



**Your Safety • Your Mobility  
Your Economic Opportunity**

**IDAHO TRANSPORTATION DEPARTMENT**

P.O. Box 7129 • Boise, ID 83707-1129

(208) 334-8000 • [itd.idaho.gov](http://itd.idaho.gov)

**REVISED TO REFLECT VENUE CHANGE**

**Idaho Transportation Board**

**Subcommittee on Policies**

**August 17, 2021**

**Idaho State Police District 1**

**615 W. Wilbur Ave**

**Coeur d'Alene, Idaho**

**4:15 PM (PDT)**

To call in:

Dial 1-415-655-0003 US Toll

Meeting number (access code) 1777 47 0198

Meeting password 1234

**ACTION ITEMS**

	<u>Page</u>	<u>Time</u>
1. Welcome and Preliminary Matters – Chair Bob Hoff		4:15
2. Administrative Policy 5515	3	4:20
5515 Disaster/Emergency Support and FHWA Emergency Relief		
A-05-38 Disaster/Emergency Support	7	
A-01-26 FHWA Emergency Relief	9	
Construction and Operations Administrator Dave Kuisti's Recommendation		
Discussion and Recommendation - Chair Hoff		
3. Board Policy 4051 and Administrative Policy 5051		4:25
4051 Use of Department Facilities and Equipment	10	
5051 Use, Safety and Security of Department Facilities and Equipment	14	
A-06-16 Security of Department Facilities	20	
Business Support Management Manager Michelle Doane		
Discussion and Recommendation – Chair Hoff		
4. Board Policy B-11-05 and Administrative Policy A-11-05		4:30
Congestion Mitigation and Air Quality Improvement Program Memo	22	



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B-11-05 CMAQ	23
A-11-05 CMAQ	27
Planning and Services Manager Ken Kanowik's Recommendation	
Discussion and Recommendation – Chair Hoff	

### **INFORMATION ITEM**

5. Director's memorandum	35	4:35
Related to Administrative Policy 5001 and Board Policy 4001 – Authority to sign contracts, agreements, and grants and requirements to report certain contracts		
Board Policy 4001 for reference	40	
Administrative Policy 5001 for reference	44	
Planning and Services Manager Ken Kanowik's Recommendation		
Discussion and Recommendation – Chair Hoff		

### **ACTION ITEM**

6. Review Board Policy 4028		4:40
Allocation of Federal Formula Highway Apportionments to Local Public Agencies		
Scope of work for listening workshop this fall	50	
Communications Chief Officer Vince Trimboli's Recommendation		
Discussion and Recommendation – Chair Hoff		
7. Adjourn (estimated time)		4:55



## DISASTER/EMERGENCY SUPPORT AND FHWA EMERGENCY RELIEF

### **Purpose**

This policy delegates responsibilities and procedures in the event of a disaster or emergency where the Federal-aid System (State and/or Local Highway Systems) sustains damage requiring Idaho Transportation Department (ITD) support and that allows ITD to apply for Federal Highway Administration (FHWA) Emergency Relief (ER) funds.

### **Legal Authority**

- Idaho Code 40-310(4) - The Board shall construct, repair and maintain state highways and statewide transportation systems.
- Idaho Code 40-310(6) - The Board shall cause to be made and kept studies and plans for the repair and maintenance of state highways, as so far as practical, of all highways in the state.
- Idaho Code 40-708(1) – In the event of an emergency, two or more units of government may share jointly the costs of highways and bridges.
- 23 United States Code Section 125 – Emergency Relief.

### **Support**

ITD shall support the disaster/emergency services of state and/or local agencies. The Emergency Management Planner (EMP) shall be responsible for overall coordination of ITD emergency planning, training, exercises, response, damage estimation, mitigation and claims.

The EMP will assist in the coordination of funding requests for repairs to local routes as applicable under the FHWA ER process.

When emergencies or other unusual circumstances overwhelm the capabilities of state or local agencies, ITD can be requested to respond with disaster/emergency support. The Department shall notify the EMP to make notifications to the Idaho Office of Emergency Management (IOEM) and/or FHWA, as appropriate. Notification to IOEM can also be made by the IOEM Area Field Officer.

- The District Engineers shall provide the response staff and assistance as requested by an IOEM “Mission Assignment” prior to, during, and after a natural or human-caused disaster, or terrorist attack. Disaster/emergency support includes life-saving assistance, traffic control, or operational work that directly affects the State Highway System.



ADMINISTRATIVE POLICY 5515

Page 2 of 2

- The Division of Motor Vehicles Administrator may authorize the issuance of disaster relief waivers, as needed, in accordance with Board Policy 4074, Suspension of Motor Vehicle Procedures during Disaster Relief Operations.
- The Division of Aeronautics Administrator shall coordinate airspace restrictions or control; aerial transportation of material or personnel in state-owned aircraft; aerial communications relay services; and activation and coordination of air search and rescue operations.

In the event the Federal Aid System (state and/or local highway systems) sustains damage that allows ITD to apply for FHWA ER funds, the following responsibilities and procedures shall be in effect:

Following a disaster, the EMP shall:

- Function as ITD's primary Headquarters contact for emergency coordination;
- Act as the liaison with the FHWA division office for securing emergency repair funds;
- Collect the Detailed Damage Inspection Reports from the affected district(s); and
- Collect and document Disaster Costs in equipment, materials and manpower for possible reimbursement.

Following a disaster, the ITD Division of Highway Development (DHD) Administrator shall:

- Coordinate with FHWA for completion of permanent repairs;
- Obtain permanent repair work authorizations, and;
- Prepare the obligated authority requests and project programming for submittal to the FHWA.

Following a disaster, the District Engineers shall:

- Confirm the initial emergency repair and debris clearance project limits;
- Assist FHWA in conducting and completing the Detailed Damage Inspection Reports;
- Administer permanent and initial emergency repair projects; and
- Provide detailed information to the EMP for documentation purposes.

Date \_\_\_\_\_

\_\_\_\_\_  
Brian W. Ness  
Director



## **DISASTER/EMERGENCY SUPPORT AND FHWA EMERGENCY RELIEF**

### **Purpose**

This policy delegates responsibilities and procedures in the event of a disaster or emergency where the Federal-aid System (State and/or Local Highway Systems) sustains damage requiring Idaho Transportation Department (ITD) support and that allows ITD to apply for Federal Highway Administration (FHWA) Emergency Relief (ER) funds.

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- Idaho Code 40-708(1) – In the event of an emergency, two or more units of government may share jointly the costs of highways and bridges.
- 23 United States Code Section 125 – Emergency Relief.

### **Support**

ITD shall support the disaster/emergency services of state and/or local agencies. The Emergency Management Planner (EMP) shall be responsible for overall coordination of ITD emergency planning, training, exercises, response, damage estimation, mitigation and claims.

The EMP will assist in the coordination of funding requests for repairs to local routes as applicable under the FHWA ER process.

When emergencies or other unusual circumstances overwhelm the capabilities of state or local agencies, ITD can be requested to respond with disaster/emergency support. The Department shall notify the EMP to make notifications to the Idaho Office of Emergency Management (IOEM) and/or FHWA, as appropriate. Notification to IOEM can also be made by the IOEM Area Field Officer.

- The District Engineers shall provide the response staff and assistance as requested by an IOEM “Mission Assignment” prior to, during, and after a natural or human-caused disaster, or terrorist attack. Disaster/emergency support includes life-saving assistance, traffic control, or operational work that directly affects the State Highway System.



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Page 2 of 2

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- The Division of Aeronautics Administrator shall coordinate airspace restrictions or control; aerial transportation of material or personnel in state-owned aircraft; aerial communications relay services; and activation and coordination of air search and rescue operations.

In the event the Federal Aid System (state and/or local highway systems) sustains damage that allows ITD to apply for FHWA ER funds, the following responsibilities and procedures shall be in effect:

Following a disaster, the EMP shall:

- Function as ITD's primary Headquarters contact for emergency coordination;
- Act as the liaison with the FHWA division office for securing emergency repair funds;
- Collect the Detailed Damage Inspection Reports from the affected district(s); and
- Collect and document Disaster Costs in equipment, materials and manpower for possible reimbursement.

Following a disaster, the ITD Division of Highway Development (DHD) Administrator shall:

- Coordinate with FHWA for completion of permanent repairs;
- Obtain permanent repair work authorizations, and;
- Prepare the obligated authority requests and project programming for submittal to the FHWA.

Following a disaster, the District Engineers shall:

- Confirm the initial emergency repair and debris clearance project limits;
- Assist FHWA in conducting and completing the Detailed Damage Inspection Reports;
- Administer permanent and initial emergency repair projects; and
- Provide detailed information to the EMP for documentation purposes.

\_\_\_\_\_  
Brian W. Ness  
Director

Date \_\_\_\_\_



## DISASTER/EMERGENCY SUPPORT

Executive Order No. 2000-04 from the Office of the Governor and the Idaho Emergency Plan, Parts I, II, and III, mandate that the Idaho Transportation Department (ITD) shall support the disaster/emergency services of state and/or local agencies. The Maintenance Engineer shall be responsible for overall coordination of ITD planning, training, exercises, response, damage estimation/mitigation, and claims. Appropriate training of coordinators and key state members is encouraged.

When emergencies or other unusual circumstances overwhelm the capabilities of state or local agencies and ITD is requested to respond with disaster/emergency support, the department shall notify the Bureau of Disaster Services (BDS). Response to emergency plans and procedures outside of ITD facilities can only be activated by Executive Order of the Governor. Upon issuance of an Executive Order by the Governor that involves disaster/emergency support:

- The District Engineers shall provide the response staff and assistance as requested by a BDS "Mission Request" prior to, during, and after a natural/man-made disaster, or enemy attack. Disaster/emergency support includes life-saving assistance, traffic control, or operational work that directly affects the State Highway System.
- The Division of Motor Vehicles Administrator shall authorize the issuance of disaster relief waivers, as needed, in accordance with Board Policy B-32-03, Suspension of Motor Vehicle Procedures during Disaster Relief Operations.
- The Division of Aeronautics Administrator shall provide, as needed, liaison with the Federal Aviation Administration regarding airspace restrictions or control; aerial transportation of materiel or personnel in state-owned aircraft; aerial communications relay services; or activation and coordination of search and rescue services.

