



A G E N D A

Idaho Transportation Board Policies Subcommittee Remote Meeting

April 7, 2026

Idaho Chinden Campus
11331 Chinden Blvd., Building 8
Canyon Creek Conference Room
Boise, Idaho

Call in: 1-208-473-7075
Access code: 699 193 509#

	<u>Page</u>	<u>Time*</u>
<u>Action Items</u>		
1. Call Meeting to Order – Chairman Gary Osborn		9:00
• Approval of November 18, 2025 meeting minutes	2	
2. Board Policy 4024 Public Hearings	3	9:05
Chief Engineer Chad Clawson		
3. Administrative Policy 5024 Public Hearings	10	9:10
Chief Engineer Chad Clawson		
4. Board Policy 4001 Authority to Sign Contracts, Agreements, and Grants and Requirements to Report Certain Contracts	15	9:15
State Design Engineer Monica Crider		
5. Admin. Policy 5001 Authority to Sign Contracts, Agreements, and Grants and Requirements to Report Certain Contracts	25	9:25
State Design Engineer Monica Crider		
6. Adjourn (estimated time)		9:30

*All listed times are local and estimates only. The Chairman reserves the right to move agenda items and adjust the scheduled time accordingly. The meeting is open to the public, except for an executive session, if held.

Idaho Transportation Board Subcommittee on Policies
November 18, 2025, Chinden Campus

Idaho Transportation Board Subcommittee on Policies held a remote meeting on November 18, 2025. Subcommittee members in attendance were District 2 Member Gary Osborn (Chairman), District 3 Member Julie DeLorenzo, District 5 Member John Bulger, and Business Executive to the Board Lorraine Dennis.

Key principals present were Deputy Attorney General Tiffany Hales, Public Transportation Manager Ron Duran, and Highway Safety Manager Jo Middleton.

Chairman Osborn called the meeting to order at 9:01 AM.

Minutes. Member DeLorenzo made a motion to approve the minutes of June 18, 2025. Member Bulger seconded the motion.

Board Policy 4089/Administrative Policy 5089 Public Transportation Interagency Working Group (IWG). PT Manager Duran stated policies 4089 and 5089 are new policies created for the IWG that align with the other department's advisory group policies such as the Public Transportation Advisory Council.

Member DeLorenzo made a motion, second by Member Bulger, to support staff's recommendations on 4089 and the corresponding 5089 and to refer them to the full Transportation Board for its consideration.

Board Policy 4043/Administrative Policy 5043 Idaho Traffic Safety Commission. HSM Middleton reviewed the proposed policy changes stating the revisions are to align the board and administrative policies with the department's effort to make them more consistent and uniform with the other advisory groups policies.

Member Bulger made a motion, second by Member DeLorenzo, to support staff's recommendations on 4043 and 5043 and to refer them to the full Transportation Board for its consideration. Note, Member Bulger inadvertently cited the policy numbers for the IWG. The motion was amended and seconded.

The meeting adjourned at 9:12 A.M.

Respectfully submitted by:

LORRAINE DENNIS
Business Executive, Idaho Transportation Board



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PUBLIC INVOLVEMENT AND PUBLIC HEARINGS FOR PROJECT DEVELOPMENT

Purpose

~~The purpose of this policy is to ensure the Department seeks public involvement on transportation projects.~~ The Director shall establish public involvement guidelines for all Department-proposed transportation projects. The Guide to Public Involvement identifies the public engagement process for highway projects but should be followed and/or modified for other public meetings and/or hearings led by other divisions to meet specific regulations.

The process of ensuring that the public is involved in transportation decisions and activities applies to all transportation projects and begins with the public comment period associated with the Idaho Transportation Investment Program (ITIP) every year. Public input shall be sought throughout the life of projects and may be used to enhance the project. Preliminary scoping meetings, public information meetings, and public hearings provide the Department with the opportunity to share information, summarize studies, review proposed alternatives along with any new developments, and receive input from the public on proposed transportation projects.

~~The purpose of this is policy defines Idaho Transportation Board and Director authorities related to public hearings for project development.~~ ← - - -

Legal Authority

- Idaho Code 40-310(1) - The Board shall determine what highways are designated as the state highway system, and hold public hearings as required.
- 23 Code of Federal Regulations Part 771 - Environmental Impact and Related Procedures.
- ~~40 Code of Federal Regulations Chapter 5, 1500-1508 - Council on Environmental Quality.~~
- 23 United States Code Section 128 - Public hearings.
- Public Law 91-190 - National Environmental Policy Act of 1969.

~~The process of ensuring that the public is involved in transportation decisions and activities applies to all transportation projects and begins early in the project development stage. Preliminary scoping meetings, public information meetings, and public hearings provide the Department with the opportunity to share information, summarize studies, review proposed alternatives and any new developments, and receive input from the public on proposed transportation projects. The public shall be afforded early and continuing involvement in the identification of social, economic, and environmental impacts, as well as impacts associated with relocation of individuals, groups, or institutions.~~

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43 The Director shall establish public involvement guidelines for all Department-proposed
44 transportation projects. The Guide to Public Involvement identifies the public engagement process
45 for highway projects for project teams but should be followed and/or modified for other public
46 meetings and/or hearings led by other divisions to meet specific regulations and concerns. Public
47 input shall be sought throughout the life of any project and may be used to enhance the project.

48 Public hearings shall be held to provide the public with the opportunity to receive information, ← ---
49 discuss findings and proposed actions, and offer comments about transportation projects in the
50 following areas;

- 51 • Purpose and need for the proposed project. ← ---
- 52 • Major location/design features or location of new routes. ← ---
- 53 • Alternate courses of action. ← ---
- 54 • Social, economic, and environmental effects. ← ---
- 55 • Modification of the state highway system. ← ---
- 56 • Transportation planning. ← ---

61 Highway projects that involve federal funds **must have** a public hearing, or an opportunity for a
62 public hearing, when there is:

- 63 • Acquisition of significant amounts of right of way.
- 64 • Substantial change of the layout or function of connecting roadways or of the facilities being
65 improved.
- 66 • Significant adverse impact on abutting property or when litigation or public controversy is
67 anticipated.
- 68 • Significant social, economic, and/or environmental effects on the surrounding area.
- 69 • A class of action involving an Environmental Assessment or Environmental Impact
70 Statement.

