

New York State
Department of Transportation
Local Projects Manual

Chapter 1

Introduction and Overview

TABLE OF CONTENTS

TABLE OF CONTENTS.....	2
ACRONYMS	3
NOTE	3
1.1 PURPOSE	4
1.2 BACKGROUND	4
1.3 RELATED MANUALS	4
1.4 MANUAL ORGANIZATION	5
1.4.1 Chapter Summaries	5
1.5 MANUAL UPDATES	7
1.6 TERMS AND DEFINITIONS.....	7
1.7 NYSDOT WEBSITE OF ACRONMYS.....	32
1.8 REFERENCES, CHAPTER 1 INTRODUCTION AND OVERVIEW.....	33

ACRONYMS

DBE	Disadvantaged Business Enterprise (DBE)	NYSDOT	New York State Department of Transportation
EEO	Equal Employment Opportunity	PS&E	Plans, Specifications, and Estimates
FHWA	Federal Highway Administration	RLPL	Regional Local Project Liaisons
LPM	Local Projects Manual	ROW	Right-of-Way
NEPA	National Environmental Policy Act	SLA	State-Local Agreement
NYSCHSA	New York State County Highway Superintendents Association		

NOTE

The web addresses referenced throughout this chapter (except LPM chapter links) can be found at the end of this chapter, in [Section 1.8 References, Chapter 1 Introduction and Overview](#).

1.1 PURPOSE

The **Local Projects Manual (LPM)** is intended to assist non-**New York State Department of Transportation (NYSDOT)** transportation project sponsors in New York State who seek federal funding through the **Federal Highway Administration (FHWA)**, as well as state funding from New York State. The LPM aims to provide an overview of the processes, procedures, documentation, authorizations, approvals, and certifications required throughout the scoping, design, construction, and maintenance of transportation-related projects. While all attempts have been made to create a manual as comprehensive as possible, the dynamics of federal and state policy make it reasonable to expect that the reader will need to have other references at hand as well.

1.2 BACKGROUND

The procedures in this manual are compiled from numerous sources, including federal and state laws, rules, regulations, executive orders, guidelines, and operating practices, all of which must be followed to secure federal and state aid reimbursement. This manual has two other volumes, the **Appendices**, offering sample letters, fillable forms and other documentation, and the **Internal Guidance**, explaining processes internal to NYSDOT.

NYSDOT developed the procedures in cooperation with FHWA and representatives of the **NYS County Highway Superintendents Association (NYSCHSA)** and other external stakeholders. These organizations administer locally administered federal and state-aided transportation projects. Periodic updates are necessary to reflect changes in laws, rules, regulations, and executive orders, along with the institutional knowledge gained in the evolving practice of non-NYSDOT administered federal and state aid transportation projects. Revision dates can typically be found in the footer of each chapter.

The manual is intended to provide project development guidance to Sponsors, who are delegated most responsible for administering federal and state aid transportation projects. However, under **U.S. Code Title 23**, NYSDOT is ultimately responsible for federal aid transportation projects in New York State and cannot delegate its overall administrative duties, thereby retaining oversight authority. NYSDOT also retains ultimate responsibility for the successful implementation of non-federal aid locally administered transportation projects in New York State.

1.3 RELATED MANUALS

Other federal and **state manuals and documents**, noted in each chapter, will be referenced. These sources are typically indicated by in-text citations in bold and blue type. Links to the sources can be found at the end of each chapter in a References section. The Regional Local Project Liaison (RLPL) is a crucial resource for locating relevant documents. The RLPL is the primary NYSDOT contact for all Sponsors. The RLPL should be consulted first when seeking information, clarification, or assistance while developing or delivering federally and state-funded transportation projects. (For an expanded description of the role of RLPLs, see **Section 1.6, Terms and Definitions**).

1.4 MANUAL ORGANIZATION

This manual is divided into eighteen (18) chapters, some with associated appendices, and each describing a specific aspect of project development. Although not all projects will need to fulfill all portions of this manual to be successfully built and reimbursed, each chapter should be thoroughly reviewed by the Sponsor to determine whether the actions, activities, and decisions discussed apply to an individual project. (In the future, chapters may be added to reflect programs for other modes of transportation NYSDOT directly administers or otherwise oversees.)

1.4.1 Chapter Summaries

The chapters follow the typical sequence of project development activities; however, some procedures can be performed concurrently, while others must be repeated for subsequent project phases. The following are summaries of the chapters:

Chapter 2: Roles and Responsibilities defines the duties of the various entities involved in project development and includes a table of activities and prerequisites for the entire federal aid process.

Chapter 3: Project Initiation, Management, and Funding provides an overview of the project development process to properly select and fund a federal aid project and obtain project authorizations for each phase of a federally funded project. It also discusses the options available to the Sponsor for fulfilling its financial obligations to a project. Also discussed are current federal, and state programs available to fund local transportation projects.

Chapter 4: State-Local Agreements describes the contract between the Sponsor and NYSDOT necessary to obtain federal and applicable state aid reimbursement of eligible project costs. All locally administered, federal, and state aid transportation projects will require a State-Local Agreement (SLA).

Chapter 5: Accounting and Reimbursement Procedures describes the general accounting procedures necessary to receive federal and applicable state aid reimbursement under an SLA. The chapter's appendices include forms, sample financial forms, and instructions that NYSDOT and the Sponsor will use in the accounting and billing process.

Chapter 6: Consultant Procurement and Administration describes the requirements and methods for selecting, hiring, and managing consultants, including contract negotiations, contract execution, pre-award audit, and consultant contract close-out.

Chapter 7: Overview of the Environmental Process provides an overview of the [National Environmental Policy Act \(NEPA\)](#) process and other federal and state environmental processes that must be completed before utilizing federal or state aid for transportation projects and discusses procedures necessary to satisfy applicable environmental laws.

Chapter 8: Design Procedures focuses on the project scoping and design stages of the project development process, including public involvement requirements, which must be followed to bring a locally administered federal or state aid for transportation projects to the construction stage.

Chapter 9: Design Standards and Construction Specifications describes the design standards and construction specifications used in the contract bid documents [Plans, Specifications, and Estimate (PS&E)].

Chapter 10: Railroads and Utilities describes the procedures used when a project involves a railroad or the relocation of utilities. If a project potentially involves railroad or utility property, facility, or operations, early contact with its owner is encouraged.

Chapter 11: Right of Way describes the procedures required to acquire Right-of-Way (ROW) for a federal or state aid transportation project. The procedures, which comply with the [Uniform Relocation Assistance and Real Property Acquisition Policy Act](#), must be followed even if federal funds are not used to acquire ROW.

Chapter 12: Construction Contract Requirements describe the federal contract requirements to be included in federal aid transportation projects to ensure compliance; relevant appendices to Chapter 12 must be included in bid proposals.

Chapter 13: Civil Rights Requirements guides Sponsors through the construction and consultant contractual processes in a manner consistent with the USDOT rules and regulations governing [Title VI of the Civil Rights Act of 1964](#), [Section 504 of the Rehabilitation Act of 1973](#), and the [Americans with Disabilities Act of 1990](#), the [Disadvantaged Business Enterprise \(DBE\)](#) program and [Equal Employment Opportunity \(EEO\)](#).

Chapter 14: Advertisement, Contract Letting, and Award describes the process of advertising (soliciting bidders), letting (bid opening), bid analysis, contract award, and documentation for locally administered federal-aid transportation construction contracts.

Chapter 15: Administer Construction Contracts covers the administration of federally funded, locally let construction contracts, including construction supervision, contract documentation, and construction contract close-out.

Chapter 16: Federal and State Single Audit Requirements discusses compliance with the federal audit requirement provisions of [2 CFR 200](#). This chapter aims to advise the Sponsor's program manager, chief fiscal officer, and independent auditor.

Chapter 17: State-Local Agreement Close Outs describes the requirements for closing SLAs and submitting final reimbursement requests for a locally administered federal aid transportation project.

Chapter 18: Disaster Relief Programs and Procedures describes Federal Aid Programs, which provide emergency relief funding for transportation-related facilities damaged by natural disasters

or catastrophic failures from an external cause. The programs provide federal reimbursement to state and local transportation agencies to recoup the costs of repairing damage to facilities during disasters.