\_\_\_\_\_ signed \_\_\_\_\_ Date: \_\_\_\_\_ Feb. 16, 2001 \_\_\_\_\_  
DWIGHT M. BOWER  
Director

This policy based on:

- Idaho Code, 40-708
- Executive Order No. 2000-04, Assignments of All Hazard Mitigation, Preparedness, Response, and Recovery Functions to State Agencies in Support of Local and State Government Prior to and during Emergencies and Disasters
- Decision by the Director

Department wide supervision and coordination assigned to:

- Maintenance Engineer

Direction for activity and results delegated to:

- District Engineers, Divisions of Motor Vehicles and Aeronautics Administrators

Department procedures contained in:

- ~~Idaho Emergency Plan, Parts I, II, and III~~
- ~~Maintenance Manual, sections 5-10, 5-52, and 5-322~~
- ~~Board Policy B-32-03, SUSPENSION OF MOTOR VEHICLE PROCEDURES DURING DISASTER RELIEF OPERATIONS~~

Former dates on A-05-38:

~~8/27/92 (formerly Division Directive DH-05-38, dated 5/19/89), 1/12/00, and 8/28/00~~

Cross reference to related Administrative Policies:

- ~~A-05-34, CLOSURES OR RESTRICTED USE OF STATE HIGHWAYS~~
- ~~A-20-01, RELEASE OF DEPARTMENT INFORMATION TO MEDIA~~





## **FHWA EMERGENCY RELIEF**

In the event the Federal Aid System (State and/or Local Highway Systems) sustains damage that allows the Idaho Transportation Department to apply for FHWA Emergency Relief (ER) Programs, the following responsibilities and procedures shall be in effect.

Following a disaster, the Maintenance Engineer shall:

- Act as the department Emergency Management Coordinator;
- Act as the liaison with the FHWA Division office for emergency repairs;
- Collect the Detailed Damage Inspection Reports from the affected District(s);
- Establish the initial emergency repair and debris clearance project limits;
- Obtain emergency work authorizations; and
- Coordinate emergency relief efforts between the Districts.

Following a disaster, the Roadway Design Engineer shall:

- Act as liaison with the FHWA Division office for permanent repairs;
- Obtain permanent repair work authorizations, and
- Process the obligated authority requests and project programming that are submitted to FHWA under the Chief Engineer's signature.

\_\_\_\_\_  
signed \_\_\_\_\_ Date: 6/29/00  
DWIGHT M. BOWER  
Director

This policy based on:

- Title 23, United States Code, Sections 125 and 120
- 23 CFR Part 668A
- FHWA Emergency Relief manual
- Idaho Executive Order 96-01
- Decision by the Director

Department wide supervision and coordination assigned to:

- Chief Engineer

Direction for activity and results delegated to:

- Maintenance Engineer, Roadway Design Engineer, District Engineers

Department procedures contained in:

- This policy

Former dates of A-01-26:

- 0 (formerly Division of Highways Memorandum No. 4, FHWA EMERGENCY RELIEF PROCEDURES, dated 2/27/97)

Cross reference to related Administrative Policies:

- [A-05-34, CLOSURES OR RESTRICTED USE OF STATE HIGHWAYS](#)
- [A-05-38, DISASTER/EMERGENCY SUPPORT](#)
- [A-11-02, HIGHWAY DEVELOPMENT PROGRAM](#)
- [A-20-01, RELEASE OF DEPARTMENT INFORMATION TO THE MEDIA](#)

## USE OF DEPARTMENT FACILITIES AND EQUIPMENT

### **Purpose**

The Director shall establish requirements setting forth that Department facilities and equipment can be used only for transportation and public purposes, and cannot be used for private or personal purposes.

### **Legal Authority**

Idaho State Constitution Article VII, Section 10 – Making profit from public money prohibited

Idaho State Constitution Article VII, Section 17 – Gasoline taxes and motor vehicle registration fees to be expended on highways

Idaho Code 21-211 - All Aeronautic funds must be used for State aeronautic purposes, and may not be used for private or personal purposes

Idaho Code 40-311(4) - The Board shall sell, exchange, or convey real property under their jurisdiction

Idaho Code 40-505 - Subject to Board oversight, the Director has supervision and control of all activities, functions and employees of the Department, and shall exercise all necessary incidental powers.

Idaho Code 40-707 - State highway funds are appropriated only for specific Idaho Transportation Department (ITD) functions related to state highway purposes, and are not appropriated for private or personal activities

Idaho Code 67-5309(m)(7) – Property, equipment, and funds of the State can only be used for state business, and cannot be used for private or personal reasons

### **Use of Department Facilities and Equipment**

Each request for use of Department facilities shall be examined to determine whether the proposed use compromises the integrity of the highway users and aeronautics users trust funds. The Headquarters' auditorium, conference rooms and similar facilities in the Headquarters complex and the conference rooms in the Aeronautics and District offices and Division of Aeronautics may be used by State agencies and other organizations that have affiliate interests with the Idaho Transportation Department. Department work-related activities have first priority.

The same limitations apply to the use of Department-owned equipment.

The Director shall establish requirements for the use of these facilities and rental fees when appropriate.

Approved by the Board on:

44 \_\_\_\_\_  
45 Bill Moad  
46 Board Chairman  
47

Date 3-18-2021

## **USE OF DEPARTMENT FACILITIES AND EQUIPMENT**

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The same limitations apply to the use of Department-owned equipment.

The Director shall establish requirements for the use of these facilities and rental fees when appropriate.

Approved by the Board on:

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Bill Moad  
Board Chairman

Date \_\_\_\_\_

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2  
3 **USE, SAFETY, AND SECURITY OF DEPARTMENT FACILITIES AND EQUIPMENT USE**  
4 **OF DEPARTMENT FACILITIES AND EQUIPMENT**  
5

6 **Purpose**

7 The purpose of this policy is to implement Board policy 4051 and requires the Director to establish  
8 requirements for the use of Department facilities and equipment.  
9

10 **Legal Authority**

11 Idaho State Constitution Article VII, Section 10 – Making profit from public money prohibited.  
12

13 Idaho State Constitution Article VII, Section 17 – Gasoline taxes and motor vehicle registration fees  
14 to be expended on highways.  
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20 jurisdiction.  
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23 activities, functions and employees of the Department, and shall exercise all necessary  
24 incidental powers.  
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27 Department (ITD) functions related to state highway purposes, and are not appropriated for private or  
28 personal activities.  
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31 business, and cannot be used for private or personal reasons.  
32

33 **Use of Department Facilities and Equipment**  
34

35 The facilities and equipment of the Idaho Transportation Department are public property, paid for  
36 and maintained by highway user funds or aeronautics user funds. Department shops, equipment, or  
37 materials are not to be used for repairs or maintenance of private vehicles or property. No personal  
38 property (all property belonging to the state of Idaho other than real property), regardless of value,  
39 may be taken, salvaged or used by Department employees for personal purposes.  
40

41 Office and engineering equipment and supplies may not be taken from the Department premises for  
42 personal purposes. Equipment may be taken home to complete official work assignments, but only  
43 with the permission of the supervisor. Miscellaneous office supplies and other materials are  
44 distributed for Department work only. Section Managers can approve a system of recycling supplies

that would otherwise be considered waste, i.e. scrap labels, computer paper, etc., to donate to charitable organizations, agencies or schools.

The Chief Administrative Officer (CAO) or a delegate has responsibility for approval screening and scheduling of the use of the Headquarters' auditorium, conference rooms, and similar facilities. In the District offices and Division of Aeronautics, these activities will be under the supervision of the District Engineer (DE) or Aeronautic Division Administrator (DA), respectively.

The following guidelines shall be used when scheduling Department facilities when approved by the respective location responsible party as noted above:

- Each request shall be evaluated to ensure that Department facilities, built with funds designated specifically for highway and aeronautic purposes, are not used by groups whose affiliation could be questioned.
- Department work-related activities have first priority. Employee organizations can use the facilities when approved by the CAO. The facilities may also be scheduled for tax-supported agencies and non-profit groups when the activity relates to a function of the Department.
- Department facilities and resources may be used for department or state endorsed activities such as discussions of fringe benefit packages, Red Cross blood drive, United Way campaign, etc.
- In special or unusual circumstances, other non-profit organizations may use Department facilities at the discretion of the CAO.
- Salespeople offering personal products or services to individual employees cannot use Department facilities or infringe on employees' normal work hours without approval of the CAO or delegate.
  - ITD supervisors may, at their discretion, allow the posting of notices of commercial sales activities on appropriate department bulletin boards. However, these notices must inform employees that the product or service is not state or department endorsed. Notices must also inform employees to use their break time, lunch time, or periods before or after work for obtaining services or making inquiries. Business cards or other small posters from sales representatives may be posted on designated ITD bulletin boards with reasonable time limits set for their removal.
- In election years, the facilities shall be available on Election Day to election officials to facilitate polling.

For large accommodations or events, market rates shall be determined or negotiated through contracts prior to approval. by the CAO.

### Security and Protection of Department Building and Facilities

The CAO is responsible for developing written security and protection guidelines for Department buildings and facilities and shall periodically monitor the application of these guidelines.

Implementation authority of security and protection guidelines for the various geographic areas of the Department is delegated as follows:

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<u>LOCATION</u>	<u>RESPONSIBLE OFFICIAL</u>
<u>Statewide Security System Complex</u>	<u>Capital Facilities Manager</u>
<u>Headquarters</u>	<u>Business and Support Management Manager</u>
<u>Headquarters Computer Facilities</u>	<u>Chief Information Officer</u>
<u>Aeronautics Headquarters and State-owned airport facilities</u>	<u>Aeronautics Division Administrator</u>
<u>District offices and adjacent buildings</u>	<u>District Engineers</u>
<u>Outlying District facilities such as resident engineers' offices, ports of entry, maintenance buildings, rest areas, etc.</u>	<u>The Senior Supervisor for each facility</u>

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101 Personal injuries, fatalities, or damages shall be reported in accordance with policy 5056.

102 Hazardous materials contamination or other environmental endangering incidents shall be reported  
103 in accordance with policy 5056.

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Signed

Date: March 23, 2021

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Brian W. Ness

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Director



## **USE, SAFETY, AND SECURITY OF DEPARTMENT FACILITIES AND EQUIPMENT**

### **Purpose**

The purpose of this policy is to implement Board policy 4051 and requires the Director to establish requirements for the use of Department facilities and equipment.

### **Legal Authority**

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Idaho State Constitution Article VII, Section 17 – Gasoline taxes and motor vehicle registration fees to be expended on highways.

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Idaho Code 40-505 - Subject to Board oversight, the Director has supervision and control of all activities, functions and employees of the Department, and shall exercise all necessary incidental powers.