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73 The Federal Highway Administration may also request a public hearing when a hearing is
74 determined to be in the public's interest. ← ---

75 With the exception of a project with an Environmental Assessment or Environmental Impact
76 Statement, public hearings may be waived by the District Engineer or delegate after determining that
77 public awareness and support for a project is apparent and non-controversial. ← ---

78 Highway pProjects financed totally with state funds **must have** a public hearing or an opportunity for
79 a public hearing when:

- 80 • The state highway serving or ~~trans-versing~~transversing any city is to be abandoned, relocated,
81 or replaced.
- 82 • Significant public interest or controversy surrounds the project.

83



87 The Federal Highway Administration may also request a public hearing when a hearing is
88 determined to be in the public's interest.

89 ~~With the exception of a project with an Environmental Assessment or Environmental Impact~~
90 ~~Statement, public hearings may be waived by the appropriate management staff after determining~~
91 ~~that public awareness and support for a project is apparent and non-controversial.~~

92 Location and design determinations shall be made only after full consideration of transportation
93 needs, socioeconomic; and environmental factors, and a review of official public hearing testimony
94 for projects where a public hearing was held.

95 For location and design determinations that **are** subject to Section 40-310, Idaho Code (require a
96 system action), **and** in situations where a proposed project is **contested**, the design study report or
97 specific justification, the public input certification, staff recommendations and other supporting
98 documentation shall be submitted to the Board for further consideration and/or determination.

99 The Board may choose all or none of the following:

- 100 ○ Remove the project from the Statewide Transportation Improvement Program due to lack
101 of support/need.
- 102
- 103 ○ Schedule additional hearings on a) revised design, b) new/revised issues, or c)
104 added/changed alternate locations.
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- 106 ○ Establish citizen and/or interdisciplinary teams to review location/design issues and make
107 recommendations.
- 108
- 109 ○ Send the location/design study report and department recommendations to the appropriate
110 local entity and request that the local entity choose an alternative that best serves their
111 constituent's interests.
- 112
- 113 ○ Select the alternative the Board believes best serves statewide transportation interests.
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115 For location and design determinations that **are not** subject to Section 40-310, Idaho Code (do not
116 require a system action), **and not contested**, the ~~appropriate management staff~~ District Engineer or
117 delegate shall make the project determination.

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119 For all other state and local projects that do not require a hearing, or when the opportunity for a
120 hearing is given and no hearing is requested, or the public hearing ~~was is~~ waived, the ~~appropriate~~
121 ~~management staff~~ District Engineer or delegate shall make the project determination in coordination
122 with any involved agencies.

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124 The Board shall be notified in advance of all Department-sponsored ~~public information meetings and~~
125 ~~public hearings~~ for highways projects. Board members have the option of attending these ~~meetings~~
126 ~~and/or~~ hearings to meet with and hear the concerns of their constituents, but do not take testimony.
127 ITD will be responsible for gathering and documenting public testimony. ~~A Public Hearing Officer~~
128 ~~shall be appointed for all public hearings to officially receive public testimony.~~ Oral, written, and



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129 other information may be submitted to the Hearing
130 Officer as part of the official testimony.

131 After the ~~public information meeting and/or~~ hearing procedures are completed, or an opportunity for
132 ~~public involvement~~ hearing has been given and/or waived, the Board or ~~appropriate management staff~~
133 the District Engineer or delegate shall complete project determinations and inform the public.

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Approved by the Board on:

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Date: _____

138 ~~Jerry Whitehead~~ Bill Moad
139 Idaho Transportation Board Chairman



PUBLIC INVOLVEMENT AND PUBLIC HEARINGS FOR PROJECT DEVELOPMENT

Purpose

The Director shall establish public involvement guidelines for all Department-proposed transportation projects. The Guide to Public Involvement identifies the public engagement process for highway projects but should be followed and/or modified for other public meetings and/or hearings led by other divisions to meet specific regulations.

The process of ensuring that the public is involved in transportation decisions and activities applies to all transportation projects and begins with the public comment period associated with the Idaho Transportation Investment Program (ITIP) every year. Public input shall be sought throughout the life of projects and may be used to enhance the project. Preliminary scoping meetings, public information meetings, and public hearings provide the Department with the opportunity to share information, summarize studies, review proposed alternatives along with any new developments, and receive input from the public on proposed transportation projects.

The purpose of this policy defines Idaho Transportation Board and Director authorities related to public hearings for project development.

Legal Authority

- Idaho Code 40-310(1) - The Board shall determine what highways are designated as the state highway system, and hold public hearings as required.
- 23 Code of Federal Regulations Part 771 - Environmental Impact and Related Procedures.
- 23 United States Code Section 128 - Public hearings.
- Public Law 91-190 - National Environmental Policy Act of 1969.

Highway projects that involve federal funds must have a public hearing, or an opportunity for a public hearing, when there is:

- Acquisition of significant amounts of right of way.
- Substantial change of the layout or function of connecting roadways or of the facilities being improved.
- Significant adverse impact on abutting property or when litigation or public controversy is anticipated.
- Significant social, economic, and/or environmental effects on the surrounding area.
- A class of action involving an Environmental Assessment or Environmental Impact Statement.

The Federal Highway Administration may also request a public hearing when a hearing is determined to be in the public's interest.



With the exception of a project with an Environmental Assessment or Environmental Impact Statement, public hearings may be waived by the District Engineer or delegate after determining that public awareness and support for a project is apparent and non-controversial.

Highway projects financed totally with state funds must have a public hearing or an opportunity for a public hearing when:

- The state highway serving or transversing any city is to be abandoned, relocated, or replaced.
- Significant public interest or controversy surrounds the project.

Location and design determinations shall be made only after full consideration of transportation needs, socioeconomic and environmental factors, and a review of official public hearing testimony for projects where a public hearing was held.

For location and design determinations that are subject to Section 40-310, Idaho Code (require a system action), and in situations where a proposed project is contested, the design study report or specific justification, the public input certification, staff recommendations and other supporting documentation shall be submitted to the Board for further consideration and/or determination.

The Board may choose all or none of the following:

- Remove the project from the Statewide Transportation Improvement Program due to lack of support/need.
- Schedule additional hearings on a) revised design, b) new/revised issues, or c) added/changed alternate locations.
- Establish citizen and/or interdisciplinary teams to review location/design issues and make recommendations.
- Send the location/design study report and department recommendations to the appropriate local entity and request that the local entity choose an alternative that best serves their constituent's interests.
- Select the alternative the Board believes best serves statewide transportation interests.

For location and design determinations that are not subject to Section 40-310, Idaho Code (do not require a system action), and not contested, the District Engineer or delegate shall make the project determination.

For all other state and local projects that do not require a hearing, or when the opportunity for a hearing is given and no hearing is requested, or the public hearing is waived, the District Engineer or delegate shall make the project determination in coordination with any involved agencies.

