

**Project of Division Interest (PoDI)  
Stewardship & Oversight Plan**

<b>Project Name</b>	<b>Description</b>	<b>State/County</b>	<b>FMIS #</b>	<b>State ID #</b>	<b>FHWA Contact</b>
Phase III Berlin Myers Parkway	New roadway construction; approximately \$25M	Dorchester County	NA	NA	Gennie

\*Groups of projects may be covered in one plan where each has the same risk areas and response activities. Add additional rows if necessary.

1. Is this PoDI(s) also a PoCI?      Yes   No

2. What is the primary PoDI Type (select one)?

- Major Project (>\$500M); 23 USC 106(h)
- Appalachian Development Highway Project
- TIGER Discretionary Grant Project
- NHS Projects with Retained FHWA Project Approval; 23 USC 106(c) (1)
- Non-NHS with Retained Actions; 23 USC 106(c) (2) *(as requested by State)*
- Projects Selected for Risk-based Stewardship & Oversight; 23 USC 106(g)

3. What are the applicable risk areas associated with the PoDI (select all that apply):

- Complexity
- Cost
- Schedule
- Urgency
- Environment & Stakeholders
- Funding
- Project Administration
- National/Regional Significance
- Corporate Actions
- Local Considerations
- Other: Describe: [Click here to enter text.](#)

Please provide a general description of the risks:

**Identified project risks include both public and resource agency concerns over the project.**

4. What are the general project elements that will be reviewed (select all that apply):

- Project Authorization and Project Agreement
- Project Planning and Programming
- Project Financing
- Environmental Clearances/NEPA
- Preliminary Design
- Final Design
- Plan, Specification, & Estimate Development
- Advertising and Award
- Innovative Contracting/Design Build
- Contract Administration
- Construction Inspection & Quality
- Other – Describe: [Click here to enter text.](#)

5. What are the general S&O activities that the Division will conduct in response to risk (select all that apply):

- Retained Project Approval Actions
- Project/Technical Meetings
- Document/Plan Review
- Field Review/Inspection & Report
- Program/Process Reviews & Report
- CAP Review
- Special Review
- Other – Describe: [Click here to enter text.](#)

Please provide a specific description of the activities that will be conducted:

**SEE ATTACHMENT A FOR SPECIFIC PROJECT APPROVALS RETAINED BY FHWA\*. In addition, the FHWA Division will: (1) provide elevated coordination between environmental and operation staff during project development; and (2) have heightened involvement throughout the NEPA process.**

6. If the project is a PoCI, what specific corporate resources were committed to this project?

**NA**

7. What were the results of the Division's involvement in the project(s)?

**See identified risks and corresponding actions to be taken by the Division**

8. Additional Information:

NA

**Note:**

**\*ATTACHMENT A outlines project action responsibilities similar to what is provided in FHWA/SCDOT's joint Stewardship and Oversight Agreement (June 2014). However, those additional project actions that have been retained by FHWA, as a result of the risks identified for this PoDI, are highlighted in red font (if any).**

# ATTACHMENT A

<b>PROJECT ACTIONS</b>	
<b>Assumption of Responsibilities under 23 U.S.C. 106c or other statutory or regulatory authority</b>	
<b>PROGRAMMING (All phases)</b>	
Ensure project in Statewide Transportation Improvement Program (STIP)/Transportation Improvement Program (TIP)	STATE
Identify proposed funding category	STATE
<b>FINANCIAL MANAGMENT (All phases)</b>	
Obligate funds/approve Federal-aid project agreement (project authorizations) (Note: this action cannot be assumed by State)	FHWA
Authorize current bill (Note: this action cannot be assumed by State)	FHWA
Review and Accept Financial Plan and Annual Updates for Federal Major Projects over \$500 million [23 U.S.C. 106(h)] (Note: this action cannot be assumed by State)	FHWA
Review Cost Estimates for Federal Major Projects over \$500 million [23 U.S.C. 106(h)] (Note: this action cannot be assumed by State)	FHWA
Develop Financial Plan for Federal Projects between \$100 million and \$500 million. [23 U.S.C. 106(i)]	STATE