Idaho Code 40-707 - State highway funds are appropriated only for specific Idaho Transportation Department (ITD) functions related to state highway purposes, and are not appropriated for private or personal activities.

Idaho Code 67-5309(m)(7) – Property, equipment, and funds of the State can only be used for state business, and cannot be used for private or personal reasons.

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The facilities and equipment of the Idaho Transportation Department are public property, paid for and maintained by highway user funds or aeronautics user funds. Department shops, equipment, or materials are not to be used for repairs or maintenance of private vehicles or property. No personal property (all property belonging to the state of Idaho other than real property), regardless of value, may be taken, salvaged or used by Department employees for personal purposes.

Office and engineering equipment and supplies may not be taken from the Department premises for personal purposes. Equipment may be taken home to complete official work assignments, but only with the permission of the supervisor. Miscellaneous office supplies and other materials are distributed for Department work only. Section Managers can approve a system of recycling supplies that would otherwise be considered waste, i.e. scrap labels, computer paper, etc., to donate to charitable organizations, agencies or schools.

The Chief Administrative Officer (CAO) or a delegate has responsibility for approval of the use of the Headquarters' auditorium, conference rooms, and similar facilities. In the District offices and Division of Aeronautics, these activities will be under the supervision of the District Engineer (DE) or Aeronautic Division Administrator (DA), respectively.

The following guidelines shall be used when scheduling Department facilities when approved by the respective location responsible party as noted above:

- Each request shall be evaluated to ensure that Department facilities, built with funds designated specifically for highway and aeronautic purposes, are not used by groups whose affiliation could be questioned.
- Department work-related activities have first priority. Employee organizations can use the facilities. The facilities may also be scheduled for tax-supported agencies and non-profit groups when the activity relates to a function of the Department.
- Department facilities and resources may be used for department or state endorsed activities such as discussions of fringe benefit packages, Red Cross blood drive, United Way campaign, etc.
- In special or unusual circumstances, other non-profit organizations may use Department facilities.
- Salespeople offering personal products or services to individual employees cannot use Department facilities or infringe on employees' normal work hours without approval.
  - ITD supervisors may, at their discretion, allow the posting of notices of commercial sales activities on appropriate department bulletin boards. However, these notices must inform employees that the product or service is not state or department endorsed. Notices must also inform employees to use their break time, lunch time, or periods before or after work for obtaining services or making inquiries. Business cards or other small posters from sales representatives may be posted on designated ITD bulletin boards with reasonable time limits set for their removal.
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For large accommodations or events, market rates shall be determined or negotiated through contracts prior to approval.

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The CAO is responsible for developing written security and protection guidelines for Department buildings and facilities and shall periodically monitor the application of these guidelines.

Implementation authority of security and protection guidelines for the various geographic areas of the Department is delegated as follows:

<b>LOCATION</b>	<b>RESPONSIBLE OFFICIAL</b>
Statewide Security System Complex	Capital Facilities Manager
Headquarters	Business and Support Management Manager
Headquarters Computer Facilities	Chief Information Officer
Aeronautics Headquarters and State-owned airport facilities	Aeronautics Division Administrator
District offices and adjacent buildings	District Engineers
Outlying District facilities such as resident engineers' offices, ports of entry, maintenance buildings, rest areas, etc.	The Senior Supervisor for each facility

Personal injuries, fatalities, or damages shall be reported in accordance with policy 5056. Hazardous materials contamination or other environmental endangering incidents shall be reported in accordance with policy 5056.

\_\_\_\_\_  
Brian W. Ness  
Director

Date: \_\_\_\_\_



## **SECURITY OF DEPARTMENT FACILITIES**

~~The security and protection of Department buildings and facilities from vandalism, theft or sabotage is charged to the Administrative Services Division Administrator.~~

~~The ASDA is responsible for developing written security and protection guidelines and shall periodically monitor the application of these guidelines.~~

~~Jurisdictional authority for the various geographic areas of the Department is delegated as follows:~~

<b>LOCATION</b>	<b>RESPONSIBLE OFFICIAL</b>
<del>Statewide Security System Complex—</del>	<del>Facilities Manager</del>
<del>Headquarters—</del>	<del>Facilities Services Manager</del>
<del>Headquarters Computer Facilities</del>	<del>IS Manager</del>
<del>Aeronautics Headquarters and State-owned airport facilities</del>	<del>Aeronautics Division Administrator</del>
<del>District offices and adjacent buildings</del>	<del>District Engineers</del>
<del>Outlying District facilities such as resident engineers' offices, ports of entry, maintenance buildings, rest areas, etc.</del>	<del>The Senior Supervisor for each facility</del>

~~In case of an illegal entry to Department property, local law enforcement officials shall be notified immediately, followed by an immediate verbal report and a follow up written report to the appropriate District Engineer, Division Administrator, or higher authority. A written report must be submitted to the Employee Safety and Risk Manager within 30 days to file insurance claims.~~

~~Personal injuries, fatalities, spills of products that may contaminate the environment or damages in excess of \$2,000 shall be reported to Employee Safety & Risk Management in accordance with Administrative Policy A-06-17.~~

~~Purchases for repairs or cleanups are governed by Section 29-220 of the Supply Services procedure manual.~~

~~JIMMY D. ROSS~~ \_\_\_\_\_ Date: 1/13/03

~~JIMMY D. ROSS~~ \_\_\_\_\_

Acting Director

This policy based on:

- ~~Section 67-5711, Idaho Code~~
- ~~Decision by the Director~~

Department-wide supervision and coordination assigned to:

- ~~Administrative Services Division Administrator~~

Direction of activity and results delegated to:

- ~~Facilities Manager, Facilities Services Manager, IS Manager, Division Administrator, District Engineers, Section Supervisors, Employee Safety and Risk Manager~~

Department procedures contained in:

- ~~Administration Manual, Section 153~~
- ~~Supply Services Manual, Section 29-220, Purchasing for ITD Buildings~~
- ~~Supply Services Manual, Section 29-801, Security and Safeguards for ITD personal property~~

Former dates of A-06-16:

~~2/21/91 and 7/1/94~~

Cross-reference to related Administrative Policies:

- ~~A-03-11, DEPARTMENT-OWNED PROPERTY~~
- ~~A-05-27, VOLUNTEER ACTIVITIES~~
- ~~A-06-01, IDENTIFICATION OF ITD PROPERTY AND PUBLICATIONS~~
- ~~A-06-08, PROFESSIONAL SERVICES AGREEMENTS~~
- ~~A-06-13, DEPARTMENT FACILITIES AND EQUIPMENT~~
- ~~A-06-17, REPORTING LOSSES TO HEADQUARTERS~~
- ~~A-23-01, EMPLOYEE SAFETY AND RISK MANAGEMENT~~
- ~~A-15-01, DAMAGED STRUCTURES~~
- ~~A-22-09, SECURITY POLICY FOR INFORMATION RESOURCES~~
- ~~HWY-20, SECURITY OF ITD FACILITIES~~



**DATE:** 8/10/2021

**Program Number(s)**

**TO:** Lorraine Dennis, Executive Assistant to the Board

**Key Number(s)**

**FROM:** Ken Kanownik, Planning Services  
Manager

**Program ID, County, Etc.**

**RE:** Deletion of Policies B-11-05 and A-11-05

As the Subject Matter Expert assigned to Board policy B-11-05 and A-11-05 I am recommending the deletion of these policies to the Idaho Transportation Board Subcommittee on Policies. After a review of departmental practices, funding allocations and new transportation programs it is in the best interest of the department to no longer maintain policies for the federal Congestion Mitigation and Air Quality (CMAQ) Program. The department strategically transfers these program funds to other federal programs.

Administrative policy 5011 states:

The Idaho Transportation Investment Program (hereafter called the ITIP is a seven-year commitment of resources for developing, obligating, and contracting transportation improvement projects by year. The Financial Planning & Analysis (FP&A) Financial Officer and the Chief Engineer shall publish policy guidance, instructions, program descriptions, and procedures for scheduling a project and updating the ITIP annually in February. This annual guidance shall be used in lieu of publishing individual policies describing each program.

Any future guidance for CAMQ will be included in the annual Program Update Manual is the program has any non-transferable federally authorized funding in the future. The following approvals for this policy recommendation have occurred:

The Senior Leadership Team (SLT) sponsor for this policy deletion is Blake Rindlisbacher;

The SLT conducted an electronic review of the policy deletion starting on July 28, 2021 through August 4, 2021 without dissent for deletion;

Lead Deputy Attorney General Tim Thomas concurred with the recommendation on August 6, 2021;

The Executive Leadership Team consented to this policy recommendation on August 9, 2021.

Please include this recommendation on the August Subcommittee on Policies meeting.

Attachments: Legislative format policy A-11-05, B-11-05 and resolution for Subcommittee on Policies

## **CONGESTION MITIGATION AND AIR QUALITY IMPROVEMENT (CMAQ) PROGRAM**

~~The Idaho Transportation Department shall administer and distribute Congestion Mitigation and Air Quality Improvement (CMAQ) Program funds allocated under the Transportation Equity Act for the 21<sup>st</sup> Century (TEA 21). The primary purpose of Idaho's CMAQ Program is to fund projects, planning, and programs in air quality nonattainment and maintenance areas, as well as areas of concern for ozone (O<sub>3</sub>), carbon monoxide (CO), and particulate matter (PM) which reduce transportation related emissions. Geographic areas of concern will be identified in cooperation with the Idaho Division of Environmental Quality (IDEQ) as having measured air quality problems or the potential for air quality problems.~~

### **Program Objectives And Applicability**

~~Idaho's CMAQ Program objectives shall be to implement cost effective activities, plans, and projects that are mutually beneficial to transportation and air quality. CMAQ projects that are implemented should demonstrate the highest potential for preventing or relieving a community's particular air quality problem. Planning activities, for the purpose of developing a strategic plan to reduce a community's transportation related air quality problems, can also be funded under Idaho's CMAQ Program.~~

~~CMAQ funding shall be available to all areas (identified in cooperation with IDEQ) which are currently designated as nonattainment for any criteria pollutant or have the potential to be an air quality problem area in the near future.~~

### **CMAQ Technical Review Committee**

~~A CMAQ Technical Review Committee shall review the CMAQ Program applications and recommend projects to the Idaho Transportation Board. Membership shall represent appropriate interested parties and expertise to balance local, regional, and statewide priorities.~~

~~The CMAQ Technical Review Committee membership shall be as follows.~~

- ~~• ITD Senior Transportation Planner acting as CMAQ Program Coordinator/Liaison to IDEQ;~~
- ~~• IDEQ Statewide Air Quality Analyst acting as the transportation planning liaison;~~
- ~~• ITD Senior Transportation Planner representing Public Transportation;~~