The Board shall be notified in advance of all Department-sponsored public hearings for highways projects. Board members have the option of attending these hearings to meet with and hear the concerns of their constituents, but do not take testimony. ITD will be responsible for gathering and documenting public testimony.



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Board Policy 4024
Page 3 of 3

After the hearing procedures are completed, or an opportunity for hearing has been given and/or waived, the Board or the District Engineer or delegate shall complete project determinations and inform the public.

Approved by the Board on:

Date: _____

Bill Moad
Idaho Transportation Board Chairman



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PUBLIC INVOLVEMENT AND PUBLIC HEARINGS FOR PROJECT DEVELOPMENT

Purpose

This policy ~~implements~~ expands on Board Policy 4024, ~~PUBLIC HEARINGS~~, by detailing the type of highways projects where hearings should be held, when a hearing may be waived, and the circumstances in which ITD management can make the final decision on a project without the involvement of the Idaho Transportation Board. ~~The policy also details the role of the hearing officer in public hearings.~~

Legal Authority

- Idaho Code 40-310(1) - The Board shall determine what highways are designated as the state highway system, and hold public hearings as required.
- 23 Code of Federal Regulations Part 771 - Environmental Impact and Related Procedures.
- 23 United States Code Section 128 - Public hearings.
- Public Law 91-190 - National Environmental Policy Act of 1969

To ensure that the public is involved in transportation decisions and activities, the Idaho Transportation Department shall inform the public and seek their input on highways projects through preliminary scoping meetings, public information meetings, and, when necessary, public hearings. Public meetings and/or hearings shall be held to provide the public with the opportunity to receive information, discuss findings and proposed actions, and offer comments.

The project scope, amount of interest, and level of impact determines the number, extent, and type of public involvement. The District Engineer, ~~and/or other delegated personnel or delegate~~, in coordination with the Office of Communication, Public Involvement Coordinator shall determine the strategy for public involvement and the types of opportunities the public will have for submitting comments and information. ~~The District Engineer may waive the public hearing when public awareness and support is apparent and non-controversial.~~

Public meetings are informal opportunities for the public to learn about a project and provide input, while public hearings are formal events held to gather comments and positions from all interested parties for public record and input into decisions. For guidance on what projects require a public hearing, please consult the Guide to Public Involvement. With the exception of a project with an Environmental Assessment or Environmental Impact Statement, public hearings may be waived by the District Engineer or delegate after determining that public awareness and support for a project is apparent and non-controversial.

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41 ~~Public Meetings and hearings shall be well-~~

42 ~~noticed~~ advertised in advance in accordance with the Guide to Public Involvement and conducted at
43 ~~an acceptable site located as near to the project as possible; and for a number of hours convenient for~~
44 ~~those affected potentially interested in by the proposed project. The format of the meetings and~~
45 ~~hearings shall be open house or similar, in that the public is invited to drop by any time during~~
46 ~~specified hours. A public hearing must offer the opportunity to give written or oral testimony and~~
47 ~~must be held in-person to meet federal requirements.~~

48 When appropriate, Department personnel and other partner agencies shall staff the information public
49 meetings/hearings and share project details with the public. Public input that is received before or
50 after the official testimony period is added to the project file.

51 The following public hearing process primarily details highway project hearings. This process may
52 be modified for other public hearings, such as utility movement, Public Transportation, Aeronautics,
53 etc., to meet specific regulations and concerns. The Department shall follow a multi-faceted public
54 involvement process that includes, but is not limited to, the following actions:

- 55 • ~~Notices of preliminary scoping meetings, public information meetings, and public hearings~~
56 ~~shall be presented in a variety of formats, i.e., legal notices, newspaper and radio ads,~~
57 ~~invitation letters, etc., including translated material to ensure involvement by minorities when~~
58 ~~necessary.~~
- 59 • ~~Meetings and hearings shall be conducted at an acceptable site located as near to the project~~
60 ~~as possible, and for a number of hours convenient for those affected by the proposed project.~~
61 ~~The format of the meetings and hearings shall be similar to an open house in that the public is~~
62 ~~invited to drop by any time during specified hours.~~
- 63 • ~~The sponsoring District or Division shall coordinate technical presentations by department~~
64 ~~personnel and other involved agencies and the preparation of pertinent material for the~~
65 ~~meetings and/or hearings.~~
- 66 • ~~Short videos may be shown to provide an overview of the proposed project and hearing~~
67 ~~process.~~
- 68 • ~~Staff in the Office of Communications shall use social media to share project information~~
69 ~~when appropriate. Potential social media tools include Facebook, Twitter, YouTube,~~
70 ~~Pinterest, and others.~~
- 71 • ~~Hearing information shall be presented in displays and printed brochures.~~
- 72 • ~~When appropriate, Department personnel and other partner agencies shall staff the~~
73 ~~information meetings/hearings and share project details with the public.~~
- 74 • ~~Transportation project materials shall be available through the Idaho Transportation~~
75 ~~Department's Internet site for public viewing. Materials shall include, and not be limited to,~~
76 ~~maps, charts, graphs, photos or other visual elements of projects, press releases announcing~~
77 ~~any developments in projects, as well as technical or engineering documents. Materials shall~~
78 ~~also include information presented at public meetings and public hearings.~~
- 79 • ~~A Hearing Officer shall be appointed to ensure that public opinion is solicited and the~~
80 ~~public's testimony receives proper recognition in any transportation project decision. Oral~~
81 ~~testimony, written statements, and other information from the public may be submitted to the~~



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83 Hearing Officer as part of the official testimony until the

85 previously announced closing date. Oral testimony shall be tape recorded during the public
86 hearing and later transcribed. With the concurrence of the involved Division or District, the
87 Hearing Officer may extend the date of accepting official testimony should the need become
88 apparent.

- 89 • After completion of the public hearing procedures, the Public Involvement Coordinator shall
90 have copies available to the public of the official public hearing testimony and a certification
91 of public input. The public hearing testimony and other hearing documentation shall be
92 maintained in the Office of Communications.
- 93 • Public input shall be sought throughout the life of any project and may be used to enhance
94 the project. Public input that is received before or after the official testimony period is added
95 to the project file.

96 Further guidelines and strategies for public involvement shall be maintained in the Guide to Public
97 Involvement, the Roadway Design Manual, under Public Involvement, and the ITD Environmental
98 Manual.

99 A design study report or similar documentation summarizing documenting the department's
100 considerations of environmental, social, and economic impacts of the project, summarizing
101 significant design/location considerations and recommendations, and including the certification of
102 public input for projects where a public hearing was held shall be compiled for each proposed
103 project.

