FHWA – Indiana Division

NARRATIVE FOR PSE CHECKLIST

Design Quality

1. 23 CFR 630B NRS 12-09-1991; Contract Plans. Contract plans show the details that are necessary to construct a specific project and should be tailored to provide all information necessary to accomplish the work in an orderly manner.
    a. Title Sheet. The title sheet should show in a convenient arrangement:
    b. title,
    c. scales used for the plans,
    d. a location sketch with sufficient identifying information so that the project may be easily located on a county or State map,
    e. project length,
    f. current standards being used
2. Self explanatory (Verify that the design speed is appropriate and the posted speed is less than or equal to the design speed.)
3. Design Speed is one of the 13 controlling criteria; however exceptions are not given for design speed. Design speed is a critical element in establishing the standards used to design a project. The chosen design speed should be consistent with the intended use of the facility. Interstates and freeways have the highest design speeds, while local roads and collectors should be designed for much lower speeds due to frequent access breaks. Design speeds should be consistent with the Indiana Design Manual or AASHTO greenbook
4. 23 CFR 630B NRS 12-09-1991; Typical Sections. Typical cross sections of the improvement should be placed on the sheet immediately following the index sheet, except that on combined roadway and bridge projects the cross section for the bridges may be shown with other bridge design information.
    a. Typical cross sections should be included in plans for all projects including those for bridges only, and those where abbreviated plans are to be used.
    b. All functional elements should be shown to a convenient scale including:
        i. all different slopes of cut and fill,
        ii. the width of the roadbed and median,
        iii. the shape of the finished surface and shoulders,
        iv. curb and gutter if part of the design,
        v. all integral parts of the surfacing and shoulders including, as appropriate, subbase, base course, and surface course,
        vi. limiting locations where each typical cross section is to be used,
        vii. ultimate typical cross section for stage construction project,
        viii. thickness for each element of the surfacing system,
            1. Where variations in surfacing or base thickness are proposed because of differing soil conditions or other reasons, such variations should be in tabular form, including station limits for each thickness.
            2. In instances in subparagraph a above, the typical section need show only that varying thicknesses are to be employed.

ix. relation between either proposed or ultimate status and a control survey line and profile gradeline, and

x. lateral location of profile gradeline (grade point).

5. 23 CFR 626.7; Verify that the approved pavement design and the typical cross-sections are consistent. The Pavement Design Engineer, Office of Pavement Engineering, has the responsibility for the pavement design of all Central Office developed projects and District developed projects with 5000 AADT and 500 ADTT (truck) Class 5 or greater. For District developed projects with less than 5000 AADT and 500 ADTT, the District pavement designer, development engineer or head design engineer will determine pavement type and structure. See section 52-8.01 of the INDOT Design Manual for more details on pavement and underdrain design and procedures for submitting a request for a pavement design. Discuss all pavement design questions with the Pavement and Materials Engineer. The approved pavement design must be in ERMS.

6. To facilitate drainage, it is recommended that no more than 2 lanes slope in the same direction. The two lanes adjacent to the crown should be pitched at the normal minimum slope and on each successive pair of lanes or portion thereof outward, the rate may be increased by 0.5% - 1%.

7. Verify that the plans contain necessary drainage items. Ie: culverts, pipe extensions, inlets, manholes, riprap, etc. Review the flow of water through the project to insure a positive outlet for drainage.

8. Medians are highly desirable on arterials carrying 4 or more lanes of traffic. They serve to separate opposing traffic, provide a recovery area for out of control vehicles, provide a stopping area in case of emergencies, provide storage for snow, and diminish headlight glare. Medians within urban and suburban areas can provide a pedestrian refuge area. Review the plans, project setting and facility type to confirm that the median width selected is appropriate.

9. Foreslopes and backslopes must be designed to accommodate the required clear zone or provide shielding devices. Verify that the clear zone established meets design standards and that the clear zone distance is comprised of either a recoverable slope or when a combination of recoverable and non-recoverable slopes are used that a clear run-out area is provided. Foreslopes that are 1V:4 H are generally recoverable, those between 1V:3H and 1V:4H are non-recoverable. Slopes steeper than 1V:3H cannot occur within the clear zone without shielding.

