

HIGH PROFILE PROJECT RESPONSIBILITY LIST

Project Description: State Route 1 - Devil's Slide Project located between Half Moon Bay and the City of Pacifica in San Mateo County. The project work includes building tunnels, bridge work, approach roadways, etc. The constructed project will bypass the Devil's Slide segment of the State Route 1. There are 3 Major projects and 4 mitigation projects under the umbrella of Devil's Slide. The anticipated total project cost is approximately \$500M which includes construction cost of \$240M for the Tunnel and \$35M for the Segmental Bridge

EA Number: 04-1123U4 [FAP No.: ACSTP-ER-1187(011)E] – Tunnel and OMC Building

04-1123K4 [FAP No: ER-1187(010)E] – Segmental Bridge

Discussion of Involvement: In December 2004, the FHWA determined that this project would not be a full oversight project; however, technical assistance would remain available from FHWA upon request throughout the project. Since this decision Caltrans has invited FHWA to be an active partner in the project through quarterly project inspections/tours and updates. Under the new Stewardship and Oversight agreement (Stewardship/Oversight) which was signed by Caltrans and FHWA on September 4, 2007, the Devil's Slide Pproject would remain an Invitational project. However, since this project received a congressional earmark (Emergency Relief funding) to fund the construction of the tunnel and there is potential for an additional congressional request, this project could also be considered a Congressional Interest project under the new Stewardship/Oversight Agreement. Furthermore, the tunnels will be bored using an Austrian method which has been used elsewhere in the United States; however, this is the first use in California. Therefore, the Devil's Slide Project has been determined to be a High Profile Project.

As a High Profile Project, FHWA will remain involved with the project through quarterly inspections/tours and project updates. During the quarterly inspections/tours and project updates, Caltrans will provide FHWA with a listing of major and minor change orders, time extensions, and potential contract claims. Furthermore, Caltrans will inform FHWA if/when there are any major changes to the project such as the termination of a contract or a congressional request for additional funding. Caltrans will offer FHWA the opportunity to be involved as a participant in the final inspection of the project.

This project is currently in the construction phase; however, the Project Responsibilities List is being completed for all phases of the project to cover any items which may arise if additional congressional earmarks are granted. This Project Responsibilities List is being developed to address FHWA's involvement/approval actions for the Devil's Slide Project.

HIGH PROFILE PROJECT RESPONSIBILITY LIST

Project Description: State Route 1 - Devil's Slide Project located between Half Moon Bay and the City of Pacifica in San Mateo County. The project work includes building tunnels, bridge work, approach roadways, etc. The constructed project will bypass the Devil's Slide segment of the State Route 1. There are 3 Major projects and 4 mitigation projects under the umbrella of Devil's Slide. The anticipated total project cost is approximately \$500M which includes construction cost of \$240M for the Tunnel and \$35M for the Segmental Bridge

EA Number: 04-1123U4 [FAP No.: ACSTP-ER-1187(011)E] – Tunnel and OMC Building

04-1123K4 [FAP No: ER-1187(010)E] – Segmental Bridge

Discussion of Involvement: In December 2004, the FHWA determined that this project would not be a full oversight project; however, technical assistance would remain available from FHWA upon request throughout the project. Since this decision Caltrans has invited FHWA to be an active partner in the project through quarterly project inspections/tours and updates. Under the new Stewardship and Oversight agreement (Stewardship/Oversight) which was signed by Caltrans and FHWA on September 4, 2007, the Devil's Slide Pproject would remain an Invitational project. However, since this project received a congressional earmark (Emergency Relief funding) to fund the construction of the tunnel and there is potential for an additional congressional request, this project could also be considered a Congressional Interest project under the new Stewardship/Oversight Agreement. Furthermore, the tunnels will be bored using an Austrian method which has been used elsewhere in the United States; however, this is the first use in California. Therefore, the Devil's Slide Project has been determined to be a High Profile Project.

As a High Profile Project, FHWA will remain involved with the project through quarterly inspections/tours and project updates. During the quarterly inspections/tours and project updates, Caltrans will provide FHWA with a listing of major and minor change orders, time extensions, and potential contract claims. Furthermore, Caltrans will inform FHWA if/when there are any major changes to the project such as the termination of a contract or a congressional request for additional funding. Caltrans will offer FHWA the opportunity to be involved as a participant in the final inspection of the project.

This project is currently in the construction phase; however, the Project Responsibilities List is being completed for all phases of the project to cover any items which may arise if additional congressional earmarks are granted. This Project Responsibilities List is being developed to address FHWA's involvement/approval actions for the Devil's Slide Project.

The activities with highlighted cells indicate whether this approval action will be made either by FHWA or delegated to Caltrans if the particular activity is of low risk to the project or the FAHP.