104 Project design determinations and approvals shall be as follows:

- 105 • In situations where a proposed project is contested and for location and design determinations
106 that are subject to ~~Section 40-310, Idaho Code~~ Idaho Code Title 40 Section 310 (for system
107 actions), the design study report or specific justification, the public input certification, staff
108 recommendations, and other supporting documentation shall be submitted to the Board for
109 further consideration and/or determination.
- 110 • For location and design determinations that are not subject to Section 40-310, Idaho Code (do
111 not require a system action), and are not contested, the ~~appropriate management staff~~ District
112 Engineer or delegate shall make the project determination.
- 113 • For all other state and local projects that do not require a hearing, or when the opportunity for
114 a hearing is given and no hearing is requested, or the public hearing is waived, the
115 ~~appropriate management staff~~ District Engineer or delegate shall make the project
116 determination in coordination with any involved agencies.

117 The District Engineer or ~~other appropriate management staff~~ delegate in coordination with the Office
118 of Communications shall inform the public of project determinations.

119

120 _____
121 Brian W. Ness L. Scott Stokes

Date: _____

122 Director



PUBLIC INVOLVEMENT AND PUBLIC HEARINGS FOR PROJECT DEVELOPMENT

Purpose

This policy implements Board Policy 4024 by detailing the type of highways projects where hearings should be held, when a hearing may be waived, and the circumstances in which ITD management can make the final decision on a project without the involvement of the Idaho Transportation Board.

Legal Authority

- Idaho Code 40-310(1) - The Board shall determine what highways are designated as the state highway system, and hold public hearings as required.
- 23 Code of Federal Regulations Part 771 - Environmental Impact and Related Procedures.
- 23 United States Code Section 128 - Public hearings.
- Public Law 91-190 - National Environmental Policy Act of 1969.

To ensure that the public is involved in transportation decisions and activities, the Idaho Transportation Department shall inform the public and seek their input on highways projects through preliminary scoping meetings, public information meetings, and, when necessary, public hearings. Public meetings and/or hearings shall be held to provide the public with the opportunity to receive information, discuss findings and proposed actions, and offer comments.

The project scope, amount of interest, and level of impact determines the number, extent, and type of public involvement. The District Engineer or delegate, in coordination with the Office of Communication, shall determine the strategy for public involvement and the types of opportunities the public will have for submitting comments and information.

Public meetings are informal opportunities for the public to learn about a project and provide input, whereas public hearings are formal events held to gather comments and positions from all interested parties for public record and input into decisions. For guidance on what projects require a public hearing, please consult the Guide to Public Involvement. With the exception of a project with an Environmental Assessment or Environmental Impact Statement, public hearings may be waived by the District Engineer or delegate after determining that public awareness and support for a project is apparent and non-controversial.

Public meetings and hearings shall be advertised in advance in accordance with the Guide to Public Involvement and conducted at an acceptable site located as near to the project as possible and for a number of hours convenient for those potentially interested in the proposed project. The format of the meetings shall be open house or similar, in that the public is invited to drop by any time during specified hours. A public hearing must offer the opportunity to give oral testimony and must be held in-person to meet federal requirements.



When appropriate, Department personnel and other partner agencies shall staff the public meetings/hearings and share project details with the public. Public input that is received before or after the official testimony period is added to the project file.

Further guidelines and strategies for public involvement shall be maintained in the Guide to Public Involvement, the Roadway Design Manual under Public Involvement, and the Environmental Manual.

A design study report or similar documentation summarizing the department's considerations of environmental, social, and economic impacts of the project, significant design/location considerations and recommendations, and including the certification of public input for projects where a public hearing was held shall be compiled for each proposed project.

Project design determinations and approvals shall be as follows:

- In situations where a proposed project is contested and for location and design determinations that are subject to Idaho Code Title 40 Section 310 (for system actions), the design study report or specific justification, the public input certification, staff recommendations, and other supporting documentation shall be submitted to the Board for further consideration and/or determination.
- For location and design determinations that are not subject to Section 40-310, Idaho Code (do not require a system action), and are not contested, the District Engineer or delegate shall make the project determination.
- For all other state and local projects that do not require a hearing, or when the opportunity for a hearing is given and no hearing is requested, or the public hearing is waived, the District Engineer or delegate shall make the project determination in coordination with any involved agencies.

The District Engineer or delegate in coordination with the Office of Communications shall inform the public of project determinations.

L. Scott Stokes
Director

Date: _____



**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~~ Statutory requirements 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~~ Statutory requirements for the department to select selecting construction manager/general contractor firms for services agreements and subsequent contracts for construction of state highways and bridges. ~~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 ~~Alterations~~, Equipping, Furnishing and

46 Repairing of Public Buildings and Works. The Director of the Department of
47 Administration is authorized to secure all plans and specifications for, to let all contracts
48 for, and to have charge of and supervision of the construction, alteration, equipping and
49 furnishing, repair, maintenance (other than preventative maintenance) of all
50 administrative state buildings when such work exceeds the sum of one hundred thousand
51 dollars (\$100,000) for labor, materials and equipment (not including design costs, bid
52 advertising and related bidding expenses).

- 53 • Idaho Code 67-5711C – Construction of Public Projects – Competitive Sealed Bidding.
54 All construction contracts for public works shall be awarded to the lowest responsible
55 and responsive bidder. Statutory requirements for bid invitations, public notice and
56 project award procedures.
- 57 • Idaho Code 67-9203 – Definition of terms used in contracts and agreements in the State
58 Procurement Act as administered by the Department of Administration.
- 59 • Idaho Code 67-9205 – Powers and duties of the Administrator for the Division of
60 Purchasing (Department of Administration) regarding state purchases and contracts not
61 made under the Board’s contracting authority.
- 62 • Idaho Code 67-9206 – Division of Purchasing Administrator may delegate Title 67 state
63 contract and purchasing authority to an agency employee who demonstrates sufficient
64 competence in procurement to satisfy the administrator.
- 65 • Idaho Code 67-9208 through 9224 – Uniform procurement and contracting procedures
66 and processes to acquire all services and property not procured by the Board under Title
67 40 of the Idaho Code. The statutes require competitive bidding and that contracts be
68 awarded to the lowest responsible bidder.
- 69 • 40 U.S.C. sections 1101 through 1104 – Commonly referred to as The Brooks Act
70 (formerly 40 USC 541 through 544) – Requires qualification-based selection for
71 contracting engineering and architectural services to include definitions, selection
72 procedures and negotiations to contract for architectural and engineering services.
- 73 • 2 CFR 200 – Uniform Administrative Requirements, Cost Principles and Audit
74 requirements for Federal Awards – In the absence of specific federal requirements,
75 procurement will follow normal competitive bidding and award to lowest responsible
76 bidder procurement laws.
- 77 • ~~23 CFR Part 172 – Defines methods of~~ Regulations governing the procurement,
78 management and administration for engineering and design related services when federal
79 funds are involved; ~~need to use~~ qualifications-based selection matters is used ~~for~~
80 ~~engineering and design related services~~ in the same manner as a contract for architectural
81 and engineering services under the Brooks Act (formerly 40 United States Code sections
82 541 thru 544).
- 83 • 23 CFR Part 230 – External Programs, Subpart A: Equal Employment Opportunity on
84 Federal and Federal-Aid Construction Contracts (including Supportive Services).
- 85 • 48 CFR Part 31 – Federal acquisitions regulations system governing procurement when
86 federal funding is involved.