10. Sharp horizontal curves should not be introduced at or near the top of a pronounced crest vertical curve as the driver may not perceive the horizontal change in alignment. Sharp horizontal curves should not be introduced near the bottom of a steep grade approaching or near the low point of a sag vertical curve because the view of the road ahead is foreshortened and the curve may have an undesirable distorted appearance. Review the plans to assure that the horizontal and vertical alignments work together to provide a safe permanent design.

11. Specifically check plans sheets in areas of intersections for sight distance obstructions.

12. Self explanatory. Right of way limits should delineate all permanent and temporary right of way to construct and maintain the facility.

13. Verify that the construction limits <u>and</u> all work are within the ROW. Per IDM 45-6.02, a minimum 6' – 15' from the toe or top of slope should be provided along each roadway for maintenance equipment. Construction limits may at some point locations touch the ROW line, but are not consistently closer than 1-5' to the ROW.

14. 23 CFR 625.3(f) The 13 controlling criteria are denoted as Level One criteria in Indiana. For Full OS projects, FHWA must approve design exception requests to any of these thirteen criteria. For all other projects, the State must approve Level One Design Exception requests. Verify that Level One checklists have been submitted for the project and that the checklist was reviewed and approved by INDOT. Level One controlling design criteria are those highway design elements which are judged to be the most critical indicators of a highway's safety and its overall serviceability. The following design elements have been identified as Level One design criteria: design speed; lane width; shoulder width;

bridge width; structural capacity; horizontal alignment; superelevation transition lengths; stopping sight distance; grades; cross-slope; superelevation; vertical clearance; accessibility requirements for disabled individuals; and bridge rail safety performance criteria. Level Two are design criteria which are judged to be important indicators of a highway's safety and serviceability but are not considered as critical as the Level One criteria. When INDOT's criteria for Level Two are not met, the designer will document in the project file that the criteria have not been met and provide a brief rationale for not meeting the Level Two criteria. Review the PSE package Level One Design Exception Checklists and plan typical sections and P& P sheets for missed for appropriate design exception documentation.

15. Verify that run-out area is provided behind guardrail that slopes steeper than 1V:3H are shielded, and that appropriate end treatments are used in conjunction with guardrail and barrier wall. Spot check that any non-yielding devices or structures within the clear zone are appropriately shielded. Where guardrail is used in conjunction with curb, the face of the guardrail should be flush with the face of the curb or extend in front of the curb 1"-2".

16. Self-explanatory

17. Access control within the area of influence of ramp terminals is critical for safe operations. Typically, access should not be within 100 to 300 feet of a ramp terminal to preserve the operations of the interchange.

18. 23 CFR 655.603(d) & (2) 23 CFR 635.309 (n): Verify that the signs to be placed conform to the MUTCD. Signs must not contain promotional material regarding such matters as identification of public officials, contractors, organizational affiliations and related logos or symbols.

19. Self-explanatory. Spot check the permanent traffic control plan to look for sign clutter at intersections.

20. Verify that permanent pavement markings are included in the plans and estimate.

21. 23 CFR 630.1012(c) Transportation Management Plans (TMP) are required as part of the PSE submittal process where applicable. TMPs are must be developed in accordance with 23 CFR 630.1010 for significant projects, which include all interstate system projects within the boundaries of a designated Transportation Management Area that occupy a location for more than 3 days. Significant projects are also defined as those that cause sustained work zone impacts that are greater than what is considered tolerable. In addition to traffic control, TMPs should also address transportation operations (including transit where appropriate) and public information components Forprojects that are not designated as significant; the state must still develop a traffic control plan that describes how traffic will navigate safely through or around the project area. Verify that a TMP has been completed as appropriate. Confirm the inclusion of Maintenance of Traffic in the plans and contract provisions.

22. Self explanatory; lane widths on interstates should retain 12' width wherever possible and in no instance be less than 11'. Lane widths less than 9' should not be used through construction zones.