- ~~ITD Environmental Manager representing environmental interests;~~
- ~~Local Highway Technical Advisory Council Administrator;~~
- ~~A knowledgeable citizen-at-large representing citizen involvement;~~
- ~~A rotating local/regional representative who has received CMAQ Program funds in the past, but is not an applicant in the current solicitation timeframe; and~~
- ~~A rotating IDEQ Regional Office Air Quality staff person for regional air quality interests.~~

~~Committee members whose membership rotates will be replaced every two years. The Director will recommend rotating members to the Board for approval.~~

~~The following parties shall serve as ex-officio members. Additional ex-officio members with particular expertise may be asked to participate at the discretion of the Director.~~

- ~~ITD Maintenance Engineer representing the Division of Highways' maintenance activities;~~
- ~~ITD Senior Transportation Planner from Highway Programming; and~~
- ~~CMAQ Program Coordinator from the Federal Highway Administration, Division office.~~

~~The ITD CMAQ Program Coordinator shall facilitate the annual project application, review, and recommendation process. Highway Programming staff will lend direct assistance and support to assure submission of program and project information for inclusion in the Highway Development Program consistent with Board policy B-11-02, Highway Development Program. Specific tasks of the CMAQ Technical Review Committee shall include:~~

- ~~1. Development and release of the annual CMAQ Program Request for Proposals (RFP).~~
- ~~2. Evaluation of the projects submitted for cost effectiveness and air quality improvement.~~
- ~~3. Annual submittal of a recommended list of projects to the Board based on available CMAQ funding.~~
- ~~4. Annual evaluation of CMAQ project and program effectiveness.~~

~~As part of the CMAQ Program RFP development process, specific criteria for project analysis format, technical presentation, and emissions reduction calculation procedures will be developed. To assure consistency with local, regional, and statewide air quality planning, all RFP procedures and requirements shall be reproducible and in accordance with all relevant United States Environmental Protection Agency and/or IDEQ guidance, policies, rules and regulations.~~

### **Project Award**

~~Project award will be based on both cost effectiveness and the potential air quality benefits of a project. In the case of planning projects, projects will be awarded based on their ability to develop a plan with specific activities and projects that would facilitate increased air quality benefits.~~

~~Funding award priority will be given to measures, plans, and programs which either are or have been developed as part of the *Plan for the Control of Air Pollution in the State of Idaho*.~~



**Funding Distribution And Limitations**

~~The CMAQ Program shall be funded annually within the range of \$2,000,000 to \$4,000,000 in federal apportionment and obligation authority prior to matching requirements. Any remaining annual Federal CMAQ apportionments and obligational authority will be used as Surface Transportation Program Funds. The CMAQ Program is designed to be a statewide air quality improvement program, and project selection will reflect distribution of funds according to community need and demonstrable air quality benefit.~~

~~All CMAQ Program project applications are encouraged to be under \$1,000,000 in federal funding per year. Larger projects and programs should be phased over time to assure the statewide funding availability.~~

~~All CMAQ projects will require the minimum match determined by federal law. (Currently, the minimum local match required by federal law is 7.34%.) Additional local match above the minimum required is encouraged, and will be considered favorably in the project selection process.~~

**Interruption And Deferral**

~~Once a CMAQ project or equipment is in the Highway Development Program's contract or development schedule, and commitment and progress has been noted, the project may not be interrupted or deferred, unless federally mandated. However, projects that are not ready or cannot be obligated in their contract year will be delayed. The Department will advance other projects to use the obligational authority associated with the unutilized CMAQ funds with an emphasis on CMAQ projects where possible. No unutilized CMAQ funds will be carried over into the next fiscal year.~~

~~If the U.S. Environmental Protection Agency designates an area in Idaho as a "classified nonattainment area" for carbon monoxide or ozone, all CMAQ funds that have not been obligated shall be dedicated, as much as practical, to the problem area. Other CMAQ projects may be interrupted, deferred, or delayed in preliminary development while these funds are dedicated for the "classified nonattainment area."~~

**Effective Date**

~~Project applications received after the approval date of this policy will be processed using the requirements of this Board policy. All projects in the FY 1999-2003 Highway Development Program, as of the approval date of this policy, will continue to be programmed and managed under the previous policy (Board Policy B-09-13, Congestion Mitigation and Air Quality (CMAQ) Program) until completion of the project.~~

\_\_\_\_\_  
Approved by the Board on:

Charles L. Winder

\_\_\_\_\_  
Date: 8/22/03

CHARLES L. WINDER

Board Chairman

This policy based on:

- ~~Transportation Equity Act for the 21<sup>st</sup> Century (TEA 21)~~
- ~~Recommendations of the Idaho Transportation Board CMAQ Program Subcommittee~~

Former Dates of B-11-05:

\_\_\_\_\_  
3-18-99

(policy moved and revised from B-09-13, Congestion Mitigation and Air Quality (CMAQ) Program, dated 4/21/94)

Cross reference to related Board Policies:

- ~~B-09-04, CORRIDOR PLANNING FOR IDAHO TRANSPORTATION SYSTEMS~~
- ~~B-09-08, BICYCLE/PEDESTRIAN FACILITIES~~
- ~~B-11-01, STATEWIDE TRANSPORTATION IMPROVEMENT PROGRAM~~
- ~~B-11-02, HIGHWAY DEVELOPMENT PROGRAM~~
- ~~B-11-03, TRANSPORTATION ENHANCEMENT PROGRAM~~
- ~~B-11-04, ALLOCATION OF SURFACE TRANSPORTATION PROGRAM APPORTIONMENTS TO LOCAL PUBLIC AGENCIES~~
- ~~B-28-02, PUBLIC TRANSPORTATION ADVISORY COUNCIL (PTAC) AND REGIONAL PUBLIC TRANSPORTATION ADVISORY COMMITTEES (RPTAC)~~



## **CONGESTION MITIGATION AND AIR QUALITY IMPROVEMENT PROGRAM**

The Congestion Mitigation and Air Quality Improvement (CMAQ) Program is a planned commitment of Idaho's transportation resources to develop projects and obligate funds for transportation-related air quality projects in a given fiscal period. The following project types and programming categories will be used for the CMAQ program:

<b>CMAQ Project Types</b>	<b>STIP Programming Categories</b>
Road Surfacing and Construction (unpaved, graveled and paved)	Base and Resurfacing
Dust Control and Prevention	Misc. Improvement
Transit Capital Equipment Purchases	Transit
Transit Start-Up & Operation	Transit Operations
Intelligent Transportation Systems Planning and Projects	Traffic Signal/ITS
Bicycle and Pedestrian Route Construction	Bicycle/Pedestrian Trail
Special Studies, Strategic Planning, and Air Quality Monitoring	Air Quality Study
Alternative Transportation Education/Promotion/Outreach	Transit Operations

### **Project Evaluation Criteria**

CMAQ projects shall be evaluated and ranked using air quality and specific project criteria. The following information details the air quality criteria, and then goes into the specific project criteria.

#### **Air Quality Evaluation Criteria/Areas Which Have the Potential to be an Air Quality Problem Area (ranked in order of importance)**

1. Areas that are currently designated and/or were previously proposed or designated nonattainment for any criteria pollutant (i.e., Silver Valley, Pinehurst, Sandpoint, Lewiston, Kootenai County, Ada County, Pocatello, and Soda Springs).
2. Areas with ambient monitoring data for any criteria pollutant which have exceeded seventy-five percent (75%) of the applicable National Ambient Air Quality Standards on greater than twenty-five percent (25%) of monitored days annually, based on air quality monitoring for the past three (3) years or at a minimum, one (1) year.
3. An area where air quality monitoring data indicates the likelihood of an air quality problem for new and revised criteria pollutants.
4. Areas that have received multiple formal citizen complaints related to a transportation emissions source, according to IDEQ records or those of other public agencies.
5. Areas where the professional judgment, analysis, and experience of the Idaho Transportation Department (ITD) District staff or IDEQ air quality staff indicate a transportation-related air quality problem exists. In the case of tribal jurisdictions, the judgement, analysis and experience of tribal environmental staff and/or U.S. Environmental Protection Agency staff will be utilized.

Board Policy B-11-05, Congestion Mitigation and Air Quality Improvement (CMAQ) Program, requires uniform statewide comparison of projects for air quality benefit and cost-effectiveness. Cost-effectiveness will be determined by applicants using the following equation to compute cost compared to emissions reductions.

*Cost-Effectiveness equation = Annualized Cost divided by kilograms of emissions reductions per year*

### **Specific Project Evaluation Criteria**

Additionally, CMAQ projects will be evaluated according to the specific type criteria to assure that real, quantifiable emission reductions are occurring within both regulatory and voluntary frameworks. Other evaluation criteria developed by the U.S. DOT as CMAQ program guidance may also be used to evaluate projects. These criteria shall serve to blend transportation and air quality priorities by addressing critical issues and nexus points. In general, projects should not cause any negative environmental effects.

#### **Road Surfacing Projects Evaluation Criteria**

- Target appropriate season and location of problem;
- Preventative in nature;
- Part of a capital improvement plan for the local jurisdiction;
- Provide long-term solutions;
- Result in reduced maintenance;
- Increase safety;
- Efficient and flexible; and
- Consider benefit/cost and value engineering/project life in choice of surfaces.

#### **Dust Control and Prevention Projects Evaluation Criteria**

- Serve as seed money or pilot projects as part of a long-term implementation plan;
- Purchase additional equipment, as opposed to replacement;
- Meet ITD/IDEQ specifications for such equipment;
- Used in nonattainment and/or problem areas; and
- Coordinate use of equipment to problem relationship for time/frequency/location.

#### **Transit Capital Equipment Purchase Projects Evaluation Criteria**

- Follow all Federal Transit Administration grant requirements;
- Preferably use alternative and clean fuels;
- Demonstrate administrative capacity for operation and maintenance;
- Demonstrate need for purchase (waiting list, ridership trends, planned outreach strategies, etc.);
- Result in intermodal connectivity;
- Decrease VMT (vehicle miles of travel) and congestion (result in mode shift); and
- Flexible use of equipment.