87 I. GENERAL CONDITIONS

88 A. Delegated Authority

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

98 **B. Legal Review**

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

106 **C. Log or Register of Contracts, Agreement ~~Agreements~~ and Grants**

107 The Director shall instruct originating offices to maintain a log or register of their respective
108 contracts, agreements, or grants.
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111 **II. HIGHWAY CONTRACTS AND AGREEMENTS**

112 **A. Construction and Maintenance Contracts**

113 The Director or delegate shall approve plans, specifications, estimates, advertisements and
114 awards prior to advertisement and shall approve construction and maintenance contracts that
115 does not require Board approval.
116

117 All highway construction and maintenance contracts shall conform to established department
118 policies and procedures for federal and state laws.
119

120 The Director or delegate is authorized to competitively bid highway construction and
121 maintenance contracts. Contract execution shall follow federal guidelines when services involve
122 federal funds. Procedures for non-federal-aid contracts shall conform to state statutes and fiscal
123 controls. The Director or delegate shall establish internal procedures to ensure complete
124 compliance.
125

126 The Board shall approve

- 127 ● the justification for awarding or rejecting contracts when the bid exceeds the engineer's
128 estimate by more than ten percent (10%) on bids greater than \$500,000; or
- 129 ● bids that exceed the Engineer's estimate by more than 2 \$5,000,000 million dollars.

130 **B. Professional Service Agreements**

131 The Director is authorized to seek necessary professional services outside the Idaho
132 Transportation Department when the required services are not available within the Department.
133
134

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

139
 140 Term agreement procedures allow consultants to be pre-qualified and approved to perform
 141 services on immediate notice. Work tTask agreements are initiated as part of a term agreement,
 142 and are for specific, well-defined, and narrow-focused work.

143
 144 The Director or a delegate is authorized to approve:

- 145 • Routine engineering and right of way agreements between the Department and any public
 146 agency or private firm that do not exceed, nor are expected to exceed, a total amount to be
 147 paid of ~~\$13,000,000~~. ~~Supplemental agreements, including the original agreement, that~~
 148 ~~would bring the Department's obligation to more than \$1,000,000 require Board approval.~~
- 149 • Work task agreements, including subsequent agreements, that do not exceed, nor are
 150 expected to exceed, a total amount paid of \$500,000 on a specific project.
- 151 • Non-routine minor professional agreements that do not exceed, nor are expected to exceed,
 152 a total amount to be paid of \$50,000. ~~Supplements that would bring the Department's~~
 153 ~~obligation to more than \$50,000 require Board approval.~~

154
 155 The Board shall approve:

- 156 • Routine engineering and right of way agreements, including supplemental
 157 agreements, that would bring the Department's obligation to more than
 158 \$3,000,000
- 159 • Work task agreements, including subsequent agreements, that would bring the
 160 Department's obligation to more than \$500,000 on a specific project.
- 161 • Work task agreements whose cumulative costs relating to a specific project would
 162 bring the Department's obligation to more than \$1,500,000.
- 163 • A two-year Consultant term agreement that would bring the Department's obligation
 164 to more than \$1,500,000.
- 165 • Individual task right of way service agreements (for appraisal, appraisal review, title
 166 searches, negotiations, etc. services) that would bring the Department's obligation to
 167 more than \$1,000,000
- 168 • Non-routine minor professional service agreements, including supplemental
 169 agreements, that would bring the Department's obligation to more than \$50,000.

170
 171 ~~Term agreement procedures allow consultants to be pre-qualified and approved to perform~~
 172 ~~services on immediate notice. Task agreements are initiated as part of a term agreement, and are~~
 173 ~~for specific, well defined, and narrow focused work. The Director or a delegate is authorized to~~
 174 ~~approve task agreements that do not exceed, nor are expected to exceed, \$500,000. Task~~
 175 ~~agreements that exceed \$500,000 and task agreements whose cumulative costs relating to a~~
 176 ~~specific project or two year term agreement that would bring the Department's obligation to~~
 177 ~~more than \$1,500,000 require Board approval.~~

178
 179 All agreements and supplemental agreements shall conform with the other provisions of this

180 policy.

181

182 **C. Requirement to Report Agreements and Construction Contracts**

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

186 The Board shall be advised monthly of:

- 187 • all ITIP professional services service agreements that were used issued during the
188 preceding month;
- 189 • all ITIP Highway Design Section project advertisements and awards during the preceding
190 month bid opening dates;
- 191 • the obligation status for the current fiscal year; and
- 192 • the bid status of highway projects;

193 The Board shall approve

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

197 **D. Requirement to Report Non-Construction Professional Service Agreements**

198 Each month the Chief Administrative Officer shall report to the Board all non-construction
199 professional service agreements entered into by the Department during the previous month. ~~The~~
200 Chief Administrative Officer shall report may be included in the monthly consent items reviewed
201 by the preceding month's executed agreements to the Board.

202

203

Approved by the Board on:

204

205 Signed

Date 05/17/2018

206 Jerry Whitehead Bill Moad

207 Board Chairman



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 – Statutory requirements 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 – Statutory requirements for selecting construction manager/general contractor firms for services agreements and subsequent contracts for construction of state highways and bridges.
- 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 administrative 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 67-5711C – Construction of Public Projects – Competitive Sealed Bidding. All construction contracts for public works shall be awarded to the lowest responsible and responsive bidder. Statutory requirements for bid invitations, public notice and project award procedures.
- 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 for engineering and design related services when federal funds are involved; qualifications-based selection is used 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.

