

EXHIBIT 2-B FEDERAL-AID PROJECT RESPONSIBILITIES LIST
FOR DELEGATED PROJECTS OFF THE STATE HIGHWAY SYSTEM
(Pursuant to 2015 FHWA & Caltrans Stewardship and Oversight Agreement)

| Project Action/Activity | Local Agency | Caltrans District | Caltrans HQ | FHWA |
|---|---------------------|--------------------------|----------------------|---|
| Project Authorization (Chapter 3) | | | | |
| Construction Engineering > 15% Total Contract Item Costs | Verify ¹ | Approve ¹ | - | - |
| Project Agreement and Modification [23 CFR 630.110] | Prepare | Recommend | Approve ² | Approve ² / Verify ³ |
| Obligate Funds | - | - | - | Approve ⁴ |
| Funding Eligibility Determinations | Prepare | Recommend | Approve | Verify ³ |
| Reimbursement Vouchers (interim and final) | - | - | Prepare | Approve |
| Section 1.9 Approvals of Incurred Costs. [23 CFR 1.9] | Prepare | Recommend | Recommend | Approve |
| Agreements (Chapter 4) | | | | |
| Master Agreement | Sign | File Copy | Prepare/ Approve | - |
| Program Supplement Agreement | Sign | File Copy | Initiate/ Approve | - |
| Invoicing (Chapter 5) | | | | |
| Invoice | Prepare | Approve ⁵ | Approve ⁵ | - |
| Project Eligibility | Prepare | Approve | Review | - |
| Environmental Procedures (Chapter 6) | | | | |
| Project-Level Transportation Conformity Determination for CE pursuant to 23 USC 327 (NEPA Assessment MOU) | Prepare | Request | - | Approve |
| NEPA Approval Consistent with 23 USC 326 & 327 MOUs (for detailed NEPA actions and approvals refer to LAPM Chapter 6 and the SER) | Prepare | Approve | - | - |
| Field Review (Chapter 7) | | | | |
| Field Review | Perform | Participate ⁶ | - | - |
| Minor ITS Project development [23 CFR 940.11] (SERF) | Prepare | Approve | - | - |

¹ Applies only to projects selected and programmed directly by Caltrans.

² Approval and signatures are needed by both Caltrans and FHWA.

³ Subject to FHWA's random sample verification process. Verification is defined here as routine, independent confirmation of sampled projects.

⁴ Obligation of funds by FHWA is the final step in the project authorization process

⁵ DLAE performs initial review and approval. Headquarters Local Programs Accounting performs final review of invoice prior to payment by the State which is subsequently reimbursed by FHWA.

⁶ DLAE participates in field reviews unless otherwise documented in project files.

| Project Action/Activity | Local Agency | Caltrans District | Caltrans HQ | FHWA |
|---|---------------------|----------------------|---------------------|---------|
| Public Hearings (Chapter 8) | | | | |
| Public Hearing [23 CFR 771.111(h)] | Perform/ Certify | - | - | - |
| Civil Rights & Disadvantaged Business Enterprises (Chapter 9) | | | | |
| DBE Implementation Agreement [LAPM] | Prepare | Approve | - | - |
| DBE Annual Goals [LAPM] | - | - | Prepare | Approve |
| ADA Coordinator [49 CFR 27.13(a)] | Certify | Accept | - | - |
| ADA Complaint Procedure [49 CFR 27.13(b)] | Certify | Accept | - | - |
| ADA Agency Self-Evaluation [28 CFR 35.105] | Certify | Accept | - | - |
| ADA Transition Plan [28 CFR 35.150] | Certify | Accept | - | - |
| Consultant Selection (Chapter 10) | | | | |
| Consultant Selection [23 CFR 172.7-172.9] | Perform | Review ⁷ | - | - |
| Consultant Agreements | Approve | Review ⁸ | - | - |
| PIF – Use of Non-Competitive Negotiated Consultant Contracts [23 CFR 172.5(3)] | Prepare | Approve | - | - |
| Cognizant Agency Audit [23 CFR 172.11] | Prepare | Copied | Review ⁹ | - |
| Consultants in Management Role [23 CFR 172.7(b)(5)] | Prepare | | - | Approve |
| Design Standards (Chapter 11) | | | | |
| Preliminary Plans for Major and Unusual Structures | Prepare | Approve | - | - |
| Design Standards | Approve | - | - | - |
| Exceptions to Design Standards [23 CFR 625.3(f)] | Approve | - | - | - |
| Experimental Features | Prepare | Recommend | Recommend | Approve |
| Value Engineering [23 CFR 627, SAFETEA-LU 1904] | Approve | Review ¹⁰ | - | - |
| Develop Financial Plans for Federal Projects between \$100 Million to \$500 Million [23 USC 106(i)] | Prepare | Review & Approve | - | - |
| High Risk ITS Project Development [23 CFR 940.11] | Prepare | Recommend | Recommend | Approve |
| Major Projects and TIFIA Loan Projects – Project Management Plan and Financial Plan [SAFETEA-LU 1904] | Prepare | Review ¹¹ | Review | Approve |

⁷ DLAE receives consultant contract DBE information and may participate in consultant selection process upon request and contingent on available resources.

