

FHWA/MoDOT Partnering Agreement

Financial Program

Roles and Responsibilities of FHWA and MoDOT:

The following activities require coordination between FHWA and MoDOT in order to attain reviews/approvals within the agreed timeframes. In this agreement, all reference to days denotes business days. FHWA and MoDOT agree to work as true partners to ensure the success of the Financial Program.

The following table identifies the various approval/review activities.

Activities		MoDOT/FHWA Responsibilities		
Approval/Action	Reference Document	Description of Actions and Responsibilities	Expected Timeframe (MoDOT)	Expected Timeframe (FHWA)
Appropriations, Allotments, Obligations	31 USC 1341(a)(1)(A) & (B); 31 USC 1517(a); 23 USC 118(b); 23 USC 121	Obligation of federal aid funds by the applicable program deadlines. Percent of local program funds obligated reported through Tracker-6g.	MoDOT will monitor appropriations, allotments, and obligations to ensure that all funding is used efficiently and in accordance with state and federal laws and regulations and use all Obligation Authority (OA) by the end of the year. This will be completed while implementing MoDOT's Tangible Results priorities and goals.	FHWA will communicate funding notices to MoDOT, within 1 – 2 working days.
August Redistribution	Annual FHWA Notice	MoDOT will report to FHWA its request for August Redistribution by the requested due date each year.	MoDOT will prepare reports to document the unused balances of fiscal year obligation limitation subject to lapse annually, by the established due date.	FHWA will review MoDOT's plan and submit to OCFO for processing by the established due date.

<p>Authorize Current Bill (CB) (Note: this action cannot be assumed by State)</p>	<p>23 CFR 140; 23 CFR 635.122, Updated Actions Needed to Reduce Improper Payments Memo, June 22, 2020</p>	<p>MoDOT will submit the bill by 1:00pm a day prior to the payment date.</p> <p>FHWA will approve the bill no later than 10:30 a.m. central time on the requested payment date.</p> <p>No CB credits switching costs on same project.</p> <p># of CB credits for charges to wrong project.</p> <p>\$ and # of CB credits processed (<\$10,000 and =>\$10,000)</p>	<p>MoDOT will charge costs related to federal projects and programs in accordance with state and federal laws and regulations. MoDOT will accumulate eligible costs and request reimbursement from FHWA on a weekly basis, provide FHWA a detailed description of what caused credits totaling \$10,000 or greater and verification that cost billed more than 120 days after the end date have an approved extension of time in FMIS to liquidate and submit the final voucher per 2 CFR 200.344. The Current Bill End Date Tracker report is utilized to ensure payments are only requested for cost incurred within the period of performance and submitted through the Current Bill within the 120 days after the end date as prescribed by 2 CFR 200.344.</p>	<p>FHWA will process payments to MoDOT on a weekly basis or as scheduled.</p>
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<p>Inactive Projects</p>	<p>23 CFR 630.106(a); FHWA memorandums dated May 12, 2017</p>	<p>% of inactive obligations to MO's annual apportionment.</p> <p>% authorizations with expenditures within 270 days.</p> <p>% of inactive projects with \$0 expended .</p>	<p>MoDOT will proactively monitor active and inactive projects, report project status by established deadlines and adjust the federal funds to the current best cost estimate.</p> <p>MoDOT will provide complete justifications for inactive projects in the SharePoint inactive report 45 calendar days prior to quarter end.</p> <p>MoDOT will provide responses to FHWA request for additional information and meet at the beginning of each quarter to review.</p> <p>If a project obligation is deemed improper, MoDOT will submit the final voucher, project adjustment, withdrawal, etc. at least 10 days prior to quarter end.</p>	<p>FHWA will have 10 days to review the report and concur or request additional information.</p> <p>FHWA will approve FMIS approval action for all funding adjustments sent at least 10 days prior to quarter end.</p>
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<p>Innovative Finance</p>	<p>TIFIA - 23 USC 601-609, GARVEEs - 23 USC 122; GARVEE Guidance 3/14, SIB - NHS Act Section 308; 23 USC 610; SIB Guidance 3/14</p>		<p>MoDOT will consider new and innovative financial solutions offered by FHWA.</p> <p>MoDOT will work with FHWA to continuously search for possible sources to identify new highway financing tools</p> <p>MoDOT will submit annual updates for SIB, GARVEE and Toll Credit Reporting by the established deadline.</p>	<p>FHWA will advise MoDOT of new innovative financial tools to advance and complete transportation projects.</p> <p>FHWA will review the annual updates for SIB, GARVEE and Toll Credit Reporting and submit to DA for approval to meet established deadlines.</p>
<p>Indirect Cost Allocation (ICAPs)</p>	<p>2 CFR 200 Subpart and Appendix VII, E, FHWA memo 9/4/15</p>	<p>MoDOT will submit additive rate updates by April 15 each year.</p>	<p>MoDOT will submit additive rate updates annually to FHWA for review and approval.</p>	<p>FHWA will review and approve prior to June 30 each year when rates package is submitted timely.</p>

