
- 3.2. By February 1 of each year the STIP Coordinator will assemble a draft of the STIP from the list of submitted projects.
- 3.3. By March 1 of each year the Transportation Planning Division (TPD) will prepare a brochure, explaining the STIP, for public distribution, review and comment. Public comments received will be collected by the STIP Coordinator during March and April of each year.
- 3.4. During May and June of each year the STIP Coordinator will compile the final of the STIP for submission to the FHWA. The preliminary review and approval will be accomplished by August 1 of each year. The MDOT management, the Federal Highway Administration (FHWA) and the Federal Transit Authority (FTA) will provide this review.
- 3.5. The Transportation Commission will approve the STIP during one of its August Meetings.
- 3.6. The Governor or his designee will approve the STIP on or before September 15 each year.
- 3.7. The STIP will be submitted to the FHWA for formal Federal Approval no later than September 16 each year.
4. POST-REVIEW PROCESSING: Normally this phase begins after the County Engineer submits Preliminary Plans to State Aid and they have been reviewed by the Design Review Section and the State Aid District Engineer.
- 4.1. The Location/Design Committee - which consists of the State Aid District Engineer, the County Engineer and State Aid Bridge Engineer (as required) - schedules and holds a Plan-In-Hand Field Inspection at the project site. During the course of the Inspection, a preliminary project Design Data Sheet (SA DS-1) will be prepared for each alternate Location and/or Design under consideration (Ref.: S.O.P. No. SA II-2-13).

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- 4.2. In conjunction with the preparation of the preliminary project Design Data Sheet (SA DS-1), the Location/Design Committee should address environmental documentation. They should complete and submit on each alternative under consideration, Form SA-ENV-160 for Class of Action Determination (Ref.: S.O.P. No. SA II-2-13).
- 4.3. The County Engineer will complete the Farmland Conversion Impact Rating Form (AD-1006) and submit it to the local office of the Natural Resources Conservation Service (NCRS) when required in accordance with S.O.P. No. SA II-2-15. When the form is returned to the County Engineer, he shall submit it to State Aid.
- 4.4. After receiving the Preliminary Project Design Data Sheet (SA DS-1), each alternate "Class Form of Action Determination" (SA-ENV-160) and the Farmland Conversion Impact Rating Form (AD-1006) the Transportation Planner will complete the needed P. N. & R. as stated in Subsection 2.5 of this S.O.P.
- 4.5. After satisfactorily completing the needed Project Notification & Reviews, a recommendation is made to the State Aid Engineer to concur in the environmental document(s) (SA-ENV-160). The signed document with its supporting data is then forwarded to the Environmental Division Engineer for his approval and signature. From there it is forwarded to the local Division of F.H.W.A. for concurrences in the above recommended approvals.
- 4.6. After the Location/Design Public Hearing requirements have been satisfied (Ref.: S.O.P. No. SA II-2-18) and the Environmental Document concurred in by F.H.W.A. (Ref.: S.O.P. No. SA II-2-13), the county may proceed with the necessary acquisition of Rights-of-Way to accommodate the proposed construction (Ref.: S.O.P. Nos. SA II-2-7 and SA II-2-8).
5. PUBLIC HEARING REQUIREMENTS: Reference is made to S.O.P. No. SA II-2-18 (Public Involvement/Public Hearing) and to 23 USC 128 for Public Hearing requirements on Federally funded programs.
6. CONSTRUCTION PROGRAM SUBMISSION:
  - 6.1. Prior to being submitted as part of an annual Federal Aid construction program or construction program supplement, the Office of State Aid must have in its files:
    - 6.1.1. Clearance from all affected Review Agencies.
    - 6.1.2. Certified evidence that all applicable Public Hearing notices were published, and
    - 6.1.3. An annual Federal Aid construction program in which the project is included or is designated as a supplement.

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- 6.2. On or before October 1, of each year State Aid submits through the MDOT Office Engineer Section the annual Federal Aid construction program for approval by the Federal Highway Administration.

Receipt of approval of the annual Federal Aid construction program, or supplement, is noted and placed in State Aid's project files.

7. OBLIGATION OF FEDERAL FUNDS:

- 7.1. In order to obligate Federal Funds for a specific project; in addition to the requirements already listed; the following added steps must be accomplished:
- 7.1.1. A PS&E Assembly (including ½ scale plans, proposals and preliminary estimate), prepared in its final form must be prepared by the County Engineer and received by State Aid.
- 7.1.2. A Right-of-Way Certificate, along with any required supporting documentation, stating that all necessary rights-of-way have been acquired, in accordance with all Federal requirements concerning this type right-of-way acquisition, has been received by State Aid.
- 7.1.3. A checklist signed by the County Engineer, certifying that the Board of Supervisors and all Utility Owners having facilities within the right-of-way have executed Utility Agreements, has been submitted to State Aid.
- 7.2. Upon receipt of the requirements of Subsection 7.1. above, State Aid requests, via the Executive Director of MDOT, that the Federal Highway Administration concur in an "Authorization to Proceed" under the terms of the approved Statewide Transportation Improvement Program (STIP).
- 7.3. Receipt of concurrence by the Federal Highway Administration in the "Authorization to Proceed" constitutes obligation of federal funds for the project. State Aid then notifies the Board of Supervisors to proceed either with the advertisement for bids on a project to be awarded by contract method or for the execution of a State-County agreement on a project to be constructed by County Forces. Both the advertisement for bids and the execution of a County Force Agreement are to be done in the manner prescribed in State and Federal Law.