1.5 MANUAL UPDATES

The latest version of this manual, its appendices, forms, and internal guidance can be found on the [LPM webpage](#), which is a searchable and sortable listing of associated documents. Comments, questions, and suggestions for improving this manual or the processes and procedures described within are welcome and may be submitted to the RLPL or the Local Programs Bureau:

NYSDOT, Local Programs Bureau, POD 6-1

50 Wolf Road

Albany, NY 12232

MO-LocalProgramsBureau@dot.ny.gov

1.6 TERMS AND DEFINITIONS

The following terms and definitions are used throughout this manual:

TERM	DEFINITION/EXPLANATION
Administering Agency	The state, county, city, town, village, or other public agency, public authority, or nonprofit organization authorized and designated under its agreement with NYSDOT to design, acquire ROW, advertise, open bids, award, and administer contracts for federal or state aid transportation projects. The Administering Agency may also be referred to as the local public agency, agency, local government, subrecipient, grantee, municipality, owner, or Sponsor.
Advance Detail Plans (ADP)	Project plans, profiles, and typical cross-sections are approximately 90% complete. ADPs are developed from preliminary plans, which are about 30% complete, and become part of the Contract Bid Document Package (PSE&E) when 100% complete. See Contract Bid Documents.
Americans with Disabilities Act (ADA)	The Americans with Disabilities Act (ADA) of 1990 is a Civil Rights statute prohibiting discrimination against people with disabilities in providing services, programs, and activities. Section 504 of the Rehabilitation Act of 1973 includes similar prohibitions concerning federally funded programs. The ADA requirements are more stringent and require public facilities to be accessible regardless of the funding source.

TERM	DEFINITION/EXPLANATION
Americans with Disabilities Act Accessibility Guidelines for Buildings and Facilities (ADAAG)	Issued under the ADA of 1990, this document contains scoping and technical requirements for buildings and facilities for accessibility by individuals with disabilities. These requirements are to be applied during the design, construction, and alteration of buildings and facilities covered by Titles: II and III of the ADA, to the extent required by regulations issued by federal agencies, including the Department of Justice and the Department of Transportation. ADAAG contains standards to be used for the design of accessible pedestrian facilities.
Applicant	For most federal- or state-aid transportation projects, the Applicant and the Sponsor are the same entity. Some federal-aid transportation programs do not allow certain categories of applicants, e.g., not-for-profit corporations, and restrict these applicants from entering an agreement with NYSDOT. In those instances, an applicant would have to find a qualifying Sponsor. There would have to be a separate agreement between Applicant and Sponsor detailing each's roles in such cases.
Appropriations	Authorization of funding expenditures from Congress.
Architectural Engineering (A/E)	Private consulting persons or firms providing architectural, landscape architectural, engineering, environmental, land surveying, construction inspection, and management services. These consulting firms need to be licensed by the New York State Department of Education to provide design services and also be licensed to conduct business in New York State.
Average Annual Daily Traffic (AADT)	AADT is a measure of the total volume of traffic of a highway or road for a year divided by 365, or the average traffic volume per day. Factoring in seasonal, weekly, daily, or hourly variations, AADT is a useful and simple measurement of how busy the road is. AADT data refined by the side of the road, day of the week, and day of the day can provide more useful transportation planning, design, and engineering measures.
Betterment	A change in a highway facility's function or character, such as adding additional lanes, lighting, sidewalks, curbs, landscaping, etc. For this manual's purposes, an add-on by the Sponsor, originally not part of the federal or state-administered project, is included to take advantage of economies of scale or cost savings.

TERM	DEFINITION/EXPLANATION
Bipartisan Infrastructure Law (BIL)	The largest long-term investment in our infrastructure. BIL provides \$550 billion over fiscal years 2022 through 2026 in new Federal investment in infrastructure, including roads, bridges, and mass transit. All FAST Act highway programs to continue.
Bridge Identification Number (BIN)	A unique seven-digit number assigned by NYSDOT to each publicly and privately owned bridge.
BridgeNY	A state program that makes municipal funding available to rehabilitate and replace bridges and culverts statewide. The NYSDOT-administered BridgeNY Program is open to all municipal owners of bridges and culverts. Bridge rehabilitation and replacement are eligible for federal funding, while culvert rehabilitation and replacement are 100% state-funded.
Budget Authority	Authority provided by law to incur obligations that will result in the outlay of federal funds by NYSDOT. Budget authority may be classified by the period of availability (one-year, multiyear, no-year), by the timing of congressional action (current or permanent), or by the manner of determining the amount available (definite or indefinite).
Carbon Reduction Program (CRP)	A program to reduce transportation emissions through the development of State carbon reduction strategies and by funding projects designed to reduce transportation emissions as established by the Bipartisan Infrastructure Law (BIL).
Categorical Exclusion (C.E., or CatEx)	A category of actions that do not individually or cumulatively have a significant impact on the environment. Therefore, neither an Environmental Assessment (EA) nor an Environmental Impact Statement (EIS) is required for compliance with National Environmental Policy Act (NEPA) for these types of projects.
Categorical Exclusion Determination for Emergency Repair (CEDER)	This document replaces the Federal Environmental Approvals Worksheet (FEAW) for work categorized as “emergency” work as part of the ER process. Emergency Repair projects that result from a declared emergency event reimbursable by the FHWA Emergency Relief Program. If some portions of the work performed are later determined to be “Permanent Restoration” but occurred at the same location and concurrent with the Emergency Repair work, then the CEDER form can be used to make the NEPA Categorical Exclusion (CE) determination for both emergency and permanent restoration.
Civil Rights Act of 1964	Is a comprehensive U.S. law prohibiting discrimination based on race, color, or national origin.

TERM	DEFINITION/EXPLANATION
Code of Federal Regulations (CFR)	An official compilation of federal regulations that implement laws contained in the United States Code (USC). Federal highway regulations are contained in Title 23 and Title 49 of the CFR. Title 23 addresses the administration of federal aid for highways and related transportation projects. Title 49 addresses Civil Rights requirements, the Uniform Relocation Assistance, and Real Property Policies, among other topics described in this manual.
Commodities	A raw material that can be bought and sold. Examples of commodities include stone, culvert pipe, concrete, guiderail, etc.
Condemnation	The legal process by which municipalities under the jurisdiction of the New York State Supreme Court exercise the power of eminent domain to acquire real property.
Congestion Mitigation and Air Quality Improvement Program (CMAQ)	The CMAQ Program funds transportation projects that reduce and regulate emissions associated with carbon monoxide/ozone and particulate matter, often through congestion mitigation techniques. .
Construction	As defined in 23 USC §101 : the term <i>construction</i> (as it relates to Federal Highway Act aided projects) means the supervising, inspecting, and actual building of a transportation project, including related activities such as locating, surveying and mapping, resurfacing, restoration and rehabilitation, acquisition of ROW, acquisition of replacement housing sites, acquisition and rehabilitation, relocation, and construction of replacement housing, relocation assistance, elimination of hazards of railway grade crossings, elimination of roadside obstacles, and improvements which directly facilitate and control traffic flow, such as grade separation of intersections, widening of lanes, channelization of traffic, traffic control systems, and passenger loading and unloading areas, erosion and sediment control, drainage, landscaping and construction/reconstruction of bicycle and pedestrian facilities. The term also includes capital improvements which directly facilitate an effective vehicle weight enforcement program, such as scales (fixed and portable), scale pits, scale installation, and scale houses. New York State defines the construction phase of activity to include costs incurred by the state in performing federal aid project related audits which directly benefit the federal aid highway program.