**~~Transit Start-Up and Operation-Evaluation Criteria~~**

- ~~Address an air quality issue which can be aided by new public transit;~~
- ~~Occur where public transit service is limited or nonexistent;~~
- ~~Coordinate with all existing public transit service providers in the area;~~
- ~~Serve as new service provision, not as replacement of existing service;~~
- ~~Coordinate with ITD Division of Public Transportation; and~~
- ~~Short term duration, with provisions for local long term operation and maintenance.~~

**~~Intelligent Transportation Systems Planning and Projects-Evaluation Criteria~~**

- ~~Focus on location to address an identified air quality problem (e.g., corridor, intersection, etc.);~~
- ~~Cost efficient;~~
- ~~Offer safety improvements and efficient traffic flow;~~
- ~~Address system wide coordination requirements;~~
- ~~Focus on Carbon Monoxide nonattainment and problem areas;~~
- ~~Apply signal warrant requirements; and~~
- ~~Result in a system wide benefit.~~

**~~Bicycle and Pedestrian Projects-Evaluation Criteria~~**

- ~~Serve a transportation purpose;~~
- ~~Link to a community or regional transportation system;~~
- ~~Operate within three relational aspects of intermodal transportation system (in rank order) through:~~
  1. ~~*Impact* designed to reduce the number of vehicles on existing corridors during peak travel volumes;~~
  2. ~~*Proximity* serves the same people within the same travel corridor as existing systems and modes; and~~
  3. ~~*Function* creates or improves existing system to provide safe and convenient route from origin to destination.~~
- ~~Be part of a long range transportation plan at local, district, or state levels;~~
- ~~Meet design standards specified by the ITD Bicycle and Pedestrian Coordinator, the ITD Design Manual, and/or AASHTO standards (paths, ways, walks, trails, routes, and lanes);~~
- ~~Document information using acceptable VMT, pedestrian traffic models, actual local studies, links to promotional effort; and~~
- ~~Designate maintenance responsibilities as noted in A-09-08, Bicycle/Pedestrian Facilities.~~

### **~~Special Studies, Strategic Planning, and Air Quality Monitoring Projects-Evaluation Criteria~~**

- ~~• Specific as to their relationship to transportation;~~
- ~~• Focus on direct air quality improvement projects and programs;~~
- ~~• Maintain a defined schedule and set of deliverables;~~
- ~~• Assure scientific/statistical procedures are followed;~~
- ~~• Improve local information and data sources;~~
- ~~• Result in better decision making;~~
- ~~• Eliminate unwarranted future projects; and~~
- ~~• Limit need for future studies.~~

### **~~Alternative Transportation Education/Promotion/Outreach Projects-Evaluation Criteria~~**

- ~~• Specific as to their relationship to transportation;~~
- ~~• Maintain a defined schedule and set of deliverables;~~
- ~~• Available as reference information (formal report or summary) for other jurisdictions;~~
- ~~• Improve local information and data sources; and~~
- ~~• Focus on direct air quality improvement projects and programs.~~

### **~~Program Application Requirements~~**

~~For projects to be considered in the CMAQ program the following requirements and procedures must be completed.~~

#### **~~Air Quality Analysis Requirements~~**

~~Air quality analysis is required for each CMAQ project submittal (one page limit):~~

- ~~1. Project Name, Location, Purpose, and Summary.~~
- ~~2. An explanation of the transportation/air quality problem, including affected population.~~
- ~~3. Project purpose and its connection to local or regional transportation and/or air quality plans.~~
- ~~4. A statement regarding why the project is eligible under Idaho Transportation Board Policy B-11-05, Congestion Mitigation and Air Quality Improvement Program.~~
- ~~5. Future implications for the area if this project is not funded.~~

~~Projects that claim specific emissions reductions should also summarize specific reductions (in kilograms/year) and the project's cost-effectiveness (combined one page limit). Procedures for documenting emissions reductions are included in the application package, and will be posted on ITD and IDEQ websites.~~

### **Construction Project Requirements**

The following CMAQ projects include construction and so must complete construction project requirements:

- Road surfacing and construction
- Bicycle and pedestrian route construction
- Some Intelligent Transportation System (ITS) projects
- Intermodal facilities requiring construction

A State and Local Agreement shall be used as a formal commitment between the state and local agencies to ensure accountability. Additionally:

1. An ITD-2435, Local Federal Aid Project Request, an ITD-1150, Project Cost Summary Sheet, and an ITD-654, Preliminary Environmental Evaluation,
2. Detailed field review of mile-by-mile costs and needs (i.e., culverts, drainage, R/W, cuts/fills, transmission lines, etc.) to aid in a more accurate preliminary budget analysis and timeframe expectations,
3. Detailed project schedule with appropriate milestones, and
4. Line item budget,
5. Air Quality Analysis.

The field review can be performed in-house or may be contracted out. The reviewer must be someone with appropriate expertise and will be responsible for preparing the cost estimate used in the application. The project's sponsor must certify that a detailed field review has been completed on the construction project application.

Project costs for right of way, utility relocation, and project development costs that follow project approval in the program are reimbursable. ITD specifications will govern engineering requirements and specifications. Materials reports will be required as part of construction projects.

To address resource shortages within ITD and potential project delays for construction projects, local public agencies can contract out to private "ITD-certified" firms for design review and approval (concept and intermediate design).

### **Non-Construction Project Requirements**

The following CMAQ projects must complete non-construction project requirements:

- Transit Capital Purchases
- Transit Start-Up and Operation
- ITS Planning
- Dust Control and Prevention
- Special Studies, Strategic Planning and Air Quality Monitoring
- Alternative Transportation Education/Promotion/Outreach

~~A State and Local Agreement shall be used as a formal commitment between the state and local agencies to ensure accountability. Additionally:~~

- ~~1. An ITD-2883, Non-Construction Request/Application,~~
- ~~2. Project schedule with appropriate milestones, and~~
- ~~3. Line item budget.~~
- ~~4. Air Quality Analysis.~~

~~For public transportation projects, the Division of Public Transportation shall:~~

- ~~1. Work with applicants to ensure vehicle purchases meet all ITD and federal requirements, including, but not limited to:
 
  - ~~• Procurement and bid processes;~~
  - ~~• Americans with Disabilities Act accessibility requirements;~~
  - ~~• Buy America requirements;~~
  - ~~• Pre-award and post-delivery reviews; and~~
  - ~~• New model bus testing.~~~~
- ~~2. Ensure that ITD is the lienholder on any vehicles purchased by the CMAQ Program for the vehicle's useful life, as required by Idaho Code, 40-514. These vehicles shall be inspected every other year to assure adequate maintenance and service provisions.~~
- ~~3. Limit expenditures of CMAQ funds to transit vehicle capital purchases and ridership-enhancement infrastructure and equipment.~~
- ~~4. Assure that operations and maintenance expenditures are not included in capital purchase projects.~~

### **~~Funding Distribution and Limitations~~**

~~Preference in funding will be given to CMAQ projects that:~~

- ~~• Are measures, plans, and programs which either are, or have been developed as part of the *Plan for the Control of Air Pollution in the State of Idaho*; and~~
- ~~• Are designed for areas that are nonattainment for any criteria air quality pollutant or have the potential to be an air quality problem area in the near future (and as further defined above).~~

~~A statewide limitation of \$2,000,000 per year for all CMAQ projects in *out years* will be applied to long-range, multi-year construction projects. (*Out years* are those years beyond the funding timeframe currently under consideration.) This limitation will allow complex construction projects to be added in *out years* while maintaining funding for short-term, streamlined projects. Phasing of projects, consistent with Board Policy, B-11-05, is highly encouraged for the same reason.~~

~~Increases in project costs are the responsibility of the project applicant.~~



### **Program Outreach Component**

A program outreach component will begin in fiscal year 2000. The effort will include:

- Local Highway Technical Assistance Council (LHTAC), Metropolitan Planning Organizations (MPOs), and IDEQ, working with ITD to coordinate a CMAQ Workshop component within annual Local Public Agency Meetings at each of the Districts.
- The use of a letter of interest from potential applicants to request an application.
- The appointment of a formal District contact, either the Local Roads Coordinator or the District Planner by the District Engineer. This contact shall be trained in the CMAQ program process and serve as a mentor through the project application process.
- Monthly newsletters from LHTAC to the local highway organizations to inform locals agencies of upcoming meetings and program solicitations.

### **CMAQ Technical Review Committee**

A Technical Review Committee shall be selected from across the state to access unique input and abilities of a variety of individuals. Members of the Technical Review Committee who must travel from outside of the Treasure Valley to attend committee meetings will be reimbursed in accordance with State of Idaho per diem and travel policies.

### **Program Award Process**

The CMAQ Program is based on local and regional applications, processed through each District (and prioritized by metropolitan planning organizations, as available), for presentation and evaluation by the Technical Review Committee. The Technical Review Committee makes the final recommendations to the Idaho Transportation Board regarding funding priorities that are based on air quality benefit and cost-effectiveness and specific project criteria.

Once the project is approved by the Board, the ITD District Contact negotiates a mutually acceptable timeline with the applicant to define reasonable review and submittal timeframes and a critical path schedule as part of the State and Local Agreement.

### **Project Close-Out Documentation**

A formal feedback process shall be included in the project's closeout documentation to ensure continued improvements and a long-term quality focus. The following steps are included:

1. Survey applicants.
2. Determine the projected and actual line item costs, as available.
3. Determine if original and actual schedule milestones were changed.
4. Follow up by telephone sample of less successful projects (Applicants and District Contacts).
5. Identify "what went well" or recommend "mid-course corrections."
6. Follow up with potential applicants, who formally requested an application packet, but did not apply. Determine reasons why and consider input for following application cycle.

\_\_\_\_\_  
Signed \_\_\_\_\_ Date: 6-1-99  
DWIGHT M. BOWER  
Director

This policy is based on:

- ~~Federal Regulations, Idaho Code, AASHTO standards, and other national organization standards that address transportation-related congestion mitigation and air quality improvement~~
- ~~Board Policy, B-11-05, Congestion Mitigation and Air Quality Improvement (CMAQ) Program~~
- ~~Decision by the Director~~

Department wide supervision and coordination assigned to:

- ~~Chief Engineer, Public Transportation Administrator, and Transportation Planning Administrator~~

Direction for activity and results delegated to:

- ~~District Engineers, Section Managers, and other personnel as assigned~~

Department procedures contained in:

- ~~This policy~~

Former dates of A-11-05:

~~0-~~

Cross reference to related Administrative Policies:

- ~~A-09-04, CORRIDOR PLANNING FOR IDAHO TRANSPORTATION SYSTEMS~~
- ~~A-09-08, BICYCLE/PEDESTRIAN FACILITIES~~
- ~~A-11-01, STATEWIDE TRANSPORTATION IMPROVEMENT PROGRAM~~
- ~~A-11-02, HIGHWAY DEVELOPMENT PROGRAM~~
- ~~A-11-03, TRANSPORTATION ENHANCEMENT PROGRAM~~



**DATE:** August 20, 2021

**Program Number(s)**

**TO:** Idaho Transportation Department Staff

**Key Number(s)**

**FROM:** Brian W. Ness, Director

**Program ID, County, Etc.**

**RE:** Contracting, Purchasing and Requisition Authority

The Idaho Transportation Department is an Executive Agency and adheres to Idaho Code in all our procurement activities. The purpose of this memo is to help employees better understand how financial decisions are made and delegated when it comes to contracts, agreements, memorandum, requisitions and purchases. The delegation process outlined in this memo represents my philosophy of keeping decision making as close to where the work is being done. It follows all the procurement laws, regulations and policies.