APPROVAL ACTION	Approval Authority
High Profile Projects	
ADMINISTRATION	
Financial Management	
All Vouchers (progress payments and final)	FHWA
Federal-aid Project Agreement and Modification—Preliminary Engineering through Construction [23 CFR 630.110]	FHWA
Funding Eligibility Determinations	FHWA
Obligate funds	FHWA
Section 1.9 Waiver [23 CFR Section 1.9]	FHWA
PROJECT DEVELOPMENT	
ROW	
Accept ROW certificate 3 as a condition of PS&E approval [23 CFR 635.309(c)(3)]	FHWA
Accept ROW certificates 1 and 2 as a condition of PS&E approval [23 CFR 635.309(c)(1)&(2)]	Caltrans
Air space agreements / Non-highway use and occupancy not on the Interstate [23 CFR 710.405]	Caltrans
Air space agreements / Non-highway use and occupancy on the Interstate [23 CFR 710.405]	FHWA
Control of Access [23 CFR 620.203(h)]	FHWA
Functional Replacement [23 CFR 710.509]	FHWA
Junkyard Control [23 CFR 751.25]	FHWA
Outdoor Advertising Sign Removal Projects [23 CFR 750.307]	FHWA
Protective Buying and Hardship Acquisition [23 CFR 710.307, 503]	FHWA
Public Interest Finding (PIF) - Disposal of federally funded ROW [23 CFR 710.403, 409]	FHWA
Railroad Agreement [23 CFR 646.216 (3)(d)]	Caltrans
Relinquishment of a Highway Facility for continued highway purposes [23 CFR 620.201, 202, 203]	FHWA
Request for Credits for Early Acquisition of ROW [23 CFR 710.501]	FHWA
Request for Direct Federal Acquisition [23 CFR 710.603]	FHWA
Request for Federal Land Transfer [23 CFR 710.601]	FHWA
Request for Waivers [49 CFR 24.204(b)]	FHWA
Utility Agreement [23 CFR 645.113, 119]	Caltrans
Utility Relocation [23 CFR 645 subparts A and B]	FHWA
Withholding of Payments [23 CFR 710.203(c), 23 CFR 1.36]	FHWA
Environment	
Categorical Exclusion (CE) [23 CFR 771.117 (c) and (d): SAFETEA-LU 6004; 23 CFR 771.117 all other CEs: SAFETEA-LU 6005]	Caltrans (1)

APPROVAL ACTION	Approval Authority
	High Profile Projects
Certification of Public Hearing [23 CFR 771.111(h)(2)(vi)]	Caltrans
Draft Environmental Impact Statement (DEIS) [23 CFR 771.123; 23 CFR 771.123 (e); SAFETEA-LU 6005]	Caltrans (1)
Environmental Assessment (EA) Availability to the Public [23 CFR 771.1199(c); SAFETEA-LU 6005]	Caltrans (1)
Final Environmental Impact Statement (FEIS) [23 CFR 771.125; 23 CFR 771.125(c); SAFETEA-LU 6005]	Caltrans (1)
FEIS Legal Sufficiency [23 CFR 771.125(b); SAFETEA-LU 6005]	Caltrans (1)
Finding of No Significant Impact [23 CFR 771.121; SAFETEA-LU 6005]	Caltrans (1)
Noise Abatement [23 CFR 772]	Caltrans
Project-Level Transportation Conformity for CE processed under SAFETEA-LU 6004 MOU [40 CFR 93]	Caltrans (1)
Project-Level Transportation Conformity for CE, EA and Environmental Impact Statement (EIS) processed under SAFETEA-LU 6005 MOU [40 CFR 93]	FHWA
Record of Decision [23 CFR 771.127; SAFETEA-LU 6005]	Caltrans (1)
Re-evaluation on Approved Environmental Documents [23 CFR 771.129; SAFETEA-LU 6004 & 6005]	Caltrans (1)
Section 4(f) <i>De Minimis</i> Determination [SAFETEA-LU 6004, 6005 & 6009, 49 USC 303]	Caltrans (1)
Section 4(f) Individual [23 CFR 771.135; SAFETEA-LU 6004 & 6005]	Caltrans (1)
Section 4(f) Programmatic [23 CFR 771.135; SAFETEA-LU 6004 & 6005]	Caltrans (1)
Supplemental EIS [23 CFR 771.130; SAFETEA-LU 6005]	Caltrans (1)
Preliminary Design	
Consultant Selection [23CFR 172.5]	FHWA
Financial Plans for projects from \$100M to \$499M [SAFETEA-LU 1904]	Caltrans
Major ITS Project Development [23 CFR 940.11]	FHWA
Major Projects and TIFIA Loan Projects - Project Management Plan and Financial Plan Approval [SAFETEA-LU 1904]	FHWA
Minor ITS Project Development [23 CFR 940.11]	Caltrans
New/Modified Interstate Access Determination of Engineering and Operations Acceptability [Feb 1998 Federal Register, Vol#28 - (minor access changes delegated to Caltrans, see letter dated September 15, 1994)]	FHWA (Caltrans)
PIF – Airspace Clearance FAA [CFR 620.104]	FHWA
PIF - Use of Negotiated Consultant Contracts [23 CFR 172.5(3)]	Caltrans
Detailed Design	
Approve preliminary plans for major and unusual structures	Caltrans
Design Exceptions, non-Interstate (all other projects) [23 CFR 625.3]	Caltrans
Design Exceptions on the Interstate (13 controlling Criteria) [23 CFR 625.3]	FHWA
Experimental Features (Pilot and Demo) aka CEWP, design/sequencing	FHWA