TERM	DEFINITION/EXPLANATION
Construction Inspection (CI)	The supervision and inspection of construction activities to ensure the contractor conform to the provisions of the contract documents. This includes, but is not limited to: direct administration of the construction contract, field engineering, detailed inspection, on-site field testing of materials, field measurement and collection of data necessary to submit estimates and progress reports, review of shop drawings, preparation of record plans showing all changes from the contract plans, and maintaining a diary describing the progress of the work, specific problems encountered, and all other pertinent information relative to the execution of the contract work.
Construction Management Plan (CMP)	Details how the construction contract will be administered at the time of construction. The CMP is part of the overall Project Management Plan (PMP) (See Chapter 2). Title 23 CFR 635.105(c)(4) requires a Sponsor to provide a full-time employee to be in responsible charge of the project even if using consultants to provide engineering and construction inspection services or project management.
Consultant	A business that provides architectural, engineering, environmental, or other related professional or technical services for a project.
Contract Administration (CA)	Managing the implementation of a federal aid project. The tasks include advertising, bid opening, award, and contract execution, control of work and material, and making payments to the contractor and/or consultant.
Contract Authority	A form of Budget Authority that permits obligations to be made in advance of appropriations by NYSDOT. Most of the programs under the Federal Aid Highway Program operate under Contract Authority. When federal funds are rescinded, Contract Authority is reduced. (See
Contract Bid Documents	Documents defining the parameters of a construction project. These must be sufficiently detailed to be constructed, allow for competitive bidding, and ensure reimbursement eligibility. The documents include plans, specifications, special notes, items and quantities and estimates, federal aid contract requirements, and general contract provisions.
Contract Dispute	A demand by the contractor or consultant for additional compensation or other contract adjustments.
Contract Dispute Award	An amount to be paid by a Sponsor to a contractor or consultant because the resolution, made by administrative or judicial decision, of a contract dispute was determined in the Contractor's favor.
Contractor	A business providing construction goods and services.

TERM	DEFINITION/EXPLANATION
Council on Environmental Quality (CEQ)	An office operating within the executive branch of the federal government established by NEPA. The CEQ creates environmental policy, monitors environmental quality, prepares an annual report to Congress, and monitors federal actions. CEQ regulations are the basis for FHWA's NEPA regulations in the CFR.
De-obligation	The release of excess funds on previously active projects which are currently inactive. If additional eligible costs are identified, a modification can be made to reinstate funding. A State Transportation Improvement Program (STIP) action may be required to re-establish the project. Work undertaken while project funding is de-obligated is not eligible for reimbursement with federal funds.
Design Approval Document (DAD)	A report documenting the condition, needs, objectives, and feasible alternatives of a proposed project. The DAD is used to obtain FHWA, NYSDOT, or Sponsor approval of a project and may also be used in the solicitation of comments from other government agencies and the local community.
Design-Build	A method of delivering a project in which design and construction services are performed by a single contractor. Design-build provides a single point of responsibility for project delivery, thereby simplifying communication and minimizing risks for the project owner and streamlining the delivery schedule. A design-build project can be led by a contractor, a designer, a developer, or a joint venture, so long as a design-build entity holds a single contract for both design and construction services. Only New York City is permitted to use this legislation.
Design Hour Volume (DHV)	The design hourly volume (DHV) is usually the 30th highest hourly volume for the design year, commonly 20 years from the time of construction completion. For situations involving high seasonal fluctuations in AADT, some adjustments of DHV may be appropriate. In general, for two-lane rural highways, the DHV is the total traffic in both directions of travel. On highways with more than two lanes (or on two-lane roads where important intersections are encountered or where additional lanes are to be provided later), knowledge of the directional distribution of traffic during the design hour is essential for design.
Design Phase(s)	NYSDOT divides the project development process into the following four stages: Project Initiation, Project Scoping, Design, and Construction. The Design Stage is further broken into six design phases. Phases 1 through 4 occur before Design Approval and are also known collectively as the Preliminary Engineering Stage. The last two design phases are also known as the Final/Detailed Design Stage.

TERM	DEFINITION/EXPLANATION
Design Quality Assurance Bureau (DQAB)	The DQAB is the NYSDOT Design Division sub-organization responsible for issuing and maintaining the Project Development Manual (PDM), Highway Design Manual (HDM), Standard Specifications, Standard Sheets, and Engineering Issuances. DQAB also monitors the design process, establishes standards, and provides guidance for all designs.
Design Report (DR)	A Design Approval Document which functions as an in-depth engineering report for transportation projects that do not need an EIS or EA. The DR also documents the environmental determination required to comply with NEPA and/or State Environmental Quality Review Act (SEQRA).
Design Report/Environmental Assessment (DR/EA)	A combination of Design Report and Environmental Assessment used to efficiently address the engineering matters and social, economic, and environmental issues for a federal aid transportation project. This type of document is prepared for projects when environmental impacts are unknown yet clearly do not require the preparation of an EIS.
Design Report/Environmental Impact Statement (DR/EIS)	A combination of Design Report and Draft Environmental Impact Statement (DEIS) used to efficiently address the engineering matters and social, economic, and environmental issues (under NEPA and SEQR) for federal aid transportation projects.
Design Year	The year for which the roadway or structure on a roadway is designed to remain functional. Traditionally, the design year is a 20-year horizon from the anticipated opening date of the project. Highway and bridge design should be based on traffic volumes that are expected to occur within the expected service life of the project. The year chosen for design must also be no further ahead than that for which traffic can be estimated with reasonable accuracy.
Designer	The project designer can be a consultant or the Sponsor's in-house professional design staff. Professional engineers, architects, and landscape architects must be licensed by the NYS Department of Education to practice in New York State.
Detailed Damage Inspection Report (DDIR)	The application form submitted for funding under the FHWA Emergency Relief (ER) Program.
Directional Design Hour Volume (DDHV)	The estimated 30 th highest hourly volume that a given direction of traffic flow will likely occur in the design year of the project.
Directory of Service-Disabled Veteran-Owned Business (SDVOB)	The SDVOB Directory lists certified disabled, veteran-owned firms and their contact information. The firms can be searched for in the directory using a business name, business description, or a business location.

TERM	DEFINITION/EXPLANATION
Disadvantaged Business Enterprise (DBE) Program	The DBE Program is a legislative mandated USDOT program that applies to Federal-Aid highway dollars expended on federal-assisted contracts.
Draft Environmental Impact Statement (DEIS)	A Draft EIS prepared for public and outside agency review and comment (see <i>EIS</i>).
Element-Specific Work	Minor highway or bridge work of the same scale/complexity as routine maintenance work. Element-specific work generally involves a single feature at one or more locations.
Emergency Relief (ER) Program	A federal program authorized under 23 USC 125 and administered through FHWA to assist Sponsors in covering the extraordinary costs of repairing damage to eligible facilities caused by natural disasters or catastrophic failures due to external causes.
Emergency Repairs	As defined in the FHWA ER Program, emergency repairs are work performed during or immediately following a disaster to restore essential traffic, minimize the extent of damage, and protect the remaining facility.
Eminent Domain Procedure Law (EDPL)	The purpose of Eminent Domain Procedure Law (EDPL) is to provide the legal steps by which private property shall be acquired by a government for public use. EDPL assures that just compensation shall be paid to those persons whose property rights are acquired and also establishes an opportunity for public participation in the planning of public projects necessitating the exercise of eminent domain. The EDPL establishes rules to reduce litigation and to ensure equal treatment to all property owners. Public improvements requiring the acquisition of private property or rights must meet very specific legal requirements. Failure to understand the issues involved might result in the inability to advance the project from design into the construction phase.
Engineer-in-Charge (EIC)	Under the direction of the Sponsor, the engineer has direct supervision over the execution of the construction contract.
Engineering Bulletin (EB)	An engineering related official NYSDOT document that has a maximum life of one year. An EB contains routine notices and enacts a policy or procedure that immediately takes effect after a certain date.
Engineering Directives (ED)	An engineering related official NYSDOT document that contains definitive material that is deemed critical to the continuation of essential engineering activities. EDs are usually intended to be implemented immediately upon issuance.