When delegating or executing authority, all employees must follow the appropriate procedures to execute on their purchasing and requisition authority decisions. Decision makers must have the budgetary authority as determined by the Idaho Legislature prior to any execution of delegated authority.

This delegation is outlined in Attachment 1: Authority Matrix split by Contracting, Agreements and MOUs on one side with Purchasing and Requisitions on the other. Further details are outlined Attachment 2: Definitions and Attachment 3: Delegating of Authority.

This is effective immediately, but this memo is intended to be in effect for approximately 1 year, after which the delegated authority will be worked into administrative policy.


## Idaho Transportation Department Delegation of Authority Matrix - Contracting

**Contracts, Agreements & MOU - Policy Reference: 5001, 5007, 5029, 5061 5546**

	Contract/Agreement Category																				
	Highway Contracts and Agreements <\$100k	Highway Contracts and Agreements >=\$100k	Emergency Highway Contracts>\$25k	Local Public Agency Highway Contracts	Professional Services Agreements - Routine*	Professional Services Agreements - Non Routine*	Task Agreement**	Right of Way	State Local	Cooperative Agreements	Railroad & Utility Agreements	Road Closure & Maintenance Agreements - System Adjustments	Goods and Services Contracts/Agreements	Contracts for Administrative Buildings <\$100k	All Other Facility Contracts	Grant Program Agreements	Information Technology Service Contracts or Agreements	Special Event Agreements	Memorandum of Understanding/Agreement	Agreements, Compacts or Arrangements with other States on behalf of Idaho	Contracts & Agreements Not Explicitly Mentioned
Board					>=\$1mil	>=\$50k	>\$500k	>\$1mil				Approve					Default to Goods and Services				
Director & Executives																					
Chief Engineer			Approve																		
Division Admin / District Engineer		HQCO-DA		HQCO-DA	<\$1mil	<\$50k		<=\$1mil				Recommend									DMV
HQ Section Manager																					
Special Position Condition													Purchasing Agent	Facility Management Contracting Officer			BSM ETS ITS Div. Pur.				
Legend	Division of Highways Only												Department Wide								
Can be delegated further	* All supplemental agreements over threshold are authorized by Idaho Transportation Board																				
Cannot be delegated further	** Cumulative project or two year costs over \$1.5 million are authorized by the Idaho Transportation Board																				

Employees exercising delegated authority shall report decisions to supervisors and other employees impacted by each decision

## Idaho Transportation Department Delegation of Authority Matrix - Requisition & Purchasing

 Level of Organization	Requisition & Purchasing Category (Applicable Object Codes)																				
	Non-Capital Equipment and Items															Capital Equipment					
	Communications (5000-5050)	Employee Development (5051-5100)	General Services (5101-5150)	Professional Services (5151-5200 + 5306)	Repair & Maintenance Svcs (5201-5230 5240-5250)	Hwy Agreements & Contracts (5230-5239)	Administrative Services (5251-5300)	Computer Services (5301-5350)	Travel & Relocation (5351 - 5400)	Administrative Supplies* (5401-5550)	Computer Supplies (5501-5600)	Repair & Maintenance Supplies (5601-5644 & 5648)	Highway Materials Cost (5645)	Specific Use (5701-5750)	Utility Charges (5801-5900)	Rentals & Operating Leases (5901-5950)	Capital Computer Equipment	Capital Motorized Equipment Costs	Capital Office Equipment Costs	Capital Specific Use Equipment	
	Board	ELT Member	SLT Member																		
	\$50,000+	\$25,000+	\$15,000+	\$50,000+	\$100,000+	\$250,000+	\$25,000+	\$200,000+	Out of State Travel Relocation Meals & Refreshments	\$25,000+	\$50,000+	\$50,000+	\$250,000+	\$100,000+	\$50,000+	\$100,000+	\$100,000+	Follow Capital Equipment Purchase Process	\$20,000+	\$100,000+	
Band 1	up to \$50,000	up to \$25,000	up to \$15,000	Job Specific to Procure from Existing Contract	up to \$100,000	up to \$250,000	up to \$25,000	up tp \$200,000	Supervisors - Overnight In State Travel	up to \$25,000	up to \$50,000	up to \$50,000	up to \$250,000	up to \$100,000	up to \$50,000	up to \$100,000	up to \$100,000		up to \$20,000	up to \$100,000	
Band 2	up to \$20,000	up to \$10,000	up to \$10,000		up to \$25,000	up to \$25,000	up to \$5,000	Up to \$50,000		up to \$5,000	up to \$10,000	Job Specific as Assigned	up to \$50,000	up to \$20,000		up to \$50,000	up to \$50,000		up to \$50,000	up to \$10,000	up to \$25,000
Band 3	up to \$5,000	up to \$2,000	up to \$5,000		up to \$10,000	up to \$5,000		up tp \$10,000		up to \$1,000	up to \$5,000		up to \$20,000				up to \$25,000		up to \$25,000		
Band 4	Division Specific				Job Specific as Assigned				Same Day In State	Administrative Support as Assigned	Job Specific as Assigned		PERSONAL SAFETY SUPPLIES	Job Specific as Assigned							
Band 1 - Classification P + Engineering Manager 3, DMV Manager Committee, Highway Safety Manager Right of Way Manager, Aeronautics Managers				Band 2 - Classification O, Traning & Development Manager				Band 3 - Classification N,M, Supervisory L,K + Principal Chemist				Band 4 - All Other Classifications									

\* Operation and fleet managers are authorized to acquire fuel for departmental operations

The Authority Matrix supplements policies and manuals to provide guidance on what signature should be on requisition forms or other documentation to authorize financial transactions - this does not usurp Idaho Code, policies or manuals. Employees are responsible for following Idaho Code, policies and manuals when signing/authorizing contracts/agreements, financial transactions or requisitions.

It is the responsibility of the AUTHORIZER to ensure budget authority, funding, coding and appropriateness of each authorization.

Authority Matrix Band Definitions				
Band 1	Band 2	Band 3		
ENGINEER, MANAGER 3	ENGINEER, MANAGER 1	AUTOMATED SYSTEM MGR	HUMAN RESOURCE SPEC, SR	PLANNER, ENV SR
BUSINESS SUPPORT MANAGER	ENGINEER, TECHNICAL 2	BUSINESS ANALYST	HUMAN RESOURCES PRG MGR	PLANNER, TRANS SR
ENGINEER, MANAGER 2	FINANCIAL OFFICER	BUSINESS OPERATIONS MGR	HUMAN RSRCs UNIT SUPV	PLANNER, TRANSP SR-PRGMNG
IT MANAGER IV	IT MANAGER III	CHEMIST, PRINCIPAL	IT DATABASE ADMIN ANALYST III	PROGRAM MANAGER
PROGRAM MGR, TRANSPORTATION	PLANNING MGR, TRANSP	ECONOMIST	IT INFO SECURITY ENGINEER II	PROGRAM SUPERVISOR
DMV MANAGER COMMITTEE	PROJECT MANAGER 2	ECONOMIST, STAFF	IT INFO SYS AND INFR ENG III	PROJECT MANAGER 1
HIGHWAY SAFETY MANAGER	TRAINING & DEV MGR	EEO/DISADV BUS ENTRP PROG MGR	IT MANAGER II	PUBLIC INFO OFCR, SR
RIGHT OF WAY MANAGER		ELECTRONICS SUPERVISOR, ITD	IT OPS & SUPPORT ANALYST III	RESEARCH ANALYST, PRIN
AIRPORT MANAGER		ENGINEER, STAFF	IT SOFTWARE ENGINEER III	RIGHT-OF-WAY AGENT, SR
AERONAUTICS SFTY/ED COOR		ENGINEER, TECHNICAL 1	MAINT & OPERTNS SUPV	RIGHT-OF-WAY APPRAISER
FLIGHT OPERATIONS DIR		FINANCIAL MANAGER	MOTOR VEHICLE PRGM SUPV	SHOP SUPERINTENDENT
		FINANCIAL SPECIALIST, PR	ORGANIZATIONAL DEV SPEC	TECHNICAL ENG SERVICES LEADER
		GEOLOGIST, ENG	PERFORMANCE DEV SPEC	TRANS OPERATIONS TEAM LEADER
		GIS ANALYST III	PLANNER, SR	TRANSP LEGIS/PLCY SPEC

### **Delegating of Authority**

Written (physical or electronic) delegation of authority shall include:

1. The party responsible for delegating
2. The party receiving the delegation
3. The terms of delegation
4. Effective dates
5. Reference to any applicable approvals

Executive or Senior Leadership Staff shall provide delegation either to an equivalent level staff or split the delegation between a Senior Leadership level staff and staff in Band 1-3 as allowable by Attachment 1.

Staff in Bands 1-3 (attachment 2) must delegate horizontally on the organizational chart unless approved by a District Engineer or Division Administrator.



**AUTHORITY TO SIGN CONTRACTS, AGREEMENTS, AND GRANTS  
AND REQUIREMENT TO REPORT CERTAIN CONTRACTS**

**Purpose**

This policy delegates Idaho Transportation Board authority for signing and executing contracts to the Director, thereby allowing for the day to day operation of the Idaho Transportation Department. This policy also designates limits and controls for staff authority regarding contracts, agreements, and grants. Additionally, this policy establishes reporting requirements for the award of construction contracts and non-construction professional service agreements so the Board can monitor contract performance.

**Legal Authority**

The Department shall be responsible for managing contracts, agreements, and grants in accordance with:

**Idaho Code 21-108** – Authority of the Board to enter into contract for Aeronautic facilities as prescribed by the federal authorities.

**Idaho Code 40-309(1)(2)** – Board authority to contract fully in the name of the state with respect to the rights, powers and duties vested in the Board by Title 40.