23. Review the MOT and see if drainage has been included and is adequate.

24. The construction design speed should not exceed the speed limit posted during construction. It is recommended that the construction design speed be no more than 10 mph less than the normally posted speed of the facility. If a lower construction speed is chosen, verify that an official action has been completed to post a lower speed limit during construction and that a lower limit is posted. Temporary work zone speed limit assemblies that are used only when workers are present will not maintain a lower speed limit throughout the life of the project and must be accompanied with permanently posted limits where the design speed is less than the normally posted speed.

25. Where pedestrian facilities are provided within the limits of a project, it is important to verify that pedestrian MOT is established. This may include detours, temporary pedestrian facilities, pedestrian signage and special provisions. Where detour routes are being used, consider the length of the detour and that the detour route must provide accessible features (curb ramps, push buttons, etc).

When there are sidewalks on both sides of the street, the design should phase MOT to retain one sidewalk open while the other is closed.

26. Emergency response can be most difficult on freeway facilities where only one lane of traffic is open. In these instances, it is imperative that a plan be developed for emergency response. For non-interstate projects, verify that property access is maintained for local use of emergency services.

27. Does the traffic control plan appear adequate and does it address all traffic movements? Are grade changes significant or managed by the MOT phasing?

28. Self explanatory. These requirements may be listed on the plan sheets or in a special provision. Insure that they are included in the contract documents.

29. Review pavement projects on existing alignments for full depth patching areas, local or urban projects for shielding of storm drain or utility work adjacent to the travelled way. On interstates, is the lane closure policy being followed?

30. Where sidewalks are present, review intersections to insure standard ramp type is specified or a specially designed ramp is provided. Look for minimum 4' sidewalk width with 5' preferred or passing blisters for 4' width. Spot check pinch points where signal poles are placed within the sidewalk width. Spot check typical sections to insure appropriate sidewalk cross-slope. Look for route continuity at the project limits.

31. Spot check major items in the estimate to insure quantities are correct and items are included. All bid items must be covered by specification. Method of Measurement and basis of payment in units different than in the Standard Specifications requires a Special Provision.

32. Non-participating items should be denoted with an asterisk in the estimate. This indicates to us and INDOT that a separate 100% state or local purchase order must be established and automates the payment of non-participating items when progress estimates are processed. Maintenance work items, such as culvert cleaning, mowing, and delivery of highway hardware salvaged from a project to an INDOT facility are not eligible for Federal participation.

33. 23 CFR 635.411 Review the contract special provisions, notes on plans and cost estimate to look for words such as: "manufactured by", or "inc.". This is quickly accomplished by performing a find operation in word on the Contract Information Book for these phrases. After this first scan, review the special provision menu. Proprietary items are more likely to occur in unique special provisions for decorative items, utility fixtures (water lines), benches, lighting, signal components, protective coatings, paint, or pavers, to name a few. If a proprietary item is found, a State Certification for use of the Proprietary item is needed in order for federal funds to be used on the item. On rare occasions, when there are multiple items that meet the project requirements but a single item is specified a Public Interest Finding from FHWA is required. When three or more products or services are listed along with the phrase "or equal", the item is not considered proprietary as competitive prices can be obtained and the checklist can be marked NA. If a proprietary item is specified without a certification or PIF, the item must be indicated as non-participating and funded with 100% state or local funds. For additional information on proprietary product use, refer to the Proprietary Materials SOP or INDOT Design Manual.

Project Manager Review

34. 23 CFR 450.216 All federally funded construction projects must be included in the state transportation improvement program (STIP) and as applicable the Metropolitan Planning Organizations transportation improvement program (TIP). This reference must be included in order for the project to proceed with letting. Exceptions may be granted only for emergencies and necessities as described in 23 CFR 450.220(e). Items to check with relation to the STIP include:
    a. Is the STIP approved by FHWA without any conditions with respect to this project?

b. Are there any discrepancies between the project to be let and the project information in the STIP? Any that exist need to be resolved with logic concerning the intent of the regulations. The items required to be included in the STIP are outlined in 23 CFR 450.216.
c. Description of work and phase of work must agree.
d. Normally the Project location, termini and length should agree. A project totally within the project limits as listed in the STIP may be acceptable, providing the actual project information is either a more accurate description or a definite subdivision of a larger project listed in the STIP. Work outside the STIP limits, may be acceptable only if it is incidental to and necessary for proper completion or the project listed in the STIP.
e. Estimated total cost and amount of Federal funds. The information in the STIP for the project should be in reasonable agreement with that used for programming. Any significant discrepancy, especially where there is an overage in the Federal amount for the project as compared with the STIP or TIP, should have documentation explaining the source of additional funds.