TERM	DEFINITION/EXPLANATION
Engineering Instruction (EI)	A specialized, engineering related, official NYSDOT issuance that has an indefinite life. EIs enact a policy or procedure that takes effect after a certain date.
Environmental Assessment (EA)	Prompted by either a NEPA Class III or SEQR Unlisted determination, an Environmental Assessment (EA) is a study used to establish if a project will have significant impacts and will, therefore, require an EIS. The EA is initially documented on the Federal Environmental Approvals Worksheet (FEAW) , which has replaced the NEPA Checklist.
Environmental Impact Statement (EIS)	A project-specific document required by a NEPA Class I, or SEQR Type I determination or by an E.A. that does not result in a NEPA Finding of No Significant Impact (FONSI) or SEQR Negative Declaration. The goal of an EIS is to examine the significance of a specific project's social, environmental, and economic impacts. Through the EIS, the responsible agency is required to identify impacts, severity of the impacts, and examine potential mitigation measures and alternatives.
Transportation Environmental Manual (TEM)	A NYSDOT guidance that details environmental processes and procedures required to progress federal and state-funded projects.
Equal Employment Opportunity (EEO)	A law that requires employers to not engage in employment activities that are prohibited by law. It is illegal for employers to discriminate against an applicant or employee based on race, color, creed, sex, and/or national origin. Modern, federal, anti-discrimination employment laws and policies in the United States have their foundation in the Civil Rights Act of 1964.
Estimated Time of Completion (ETC)	A specific date that estimates a project's anticipated completion of construction.
Executive Order (EO)	An executive branch mandate signed by the President of the United States or the Governor of New York State.
Extra Work	Work that is not anticipated or included as a contract item. If extra work is needed, change order(s) or contract supplement can be executed.
Federal Aid	Where referenced in this manual, FHWA-administered federal funds that are dedicated to surface transportation projects.

TERM	DEFINITION/EXPLANATION
Federal Aid Ineligibility Notice (FAIN)	A notification issued by the FHWA that explains that federal aid monies were spent on items that have been identified as ineligible for federal aid reimbursement. These items and costs may be revealed through process reviews, project inspections, audits, or other information gatherings which brings the situation to FHWA's attention. FHWA may also use a FAIN to justify the assessment of a penalty against the state or the Sponsor for non-compliance with federal laws and regulations applicable to such a project. Chapter 3, Project Funding, Local Participation, and Project Authorization of the LPM, contains additional detail on FAINs.
Federal Aid Policy Guide (FAPG)	The Federal Aid Policy Guide is FHWA's interpretation of the Code of Federal Regulations (CFR).
Federal Emergency Management Agency Public Assistance Program (FEMA PA Program)	A program authorized under the Stafford Act (Public Law 100-707) to provide funds for the repair of damages to highways off the federal-aid system and certain public facilities caused by a major disaster. The disaster must have been declared as such by the President of the United States.
Federal Aid Highway System	The National Highway System and the Dwight D. Eisenhower National System of Interstate and Defense Highways (the "Interstate System").
Federal Highway Administration (FHWA)	A USDOT sub-organization charged with administering federally-aided highway projects. FHWA is divided into Division Offices for each state, Resource Centers for various regions of the country, and Headquarters in Washington D.C.
Federal Relocation and Assistance Act ("Uniform Act")	On January 2, 1971, Public Law 91-646, the "Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970," (Uniform Act) was signed into law. The Uniform Act provides important protections and assistance for people affected by federally funded projects. This law was enacted by Congress to ensure that people whose real property is acquired, or who move because of projects receiving federal funds, will be treated fairly and equitably and will receive assistance in moving from the property they occupy.
Federal Transit Administration (FTA)	A USDOT sub-organization. The FTA is charged with administering the federal transit program, including buses, subways, light rail, commuter rail, trolleys, and ferries. Rules for administering projects funded by the transit program are not covered in this manual.

TERM	DEFINITION/EXPLANATION
The Federal Environmental Approvals Worksheet (FEAW)	A tool used to identify a project's NEPA classification and the agency (NYSDOT or FHWA) making the NEPA determination. The FEAW documents the status of other federal environmental approvals of interest to FHWA, which must be completed before making the NEPA determination. The FEAW must be completed for federally funded projects, most of which fall under the Categorical Exclusion classification, by the end of Design Phase I and for appropriate Real Property transactions.
Final Design Report (FDR)	The DR version that addresses comments received from the public and other agencies, identifies the preferred alternative, and is used to obtain NYSDOT and/or municipal approval of the project before beginning detailed design work.
Final Design Report/Environmental Assessment (FDR/EA)	The DR/EA that addresses comments received from the public, NYSDOT, and other agencies.
Final Design Report/Environmental Impact Statement (FDR/EIS)	The FDR/EIS that addresses comments received from the public, NYSDOT, and other agencies.
Final Environmental Impact Statement (FEIS)	The FEIS addresses comments received from the public and other agencies. The FEIS includes a detailed project description and an assessment of the environmental impacts and provides an Action Alternative and a response to comments on the DEIS.
Finding of No Significant Impact (FONSI)	A NEPA finding reflecting studies performed as part of an EA in which a determination is made that an EIS is not required. The FONSI concludes the NEPA process.
Fixing America's Surface Transportation Act (FAST)	Fixing America's Surface Transportation Act (FAST) was a five-year legislation adopted in December 2015 to improve the nation's surface transportation infrastructure, including streets and highways, bridges, transit systems, and rail transportation network.. This surface transportation act replaces MAP-21.
Force Account	A method of performing construction work using the Sponsor's employees and pre-purchased/delivered materials. Force Account work bases payment for the direct performance of construction work using the actual cost of labor, equipment, and materials, with consideration for overhead and profit for consultants or contractors working for the Sponsor.

TERM	DEFINITION/EXPLANATION
Functional Class	Functional classification is the process by which roads, streets, and highways are categorized and described as determined by the travel needs or objectives each road serves within the larger roadway network. There are three main functional classes of roadways as defined by the FHWA: arterial, collector, and local. These classes are further broken down into principal arterials, minor arterials, collector roads, and local roads. Each of these subclasses, in turn, is further categorized geographically into urban or rural.
Good Faith Effort (GFE)	All necessary and reasonable activity and documentation by a consultant or contractor to demonstrate (show) steps taken to achieve the D/M/WBE or SDVOB goal.
Grant Agreement	The agreement between the Sponsor/Municipality/Grantee and the NYSDOT and is necessary to obtain reimbursement of eligible project costs. Also known as a State-Local Agreement (SLA).
Grantee	Another name for Administering Agency.
High Priority Projects (HPP)	A program that provided designated funding for specific projects under the Transportation Equity Act for the 21st Century (TEA-21) as a continuation of the Demonstration Projects Program begun under ISTEA. The HPP program was further continued under SAFETEA-LU. . The program was formally eliminated by MAP-21.
Highway Design Manual (HDM)	The primary functions of the Highway Design Manual (HDM) are to (1) provide requirements and guidance on highway design methods and policies, and (2) assure uniformity of design practice throughout NYSDOT consistent with the collective experience of the DOT, the AASHTO, and FHWA. Local project sponsors are responsible for following NYSDOT's design standards and procedures embodied in the HDM.
Highway Safety Improvement Program (HSIP)	SAFETEA-LU established the HSIP as a core federal aid program intended to achieve a significant reduction in traffic fatalities and serious injuries on all public roads through infrastructure-related highway safety improvements. This program is data-driven, intending to achieve significant reductions in fatalities and serious injuries on all public roads (regardless of functional class). The federal share is usually 90%, but some projects may be eligible for 100%. The program was continued under MAP-21 and FAST.
Inactive Project	A project designated as inactive that does not have any billing activity for 12 months or more.
Independent Assurance Sampling and Testing (IAST)	Independent Assurance Sampling and Testing is periodic testing by a specially trained tester to verify that materials testing is being performed correctly using accurate test equipment.

TERM	DEFINITION/EXPLANATION
Intelligent Transportation System (ITS)	The application of advanced information and communications technology used in surface transportation projects to achieve enhanced safety and mobility while reducing the environmental impact of transportation. Traffic signal controls, speed cameras, and variable message signs are all examples of ITS devices.
Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA)	Legislation that provided a 6-year (FFY' 91-96) program authorization for highways, highway safety, and mass transportation. ISTEA was replaced by TEA-21.
Level of Service (LOS)	A qualitative measure which describes operational conditions within a traffic stream. LOS is typically used to describe factors such as speed and travel time, freedom to maneuver, traffic interruptions, comfort and convenience, and safety.
Local Design	The consultant or a Sponsor's professional design staff who designs federal and state aid transportation projects.
Local Public Agency (LPA)	Any village, town, city, county, municipality/Sponsor, or other political subdivision that owns transportation-related assets and is responsible for managing and maintaining those assets that are accessible to the traveling public. Such political subdivisions normally possess the legal authority to acquire right of way for highways or public roads and to provide relocation benefits. They are also empowered to cooperate with State transportation agencies in highway-related matters.
Long-Range Plan (LRP)	A MPO's long-range plan is a 20-year Regional Transportation Plan (RTP). The LRP is required by FHWA. SAFETEA-LU instituted the requirement that the LRP be updated every four years for air quality non-attainment areas and every five years for air quality attainment areas.
Main Office Project Manager (MOPM)	A NYSDOT Main Office contact for Sponsors advancing state or federally funded transportation projects. The MOPM is responsible for ensuring that locally administered transportation projects are administered in compliance with all federal, state, and local laws, rules, regulations, and executive orders.
Maintenance	As defined in 23 CFR Part 1.27 , is the preservation of the entire highway, including surface, shoulders, roadsides, structures, and such traffic control devices as necessary for its safe and efficient utilization.