**Idaho Code 40-310(7)** – Board authority to approve the final plans, specifications, and estimates for state highways and cause contracts for state highways work to be let by contract in the manner provided by law.

**Idaho Code 40-312(2)** – Board authority to make rules and regulations for the expenditure of all moneys appropriated or allocated to it. Board authority to cooperate with counties and highway districts to establish a uniform system of accounting in the expenditure and allocate funds to counties and highway districts as necessary in the construction and maintenance of respective highways.

**Idaho Code 40-505** – The Director shall be the technical and administrative officer of the board and under the board's control, supervision and direction, shall have general supervision and control of all activities, functions and employees of the department. The Director shall enforce all provisions of the laws of the state relating to the department, the rules and regulations of the board, and shall exercise all necessary incidental powers.

**Idaho Code 40-902** – Procedure for letting typical contracts (not design-build contracts) for the construction of state highways and bridges.

**Idaho Code 40-904** – Statutory requirements for design-build contracts for the construction of state highways and bridges.

**Idaho Code 40-905** – Procedure for the department to select construction manager/general contractor firms to award contracts for highway projects.

**Idaho Code 49-201(1)(2)** – Board authority to enter into agreements, compacts or arrangements with other jurisdictions on behalf of Idaho for the purpose of conforming procedures for proportional registration of commercial vehicles and other types of reciprocal agreements.



Idaho Code 67-5711 – Construction, Alterations, Equipping, Furnishing and Repairing of Public Buildings and Works. The Director of the Department of Administration is authorized to secure all plans and specifications for, to let all contracts for, and to have charge of and supervision of the construction, alteration, equipping and furnishing, repair, maintenance (other than preventative maintenance) of all state buildings when such work exceeds the sum of one hundred thousand dollars (\$100,000) for labor, materials and equipment (not including design costs, bid advertising and related bidding expenses).

**Idaho Code 67-9203** – Definition of terms used in contracts and agreements in the State Procurement Act as administered by the Department of Administration.

**Idaho Code 67-9205** – Powers and duties of the Administrator for the Division of Purchasing (Department of Administration) regarding state purchases and contracts not made under the Board's contracting authority.

**Idaho Code 67-9206** – Division of Purchasing Administrator may delegate Title 67 state contract and purchasing authority to an agency employee who demonstrates sufficient competence in procurement to satisfy the administrator.

**Idaho Code 67-9208 through 9224** – Uniform procurement and contracting procedures and processes to acquire all services and property not procured by the Board under Title 40 of the Idaho Code. The statutes require competitive bidding and that contracts be awarded to the lowest responsible bidder.

40 U.S.C. sections 1101 through 1104 – Commonly referred to as The Brooks Act (formerly 40 USC 541 through 544) – Requires qualification-based selection for contracting engineering and architectural services to include definitions, selection procedures and negotiations to contract for architectural and engineering services.

**2 CFR 200** – Uniform Administrative Requirements, Cost Principles and Audit requirements for Federal Awards – In the absence of specific federal requirements, procurement will follow normal competitive bidding and award to lowest responsible bidder procurement laws.

23 CFR Part 172 – Defines methods of procurement when federal funds are involved; need to use qualifications-based selection matters for engineering and design related services in the same manner as a contract for architectural and engineering services under the Brooks Act (formerly 40 United States Code sections 541 thru 544).

**23 CFR Part 230** – External Programs, Subpart A: Equal Employment Opportunity on Federal and Federal-Aid Construction Contracts (including Supportive Services).

48 CFR Part 31 – Federal acquisitions regulations system governing procurement when federal funding is involved.

### **Delegated Authority**

The Director or delegate shall approve contracts, agreements, and grants, and is authorized to sign all contracts, agreements, and grants required for the proper functioning of the Idaho Transportation Department. Signing authority may be delegated to Executive Officers, Division Administrators, District Engineers, and Section Managers when acting within their jurisdictional duties. Any authority so delegated shall conform to all applicable laws, rules, and regulations. Such authority shall not be exercised by the delegate in the event of a conflict of interest or if apparent personal gain is evidenced.

**Legal Review**

All Department documents of a contractual nature must be in accordance with federal and state laws, and must be reviewed by the Department's Legal section. The Legal section shall review all negotiated contracts or agreements, except for right of way agreements and standard formatted agreements that have been previously reviewed by the Legal section. Standard Department contract templates need not be re-submitted, unless the standard contract template is revised.

**Log or Register of Contracts, Agreement and Grants**

The Director shall instruct originating offices to maintain a log or register of their respective contracts, agreements, or grants.

**Professional Service Agreements**

The Director is authorized to seek necessary professional services outside the Idaho Transportation Department when the required services are not available within the Department.

Selection of professional service firms shall follow federal guidelines when the services involve federal funds. The Department shall establish internal procedures to ensure complete compliance. Procedures for non-federal-aid professional service agreements shall also conform to state statutes and fiscal controls.

The Director or a delegate is authorized to approve:

- Routine engineering and right of way agreements between the Department and any public agency or private firm that do not exceed, nor are expected to exceed, a total amount to be paid of \$1,000,000. Supplemental agreements, including the original agreement, that would bring the Department's obligation to more than \$1,000,000 require Board approval.
- Non-routine professional agreements that do not exceed, nor are expected to exceed, a total amount to be paid of \$50,000. Supplements that would bring the Department's obligation to more than \$50,000 require Board approval.

Term agreement procedures allow consultants to be pre-qualified and approved to perform services on immediate notice. Task agreements are initiated as part of a term agreement, and are for specific, well-defined, and narrow-focused work. The Director or a delegate is authorized to approve task agreements that do not exceed, nor are expected to exceed, \$500,000. Task agreements that exceed \$500,000 and task agreements whose cumulative costs relating to a specific project or two-year term agreement that would bring the Department's obligation to more than \$1,500,000 require Board approval.

All agreements and supplemental agreements shall conform with the other provisions of this policy.

**Requirement to Report Construction Contracts**

The Director, or a delegate, shall approve plans, specifications, estimates, advertisements, and awards for current-year construction projects listed in the Board-approved Idaho Transportation Investment Program (ITIP).

The Board shall be advised monthly of:

- all ITIP professional services that were used during the preceding month;
- all ITIP project advertisement and bid opening dates;

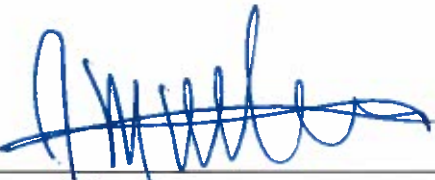
- the obligation status for the current fiscal year; and
- the bid status of highway projects;

The Board shall approve

- the justification for awarding or rejecting contracts when the bid exceeds the engineer's estimate by more than ten percent (10%); or
- bids that exceed the Engineer's estimate by more than 2 million dollars.

**Requirement to Report Non-Construction Professional Service Agreements**

Each month the Chief Administrative Officer shall report to the Board all non-construction professional service agreements entered into by the Department during the previous month. The report may be included in the monthly consent items reviewed by the Board.

  
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Jerry Whitehead  
Board Chairman

Approved by the Board on:

Date 5/17/2018



**ADMINISTRATIVE POLICY 5001**  
**Page 1 of 6**

**AUTHORITY TO SIGN CONTRACTS, AGREEMENTS, AND GRANTS  
AND REQUIREMENT TO REPORT CERTAIN CONTRACTS**

**Purpose**

This policy implements Board Policy 4001 concerning the authority to sign contracts, agreements, and grants, and the requirement to report certain contracts.

**Legal Authority**

The Department shall be responsible for managing contracts, agreements, and grants in accordance with:

Idaho Code 21-108 – Authority of the Board to enter into contract for Aeronautic facilities as prescribed by the federal authorities.

Idaho Code 40-309(1)(2) – Board authority to contract fully in the name of the state with respect to the rights, powers and duties vested in the Board by Title 40.

Idaho Code 40-310(7) – Board authority to approve the final plans, specifications, and estimates for state highways and cause contracts for state highways work to be let by contract in the manner provided by law.

Idaho Code 40-312(2) – Board authority to make rules and regulations for the expenditure of all moneys appropriated or allocated to it. Board authority to cooperate with counties and highway districts to establish a uniform system of accounting in the expenditure and allocate funds to counties and highway districts as necessary in the construction and maintenance of respective highways.

Idaho Code 40-505 – The Director shall be the technical and administrative officer of the board and under the board's control, supervision and direction, shall have general supervision and control of all activities, functions and employees of the department. The Director shall enforce all provisions of the laws of the state relating to the department, the rules and regulations of the board, and shall exercise all necessary incidental powers.

Idaho Code 40-902 – Procedure for letting typical contracts (not design-build contracts) for the construction of state highways and bridges.

Idaho Code 40-904 – Statutory requirements for design-build contracts for the construction of state highways and bridges.

Idaho Code 40-905 – Procedure for the department to select construction manager/general contractor firms to award contracts for highway projects.

**Idaho Code 49-201(1) (2)** – Board authority to enter into agreements, compacts or arrangements with other jurisdictions on behalf of Idaho for the purpose of conforming procedures for proportional registration of commercial vehicles and other types of reciprocal agreements.

Idaho Code 67-5711 – Construction, Alterations, Equipping, Furnishing and Repairing of Public buildings and works. The Director of the Department of Administration is authorized to secure all plans and specifications for, to let all contracts for, and to have charge of and supervision of the construction, alteration, equipping and furnishing, repair, maintenance (other than preventative maintenance) of all state buildings when such work exceeds the sum of one hundred thousand dollars (\$100,000) for labor, materials and equipment (not including design costs, bid advertising and related bidding expenses).

Idaho Code 67-9203 – Definition of terms used in contracts and agreements in the State Procurement Act as administered by the Department of Administration.

Idaho Code 67-9205 – Powers and duties of the Administrator for the Division of Purchasing (Department of Administration) regarding state purchases and contracts not made under the Board's contracting authority.

Idaho Code 67-9206 – Division of Purchasing Administrator may delegate Title 67 state contract and purchasing authority to an agency employee who demonstrates sufficient competence in procurement to satisfy the administrator.

Idaho Code 67– 9208 through 9224 – Uniform procurement and contracting procedures and processes to acquire all services and property not procured by the Board under Title 40 of the Idaho Code. The statutes require competitive bidding and that contracts be awarded to the lowest responsible bidder.

40 U.S.C. sections 1101 through 1104 – Commonly referred to as the Brooks Act (formerly 40 USC 541 through 544) – Requires qualification-based selection for contracting engineering and architectural services to include definitions, selection procedures and negotiations to contract for architectural and engineering services.