35. All projects except bridges and transportation enhancements are required to be on the federal aid system of routes in order to receive federal funding. The federal aid system is comprised of all routes designated rural major collector or above. This means that projects on local roads or rural minor collectors are in general ineligible for federal aid funding unless they are bridge or TE projects. All state routes are on the federal aid system. Functional classification maps should be provided for non-state route projects except those utilizing TE or bridge funds.

36. 23 CFR 635.309(g): This section of the CFR requires that a statement is received stating that all right of way has been acquired or that acquisition is not necessary for the project. Verify that the right of way certificate is signed and dated. In rare instances, when all parcels have not been acquired, an exception may be requested under 23 CFR 635.309(c)(1) or (2). Letting a project without clear right of way is undesirable due to the potential to add costs and time thru claims and change orders while the project is in construction. This is known as Letting with Exception, and is not routinely approved for use on federal aid contracts.

37. 23 CFR 635.309(b) – Following on item 36, if the project has been approved for Letting with Exceptions due to unclear right of way, potential bidders must be notified about unclear right-of-way. There must be reasonable clearance dates given in the special provision. Whenever all right-of-way has not been acquired and the project was approved to be Let with Exception due to unclear right of way, issue a conditional authorization containing the following statement: "This project is being authorized without right-of-way clear. This authorization is given with the understanding that Federal-aid funds will not participate in additional costs, time extensions, or suspensions, which are necessitated by right-of-way clearance.

38. 23 CFR 635.307 Utility Certification: Utility work is to be so coordinated with the construction contract that no unnecessary delay or cost for the physical construction will occur. The Utility Certificate demonstrates fulfillment of this requirement.

39. 23 CFR 635.309(b) – Potential bidders must be notified about concurrent utility and railroad work. There must be reasonable clearance dates given in the special provision. Whenever the utility relocations do not precede construction of the transportation project, issue a conditional authorization containing the following statement: "This project is being authorized without all utilities clear. This authorization is given with the understanding that Federal-aid funds will not participate in additional costs, time extensions, or suspensions, which are necessitated by utility interference." If a utility is to be reimbursed for their work, an executed agreement should be in hand. However, in some instances an agreement might not have been executed. In these cases, the utility company and INDOT should at a minimum formulate a plan for the adjustment of the facility. The project manager should be able to furnish appropriate information to allow you to make a determination on whether the project can be Let with Exception for incomplete utility coordination. This is not routinely approved on federal aid contracts.

40. 23 CFR 635.309 (j) & 771.115- All federally funded projects are required to comply with the requirements of the National Environmental Policy Act of 1969, codified in 23 CFR 771. There are 3

major classes of environmental documents: Environmental Impact Statements (EIS's), Categorical Exclusions (CEs), and Environmental Assessments (EAs). The Division must approve all EIS and EAs respectively through either a Record of Decision (ROD) or Finding of No Significant Impact (FONSI). CE-4 documents are also approved by the Division. Copies of all Division approved NEPA documents are available in the project files and only the signature page will be transmitted as part of the PSE approval package. CE 1-3 documents will be transmitted in their entirety as part of the PSE package. You should verify that NEPA has been completed, the project submitted for approval is within the study limits of the NEPA document and consistent with the project description provided in the NEPA document. When 3 or more years have elapsed from the time of NEPA conclusion or a major development step, a written re-evaluation is needed. Re-evaluations, or Additional Information Statements (AIs) are also needed when the project impacts areas outside of the original NEPA footprint. Verify that any AI's are complete. Include the date of the originally signed NEPA document and the date of the most recent AI as applicable. Projects may not be advertised for construction until NEPA is complete. If the project is design – build, an RFQ may be issued prior to conclusion of NEPA but the RFP should be issued after conclusion of NEPA *or* the RFP must contain the status of the NEPA process in accordance with 23 CFR 636.109.