TERM	DEFINITION/EXPLANATION
Manual of Uniform Traffic Control Devices (MUTCD)	Developed and maintained by FHWA, the MUTCD standards specify a system of traffic control devices for use on highways in the United States. The MUTCD is intended to create uniform and consistent signage, markings, and devices for transportation systems that are understood throughout the nation. The National MUTCD has been adopted by New York State with provisions for the NYS Supplement. Combined, the two form the "manual and specifications for a uniform system of traffic control devices" required by §1680(a) of the Vehicle and Traffic Law, Chapter 137 .
Marchiselli Program	Municipal Streets and Highway Program, commonly referred to as the Marchiselli Program, was created as a means of assisting municipalities in financing the non-federal share of federally aided transportation projects. Under the program, municipal Sponsors progressing projects on local highway systems through a federal aid highway program may be eligible for state reimbursement of up to 75% of the non-federal share. Marchiselli Program funds may only be used for construction, reconstruction, or improvement of local highways, bridges, or highway-railroad grade crossings off the State Highway System. The project must have a ten (10) year minimum service life. The Marchiselli Program is the primary state aid matching program for locally administered FHWA-funded projects. Marchiselli Program funding is subject to annual appropriation in the state budget.
Materials Certificate	An attestation that the materials supplied meet the requirements of the contract specifications. A certificate is often used as evidence of acceptability in place of material testing.
Materials Testing	Tests are conducted on materials to be used in a project to determine whether such materials meet specifications.
Merchandise Inventory Received Date (MIR)	The date when a correct and properly documented payment request (Sponsor's Reimbursement Request) is received by the RLPL.
Metropolitan Planning Organization (MPO)	The transportation planning entity for urban areas with populations over 50,000. MPOs are federally mandated and authorized by NYS Transportation Law Section 15-a . NYSDOT is a member of each MPO in New York State. Each MPO is responsible for its metropolitan area's Regional Transportation Plan (RTP), Unified Planning Work Program (UPWP), Long Range Plan (LRP), and the Transportation Improvement Program (TIP).

TERM	DEFINITION/EXPLANATION
Minority/Women-Owned Business Enterprise (M/WBE)	The M/WBE program is a New York State-regulated program that promotes business opportunities for minorities and women in the awarding and administration of NYS-assisted contracts. The program operates according to Article 15-A of the NYS Executive Law . M/WBE requirements do not apply to federally funded transportation projects, in which DBE requirements take precedent.
Moving Ahead for Progress in the 21st Century Act (MAP-21)	A surface transportation act signed into law on July 6, 2012, which funded surface transportation programs for FFYs 2013 and 2014. It was the first long-term highway authorization bill enacted since 2005 and built on and refined many of the highway, transit, bicycle, and pedestrian programs and policies established in 1991 by ISTEA and continued under subsequent acts, TEA-21, and SAFETEA-LU. MAP-21 continued to be funded through multiple Congressional extensions.
Municipality	A Sponsor that is a county, city, town, or village.
National Environmental Policy Act (NEPA)	NEPA sets national environmental policy, establishes a basis for Environmental Impact Statements (EIS), and creates the Council on Environmental Quality (CEQ). NEPA requires the examination and consideration of all federally funded actions on sensitive resources of the natural and built environment.
National Highway Performance Program (NHPP)	A federal highway program for investing in the NHS. The NHPP is designed to support the condition and performance of the NHS and for the construction of new facilities on the NHS. NHPP also ensures that investments of federal-aid funds in highway construction are directed to support progress toward the achievement of performance targets established in a state's asset management plan. The NHPP encompasses construction, replacement, rehabilitation, preservation, and protection of NHS bridges and tunnels. The NHPP replaces the National Highway System Program and, with respect to bridges on the NHS, the Highway Bridge Program (HBP). Under its present designation, the NHPP was created in MAP-21 and continued in the FAST Act.
National Highway System (NHS)	A federal highway classification, created under ISTEA and expanded under TEA-21, the NHS includes approximately 160,000 miles of rural and urban roads serving major population centers, international border crossings, intermodal transportation facilities, and major travel destinations. Projects on NHS roads are subject to extensive oversight by USDOT. The NHS additionally includes the Interstate System, all principal arterials and border crossings on those routes, and the network of highways important to the U.S. defense-related Strategic Highway Network (STRAHNET) and its connectors to major military installations.

TERM	DEFINITION/EXPLANATION
National Pollutant Discharge Elimination System (NPDES)	A federal permit program that addresses water pollution by regulating the point sources that discharge pollutants into water operated by the United States Environmental Protection Agency (EPA) and implemented by the NYS Department of Environmental Conservation (NYSDEC) through New York's State Pollutant Discharge Elimination System (SPDES) program (see NYSDOT Highway Design Manual, Chapter 8 , and The Environmental Manual [TEM], Chapter 4).
New York Codes, Rules, and Regulations (NYCRR)	The official compilation of public directives for New York State agencies.
New York State Department of Transportation (NYSDOT)	A NYS executive department charged with administering over the state transportation system. NYSDOT is recognized by FHWA as the official State Highway Agency (SHA) or State Transportation Department (STD).
New York State Office of Parks, Recreation, and Historic Preservation (OPRHP)	A NYS agency which includes the State Historic Preservation Office (SHPO). The NYSOPRHP administers the Recreational Trails Program (RTP) for NYSDOT.
New York State Supplement to the National Manual on Uniform Traffic Control Devices (MUTCD)	Includes deviations to the MUTCD. The Supplement is used and justified in cases where: NYS law deviates from the MUTCD; more stringent guidance is desired; traffic control devices unique to New York are needed; or the exclusion of optional traffic control devices is desired. These deviations are adopted through the State Administrative Procedures Act (SAPA) process and by permission of the FHWA.
Non-Architectural/Engineering	Non-professional services that do not require a license from the NYS Education Department. Environmental assessments, materials testing, traffic studies, public outreach, and right-of-way services are examples of non-architectural/engineering services.
Non-Federally Aided Grant Contracts	Locally-administered transportation projects that are typically funded in whole or in part with state funds and contain no federal program funds.
Non-Conforming Features	Design parameters that are not <i>Critical Design Elements</i> (as defined in Chapters 2 and 7 of the HDM) and do not meet standard engineering practice. Non-conforming features should be identified and explained based on the deviation from standard practice. Formal approval is not required.
Non-Standard Features	<i>Critical Design Elements</i> (as defined in Chapters 2 and 7 of the HDM) which do not meet standard engineering practice and require formal justification and approval.