2 CFR 200 – Uniform Administrative Requirements, Cost Principles and Audit requirements for Federal Awards. In the absence of specific federal requirements, procurement will follow normal competitive bidding and award to lowest responsible bidder procurement laws.

23 CFR Part 172 – Regulations governing the procurement, management, and administration of engineering and design related services in the same manner as procurement for architectural and engineering services under the Brooks Act (formerly 40 United States Code sections 541 thru 544).

23CFR Part 230 – External Programs, Subpart A: Equal Employment Opportunity on Federal and Federal-Aid Construction Contracts (including Supportive Services).

48 CFR Part 31 – Federal acquisitions regulations system governing procurement when federal funding is involved.

## **I. GENERAL CONDITIONS**

All contracts, agreements, or grants shall conform to department policies and procedures for federal and state laws. Executive Officers, Division Administrators, District Engineers, and Section Managers, by the stipulations of this policy, may sign contracts, agreements, or grants that are in the best interests of the public, and for the proper functioning of the Idaho Transportation Department. The Chief Administrative Officer is responsible for department conformance procedures.

All contracts, agreements, or grants require:

**Financial Review and Approval**

Before signing a department contract or agreement that expends funds, the signing authority shall confirm that funds are available to meet the terms of agreement. Charges and cost distribution for payments shall be according to instructions issued by the Financial Services section. When the contract or agreement is completed, Financial Services shall also be notified of all capital leases and proper budgetary approval shall be obtained.

Prior to applying for grants over \$10,000, approval from the Division of Financial Management (DFM) shall be obtained. This approval shall be coordinated through the Financial Planning and Analysis Office.

**Equal Opportunity/Affirmative Action**

All contracts, agreements, or grants shall ensure that all persons are treated fairly and equitably, with no regard to race, color, religion, sex, national origin, age, or disability. Good faith efforts shall be made to achieve Idaho's annual participation goals for qualified disadvantaged business enterprises (DBE).

**Changes to the Provisions or Terms**

Changes to the provisions or terms should be handled similar to establishing a new contract, agreement, or grant or in accordance with applicable procedures.

**II. IDAHO TRANSPORTATION INVESTMENT PROGRAM (ITIP) CONTRACTS AND AGREEMENTS****Project Construction Work**

Plans, Specifications and Estimate (PS&E) shall be approved by District Engineer or delegate prior to bidding and advertisement by the Contracting Services section. Project advertisement and award shall be approved by Contracting Services Engineer. The Appropriate Division Administrator or a delegate may sign contracts for construction work on State Highway System projects and Local Public Agency projects approved by the Transportation Board.

**Professional Service Agreements and Right of Way Agreements**

Professional services are defined as engineering (i.e. material inspection, bridge inspection, construction inspection, design, environmental, archaeological, geotechnical engineering, transportation planning, research, public involvement, and information technology engineering), architectural, legal, accounting, claim analysis, auditing, and right of way services where negotiating the price is the accepted practice of the profession.

All professional service agreements are required to be procured through Qualifications Based Selection Procedures (excluding Right of Way services). Professional service agreements shall be processed through Consultant Services in the Contracting Services section. Professional service agreements for local public agency (LPA) federal-aid projects shall be processed according to the Guidelines for Local Public Agency Projects and noted legal authority within this policy.

All right of way agreements shall be initiated by and processed through the headquarters Right of Way section.

Routine engineering between the Department and any public agency or private firm that do not exceed, nor are expected to exceed, a total amount to be paid of \$1,000,000 shall be approved by the District Engineer, appropriate Division Administrator or delegate. Supplemental agreements, including the original agreements, that would bring the Department's obligation to more than \$1,000,000 require Board approval. Routine right of way agreements must follow these agreement limits however approval for agreements totaling up to \$1,000,000 is limited to appropriate Division Administrator or delegate.

Non-routine professional agreements that do not exceed, nor are expected to exceed, a total amount to be paid of \$50,000 shall be approved by the District Engineer, appropriate Division Administrator or delegate. Supplements that would bring the Department's obligation to more than \$50,000 require Board approval.

### **State/Local Agreements**

Agreements with local government entities for projects off the State Highway System shall be called State/Local Agreements. They shall be initiated and administered by the Districts or LHTAC and processed by the Contracting Services section.

Agreements for the Transportation Alternatives projects, Scenic Byways projects, and other projects administered by the district shall be recommended by the District Engineer or a delegate and approved by the appropriate Division Administrator or a delegate. Agreements for projects administered by the Local Highway Technical Assistance Council (LHTAC) and Ada County Highway District (ACHD) shall be approved by the appropriate Division Administrator or a delegate.

### **Cooperative Agreements**

Agreements with local government entities for projects or activities other than locally sponsored projects shall be called Cooperative Agreements. These agreements shall be initiated by Districts or at the headquarters offices and shall be processed by the Contracting Services section. The agreements shall be approved by the District Engineer or appropriate HQ Section Manager or a delegate. Cooperative agreements for construction of state highways shall be in accordance with Board Policy 4029 and Administrative Policy 5029 - Cooperative Agreements for Construction of State Highways.

### **Railroad and Utility Agreements**

Agreements with railroads and utility companies shall be initiated, administered, and processed by the District in cooperation with the Contracting Services section. These agreements shall be approved by the District Engineer or a delegate.

### **Road Closure and Maintenance Agreements**

A Road Closure and Maintenance Agreement with local government entities shall be required for projects where there is a change in maintenance responsibility, or a road closure. The agreement shall be prepared by the Districts, and processed through the Contracting Services section. The agreement shall be recommended by the District Engineer and approved by the Chief Engineer. If the agreement is specific to a System adjustment, it must be in accordance with Board Policy 4061- State Highway System Adjustments.

### **III. GOODS AND SERVICES CONTRACTS AND AGREEMENTS**

Contracts or Agreements for goods and services that are NOT directly connected to a highway project or activity listed in the Idaho Transportation Investment Program (ITIP) shall be approved and executed by the Purchasing Agent in the Business and Support Management section. These contracts or agreements shall be administered and managed in partnership with the requesting Districts or Divisions. Goods and services contracts or agreements shall be in compliance with procedures established by the Idaho Department of Administration, Division of Purchasing.

Goods and services may include but are not limited to, activities such as training, information technology systems, commodities, routine and preventative maintenance services, equipment, non-construction professional services, highway maintenance sand and salt acquisition and staging, highway striping paint, highway signs, and other highway non-professional services under the authority of Idaho Statute Title 40 Highway and Bridges etc.

### **IV. NON-PROJECT HIGHWAY RELATED CONTRACTS AND AGREEMENTS**

All contracts or agreements for non-project, highway-related public works shall be initiated, executed, administered, and project-managed by the Districts in partnership with the Business and Support Management section. All contracts or agreements shall be executed and administered by the Business and Support Management Facilities Program manager. This may include, but is not limited to, project service-related activities, such as: rest area repair, right-of-way maintenance, non-project equipment rental, and right-of-way noxious weed control.

### **V. BUILDING FACILITY PUBLIC WORKS CONTRACTS AND AGREEMENTS**

All contracts or agreements for building facility public works shall be initiated, executed, administered, and project-managed by the Districts in partnership with the Business and Support Management section. All contracts or agreements shall be executed and administered by the Business and Support Management Facilities Program Manager. This may include, but is not limited to, administrative building repairs less than \$100,000, non-administrative buildings construction and repair, landscaping, or any other building non-professional services, etc. under the authority of Idaho Statute 67-5711. Qualification Based Selection for building facility Architectural and Engineering services for design professionals shall be procured through Business and Support Management.

### **VI. GRANT PROGRAM AGREEMENTS**

The appropriate Division Administrator, HQ Section Manager, or a delegate, that oversee a grant program for the department are authorized to sign agreements and documents necessary for the grant programs administered by their respective Division or Section.

### **VII. INFORMATION TECHNOLOGY AND COMPUTER PURCHASE AND SERVICE CONTRACTS OR AGREEMENTS**

Contracts or agreements for information technology and computer purchases or service shall be obtained through Business and Support Management and approved by Enterprise Technology Services and technology governance. In addition, the contract or agreement shall be cleared through the Idaho Department of Administration, Office of Information Resource Management, and the Division of Purchasing. The contracts or agreements shall be executed as outlined in Section III, GOODS AND SERVICES CONTRACTS AND AGREEMENTS.



**VIII. SPECIAL EVENT AGREEMENTS**

Division Administrators, District Engineers or delegate, may sign agreements for use of highways or other department facilities for special events. The approval shall be as designated in Administrative Policy 5546, Special Events on Highways.

**IX. MEMORANDUM OF UNDERSTANDING OR MEMORANDUM OF AGREEMENT**

Memorandums of Understanding (MOU) and Memorandums of Agreement (MOA) are agreements with federal agencies, Idaho state agencies, local governments, other nations, and non-governmental organizations. The approval shall be as designated in Administrative Policy 5007, Memorandum of Understanding or Memorandum of Agreement.

**X. AGREEMENTS, COMPACTS, OR ARRANGEMENTS WITH OTHER STATES ON BEHALF OF IDAHO**

The Motor Vehicles Administrator or delegate is authorized to sign agreements, compacts, or arrangements on behalf of Idaho for vehicle reciprocity, motor carrier enforcement, handicap parking reciprocity, overlegal permitting reciprocity, proportional registration of commercial vehicles, and other reciprocal agreements relating to driver licensing and the movement of vehicles, if the agreement provides for equitable treatment of the citizens of Idaho by the other participating jurisdiction(s).

Approved by the Director on:



Brian W. Ness  
Director

Date: 5/29/2018

## **SCOPE OF WORK**

### Board sub-committee on Policy

### Listening workshop on funding formula (Policy 4028)

**What:** The Idaho Transportation Board Subcommittee will invite local stakeholders to a workshop this fall to listen to the different local jurisdictions thoughts on Policy 4028.

**Who:**

- Urban Committee/MPO's
- Local Highway Technical Assistance Council (LHTAC)
- Idaho Association of Cities
- Idaho Association of Counties
- Idaho Association of Highway Districts

We will schedule 15 minutes for each group to present and they can determine who will speak on their behalf.

**Why:** This will give the Board Policy Sub-committee an opportunity to listen to the perspectives of local jurisdictions regarding Policy 4028. The sub-committee will report to the board.

**Where:** ITD headquarters

**When:** October 19<sup>th</sup> or 20<sup>th</sup> at a time to be determined later

**What else?** ITD staff from financial services will make a presentation that outlines policy 4028 at the start of the workshop.