

## CONTRACT ADMINISTRATION FOR FEDERAL HIGHWAY ADMINISTRATION PROCUREMENT PROJECTS GUIDE

### 1.0 PURPOSE

To establish a general guide documenting the contract administration of Federal Highway Administration federal-aid programs such as traffic, preventative maintenance, Safe Routes to School (SRTS) Non-Infrastructure and Arizona Department of Transportation (ADOT) administered local government projects that are contracted through ADOT Procurement Group (in lieu of ADOT Contract and Specifications).

### 2.0 SCOPE

- A. This guide applies to the following types of Federal Highway Administration federally funded procurement contracts:
  - 1. Materials only contracts – Procurement of materials only. The installation is funded with state or local funding. The installation costs are not federally reimbursable with the exception of Emergency Relief funded projects.
  - 2. Materials and a contractor for installation (or construction) – Procurement of materials and a contractor to install materials. The contract administration for the procurement of materials and a contractor to install is done by ADOT. The installation costs are federally reimbursable.
  - 3. SRTS Educational/Support Activities – Procurement of educational material and support activity materials in execution of a SRTS program.
- B. The Standard Work for Procurement Projects Guide (State and Local) has been developed to provide a high-level overview of the activities for Materials Only and Materials with Contractor Installation projects.

### 3.0 AUTHORITY

[Arizona Revised Statutes \(A.R.S.\) Title 28, Chapter 20-State Highways and Routes](#)

[Arizona Revised Statutes Title 41 \(A.R.S.\) Chapter 23-Arizona Procurement Code](#)

## 4.0 BACKGROUND

- A. The Arizona Procurement Code applies to every expenditure of public monies, including federal assistance monies, except as otherwise specified in [A.R.S. §41-2637](#).
- B. In addition, [A.R.S. § 41-2501\(K\)](#) provides an exemption to the Arizona State Transportation Board and the Director of ADOT for the procurement of construction or reconstruction of transportation facilities or highway facilities, including professional engineering services that are within the scope of engineering practice as provided in [A.R.S. Title 32, Chapter 1](#) ; and any other services that are directly related to land titles, appraisals, real property acquisition, relocation, property management of building facility design and construction for highway development and that are required pursuant to [A.R.S. Title 28, Chapter 20](#). Construction projects that meet this exemption are processed through ADOT's Contracts and Specifications Section. Engineering and Design projects that meet this exemption are processed through ADOT's Engineering Consultants Section. The determination regarding exempt and nonexempt procurement is made in accordance with the guidelines outlined in the Arizona Procurement Code by the Procurement Group, Engineering Consultants Section, Contracts and Specifications Section, or any combination of those groups and sections, and with recommendation from the Attorney General's office, if applicable.
- C. In addition to existing procedures, standard work documents have been developed to maintain oversight and quality assurance in the administration of ADOT and local government projects using federal-aid funds and to ensure Federal Highway Administration funds are properly managed and effectively used in accordance with federal policies while maintaining compliance with the requirements of the Arizona Procurement Code.

## 5.0 DEFINITIONS

Contractor/Consultant	Any person or entity that has a contract with the State.
Educational/ Support Activities	Development of program websites to more easily and efficiently promote, track, and report program progress and obtain community feedback. Bulk item ordering; best for a lead agency to order for several local agency programs, such as bike helmets, crossing guard vests, stop paddles, 15 MPH rollout signs, etc.
Exempt	Advertisement through ADOT Contracts and Specification Section.

Installation	Any applicable outside service contracted labor, material or other incidental item and service, including construction that is directly applicable and needed for the material to achieve the approved scope. <del>ef</del>
Local Public Agency	A city, town, county, tribe, metropolitan planning organization, or council. <del>ef</del>
Materials	Any actual made or assembled physical product, including equipment, that can be used to directly improve or allow for the improvement that is intended and approved by the Federal Highway Administration through the applicable federal aid program being used to purchase it. Additionally, the product has to be readily traceable in its form, presence or mark-label (e.g. serial number), which enables it to be verified by a third party as to when it is delivered, installed and in use.
Nonexempt	Advertisement through ADOT Procurement.
SRTS	Safe Routes to School
Study	Costs to engage the services of a consultant or consulting firm for study related projects (either non-profit or for-profit) to develop SRTS framework studies, including data gathering, analysis, and generation of new or to update walking/biking route maps as part of the implementation strategy of an existing SRTS project.
Traffic	Traffic projects may include HSIP (Highway Safety Improvement Program) & ITS (Intelligent Transportation Systems).