⁸ DLAE receives and reviews executed consultant contract before payment is made.

⁹ Local agency coordinates review of proposed consultant contract indirect cost rates, etc. with Caltrans Independent Office of Audits & Investigations, DLAE to be copied on correspondence.

¹⁰ For all Federal-aid projects exceeding \$50 million on the National Highway System (NHS) and bridge projects exceeding \$40 million on the NHS. DLAE to coordinate review of local agency Value Analysis Study with District Value Analysis Coordinator.

¹¹ DLAE to coordinate with Division of Project Management.

| Project Action/Activity | Local Agency | Caltrans District | Caltrans HQ | FHWA |
|---|-------------------|-----------------------|-------------|---------|
| Low Risk ITS Project development [23 CFR 940.11] | Prepare | Approve | - | - |
| Plans, Specifications & Estimates (Chapter 12) | | | | |
| PS&E [23 CFR 630.205, 23 USC 106] | Approve & Certify | Verify | - | - |
| Public Interest Finding (PIF) – Statewide Application | - | Recommend | Prepare | Approve |
| Environmental Commitments are incorporated | Prepare | Verify | - | - |
| PIF – Use of publicly furnished materials [23 CFR 635.407] | Approve | - | - | - |
| PIF – Use of contracting method other than competitive Bidding [23 CFR 635.104/204] | Prepare | Approve | - | - |
| Utility or Railroad Force Account Work [23 CFR 645.113 & 646.216] | Prepare | Approve | - | - |
| PIF – Advertising Period less than 3 Weeks [23 CFR 635.112] | Prepare | Approve | - | - |
| PIF – Use of Force Account [23 CFR 635.204,205] | Prepare | Approve ¹² | - | - |
| PIF – Use of Mandatory Borrow/Disposal Sites [23 CFR 635.407] | Prepare | | | - |
| PIF – Use of Publicly-Owned Equipment [23 CFR 635.106] | Approve | - | - | - |
| Buy America Waiver [23 CFR 635.410] | Prepare | Recommend | Recommend | Approve |
| Innovative Contracting Requirements [SEP 14 & 15] | Prepare | Recommend | Recommend | Approve |
| Right-Of-Way (Chapter 13) | | | | |
| Qualify Local Agencies | - | Approve | - | - |
| Qualify/Select Consultants | Perform/ Select | Verify | - | - |
| R/W certificate 3 – Conceptually concur as a condition of PS&E approval [23 CFR 635.309(r)(3)] | Prepare | Recommend | Recommend | Approve |
| Accept ROW certificate 1 and 2 as a condition of PS&E approval [23 CFR 635.309(c)(1)&(2)] | Prepare | Approve | - | - |
| Functional Replacement [23 CFR 710.509] | Prepare | Recommend | Recommend | Approve |
| Protective Buying and Hardship Acquisition [23 CFR 710.503] | Prepare | Recommend | Recommend | Approve |
| Public Interest Finding (PIF) – Concur on declaring Federally Funded R/W as excess for disposal [23 CFR 710.403, 409] | Prepare | Recommend | Recommend | Approve |
| Railroad Agreement [23 CFR 646.216 (3)(d)] | Prepare | Approve | | |
| Request for Credits for Early Acquisition of ROW [23 CFR 710.501] | Prepare | Recommend | Recommend | Approve |

¹² Copy of approved force account PIFs to be forwarded to FHWA. For ARRA projects, force account PIFs are to be submitted to FHWA for approval.