I. GENERAL CONDITIONS

A. 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 Headquarters (HQ) 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.

B. 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 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.

C. Log or Register of Contracts, Agreements and Grants

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

II. HIGHWAY CONTRACTS AND AGREEMENTS

A. Construction and Maintenance Contracts

The Director or delegate shall approve plans, specifications, estimates, advertisements and awards prior to advertisement and shall approve construction and maintenance contracts that does not require Board approval.

All highway construction and maintenance contracts shall conform to established department policies and procedures for federal and state laws.

The Director or delegate is authorized to competitively bid highway construction and maintenance contracts. Contract execution shall follow federal guidelines when services involve federal funds. Procedures for non-federal-aid contracts shall conform to state statutes and fiscal controls. The Director or delegate shall establish internal procedures to ensure complete compliance.

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%) on bids greater than \$500,000; or bids that exceed the Engineer's estimate by more than \$5,000,000.

B. 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 Director or delegate 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.

Term agreement procedures allow consultants to be pre-qualified and approved to perform services on immediate notice. Work 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:

- 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 \$3,000,000.
- Work task agreements, including subsequent agreements, that do not exceed, nor are expected to exceed, a total amount paid of \$500,000 on a specific project.
- Non-routine minor professional agreements that do not exceed, nor are expected to exceed, a total amount to be paid of \$50,000.

The Board shall approve:

- Routine engineering and right of way agreements, including supplemental agreements, that would bring the Department's obligation to more than \$3,000,000.
- Work task agreements, including subsequent agreements, would bring the Department's obligation to more than \$500,000 on a specific project.
- Work task agreements whose cumulative costs relating to a specific project would bring the Department's obligation to more than \$1,500,000.
- A two-year Consultant term agreement that would bring the Department's obligation to more than \$1,500,000.
- Individual task right of way service agreements (for appraisal, appraisal review, title searches, negotiations, etc. services) that would bring the Department's obligation to more than \$1,000,000
- Non-routine minor professional service agreements, including supplemental agreements, that would bring the Department's obligation to more than \$50,000.

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

C. Requirement to Report Agreements and Construction Contracts

The Board shall be advised monthly of:

- all professional service agreements that were issued during the preceding month.
- all Highway Design Section project advertisements and awards during the preceding month.
- the obligation status for the current fiscal year; and
- the bid status of highway projects.

D. Requirement to Report Non-Construction Professional Service Agreements

The Chief Administrative Officer shall report preceding month's executed agreements to the Board.

Approved by the Board on:

Date _____

Bill Moad
Board Chairman



1
2 **AUTHORITY TO SIGN CONTRACTS, AGREEMENTS, AND GRANTS**
3 **AND REQUIREMENT TO REPORT CERTAIN CONTRACTS**
4

5 **Purpose**

6 This policy implements Board Policy 4001 concerning the authority to sign contracts, agreements,
7 and grants, and the requirement to report certain contracts.
8

9 **Legal Authority**

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

- 12 • Idaho Code 21-108 – Authority of the Board to enter into contract for Aeronautic
13 facilities as prescribed by the federal authorities.
- 14 • Idaho Code 40-309(1)(2) – Board authority to contract fully in the name of the state
15 with respect to the rights, powers and duties vested in the Board by Title 40.
- 16 • Idaho Code 40-310(7) – Board authority to approve the final plans, specifications, and
17 estimates for state highways and cause contracts for state highways work to be let by
18 contract in the manner provided by law.
- 19 • Idaho Code 40-312(2) – Board authority to make rules and regulations for the
20 expenditure of all moneys appropriated or allocated to it. Board authority to cooperate
21 with counties and highway districts to establish a uniform system of accounting in the
22 expenditure and allocate funds to counties and highway districts as necessary in the
23 construction and maintenance of respective highways.
- 24 • Idaho Code 40-505 –The Director shall be the technical and administrative officer of
25 the board and under the board’s control, supervision and direction, shall have general
26 supervision and control of all activities, functions and employees of the department.
27 The Director shall enforce all provisions of the laws of the state relating to the
28 department, the rules and regulations of the board, and shall exercise all necessary
29 incidental powers.
- 30 • Idaho Code ~~40-902 –Statutory requirements Procedure~~ for letting typical contracts (not
31 design-build contracts) for the construction of state highways and bridges.
- 32 • Idaho Code 40-904 – Statutory requirements for design-build contracts for the
33 construction of state highways and bridges.
- 34 • Idaho Code 40-905 –~~Statutory requirements Procedure for the department to selecting~~
35 construction manager/general contractor firms for services agreement and subsequent
36 contract for construction of state highways and bridges. ~~to award contracts for highway~~
37 ~~projects.~~
- 38 • Idaho Code 49-201(1) (2) – Board authority to enter into agreements, compacts or
39 arrangements with other jurisdictions on behalf of Idaho for the purpose of conforming
40 procedures for proportional registration of commercial vehicles and other types of
41 reciprocal agreements.
- 42 • Idaho Code 67-5711 – Construction, Alterations, Equipping, Furnishing and Repairing
43 of Public buildings and works. The Director of the Department of Administration is



44 authorized to secure all plans and specifications for, to let all contracts for, and to have
45 charge of and supervision of the construction, alteration, equipping and furnishing,
46 repair, maintenance (other than preventative maintenance) of all administrative state
47 buildings when such work exceeds the sum of one hundred thousand dollars (\$100,000)
48 for labor, materials and equipment (not including design costs, bid advertising and
49 related bidding expenses).

50 • Idaho Code 67-5711C – Construction of Public Projects – Competitive Sealed Bidding.
51 All construction contracts for public works shall be awarded to the lowest responsible
52 and responsive bidder. Statutory requirements for bid invitations, public notice and
53 project award procedures.

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

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

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

62 • Idaho Code 67– 9208 through 9224 – Uniform procurement and contracting procedures
63 and processes to acquire all services and property not procured by the Board under Title
64 40 of the Idaho Code. The statutes require competitive bidding and that contracts be
65 awarded to the lowest responsible bidder.

66 • 40 U.S.C. sections 1101 through 1104 – Commonly referred to as the Brooks Act
67 (formerly 40 USC 541 through 544) – Requires qualification-based selection for
68 contracting engineering and architectural services to include definitions, selection
69 procedures and negotiations to contract for architectural and engineering services.

70 • 2 CFR 200 – Uniform Administrative Requirements, Cost Principles and Audit
71 requirements for Federal Awards. In the absence of specific federal requirements,
72 procurement will follow normal competitive bidding and award to lowest responsible
73 bidder procurement laws.