TERM	DEFINITION/EXPLANATION
North American Industry Classification System (NAICS)	The North American Industry Classification System (NAICS) is the standard used by federal agencies in classifying business establishments for the purpose of collecting, analyzing, and publishing statistical data related to the U.S. business economy.
Obligation	The federal government's legal commitment (promise) to pay or reimburse state agencies for the federal share of a transportation project's eligible costs. Funds are obligated for a project or project phase when authorization of federal funds for that project or project phase is approved by the FHWA.
Obligation Authority	The total amount of funds that may be obligated in a Federal Fiscal Year (FFY). For the Federal Aid Highway Program, this is comprised of the obligation limitation amount plus amounts for programs exempt from the limitation. Spending for federal transportation programs administered by NYSDOT is limited annually by the Obligation Authority made available at the federal level by Congress.
Permanent Repairs	Defined in the FHWA Emergency Relief (E.R.) Program, permanent repairs are undertaken after Emergency Repairs have been completed to restore a facility to pre-disaster condition. Permanent repair projects must follow the federal-aid process outlined in LPM Chapter 2 .
Phase	For federal aid authorization and funding, project development is divided into three phases: (1) Preliminary Engineering and Final Design; (2) ROW Incidentals and ROW Acquisition; (3) Construction, Construction Supervision, and Construction Inspection. These phases are typically authorized and progressed sequentially (also see <i>Design Phase</i>).
Preliminary Engineering (PE)	A project phase which includes all initiation and development activities undertaken after the project is included in the approved STIP through the completion of Contract Bid Documents. PE may include preliminary ROW investigations necessary to complete the environmental document.
Process Evaluation and Development Activity (PEDA)	A joint programmatic review process between NYSDOT and FHWA.
Project Development Manual (PDM)	NYSDOT's official guidance for advancing a transportation project. The PDM includes instructions on how to hold a public hearing or meeting and the format and content of a Design Approval Document.

TERM	DEFINITION/EXPLANATION
Project Identification Number (PIN)	A unique, six-digit number assigned to each project by the NYSDOT Regional Office and used in NYSDOT's Financial Management System. The first six digits always remain the same while the last three are used to identify the phase of work and to indicate the use of federal or state funds. A unique nine-digit PIN is required for each phase of work and funding source.
Project Management Plan (PMP)	A PMP outlines: scope, milestones, products, a current cost estimate, reviews, and approvals. The PMP is a living document that is the primary communication tool between NYSDOT and the Sponsor that provides clear assignment of authority and accompanying responsibility for the duration of the project. A PMP is required for every project and should be updated regularly throughout the life of the project. It should also be used as a performance measure for the project.
Project Scoping	Scoping is the work that needs to be accomplished to deliver a product, service, or result with the specified features and functions by identifying the needs and purposes, weighing of alternatives, and determining the scope of work.
Project Worksheet (PW)	The application form for funding under the FEMA PA program. The PW is submitted electronically online to FEMA.
Proposed Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way (PROWAG)	A 2011 supplemental to the ADAAG. PROWAG is the primary regulatory standards that govern the design and construction of all pedestrian facilities. The guidelines ensure that sidewalks, pedestrian street crossings, pedestrian signals, and other facilities for pedestrian circulation and use constructed or altered in the public right-of-way by state or local governments are readily assessable and useable by pedestrians with disabilities.
Quality Assurance Program (QAP)	Sampling and testing to ensure materials and workmanship are in conformance with contract specifications. The two main elements of a QAP are acceptance testing and independent assurance sampling and testing. A QAPPP is the formal Quality Assurance Project Plan.
Quality Control/Quality Assurance (QC/QA)	Quality Control is the independent checking of work and use of control points (approvals) to ensure a high level of confidence that each product will meet expectations. Quality Assurance is a process, set of standards, random sampling/monitoring, and training that will reasonably assure that acceptable products can be produced.
Recipient	An entity that receives funds in the form of a grant, cooperative agreement, or loan directly from the federal government. Typically, NYSDOT is referred to as a <i>recipient</i> , while a Sponsor is referred to as a <i>sub-recipient</i> .

TERM	DEFINITION/EXPLANATION
Record of Decision (ROD)	A NEPA or SEQRA document summarizing the benefits and detriments of the various project alternatives and the basis for the selection of the chosen alternative. It also identifies any mitigation measures to be included in the project. A ROD is prepared based on the results of a FEIS. The ROD concludes the environmental process (similar to a FONSI in 6 NYCRR Part 617).
Region	For NYSDOT, a region is one of 11 geographic subdivisions, which is organized to administer its affairs in specific localities. Each NYSDOT region interacts with Sponsors to administer their projects.
Regional Director (RD)	Is the head administrator for a NYSDOT Regional Office. The RD reports directly to the Director of Regional Affairs. RDs do not execute contracts for NYSDOT, such as the SLA.
Regional Local Project Liaison (RLPL)	The Regional Office contact for Sponsors advancing federal and/or state aid transportation projects. The RLPL is responsible for ensuring that locally administered projects receive adequate supervision and inspection such that they comply with all federal, state, and local laws, rules, and regulations.
Regional Planning & Program Manager (RPPM)	The Regional Office executive responsible for the planning, preparation, and management of the Region's capital program, including the local project component of that plan. The RPPM oversees and directs the work of the RLPLs.
Rescission	Legislation enacted by Congress which withdraws the availability of budget and/or contract authority previously enacted before the authority would otherwise expire. A rescission permanently removes funding from programs administered by NYSDOT and has the possibility of impacting ongoing projects.
Resident Engineer (RE)	A qualified Professional Engineer (or individual under the direction of a Professional Engineer) who supervises the execution of the construction contract on behalf of the Sponsor. A RE is often provided through an engineering consultant. The RE's tasks include inspection and recordkeeping.

TERM	DEFINITION/EXPLANATION
Responsible Local Official (RLO)	A project facility owner's designated official who has the authority to enter into a legal and binding agreement with NYSDOT to progress a transportation project and grant project approvals. RLO examples include mayor, town supervisor, county executive, chair of the county board of supervisors, state agency commissioner, etc. The designated municipal/agency RLO may delegate the responsibility to another official (e.g., highway superintendent, municipal engineer, chief financial officer, deputy commissioner). Duties for all phases of project development may be delegated to technical experts, but the RLO maintains ultimate responsibility for the successful outcome of a project.
Right-of-Way (ROW)	Land and/or property rights required by state or local government (Sponsor) for transportation infrastructure. ROW consists of property, which is part of an existing facility, as well as that which is outside of the existing facility but required for a project.
ROW Acquisition	Purchase or acquisition, by applicable eminent domain or condemnation proceedings, of a specific parcel of real property required for a project. The ROW Acquisition phase can include such activities as written offers of just compensation (based on results of the appraisals) to property owners; payment to property owners; acquisition of title or rights to property; and completion of the ROW Clearance Certificate before advertising. For a project to be federal aid eligible, ROW must be acquired following the Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act ("Uniform Act"), even if federal reimbursement is not being sought for the acquisition.
Right-of-Way Clearance Certificate	A document that identifies the acquisition status of necessary ROW, if any, for advancing a project to construction.
ROW Incidentals	Activities preliminary to the acquisition of real property. Included in such activities are title searches, appraisals and appraisal review, deed preparation, completion of the ROW Table of Acquisitions for inclusion in the design report, conceptual stage relocation planning, creation of brochures explaining land acquisition procedures and distribution to potentially affected property owners, and public hearings.
Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU)	A 5-year federal authorization of transportation funds signed into law in 2005 and extended in 2010 and 2011. This authorization was replaced by MAP-21 in 2012 and FAST Act in 2015.
Source Inspection	Acceptance testing of manufactured and prefabricated materials at locations other than the job site.

TERM	DEFINITION/EXPLANATION
Sponsor	Another name for an administering agency, as defined above.
State Aid	State-administered funds dedicated to transportation projects.
State Environmental Quality Review Act (SEQRA)	Environmental Conservation Law §8-0101 requires state and local agencies to make certain environmental determinations for projects or when the state or local agencies directly undertake activities, policies, regulations, or procedures. Actions likely resulting in a significant effect on the environment will require preparation of an (EIS). NYSDOT-administered projects comply with SEQRA in Title 17 NYCRR Part 15 . Projects not administered by NYSDOT follow DEC regulations in 6 NYCRR Part 617 or they may follow local regulations developed and approved in accordance with SEQRA. For example, New York City has issued its regulations to comply with SEQR.
State Historic Preservation Office (SHPO)	A subdivision of the NYS Office of Parks, Recreation, and Historic Preservation (OPRHP). Coordination with SHPO is required on projects involving historic properties.
State-Local Agreement (SLA)	A contract between NYSDOT and a project Sponsor which codifies the Sponsor's promise to deliver a project or perform project tasks following all applicable standards, procedures, rules, laws, etc., for which NYSDOT promises reimbursement. The SLA consists of the standard agreement, along with all supplemental agreements. The SLA is the mechanism to provide reimbursement to the Sponsor from NYSDOT for locally administered transportation projects.
State Pollution Discharge Elimination System (SPDES)	A State program, approved by the United States Environmental Protection Agency (USEPA), which governs wastewater and stormwater discharges under the Clean Water Act. SPDES is broader in scope than that required by the Clean Water Act in that it controls point source discharges to groundwater, as well as to surface waters. SPDES operates through the USEPA's National Pollutant Discharge Elimination System (NPDES) program. Permits are issued in accordance with the requirements of the New York State Environmental Conservation Law ("ECL"). Discharges of pollutants to all "Waters of New York State," including groundwater, are unlawful unless they are authorized by a SPDES permit.