41. 23 CFR 635.309 (i); Federal aid projects must conform with all applicable state and federal regulations regarding permitting. The state must take all measures to minimize possible soil erosion and water pollution. This is demonstrated by obtaining all required waterway permits from the Army Corps of Engineers, Indiana Department of Environmental Management, and / or Indiana Department of Natural Resources. Typical permits are: 401, 404, Construction in Floodway, and the Rule 5 Notice of Intent. Where permits are required, work cannot be performed within the areas necessitating a permit until a permit is secured. In rare instances, a conditional approval may be given to proceed with construction in the absence of permits when the contract specifications clearly define the restricted areas and date when permits will be secure, the permit process is underway, and there is sufficient work area for meaningful construction to proceed. When permits have not been secured and the project is approved for Letting with Exception due to incomplete permits, issue a conditional authorization containing the following statement: "This project is being authorized without all waterway permits secured. This authorization is given with the understanding that Federal-aid funds will not participate in additional costs, time extensions, or suspensions, which are necessitated by delay in issuance of permits. Further, the project will be removed from federal funding eligibility if work proceeds in permit areas prior to issuance of a permit."

42. 23 CFR 635.771.109 (b) It is the responsibility of the project owner in coordination with FHWA to implement the mitigation measures stated as commitments in the NEPA document. Prior to construction, the state must list all NEPA commitments and include their provision in the construction contract. Verify that a commitments list has been developed and spot check that the commitments are included in the contract documents.

43. 23 CFR 635.307 (a) & 646.216 (d) Where construction of a federal-aid project requires use of railroad properties or adjustment to railroad facilities, there shall be an agreement in writing between INDOT and the railroad company. This agreement is the result of coordination which is required if a project crosses or is adjacent to a railroad, and which potentially has an impact on the railroad facilities or operation. This includes roadway design features (e.g., roadway widening, earthwork) which obviously require work on railroad right-of-way, and not-so-obvious impacts (e.g., maintenance of traffic, contractor work activities during construction) which may impact the safe operations of the affected rail line. Verify that the agreement exists and is signed by both entities when there is a railroad within the limits of the project. In some rare instances, the railroad coordination is underway but a signed agreement is not available. When this is the case and the project has been approved for Letting with Exception due to incomplete Railroad coordination, issue a conditional authorization containing the following statement: "This project is being authorized without a railroad agreement in effect. This authorization is given with the understanding that Federal-aid funds will not participate in additional costs, time extensions, or suspensions, which are necessitated by delay in execution of a railroad agreement." No work can take place within the limits of the railroad property until such agreement is in place. Conditional authorizations require appropriate stipulations in the contract documents indicating the status of the agreement and anticipated date of execution. 23 CFR 646.105,

.107 & .109 describe the requirements for liability, property damage, and protective insurance when work is performed within, on or about the railroad right-of-way. In general, where work is within 50' of the railroad right-of-way the contractor will be required to obtain insurance. Verify that the requirement for insurance is contained in the contract documents.

44. 23 USC 318 requires coordination of airport and highway developments. 23 CFR 620.103 (c) states: "Federal-aid funds shall not participate in projects where substandard clearances are created or will continue to exist." Required vertical clearances over highways are contained in Part 77 of the Federal Aviation Administration Regulations. NS 23 CFR 620A suggests examination of any federal-aid project within 2 miles of an airport to determine if there is a possibility of a conflict or if coordination is required. It further states that where there are existing structures of permanent and substantial character, or where natural terrain or topographic features of equal or greater height, or when a project is located more than 2 miles from an airport, coordination is not normally required. Airport coordination would normally be the exception rather than the rule, for projects such as new roadway lighting or other relatively tall structures.

