

**THIS MEMO IS EXPIRED**

January 12, 2000

**M E M O R A N D U M   N O .   03-00**

**TO:**           **DISTRICT CONSTRUCTION ENGINEERS**

**FROM:**       Greg Xanders, State Construction Engineer

**COPIES:**   Charles W. Goodman, Archie Montgomery, Sastry  
                  Putchu,  
                  Steve Plotkin, Susan Laird, Area Construction  
                  Engineers, FHWA

**SUBJECT:   **FEDERAL AID PROJECT ADMINISTRATION - NEW EXEMPTION  
                  AGREEMENT****

The Department has been in contact with the Federal Highway Administration to request further changes in the new FHWA Exemption Agreement. The following changes have been made to the Exemption Agreement approved April 14, 1999, and to the instructions contained in Memorandum No. 20-99 submitted to you dated July 19, 1999. This memo is intended to re-define the New Exemption Agreement requirements.

**FHWA Oversight Projects:**

The FHWA will maintain full oversight for new construction or reconstruction on Federal Aid projects greater than \$1 million on the Interstate System (FHWA Oversight projects), as in the past. Districts will address prior requests for Federal Aid participation in project changes directly to FHWA on Form #700-010-47 (CPAM Ch. 4, Sec. 3, 05-01-99).

**Central Office Oversight Projects:**

Central Office Oversight (C.O.O.) Projects will be limited to new construction or reconstruction projects costing \$1 million or more on the National Highway System (NHS), excluding the Interstate System. Federal Aid participation in project

changes on Central Office Oversight projects will be determined by the State Construction Engineer on Form #700-010-43 (CPAM Ch. 4, Sec. 3,

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05/01/99) for the following: Supplemental Agreements, Unilateral Payments, Work Orders, Change Orders, Time Extensions, Suspensions of the Work and Contract Claims.

**Exempt**

Exempt (non-NHS, NHS Off Interstate System less than \$1 Million and 3R - all systems), Federal-aid participation in project changes for these projects will be determined by the Districts.

Although FHWA review or concurrence for Federal Aid participation will not be required on Federal Aid projects other than FHWA Oversight projects, the new FHWA Exemption Agreement does not preclude FHWA access to and review of all Federal Aid projects at any time.

The Department has also committed to a partnership relationship of developing and sharing technical skills by allowing FHWA participation in construction inspection of major, unusual or innovative structures on all Federal Aid projects.

The FDOT State Construction Office will continue to establish Department policies, rules, procedures, specifications and standards in order to ensure uniform compliance and quality performance by the Districts in implementing the Transportation program. The State Construction Office will also continue monitoring all construction projects for the purpose of measuring compliance and reporting deficiencies in regard to the above, as well as providing technical assistance to the Districts, as required by Florida Statutes and the Department's Quality Assurance Review Procedure (Topic No. 260-010-002).

The CPAM will be revised to accommodate the above changes. A

Flow Chart depicting the above changes is attached.

GAX/mw  
Attachment

**RECOMMENDATION APPROVAL AND PARTICIPATION IN  
SUPPLEMENTAL AGREEMENTS ON FEDERAL-AID PROJECTS**

		Recommendation Required from SCO on SA pkg.				S.A. pkg. Sent to FHWA for Approval by DCE
			DCE	SCO	FHWA	
NHS	Oversight	X* Claims			X	X
	COO	X ALL		X		
	Exempted		X			
All Other SA's	Oversight				X***	X
	COO					
	Exempted		X**			

Oversight..... Federal-aid oversight projects - interstate new and reconstruction greater than \$1 Million

COO..... Projects on NHS excluding Interstate, New and Reconstruction greater than \$1 Million

Exempted..... Projects exempt from FHWA oversight and SCO oversight

DCE..... FDOT's District Construction Engineer

FHWA..... FHWA's Florida Division Office, Area Engineer

SA pkg. .... Package with a supplemental agreement & the necessary backup documents to fully explain it. This also includes time extensions.

Exception SA's..... SA's for claim settlements totaling \$2000,000 or more. SA's for delay and acceleration claims. SA's for claims involving court judgements or administrative board review, requires SCO recommendation.

Participation

Determination..... Determination of the federal aid participation amount in dollar cost and contract time increases.

Sent to FHWA..... Sent SA package to FHWA with a letter recommending approval & requesting a participation determination.

SCO..... State Construction Engineer for the State Construction Office.

\* Claims SA's on NHS

\*\* Set by FDOT's policy

\*\*\* Any Project FHWA Determines to be oversight

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