

**THIS MEMO IS EXPIRED**

March 2, 2001

**MEMORANDUM NO. 03-01**

**TO: DISTRICT CONSTRUCTION ENGINEERS  
DIRECTORS OF OPERATIONS**

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

**COPIES:** Charles Goodman, Archie Montgomery, Specialty Engineers (SCO)

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

The Department requested and has received approval of a new Exemption Agreement and 23 USC 106 Exemption Process. This revision to the current February 2000 agreement involves full delegation to the Districts of all NHS project – related approval actions as they pertain to determining Federal-Aid participation in time extensions, supplemental agreements, and contract claims. Consequently, there will be no further Central Office Oversight (C.O.O.) for NHS Construction projects effective this date.

With this delegation of all NHS project-related approval actions to the District goes the responsibility of completing and submission of FHWA – Form 45 (Bid Price Data) for projects that are valued at \$500,000 or more. FHWA – Form 45 must be submitted to FHWA within 2 weeks of the date of award.

We realize that submission of FHWA – Form 45 may be a unique experience for your staff. Consequently, we have requested and obtained a commitment from FHWA to provide training to the Districts by their field engineers on how to properly complete and submit the required bid price data forms.

Please identify the people who will be assigned the responsibility for completing the FHWA – Form 45 and this office will coordinate with Mr. Don Davis of FHWA to provide the training. Send your requests for training to Archie Montgomery CN982MA, Suncom 994-4146, by March 9, 2001 so that the training can be properly scheduled.

If you have any questions, please contact Archie Montgomery at Suncom 994-4146.

GX/mc