45. Title 23, United States Code, Highways Section 111 (23 U.S.C. 111) provides that all agreements between the Secretary of the U.S. Department of Transportation and the State DOTs for the construction of projects on the Interstate System shall contain a clause providing that the State will not add any points of access to, or exit from, the project in addition to those approved by the Secretary in the plans for such a project without prior approval of the Secretary. A policy statement consolidating a series of policy memoranda including guidance for justifying and documenting the need for additional access to the existing sections of the Interstate System, was published in the Federal Register on October 22, 1990 (55 FR 42670) entitled "Access to the Interstate System" and was then modified on February 11, 1998 (63 FR 7045) and on August 27, 2009 (74 FR 20679). When interstate access is being modified in a construction contract, an FHWA approved IJ is required unless the modifications are minor such as:
    a. Construction of new signing, striping and or resurfacing of ramps where the geometric features are not changed
    b. Widening a single lane freeway exit or entrance ramp to two or more lanes
    c. Widening an off-ramp at its intersection with a crossroad to provide two or more intersecting approach lanes
    d. Minor horizontal or vertical realignment of a ramp
    e. Converting a taper type on or off ramp to a parallel type ramp
    f. Increasing the length of an on ramp acceleration lane or an off ramp deceleration lane
    g. Addition of one or more continuous auxiliary lanes between two adjacent interchange ramps; or
    h. Implementation of ramp metering or other active control of vehicles entering the Interstate System

    As applicable, verify that an IJ has been completed and approved and include the date of approval from the FHWA approval letter on the checklist. The FHWA approval letter should be included in the PSE package.

46. 23 USC 106 (e) and 23 CFR 627 require that all significant bridge projects where the total project costs exceed $20 million and all projects where the total costs exceed $25 million have a completed value engineering study prior to advertisement. Value Engineering studies must be performed in accordance with the federal regulation and approved state VE program. Total project cost is defined as the sum of all engineering, right-of-way, utility, rail, and construction costs attributable to the project. As appropriate, verify that a study has been conducted by reviewing the State's implementation of VE recommendations letter, which should be included in the PSE submittal.

47. 23 USC 106(h), Initial Financial Plans (IFPs) are required for Major Projects as described in item 48 below and for projects with a total cost between $100 M and $500 M. The IFP and subsequent annual updates should be based on detailed estimates of the cost to complete the project. Annual updates are to be submitted for review and 60 days prior to the end of the annum period from signature of the

IFP. Verify that the IFP or that an annual update has been submitted and is current for projects whose total cost exceeds $100 M. Note the project upon which to base the cost is the project as defined in the NEPA document.

48. 23 USC 106(h), A Project Management Plans (PMPs) are required when federal funds are used on projects whose total costs exceed $500 million dollars and for such other projects as identified by the Secretary of the USDOT. The same section of the code prescribes the requirement for IFPs for this subset of projects exceeding $500 M in cost and known as "Major Projects". All Major Projects must have an independent cost estimate developed by FHWA, CER. Note the project upon which to base the cost is the project as defined in the NEPA document.

    a. PMP : The project management plan shall document the processes and procedures in place to effect timely project delivery and effectively manage the scope, costs, schedules, quality of, and the Federal requirements applicable to the project in addition to documenting the role of agency leadership and management team delivery of the project. PMP's should be advanced, reviewed and approved prior to the PSE submittal. Verify that an FHWA approved PMP exists for projects with total costs in excess of $500 M.

    b. IFP, Initial Financial Plan (& Updates): The IFP and subsequent annual updates should be based on detailed estimates of the cost to complete the project. Annual updates are to be submitted for review and approval 60 days prior to the end of the annum period from signature of the IFP. Verify that the IFP is current or that an annual update has been submitted and approved by FHWA.

    c. CER, Cost Estimate Review, FHWA will conduct independent evaluations of the cost estimate as appropriate at critical stages throughout the project continuum. These stages may include prior to approval of the FEIS or EA and again during the preparation of the IFP. Additional CERs may be conducted anytime an Annual Update of the Finance Plan shows a significant cost increase, schedule delay, or scope change from the previous Annual Update. Verify that the CER has been completed.

49. 23 CFR 625.3(f) (i)Experimental Features are designs that have prior limited application or for which the department has minimal experience in utilization. Inclusion of experimental features within a project requires that the state submit and obtain approval of an Experimental Features Work Plan. As necessary, verify this is complete by reviewing the FHWA approval letter for the Experimental Work Plan.