<b>PROJECT ACTIONS</b>	
<b>Assumption of Responsibilities under 23 U.S.C. 106c or other statutory or regulatory authority</b>	
<b>ENVIRONMENT (All phases)</b>	
All EA/FONSI, EIS/ROD, 4(f), 106, 6(f) and other approval actions required by Federal environmental laws and regulations. (Note: this action cannot be assumed by STATE except under 23 U.S.C. 327)	FHWA
Categorical Exclusion approval actions (Note: this action cannot be assumed by the State except through an assignment under 23 U.S.C. 326 or 327, or through a programmatic agreement pursuant to Section 1318(d) of MAP-21)	FHWA
<b>PRELIMINARY DESIGN (Design Phase)</b>	
Consultant Contract Selection ( <i>for FHWA oversight purposes, all scopes of services to be submitted to FHWA for information</i> )	STATE
Sole source Consultant Contract Selection	FHWA
Approve hiring of consultant to serve in a “management” role (Note: this action cannot be assumed by State) [23 CFR 172.9]	FHWA
Approve consultant agreements and agreement revisions (Federal non-Major Projects) [23 CFR 172.9]	STATE
Approve consultant agreements and agreement revisions on Federal Major Projects [23 CFR 172.9] (Note: this action cannot be assumed by State)	FHWA

<b>PROJECT ACTIONS</b>	
<b>Assumption of Responsibilities under 23 U.S.C. 106c or other statutory or regulatory authority</b>	
<b>PRELIMINARY DESIGN (Design Phase) – Continued</b>	
Approve exceptions to design standards [23 CFR 625.3(f)]	STATE
Interstate System Access Change [23 USC 111] (Note: this action cannot be assumed by State)	FHWA
Interstate System Access Justification Report [23 USC 111]	FHWA
Airport highway clearance coordination and respective public interest finding (if required) [23 CFR 620.104]	STATE
Approve Project Management Plan for Federal Major Projects over \$500 million [23 USC 106(h)] (Note: this action cannot be assumed by State)	FHWA
Approve innovative and Public-Private Partnership projects in accordance with SEP-14 and SEP-15 (Note: this action cannot be assumed by State)	FHWA
Provide pre-approval for preventive maintenance project (until FHWA concurs with STATE procedures) (Note: this action cannot be assumed by State)	FHWA

<b>PROJECT ACTIONS</b>	
<b>Assumption of Responsibilities under 23 U.S.C. 106c or other statutory or regulatory authority</b>	
<b>DETAILED / FINAL DESIGN (Design Phase)</b>	
Provide approval for complex and other unusual bridges and other structures on the Interstate. [23 USC 109(a) and FHWA Policy]	FHWA
Provide approval of preliminary plans for major bridges or other structures (non-Interstate). [23 USC 109(a) and FHWA Policy]	FHWA
Approve retaining right-of-way encroachments [23 CFR 1.23 (b) & (c)]	STATE
Approve use of local force account agreements [23 CFR 635.104 & 204]	STATE
Approve use of publicly owned equipment [23 CFR 635.106] <i>(for FHWA oversight purposes, prior to making a decision SCDOT will contact FHWA and FHWA will provide technical assistance on documenting the determination)</i>	STATE
Approve the use of proprietary products, processes [23 CFR 635.411] <i>(for FHWA oversight purposes, prior to making a decision SCDOT will contact FHWA and FHWA will provide technical assistance on documenting the determination)</i>	STATE
Concur in use of publicly furnished materials [23 CFR 635.407] <i>(for FHWA oversight purposes, prior to making a decision SCDOT will contact FHWA and FHWA will provide technical assistance on documenting the determination)</i>	STATE



<b>PROJECT ACTIONS</b>	
<b>Assumption of Responsibilities under 23 U.S.C. 106c or other statutory or regulatory authority</b>	
<b>RIGHT-OF-WAY (Design and Operational Phases)</b>	
Make feasibility/practicability determination for allowing authorization of construction prior to completion of ROW clearance, utility and railroad work [23 CFR 635.309(b)]	FHWA for Interstate STATE for Non-Interstate
Make public interest finding on whether State may proceed with bid advertisement even though ROW acquisition/relocation activities are not complete for some parcels [23 CFR 635.309(c)]	FHWA for Interstate STATE for Non-Interstate
Ensure ROW certificate is in place [23 CFR 635.309(c)]	STATE
Approve Hardship and Protective Buying [23 CFR 710.503] (Note: this action cannot be assumed by State)	FHWA
Approve Interstate Real Property Interest Use Agreements [23 CFR 710.405] (Note: this action cannot be assumed by State)	FHWA
Approve non-highway use and occupancy [23 CFR 1.23(c)]	FHWA for Interstate STATE for Non-Interstate
Approve disposal at less than fair market value of federally funded right-of-way, including disposals of access control [23 U.S.C. 156] (Note: this action cannot be assumed by State)	FHWA