TERM	DEFINITION/EXPLANATION
State Smart Growth Public Infrastructure Policy Act (SSGPIPA)	Signed into New York State law in 2010, the Act maximizes “the social, economic and environmental benefits from public infrastructure development through minimizing unnecessary costs of sprawl development including environmental degradation, disinvestment in urban and suburban communities and loss of open space induced by the funding or development of new or expanded transportation, sewer and wastewater treatment, water, education, housing and other publicly supported infrastructure inconsistent with smart growth infrastructure criteria.” All locally administered transportation projects are subject to SSGPIPA.
Statewide Transportation Improvement Program (STIP)	A statewide prioritized program of transportation projects covering a period of four years which must be consistent with the long-range statewide transportation plan, MPO plans, and TIPs. For transportation projects to be eligible for funding under Title 23 USC and Title 49 USC Chapter 53 . [23 CFR 450.104.], the project must be listed on the STIP. Proposed projects located within an MPO area must first be listed on the TIP. Proposed projects located outside MPO areas, i.e., rural projects, are submitted directly by the NYSDOT Region for consideration for STIP listing.
Subrecipient	A county, city, town, village, railroad, airport, transit operator, or other public agency, public authority authorized and designated under its agreement with NYSDOT to design, acquire ROW, advertise, open bids, award, construct and administer contracts for federal or state aid transportation projects. A subrecipient may also be referred to as the Municipality/Sponsor/Grantee.

TERM	DEFINITION/EXPLANATION
Substantial Completion Date	<p>The date, as determined in writing by the Engineer-in Charge and in accordance with project requirements, when all of the following have occurred:</p> <ul style="list-style-type: none"> • The public (including vehicles and pedestrians) has full and unrestricted use and benefit of the facilities both from the operational and safety standpoint, except as set forth below. • Detailed inspections are performed, but final inspection has not occurred. • All safety features are installed and fully functional, including, but not limited to, illumination, signing, temporary or permanent striping, barrier, guide rail, impact attenuators, delineators, and all other safety appurtenances. • Only minor incidental work remains for the completion of the contract, such as: <ul style="list-style-type: none"> Punchlist items, replacement of temporary substitute facilities, correction, report, submittals, or demobilization. • The pending minor incidental work does not play a role in preventing deterioration of the completed contract work. • The contractor and engineer-in-charge mutually agree that all work remaining will be performed with short term or mobile lane closures to minimize delays, disruption, or impediment to the traveling public. Long-term lane closures shall not occur.
Surety Bond	Is an obligation by a financial institution securing the performance of a contractor. Other forms of security may serve the same function, such as, cash, letters of credit, or liquidable securities, depending on applicable laws and practices. Two types of surety bonds used in connection with federal aid transportation projects are Performance Bonds and Labor and Materials Bonds.
Surface Transportation Program (STP)	Flexible funding that may be used by states and Sponsors for projects on any federal aid highway, including the NHS, bridge projects on any public road, transit capital projects, and intracity and intercity bus terminals and facilities.
Title VI	Title VI of the Civil Rights Act of 1964 prohibits discrimination based on race, color, sex, and national origin in programs and activities receiving federal financial assistance.

TERM	DEFINITION/EXPLANATION
Traffic Control Plans (TCP)	Plans to facilitate the planned movement of pedestrian, bicycle, and motor vehicle traffic during the construction phase of a transportation project.
Transportation Advisory Committee (TAC)	Is similar to an MPO but are organized for rural areas that do not meet the minimum number of people in the area to form an MPO.
Transportation Alternatives Program (TAP)	An NYSDOT-administered federal reimbursement program, established by MAP-21, and provides funds for non-traditional surface transportation projects of cultural, aesthetic, historic, and environmental significance. TAP provides funding for programs and projects defined as transportation alternatives, including on- and off-road pedestrian and bicycle facilities, infrastructure projects for improving non-driver access to public transportation, community improvement activities, and environmental mitigation. TAP encompasses safe routes to school projects and projects for planning, designing, or constructing boulevards and other roadways largely in the right-of-way of former Interstate System routes or other divided highways. Programmatically, TAP replaces the Transportation Enhancement Program (TEP), Safe Routes to School Program (SRTS), and Scenic Byways Program.
Transportation Equity Act for the 21st Century (TEA 21)	A federal surface transportation act enacted in June 1998 which largely continued the funding programs of ISTEA and preceded those of SAFETEA-LU.
Transportation Improvement Program (TIP)	By statute, the TIP is an MPO's four-year program of transportation projects for the respective metropolitan area. The TIP is a spending plan for federal funds available from all sources for transportation projects of all types. By federal law, the TIP must be updated with the cooperation of the local governments, transit operators, and NYSDOT, who are MPO members, at least once every two years and be approved by the MPO and the Governor. Federally-funded projects within an MPO area cannot be advanced unless they come from an approved TIP.
United States Code (USC)	The United States Code (USC) is an official compilation of federal laws. Highway and transportation laws are contained in Title 23: Highways and Title 49: Transportation of the USC.

TERM	DEFINITION/EXPLANATION
Value Engineering (VE)	An independent engineering study of a project. A VE is completed by licensed engineers who are not on the project team. The purpose of a VE is to look for ways to: (1) provide needed design and construction functions safely, reliably, efficiently and at the lowest overall cost; (2) improve the value and quality of the project, and (3) reduce the time to complete the project. VE is federally mandated during the design phase to explore best practices for all projects on the NHS valued at greater than \$50 million for highway projects and greater than \$40 million for bridge projects. FHWA may also require more than one VE analysis to be performed on major projects with an estimated cost of \$500 million or more, and any other federal aid project FHWA determines to be appropriate. VE can also be proposed by the contractor under Section 100 of the standard specification.
Vendor	An interchangeable term used for a contractor or Sponsor.
Withdrawal	The release of funds on projects with little or no expenditure activity since federal authorization. This action removes all federal authorization to perform the work and revokes all federal participation in a project. The funds and obligation authority are released to be used on other projects. Federally reimbursable costs cannot be incurred in such cases until the project is placed back on the STIP and funds are re-authorized by FHWA if applicable.
23 USC (Title 23 of the United State Code)	<p>This federal statute outlines the role of highways in the United States Code. The USC is organized in the following sections:</p> <ul style="list-style-type: none"> • 23 USC Chapter 1—Federal Aid Highways • 23 USC Chapter 2—Other Highways • 23 USC Chapter 3—General Provisions • 23 USC Chapter 4—Highway Safety • 23 USC Chapter 5—Research and Technology • 23 USC Chapter 6—Infrastructure Finance

1.7 NYSDOT WEBSITE OF ACRONYMS

Below are acronyms and abbreviations which appear in other chapters but are not covered in the terms and definitions section above. There is a more comprehensive transportation-related list on the [NYSDOT website](#).