50. 23 CFR 635.413 Guarantees and warranties – The contractor cannot be required to guarantee work or materials after final acceptance by INDOT for NHS projects. The exception is that electrical and mechanical equipment can (1) have the manufacturer's normal warranties transferred to INDOT or (2) there can be a specification providing for the contractor's in-service operation for no longer than 6 months after project acceptance. Selected projects may also have HMA for PCC warranty pavements.

51. 23 CFR 635.127 (d) Incentive/ Disincentive Clauses may be included in contracts to promote early project completion. Approval of the PSE grants FHWA concurrence for the use of the incentive/ disincentive. Incentive / disincentive amounts must be based on user costs and require a user cost analysis. Review the user cost analysis which is included in the PSE package submittal.

52. 23 CFR 635.407(a) It is required that the contractor supply and be able to select materials for incorporation in the project. Review the contract special provisions to insure that there are no requirements to use material furnished by the State or Local transportation department of from designated sources. Use of designated materials may be offered as an option to the contractor but not mandated without a Public Interest Finding (PIF). If the contract mandates use of designated materials, verify that a PIF has been approved by FHWA and is included in the PSE package.

53. After coordination with District construction, non-participating items may have been added to the project. The Project manager should verify that any new items are appropriately denoted as either participating or non-participating. See item 32 for further information.

54. After coordination with District construction, proprietary items may have been added to the project. The Project manager should verify that any new items are appropriately denoted as either participating or non-participating. See item 33 for further information.

55. 23 CFR 635.121 INDOT should specify the amount of time required for the completion of the federal aid contract in accordance with their approved procedures for determining contract time. Review the time set with the scope of the contract and verify that it is reasonable. Issues may arise on projects whose letting date has changed without an update of the Contract Information Book (CIB).

56. Stage 3 review comments and responses should be reviewed to ascertain that a Stage 3 or final design review has occurred and that all review issues have been resolved. If final design review comments are not included in the PSE package, contact the project manager and as necessary INDOT's Director of Engineering Services (Road or Bridge) as applicable.

Contracts Review

57. 23 CFR 635.204: A central tenet of the Federal-Aid program is open, free and fair competition for government contracts. In some instances such as emergencies, it may be in the public's interest to utilize a non-competitive procurement process for construction work. When any other process is used, a Cost Effectiveness Finding must be made and approved by FHWA. Cost Effectiveness Findings are most common in emergency situations and where it can be demonstrated that State or Local forces can complete the work with their own staff in a more cost-effective manner. If the bidding process is not being used, verify that there is an approved Cost Effectiveness Finding for the construction work.

58. Self-explanatory; 23 CFR 633.102 & 633.103, FAPG 23 CFR 633A & 635A require the state to include the specified language. Review the RSP menu at phase I PSE review and the CIB at phase II PSE review to insure the appropriate recurring special provisions are contained in the contract.

59. 23 CFR 635.107, 49 CFR 21 & 26, 23 CFR 230; It is the policy of the FHWA to promote increased participation of minority business enterprises in Federal-Aid highway contracts. The state is required to develop a plan to address increased participation. As part of the DBE Program, contract specific goals for DBE utilization are set based on the work available in the contract and the available supply of DBE firms to provide the work. Only in rare cases, where the work is limited to very few items or is considered specialty work for which DBE businesses are not available, a contract is let without a DBE goal. Review the proposal page of the CIB and record the DBE goal set for the contract on the checklist.

60. 23 CFR 635.112 (b) requires a minimum advertisement of 3 weeks for federal aid construction contracts. Reduced advertisement periods can be approved by the FHWA after receipt of a request and justification for a reduced advertisement period. When such a request is made, the TE should review the work type and project scope to determine whether a reduced advertisement period will excessively limit competition. Additionally, severe reductions in the advertisement period are undesirable as they limit the ability of contractors to become pre-qualified within the advertisement timeframe (23 CFR 635.110 (c)). The state should insure shortened prequalification timeframes when less than a 3 week advertisement period is requested.

61. Self-explanatory.