74 • 23 CFR Part 172 – Regulations governing the procurement, management, and
75 administration ~~for~~ engineering and design related services when federal funds are
76 involved: qualification-based selection is used in the same manner as procurement for
77 architectural and engineering services under the Brooks Act (formerly 40 United States
78 Code sections 541 thru 544).

79 • 23CFR Part 230 – External Programs, Subpart A: Equal Employment Opportunity on
80 Federal and Federal-Aid Construction Contracts (including Supportive Services).

81 • 48 CFR Part 31 – Federal acquisitions regulations system governing procurement when
82 federal funding is involved.

83

84 **I. GENERAL CONDITIONS**



85 All contracts, agreements, or grants shall conform to department policies and procedures for
86 federal and state laws. Executive Officers, Headquarters (HQ) Division Administrators, District
87 Engineers, and Section Managers, by the stipulations of this policy and the Authority Matrix
88 shown in Exhibit A, may sign contracts, agreements, or grants that are in the best interests of the
89 public, and for the proper functioning of the Idaho Transportation Department. The Chief
90 Administrative Officer is responsible for department conformance procedures.
91 All contracts, agreements, or grants require:

92
93 **A. Financial Review and Approval**

94 Before signing a department contract or agreement that expends funds, the signing authority shall
95 confirm that funds are available to meet the terms of agreement. Charges and cost distribution for
96 payments shall be according to instructions issued by the Financial Services section. When the
97 contract or agreement is completed, Financial Services shall also be notified of all capital leases
98 and proper budgetary approval shall be obtained.
99

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

103
104 **B. Log or Register of Contracts, Agreements and Grants**

105 Originating offices will maintain a log or register of their respective contracts, agreements, or
106 grants.

107
108 **Equal Opportunity/Affirmative Action**

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

113
114 **D. Changes to the Provisions or Terms**

115 Changes to the provisions or terms should be handled similar to establishing a new contract,
116 agreement, or grant or in accordance with applicable procedures.
117

118 **II. HIGHWAY IDAHO TRANSPORTATION INVESTMENT PROGRAM (ITIP)**
119 **CONTRACTS AND AGREEMENTS**

120
121 **A. Project Construction Work Construction and Maintenance Contracts**

122 Plans, Specifications and Estimate (PS&E) shall be approved by District Engineer or delegate
123 prior to bidding and advertisement ~~by the Contracting Services section. Project advertisement~~
124 ~~and award shall be approved by Contracting Services Engineer.~~ All highway construction and
125 maintenance contracts shall conform to established department policies and procedures for
126 federal and state laws.
127



128 District Engineers are authorized to bid projects and sign contracts expected to be less than
129 \$50,000 in total project costs. Contracts expected to be greater than \$50,000 in total project
130 costs shall be bid through Advertisement and Award section in Headquarters (HQ) Highway
131 Design. The HQ Appropriate-Division Administrator or a delegate will~~may~~ sign contracts
132 greater than \$50,000 for construction work on State Highway System projects and all Local
133 Public Agency projects approved by the Transportation Board.

135 **B. Professional Service Agreements and Right of Way Agreements**

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

142 All professional service agreements related to highway projects are required to be procured
143 through Qualifications Based Selection Procedures (excluding individual task Right of Way
144 service agreements). Professional service agreements shall be processed through Consultant
145 Services ~~in the Contracting Services~~ section in HQ Highway Design. Professional service
146 agreements for local public agency (LPA) federal-aid projects shall be processed according to
147 the Guidelines for Local Public Agency Projects and noted legal authority within this policy.

149 ~~All~~ Individual task right of way agreements shall be initiated by and processed through the
150 ~~headquarters~~ HQ Right of Way section.

152 ~~Routine engineering between the Department and any public agency or private firm that do not~~
153 ~~exceed, nor are expected to exceed, a total amount to be paid of \$1,000,000 shall be approved by~~
154 ~~the District Engineer, appropriate Division Administrator or delegate. Supplemental agreements,~~
155 ~~including the original agreements, that would bring the Department's obligation to more than~~
156 ~~\$1,000,000 require Board approval. Routine right of way agreements must follow these~~
157 ~~agreement limits, however, approval for agreements totaling up to \$1,000,000 is limited to~~
158 ~~appropriate Division Administrator or delegate. Non-routine professional agreements that do not~~
159 ~~exceed, nor are expected to exceed, a total amount to be paid of \$50,000 shall be approved by the~~
160 ~~District Engineer, appropriate Division Administrator or delegate. Supplements that would bring~~
161 ~~the Department's obligation to more than \$50,000 require Board approval.~~

163 District Engineer, HQ Division Administrator or delegate is authorized to approve:

- 164 • Routine engineering and right of way agreements between the Department and any
165 public agency or private firm that do not exceed, nor are expected to exceed, a total
166 amount to be paid of \$3,000,000.
- 167 • Work task agreements, including subsequent agreements, that would bring the
168 Department's obligation to more than \$500,000 on a specific project.
- 169 — Non-routine minor professional agreements that do not exceed, nor are they



170 expected to exceed, a total amount to be paid of \$50,000.

171 .

172
173 **C. State/Local Agreements**

174 Agreements with local government entities for projects off the State Highway System shall be
175 called State/Local Agreements. They shall be initiated and administered by the Districts or
176 LHTAC and processed by the ~~Consultant Contracting Services~~ Consultant Services section in HQ
177 Highway Design.

178
179 Agreements for local ~~the Transportation Alternatives projects, Scenic Byways projects, and other~~
180 projects administered by the district shall be recommended by the District Engineer or a delegate
181 and approved by the HQ appropriate Division Administrator or a delegate. Agreements for
182 projects administered by the Local Highway Technical Assistance Council (LHTAC) and Ada
183 County Highway District (ACHD) shall be approved by the appropriate Division Administrator
184 or a delegate.

185
186 **D. Cooperative Agreements**

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

194
195
196 **E. Railroad and Utility Agreements**

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

200
201 **F. Road Closure and Maintenance Agreements**

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

209
210 **III. GOODS AND SERVICES CONTRACTS AND AGREEMENTS**



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

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

223

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

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

231

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

233 All building facility public works projects shall be managed by the Facility Management Unit
234 which is within the Business and Support Management section in partnership with the respective
235 Districts. All contracts or agreements shall be executed by a Facility Management Contracting
236 Officer and administered by the Facilities Program Manager. This work may include, but is not
237 limited to, administrative building repairs and/or alterations, non-administrative buildings
238 construction and/or repair, landscaping, or any other licensed building trade requiring a building
239 permit under the authority of Idaho Statute 67-5711. Design professional services for
240 Architectural, Engineering, Surveying and Construction Management services for building
241 facility public works projects shall be procured through Facility Management Unit, executed by a
242 Facility Management Contracting Officer, and administered by the Facilities Program Manager.

