

# MUNICIPAL BRIDGE PROGRAM GUIDELINES

## FOR FEDERAL-AID, HIGHWAY BRIDGE PROGRAM PROJECTS

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## 1. PROJECT INITIATION

### SECTION: 1.1 REQUEST PROJECT / PROGRAM IN STIP

- 110 The original request for a project to be placed in the State Transportation Improvement Program (STIP) is made to:

Program Development Region Manager - Programming  
Transportation Building  
1534 Mail Service Center  
Raleigh, NC 27699-1534

The Region Manager will ask the Structure Management Unit to review the sufficiency rating and eligibility of the bridge. Once it has been determined that the requested project is eligible for the Federal-Aid, Highway Bridge Program, a STIP project identification number will be assigned. The request to add the structure to the Municipal Bridge Program is then placed on the Board of Transportation Agenda for approval.

**\*\*Note: For Contact Names, Addresses, Phone Numbers, Email, etc. Refer To “CONTACTS AND WEB SITES FOR THE MUNICIPAL BRIDGE PROGRAM”.**

### SECTION: 1.2 PREPARE MUNICIPAL AGREEMENT

- 120 Upon approval of the addition to the STIP, the Program Development Region Manager - Programming will advise the Municipal Bridge Coordinator to request that a Municipal Agreement be prepared outlining all responsibilities. The Municipality shall provide to NCDOT the estimated cost for planning, design, right of way, utility adjustments and construction. If requested, the Municipal Bridge Coordinator will assist the Municipality with cost estimates.
- 121 The Local Programs Management Office will develop the Draft Municipal Agreement, which will be transmitted to the Municipality for execution in accordance with procedures established jointly by the STIP Unit and the Local Programs Management Office.
- 122 Once the Municipal Agreement is executed by the Municipality, the Local Programs Management Office will place it on the North Carolina Board of Transportation Agenda for approval. Upon Board approval and execution by the State Highway Administrator, a fully executed copy will be forwarded to the Municipality, the respective Division Office, Municipal Bridge Coordinator, the Special Studies Squad of the Roadway Design Unit, and a copy scanned into BSIP by the Municipal Bridge Coordinator.

### SECTION: 1.3 OBTAIN FEDERAL AUTHORIZATION FOR PE PHASE

- 130 After execution of the Municipal Agreement, the Municipal Bridge Coordinator will request approval from the Federal Highway Administration (FHWA) for authorization of preliminary engineering (PE) funds, and a copy scanned into BSIP by the Municipal Bridge Coordinator. Once FHWA authorization is granted, the Municipal Bridge Coordinator will send the Municipality **written notification** to proceed with consultant solicitation process or in-house project planning efforts. A copy of the FHWA authorization depicting the appropriate project numbers and

funding information will be attached. The Federal Aid number, STIP identification number, project contract and work breakdown structure (WBS) number should be noted on all transmittals, plans, and specifications. Preliminary engineering funds are approved based upon estimates provided by the Municipality. The Municipality may not proceed with solicitation of a consultant until evidence of FHWA authorization is received from the North Carolina Department of Transportation.

**Any costs incurred prior to written notification to proceed will not be eligible for reimbursement**

## 2. SOLICIT PRIVATE CONSULTANT

### SECTION: 2.0 PROCURING CONSULTANT SERVICES

- 201 Prior to selecting a consultant for Professional Services, municipalities must submit an electronic copy of a draft Request For Proposals (RFP) and their intended method of advertising to the Municipal Bridge Coordinator for review and approval. [RFP Templates are available on the NCDOT, Program Development web site]. The Municipal Bridge Coordinator shall send an electronic copy of the draft RFP to the Professional Services Management Manager for review and comments. The Municipal Bridge Coordinator shall return all comments received to the municipality.
- 202 NOTE: The Municipal Bridge Coordinator shall contact the Division office to determine if Construction Engineering and Inspection (CEI) shall be performed by the Division or by the Municipality (or its consultant). If the latter, see indented text below.

If the Municipality will perform CEI using a consultant, the CEI RFP shall be issued separately from, but advertised in the same general way as, other RFPs for professional services (see sample CEI RFP templates). The Municipality shall issue the CEI RFP as soon as possible following FHWA authorization of the construction phase (see Part 5). The Municipality shall have a CEI Consultant under contract before the Contractor begins work. The Consultant selected for CEI services shall not be the same Consultant selected for pre-construction (planning or design) services unless the Municipality's request for a project-specific exemption is granted by the NCDOT State Construction Engineer. For additional information and 'Exemption Request' submittal requirements, contact the Bridge Construction Estimates & Claims Engineer.