<u>AASHTO</u>	American Association of State Highway and Transportation Officials
<u>APA</u>	Adirondack Park Agency
<u>ASTM</u>	American Society for Testing and Materials
<u>AT</u>	Acceptance Testing
<u>USACE</u>	United States Army Corps of Engineers
<u>CPA</u>	Certified Public Accountant
<u>EPA</u>	Environmental Protection Agency
<u>FAR</u>	Federal Acquisition Regulations
<u>GIS</u>	Geographic Information Systems
<u>NMFS</u>	National Marine Fisheries Service
<u>NYSDEC</u>	New York State Department of Environmental Conservation
<u>NYSDOS</u>	New York State Department of State
<u>OSC</u>	Office of the New York State Comptroller
<u>SWPPP</u>	Storm-water Pollution Prevention Plan
<u>USCG</u>	United States Coast Guard
<u>USDA</u>	United States Department of Agriculture
<u>USDOT</u>	United States Department of Transportation
<u>USFWS</u>	United States Fish and Wildlife Service
<u>USGAO</u>	United States Government Accountability Office
<u>USGS</u>	United States Geological Survey

1.8 REFERENCES, CHAPTER 1 INTRODUCTION AND OVERVIEW

TITLE	LINK
FEDERAL LAWS & REGULATIONS	
2 CFR 200, Grants and Agreements	https://www.ecfr.gov/current/title-2/subtitle-A/chapter-II/part-200?toc=1
23 United States Code (USC)	https://uscode.house.gov/browse/prelim@title23&edition=prelim
23 USC § 1, Maintenance	https://www.ecfr.gov/current/title-23/chapter-I/subchapter-A/part-1/section-1.27
23 USC § 101, Definitions and Declaration of Policy	https://www.law.cornell.edu/uscode/text/23/101
23 USC § 123, Emergency Relief	https://uscode.house.gov/view.xhtml?req=granuleid:USC-prelim-title23-section125&num=0&edition=prelim
23 CFR § 635.105(c)(4), Supervising Agency	https://www.ecfr.gov/current/title-23/chapter-I/subchapter-G/part-635/subpart-A/section-635.105
42 USC § 61, Uniform Relocation Assistance and Real Property Acquisition for Federal and Federally Assisted Programs	https://uscode.house.gov/view.xhtml?path=/prelim@title42/chapter61&edition=prelim
42 USC § 2000d, Title VI of the Civil Rights Act of 1964	https://www.justice.gov/crt/fcs/TitleVI
49 United States Code (USC)	https://uscode.house.gov/browse/prelim@title49&edition=prelim
49 USC Chapter 53, Public Transportation	https://www.law.cornell.edu/uscode/text/49/subtitle-III/chapter-53
Americans with Disabilities Act of 1990	https://www.ada.gov/law-and-regs/ada/
The Civil Rights Act of 1964	https://www.archives.gov/milestone-documents/civil-rights-act

Federal-Aid Highway Act of 1956	https://www.govinfo.gov/content/pkg/STATUTE-70/pdf/STATUTE-70-Pg374.pdf
Federal Emergency Management Agency (FEMA), Stafford Act	https://www.fema.gov/disaster/stafford-act#:~:text=Stafford%20Disaster%20Relief%20and%20Emergency,to%20FEMA%20and%20FEMA%20programs.
Federal Environmental Approvals Worksheet (FEAW)	https://www.dot.ny.gov/portal/pls/portal/mexis_app.pa_ei_e_b_admin_app.show_pdf?id=12848
Federal Highway Administration (FHWA), Federal Aid Policy Guide	https://www.fhwa.dot.gov/legisregs/directives/fapgtoc.htm
Federal Highway Administration (FHWA), Transportation Equity Act for the 21st Century	https://www.fhwa.dot.gov/tea21/index.htm
National Environmental Policy Act (NEPA)	https://www.epa.gov/nepa
Federal Highway Administration (FHWA), Transportation Equity Act for the 21st Century	https://www.fhwa.dot.gov/tea21/index.htm
National Manual on Uniform Traffic Control Devices for Streets and Highways (MUTCD)	https://www.dot.ny.gov/mutcd
Rehabilitation Act of 1973, Section 504	https://www2.ed.gov/policy/rights/reg/ocr/edlite-34cfr104.html
Bipartisan Infrastructure Law (BIL)-	https://www.fhwa.dot.gov/bipartisan-infrastructure-law/docs/BIL_overview_update_2022-11-8b.pdf

STATE LAWS & REGULATIONS

6 NYCRR Part 617, State Environmental Quality Review	https://www.dec.ny.gov/docs/permits_ej_operations_pdf/pa_rt617seqr.pdf
17 NYCRR Part 15, Procedures for Implementation of State Environmental Quality Review Act	https://www.dot.ny.gov/divisions/engineering/environmental-analysis/manuals-and-guidance/epm/repository/4_4_6_17NYCRR_Part15.pdf
New York State Environmental Conservation Law § 8-0101, Purpose	https://www.nysenate.gov/legislation/laws/ENV/8-0101

New York State Executive Law, Article 15-A	https://esd.ny.gov/doing-business-ny/mwbe
New York State Smart Growth Public Infrastructure Policy Act (SGPIPA)	https://www.dot.ny.gov/programs/smart-planning/smartgrowth-law
New York State Transportation Law, § 15-a , Metropolitan Planning Organization and Participants; Certain Functions.	https://codes.findlaw.com/ny/transportation-law/tra-sect-15-a/
New York State Transportation Law, Chapter 137 § 1680(a) , Department of Transportation to Maintenance a Manual of Uniform Traffic Control Devices	https://casetext.com/statute/consolidated-laws-of-new-york/chapter-vehicle-and-traffic/title-8-respective-powers-of-state-and-local-authorities/article-44-traffic-control-devices/section-1680-department-of-transportation-to-maintain-a-manual-of-uniform-traffic-control-devices

NYSDOT POLICIES, PROCEDURES, & GUIDANCE

NYSDOT	https://www.dot.ny.gov/index
NYSDOT, Bridge NY Program	https://www.dot.ny.gov/BRIDGENY
NYSDOT, Disadvantaged Business Enterprise (DBE) Program	https://www.dot.ny.gov/main/business-center/civil-rights/dbe
NYSDOT, Transportation Environmental Manual (TEM), Chapter 4 , Water and Ecology	https://www.dot.ny.gov/divisions/engineering/environmental-analysis/manuals-and-guidance/epm/chapter-4
NYSDOT, Highway Design Manual (HDM)	https://www.dot.ny.gov/divisions/engineering/design/dgab/hdm
NYSDOT, Highway Design Manual (HDM), Chapter 8 , Highway Drainage	https://www.dot.ny.gov/divisions/engineering/design/dgab/hdm/chapter-8
NYSDOT, Local Project Manual (LPM)	https://www.dot.ny.gov/plafap
NYSDOT, Local Project Manual (LPM), Chapter 3 , Project Initiation, Management, and Funding	https://www.dot.ny.gov/plafap/view-document?id=1192
NYSDOT, Project Development Manual (PDM)	https://www.dot.ny.gov/divisions/engineering/design/dgab/pdm

NYSDOT, Statewide Transportation Improvement Program (STIP)	https://www.dot.ny.gov/programs/stip
NYSDOT, Surface Transportation Program (STP)	https://www.dot.ny.gov/divisions/policy-and-strategy/public-transportation/funding-sources/stp-flex
NYSDOT, Transportation Alternatives Program (TAP)	https://www.dot.ny.gov/TAP-CMAQ

ADDITIONAL RESOURCES

Carbon Reduction Program (CRP)	https://www.fhwa.dot.gov/environment/sustainability/energy/policy/crp_guidance.pdf
Categorical Exclusion Determination for Emergency Repair (CEDER)	https://www.dot.ny.gov/divisions/engineering/environmental-analysis/manuals-and-guidance/epm/repository/FEAW1.zip
FEMA, Assistance for Governments and Private Non-Profits After a Disaster (FEMA's Public Assistance Program)	https://www.fema.gov/assistance/public
Federal Highway Administration (FHWA)	https://highways.dot.gov/
New York State County Highway Superintendents Association (NYSCHSA)	https://www.countyhwys.org/
New York State Department of Transportation (NYSDOT)	https://www.dot.ny.gov/index
New York State Department of Transportation (NYSDOT), Engineering Information Issuance System	https://www.dot.ny.gov/main/business-center/consultants/forms-publications-and-instructions/engineering-information-issuance-system
New York State Department of Transportation, Publications and Guidance	https://www.dot.ny.gov/publications
New York State Division of Homeland Security and Emergency Services	https://www.dhSES.ny.gov/
New York State Service-Disabled Veteran-Owned Business Directory	https://sdves.ogs.ny.gov/business-search

**New York State Unified Certification
Program, DBE Directory**

<https://nysucp.newnycontracts.com/>

**United States Census Bureau, North
American Industry Classification System
(NAICS)**

<https://www.census.gov/naics/>