243

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



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VI. RESEARCH AGREEMENTS

Agreements between the Department and any public agency or private firm for research-eligible services and activities shall be initiated and processed by HQ Planning Services. Agreements that do not exceed, nor are expected to exceed, a total amount to be paid of \$500,000 shall be approved by the HQ Division Administrator or delegate.

VII. GRANT PROGRAM AGREEMENTS

The appropriate HQ Division Administrator, HQ Section Manager, or a delegate, that oversees 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.

VIII. 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 the Office of Information Technology. In addition, the contract or agreement shall be cleared through the Idaho Department of Administration, Office of Information Technology Services, ~~Resource Management~~, Office of the Governor, and the Division of Purchasing. The contracts or agreements shall be executed as outlined in Section III, GOODS AND SERVICES CONTRACTS AND AGREEMENTS.

VIII.XI. SPECIAL EVENT AGREEMENTS

HQ 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 State Highways.

IX. MEMORANDUM OF UNDERSTANDING OR MEMORANDUM OF AGREEMENT

Memorandums of Understanding (MOU) and Memorandums of Agreement (MOA) are agreements established between the Idaho Transportation Department (ITD) and other entities (nations, federal, states, Idaho state agencies or local governmental agencies, businesses, non governmental organizations, etc.) . The approval shall be as designated in Administrative Policy 5007, Memorandum of Understanding or Memorandum of Agreement.

XI. 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, special permit for size and weight over legal 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).



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 –Statutory requirements 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 –Statutory requirements for selecting construction manager/general contractor firms for services agreement and subsequent contract for construction of state highways and bridges.
- 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 administrative 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 67-5711C – Construction of Public Projects – Competitive Sealed Bidding. All construction contracts for public works shall be awarded to the lowest responsible and responsive bidder. Statutory requirements for bid invitations, public notice and project award procedures.
- 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 for engineering and design related services when federal funds are involved; qualification-based selection is used 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, Headquarters (HQ) Division Administrators, District Engineers, and Section Managers, by the stipulations of this policy and the Authority Matrix shown in Exhibit A, 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:

A. 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, approval from the Division of Financial Management (DFM) shall be obtained. This approval shall be coordinated through the Financial Planning Office.

B. Log or Register of Contracts, Agreements and Grants

Originating offices will maintain a log or register of their respective contracts, agreements, or grants.

D. 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. HIGHWAY CONTRACTS AND AGREEMENTS

A. Construction and Maintenance Contracts

Plans, Specifications and Estimate (PS&E) shall be approved by District Engineer or delegate prior to bidding and advertisement. All highway construction and maintenance contracts shall conform to established department policies and procedures for federal and state laws.

District Engineers are authorized to bid projects and sign contracts expected to be less than \$50,000 in total project costs. Contracts expected to be greater than \$50,000 in total project costs shall be bid through Advertisement and Award section in Headquarters (HQ) Highway Design. The HQ Division Administrator or a delegate will sign contracts greater than \$50,000 for construction work on State Highway System projects and all Local Public Agency projects approved by the Transportation Board.



B. Professional Service 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 related to highway projects are required to be procured through Qualifications Based Selection Procedures (excluding individual task Right of Way service agreements). Professional service agreements shall be processed through Consultant Services section in HQ Highway Design. 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.

Individual task right of way agreements shall be initiated by and processed through the HQ Right of Way section.

District Engineer, HQ Division Administrator or 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 \$3,000,000.
- Work task agreements, including subsequent agreements that would bring the Department's obligation to more than \$500,000 on a specific project.
- Non-routine minor professional agreements that do not exceed, nor are expected to exceed, a total amount to be paid of \$50,000.

C. 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 Consultant Services section in HQ Highway Design.

Agreements for local projects administered by the district shall be recommended by the District Engineer or a delegate and approved by the HQ 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.



D. 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 HQ offices and shall be processed by the Consultant Services section in HQ Highway Design. 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.

E. Railroad and Utility Agreements

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

F. 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 Consultant Services section in HQ Highway Design. 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 related to a highway infrastructure related goods and services shall be approved and executed by the Purchasing Agent or delegate 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 building facility public works projects shall be managed by the Facility Management Unit which is within the Business and Support Management section in partnership with the respective Districts. All contracts or agreements shall be executed by a Facility Management Contracting Officer and administered by the Facilities Program Manager. This work may include, but is not limited to, administrative building repairs and/or alterations, non-administrative buildings construction and/or repair, landscaping, or any other licensed building trade requiring a building permit under the authority of Idaho Statute 67-5711. Design professional services for Architectural, Engineering, Surveying and Construction Management services for building facility public works projects shall be procured through Facility Management Unit, executed by a Facility Management Contracting Officer, and administered by the Facilities Program Manager.

VI. RESEARCH AGREEMENTS

Agreements between the Department and any public agency or private firm for research-eligible services and activities shall be initiated and processed by HQ Planning Services. Agreements that do not exceed, nor are expected to exceed, a total amount to be paid of \$500,000 shall be approved by the HQ Division Administrator or delegate.

VII. GRANT PROGRAM AGREEMENTS

The appropriate HQ Division Administrator, HQ Section Manager, or a delegate, that oversees 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.

VIII. 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 the Office of Information Technology. In addition, the contract or agreement shall be cleared through the Idaho Office of Information Technology Services, Office of the Governor, and the Division of Purchasing. The contracts or agreements shall be executed as outlined in Section III, GOODS AND SERVICES CONTRACTS AND AGREEMENTS.

XI. SPECIAL EVENT AGREEMENTS

HQ 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 State Highways.



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L. Scott Stokes
Director

Date: _____

		Purchasing - Idaho Code Title 67-92	Goods & Services Contracts /Agreements						Purchasing Agent
		Facility Management - Idaho Code Title 67- 57	Information Technology Service Contracts or Agreements						Facility Management Contracting Officer
			Contracts for Administrative Building <\$100K						
			All Other Facility Contracts						
		DMV - Title 49, Title 40	Facility Professional Service Agreements						
Emergency Facility Contract						67-5711(b)			
Other Agreements	Agreements with other agencies, States & entities				DMV				
	Memorandum of Understanding/ Agreement & Any other agreements not identified **				District or Division				
								Can be delegated further	
								Cannot be delegated further	

**For Department wide MOU/MOA - Director must sign