APPROVAL ACTION	Approval Authority
	High Profile Projects
New/Modified Interstate Access Control Change - Final Approval [Feb 1998 Federal Register, Vol#28]	FHWA
PIF – Statewide and project specific use of proprietary products and processes [23 CFR 635.411]. If statewide, FHWA approval.	Caltrans
PIF and Cost Justification Letter - Statewide and Project Specific - Concur in use of publicly furnished materials and expenses [23 CFR 635.407]. If statewide, FHWA approval.	Caltrans
ROW encroachments - Use and occupancy of acquired ROW [23 CFR 710.401, HDM 504.8]	FHWA
Value Engineering [23 CFR 627, SAFETEA-LU 1904]	Caltrans
PS&E and Advertising	
Authorize advertising for bids [23 CFR 635.112]	Caltrans
Authorize utility or railroad force account work [23 CFR 645.113 & 646.216]	Caltrans
Bid Analysis (Engineer Estimates)	Caltrans
Consultant Agreements [23 CFR 172.7 - 172.9]	Caltrans
Exempt bridge from Coast Guard permit requirements [23 CFR 650.805]	FHWA
Hiring of consultant to serve in a "management" role [23 CFR 172.9(d)]	Caltrans
Noise - Reasonable and Feasible Determination for PS&E approval [23 CFR 772.11(g)]	Caltrans (1)
PIF - Advertising period less than three weeks [23 CFR 635.112]	Caltrans
PIF - Use of contracting method other than competitive bidding [23 CFR 635.104 & 204]	Caltrans
PIF - Use of Force Account [23 CFR 635.204, 205]	Caltrans
PIF - Use of Mandatory Borrow/Disposal Sites [23 CFR 635.407]	Caltrans
PIF - Use of Publicly Owned Equipment [23 CFR 635.106]	Caltrans
PS&E [23 CFR 630.205, 23 USC 106]	Caltrans
Supplemental Work Item Justification	FHWA
Utility and railroad agreements [23 CFR 645.113 & 646.216]	Caltrans
Warranties [23 CFR 635.413]	FHWA
Construction	
Accept Materials Certification [23 CFR 637.207]	Caltrans
Addenda during advertising period [23 CFR 635.112(c)]	Caltrans
Buy America Waiver [23 CFR 635.410, ISTECA Sec. 1041(a) & 1048(a), 41 CFR 101 (a-d)] Submit to HQ if >\$50K.	FHWA
Concur in award of contract [23 CFR 635.114]	Caltrans
Concur in rejection of all bids [23 CFR 635.114]	Caltrans
Concur in settlement of contract claims [23 CFR 635.124; C&M Manual, Chapter 2]	Caltrans
Concur in termination of contracts [23 CFR 635.125]	Caltrans
Construction engineering by local agency [23 CFR 635.105]	Caltrans
Contract time extensions [23 CFR 635.120 & 121]	Caltrans

APPROVAL ACTION	Approval Authority
	High Profile Projects
Final inspection/acceptance of completed work [23 USC 114(a)]	Caltrans
Incentive/Disincentive Amount Justification [23 CFR 635.127]	Caltrans
Innovative Contracting Requirements [SEP 14 & 15]	FHWA
Liquidated Damages (rates subject to FHWA approval) [23 CFR 635.127]	Caltrans
Major changes and extra work [23 CFR 635.120]	Caltrans
Minor changes and extra work [23 CFR 635.120]	Caltrans
Subcontracting Requirements [23 CFR 635.116(b)]	Caltrans
Research	
Experimental Features [FAPG Ch. 6, Sect G 6042.4]	FHWA
Emergency Relief	
ER Damage Assessments and Reports on the SHS [23 CFR 668, 23 USC 120 and 125]	FHWA
ER Damage Assessments and Reports off the SHS [23 CFR 668; 23 USC 120 and 125; ER Q&A, Question #5 Revised DAF and #8 Coordination with Other Agencies]	FHWA/ Caltrans
<p>(1) Caltrans has assumed responsibility for these items under the Section 6004 and 6005 MOUs. The FHWA will reassume responsibility should any of the applicable agreements be terminated or expire. Additionally, the FHWA remains responsible for several projects that have been excluded from the assumption of NEPA responsibilities by Caltrans.</p> <p>(2) Activity is delegated to the local agency.</p> <p>(3) Caltrans approval for On-Federal Aid system, local agency approval for Off-Federal Aid system.</p> <p>(4) Subject to the FHWA's Random Sampling Verification Process.</p>	

Karen A. Bobo

Karen A. Bobo
 Federal Highway Administration
 State Programs Team
 Sr. Transportation Engineer,
 Team Leader (North)

7/15/2008

Date

[Signature]

Caltrans
 Project Manager

7/15/2008

Date