<b>PROJECT ACTIONS</b>	
<b>Assumption of Responsibilities under 23 U.S.C. 106c or other statutory or regulatory authority</b>	
<b>RIGHT-OF-WAY (Design and Operational Phases) - Continued</b>	
Approve disposal at fair market value of federally funded right-of-way, including disposals of access control [23 CFR 710.409] (Note: 23 CFR 710.201 authorizes FHWA and STATE to agree to scope of property-related oversight and approvals for all actions except those on the Interstate System)	FHWA for Interstate  STATE for Non-Interstate
Requests for credits toward the non-Federal share of construction costs for early acquisitions, donations or other contributions applied to a project (Note: this action cannot be assumed by State)	FHWA
Federal land transfers [23 CFR 710, Subpart F] (Note: this action cannot be assumed by State)	FHWA
Functional replacement of property [23 CFR 710.509] (Note: this action cannot be assumed by State)	FHWA
<b>SAFETY (Design Phase)</b>	
Eligibility determinations for safety hardware (Note: this action cannot be assumed by State)	FHWA

<b>PROJECT ACTIONS</b>	
<b>Assumption of Responsibilities under 23 U.S.C. 106c or other statutory or regulatory authority</b>	
<b>SYSTEM OPERATIONS AND PRESERVATION (Design Phase)</b>	
Accept Transportation Management Plans (23 CFR 630.1012(b))	STATE
Approval of System Engineering Analysis (for ITS) [23 CFR 940.11]	STATE
<b>PS&amp;E AND ADVERTISING (Design Phase)</b>	
Approve PS&E [23 CFR 630.201]	STATE
Authorize advance construction and conversions [23 CFR 630.703 & 709] (Note: this action cannot be assumed by State)	FHWA
Approve utility or railroad force account work [23 CFR 645.113 & 646.216]	STATE
Approve utility and railroad agreements [23 CFR 645.113 & 646.216]	STATE
Approve use of consultants by utility companies [23 CFR 645.109(b)]	STATE
Approve exceptions to maximum railroad protective insurance limits [23 CFR 646.111]	STATE
Authorize advertising for bids (FHWA authorization done via construction authorization) [23 CFR 635.112, 309]	FHWA

<b>PROJECT ACTIONS</b>	
<b>Assumption of Responsibilities under 23 U.S.C. 106c or other statutory or regulatory authority</b>	
<b>CONTRACT ADVERTISEMENT AND AWARD (Design Phase)</b>	
<b>All contracts to be done by competitive bidding unless otherwise authorized by law</b>	
Approve cost-effectiveness determinations for construction work performed by force account or by contract awarded by other than competitive bidding [23 CFR 635.104 &.204]	FHWA
Approve emergency determinations for contracts awarded by other than competitive bidding [23 CFR 635.104 &.204]	FHWA
Approve construction engineering by local agency [23 CFR 635.105]	STATE
Approve advertising period less than 3 weeks [23 CFR 635.112]	FHWA
Approve addenda during advertising period [23 CFR 635.112]	STATE
Concur in award of contract [23 CFR 635.114]	STATE
Concur in rejection of all bids [23 CFR 635.114]	STATE
Approval of Design-Build Requests-for-Proposals and Addenda [23 CFR 635.112]	FHWA

<b>PROJECT ACTIONS</b>	
<b>Assumption of Responsibilities under 23 U.S.C. 106c or other statutory or regulatory authority</b>	
<b>CONSTRUCTION (Construction Phase)</b>	
Approve changes and extra work [23 CFR 635.120]	STATE
Approve contract time extensions [23 CFR 635.120]	STATE
Concur in use of mandatory borrow/disposal sites [23 CFR 635.407]	STATE
Accept materials certification [23 CFR 637.207]	STATE
Concur in settlement of contract claims [23 CFR 635.124]	STATE
Concur in termination of construction contracts [23 CFR 635.125]	FHWA
Waive Buy America provisions [23 CFR 635.410] (Note: this action cannot be assumed by State)	FHWA
Final inspection/acceptance of completed work [23 USC 114(a)]	STATE

<b>PROJECT ACTIONS</b>	
<b>Assumption of Responsibilities under 23 U.S.C. 106c or other statutory or regulatory authority</b>	
<b>CIVIL RIGHTS (All phases)</b>	
Approval of Disadvantaged Business Enterprise (DBE) Project Contract Goal set by the State DOT under 49 CFR 26.51(d). [49 CFR 26.51(e)(3)]	STATE
Acceptance of Bidder's Good Faith Efforts to Meet Contract Goal [49 CFR 26.53] or of Prime Contractor's Good Faith Efforts to Find Another DBE Subcontractor When a DBE Subcontractor is Terminated or Fails to Complete Its Work [49 CFR 26.53(g)] (Note: this action cannot be performed by the FHWA)	STATE
Equal Employment Opportunity (EEO) Contract Compliance Review Approval [23 CFR Part 230, Subpart D]).	STATE
Training Special Provision – Approval of Project Goal for training slots or hours [23 CFR Part 230, Subpart A]	STATE
Training Special Provision – Approval of New Project Training Programs (Note: this action cannot be assumed by State) [23 CFR 230.111(d), (e)]	FHWA