<p>Obligate funds/approve Federal-aid Agreements (project authorization) (Note: this action cannot be assumed by State)</p>	<p>23 CFR 630, Subpart A</p>	<p>FMIS transactions will be processed timely and accurately. FHWA will approve or return 90% of FMIS actions within 10 days consistent with the Joint Project Authorization Process.</p> <p>FHWA will approve or return project returns within 5 days.</p> <p># of conditional approvals and related areas</p> <p># of expedited project approval requests</p>	<p>All Federal-aid Agreements submitted by MoDOT to FHWA will have the appropriate program approvals (e.g. PS&E, ROW, force account, NEPA). MoDOT will evaluate projects authorized but not awarded within 6 months to determine if the authorization should be withdrawn or the cost estimate and period of performance end date should be adjusted.</p>	<p>FHWA will review and approve Federal-Aid Agreements within the established timeframes as described in the performance measures.</p>
<p>Oversight, eFIRE Program</p>	<p>FHWA Order 4560.1C, FHWA Memo 1/11/2023</p>		<p>MoDOT will be responsible for administering the federal-aid program for the state and will use a risk-based approach to implementing adequate controls to ensure compliance with federal laws and regulations. MoDOT will ensure staff access to FMIS/Current Bill is monitored for authorized use only.</p>	<p>FHWA will provide oversight as it relates to enterprise Financial Integrity Review and Evaluation (eFIRE) Program through risk assessments and related process reviews, spot checks or other practiced methods.</p> <p>FHWA will monitor FMIS access monthly and Current Bill access quarterly to manage system security.</p>

<p>Project Closure</p>	<p>49 CFR Part 18; 2 CFR 200.344</p>	<p>FHWA will approve or return 90% of final vouchers within 15 calendar days.</p>	<p>MoDOT will submit projects for closure within 120 days after the period of performance end date. The timelines for conversion of funds and subsequent closure will be based on sound financial management practices.</p>	<p>FHWA will review and approve project closures within the established timeframe.</p>
<p>Transfer of Funds between programs or to other FHWA offices or agencies as requested by State</p>	<p>23 USC 126, FHWA Order 4551.1</p>	<p>FHWA will approve or return the transfer within 10 days</p>	<p>MoDOT will submit requests for transfer. Staff will monitor transfers for timely processing.</p>	<p>FHWA approves and processes the funding transfers between programs, to other States, to other agencies, and to FHWA HQ, Federal Lands, or Research offices. Staff will monitor transfers for timely processing.</p>

This agreement will be reviewed and updated, as needed, on an annual basis.

IN WITNESS WHEREOF, the parties have entered into this Agreement on the date last written below.

FHWA:

Ashley Scheulen

FHWA-MO Division Finance Manager

(573) 638-2614

MISSOURI DEPARTMENT OF TRANSPORTATION:

Todd Grosvenor

MoDOT State Financial Services Director

(573) 751-4626