| Project Action/Activity | Local Agency | Caltrans District | Caltrans HQ | FHWA |
|--|-----------------------|----------------------|----------------------|-----------------------|
| Request for Direct Federal Acquisition [23 CFR 710.603] | Prepare | Recommend | Recommend | Approve |
| Request for Federal Land Transfer [23 CFR 710.601] | Prepare | Recommend | Recommend | Approve |
| Request for Waivers of comparable replacement dwelling requirements [49 CFR 24.204(b)] | Prepare | Recommend | Recommend | Approve |
| Withholding of Federal Payments upon failure to perform [23 CFR 710.203(c), 23 CFR 1.36] | Prepare | Recommend | Recommend | Approve |
| Utilities Relocation (Chapter 14) | | | | |
| Utility Agreement [23 CFR 645.113, 119] | Prepare | Approve | - | - |
| Utility Relocation [23 CFR 645 subparts A and B] | Prepare | Approve | - | - |
| Advertise & Award Project (Chapter 15) | | | | |
| Advertise Project | Prepare | Recommend | Recommend | Approve ¹³ |
| Bid Analysis [23 CFR 635.114] | Prepare & Approve | Review | - | - |
| Consultant Agreements [23 CFR 172.7-172.9] | Approve | Review | - | - |
| Public Interest Finding (PIF) - Advertising Less than 3 Weeks [23 CFR 635.112] | Prepare | Approve | - | - |
| PIF - Use of Contracting Method other than Competitive Bidding [23 CFR 635.104 & 204] | Prepare | Approve | - | - |
| Addenda during Advertisement Period [23 CFR 635.112] | Prepare | Approve | - | - |
| Award of Contract [23 CFR 635.114] | Approve | - | - | - |
| Rejection of All Bids [23 CFR 635.114] | Approve | - | - | - |
| Award Package – Including DBE Reporting | Prepare | Review | Report ¹⁴ | - |
| Administer Construction Contract (Chapter 16) | | | | |
| Construction engineering by local agency [23 CFR 635.105] | Certify | Approve | - | - |
| Contract Administration and Inspection | Certify | Review ¹⁵ | Verify ¹⁶ | Verify ¹⁷ |
| Subcontracting Requirements [23 CFR 635.114] | Certify | - | - | - |
| Quality Assurance Program [LAPM Chapter 16.14] | Approve | Accept | - | - |
| Contract Change Orders (CCO) w/ no increase in Federal funds | Approve ¹⁸ | - | - | - |
| E-76 Modification for CCO with increase in Federal funds | Prepare | Recommend | Approve | Approve ¹⁹ |

¹³ Approval for advertising is included with receipt of construction authorization for the project.

¹⁴ DBE data is reported to Caltrans Office of Business & Economic Opportunity.

¹⁵ DLAE may select areas for review.

¹⁶ DLA Construction Oversight Engineers perform periodic reviews of contract administration of construction projects.

¹⁷ FHWA can verify any aspect of the project as part of a construction field review.

¹⁸ Local agencies are financially responsible for change orders executed without additional E-76 funds.

¹⁹ Local agencies must receive E-76 modification approval prior to executing the CCO.

| Project Action/Activity | Local Agency | Caltrans District | Caltrans HQ | FHWA |
|---|-----------------------|-----------------------|-----------------------|--------|
| Environmental Commitments (permit conditions and required mitigation) [23 CFR 771.109(b)] | Implement | - | - | - |
| Contract Time Extensions [23 CFR 635.120] | Prepare | Approve | - | - |
| Termination of Construction Contract [23 CFR 635.125] | Approve ²⁰ | - | - | - |
| Settlement of Construction Contract Claims [23 CFR 635.124] | Approve ²¹ | - | - | - |
| Incentive/Disincentive Amount Justification [23 CFR 635.127] | Approve | - | - | - |
| Liquidated Damages [23 CFR 635.127] | Approve | Review | - | - |
| Reimbursement Invoice | Prepare | Approve ²² | Approve | - |
| Project Completion (Chapter 17) | | | | |
| Final Inspection/Contract Acceptance [23 USC 114(a)] | Approve | - | - | - |
| Materials Certification [LAPM Exhibit 17-G] | Certify | Review | Review ²³ | |
| Project Verification | Recommend | Verify | - | - |
| Final Report of Expenditures | Prepare | Approve | - | Verify |
| Post-Project Audits | - | - | Perform ²⁴ | - |
| Maintenance (Chapter 18) | | | | |
| Maintenance of completed Federal-aid Projects | Perform | Review | - | - |

²⁰ Local agencies are financially responsible for termination agreements executed without necessary E-76 funds. Anticipated profits for work not performed is not eligible for Federal reimbursement.

²¹ Local agencies are financially responsible for settlement of contract claims without necessary E-76 funds. Any contract adjustment shall be fully supported.

²² DLAE performs initial review and approval. Headquarters Local Programs Accounting performs final review of invoice prior to payment by the State which is subsequently reimbursed by FHWA.

²³ DLA Oversight Engineers perform periodic reviews.

²⁴ Performed by Caltrans Independent Office of Audits & Investigations with assistance from the DLAE.