- 203 After the Municipality selects the top ranking CEI RFP proposal, the top firm submits their proposal with hours and costs to the Municipal Bridge Coordinator. Independent of that submittal, and at the same time, the Division Contract Administrator (with assistance from Materials & Tests Unit) prepares an in-house CEI services cost estimate and submits it to the Municipal Bridge Coordinator. After receiving both submittals, the MB Coordinator sends the Consultant's CEI proposal and the in-house estimate to the Office of Inspector General/Ext. Audit for review. Based on the results of successfully completed negotiations between the Municipality, NCDOT, and Consultant, the Municipality may establish an 'Agreed Upon Rates/Actual Costs Not To Exceed' contract with the Consultant for CEI services.

- 204 The recommended method of advertising for consultant services is for the Municipality to post the approved RFP Long Form on their web site for a minimum of two weeks, and one time use of Short Form for the newspaper at least two weeks prior to the Letter of Interest (LOI) due date. The Municipality also sends an electronic copy of the RFP to the Professional Services Management Manager for posting on the NCDOT web site. The Professional Services Management Manager must receive an electronic copy of the RFP Long Form a minimum of 10 days prior to the advertising date. This will satisfy the state and federal advertising requirements for consultant services.
- 205 The consultant selected must be on the NCDOT Pre-qualified Consultant List, in good standing with NCDOT and capable of managing the overall project. All sub-consultants selected shall likewise be pre-qualified by NCDOT for the specific type of work they will perform for the prime consultant. Refer to: <https://partner.ncdot.gov/vendordirectory/default.html>  
The solicitation process shall be in accordance with Federal and State Guidelines for procurement in conformance with NCGS 143-64.31, and Title 23, Highways, of the Code of Federal Regulations (23 CFR 172).
- 206 Once the municipality has selected a prospective consultant for the project, they shall send a letter to the Municipal Bridge Coordinator which includes: a statement that FHWA and NCDOT policies and procedures were followed, a copy of the RFP used, the advertising locations, number of LOI received, names of the proposed consultant/sub-consultants, RS-2 completed forms and justification for their selections.
- 207 The Municipal Bridge Coordinator will review the municipality's letter with the Professional Services Management Manager and, if everything is acceptable, the Municipal Bridge Coordinator will schedule a scoping meeting with the municipality, their prospective consultant, and the reviewing parties. The Division Engineer shall be notified of the meeting at least two weeks in advance, with a request that a Division representative attend.

### 3. PE PHASE (PLANNING AND DESIGN)

#### SECTION: 3.1 REVIEW CONSULTANT'S ENGINEERING AGREEMENT WITH THE MUNICIPALITY AND REVIEW/PROCESS INVOICES

- 310 Work under this phase involves preliminary engineering, planning, environmental studies, planning document, design and survey. NOTE: The project shall be developed in accordance with the latest NCDOT standards and specifications. The project plans will be designed using the current version of Geopak Corridor Modeling / Roadway Designer-3D software used by NCDOT and the plan sheet size will be the standard 22" x 34" used by NCDOT.

After the scoping meeting, the Municipality shall submit an electronic copy of the proposed engineering consultant agreement to the Municipal Bridge Coordinator, who will perform an initial "Contents" review before sending to Professional Services Management / Attn: Special Studies Squad for review and approval. The Municipality will address changes requested by NCDOT. The consultant agreement shall include a task for reviewing construction phase shop drawings.

- 311 Special Studies Squad will collect in-house estimates from appropriate Units/Divisions within NCDOT, compare with the proposed estimates to assure the hours are fair and reasonable prior to the review by the Office of Inspector General/Ext. Audit. If the proposed estimates are unreasonable, the consultant will be informed and other steps will be taken including negotiations by the Special Studies Squad.

NOTE: The Fee is \$5000 for the Letter of Map Revision (LOMR). No other amount is allowed. If the project did not adhere to the approved Conditional Letter of Map Revision (CLOMR) then more modeling is required and is not paid by the state. If the project did adhere to the CLOMR, submittals for the LOMR must include the fee, as built plans and property owner letter notification.

- 312 A pre-negotiation audit must be performed by the Office of Inspector General / External Audit. A Cost Certification Letter and Overhead Computation for the current fiscal year end are required.
- 313 The Municipality shall send a copy of the executed engineering consultant agreement to the Consultant and direct them to prepare the Draft Planning Document.
- 314 The Municipality shall send two copies of the executed engineering consultant agreement to the Municipal Bridge Coordinator who will forward one copy to the Special Studies Squad, and a copy to file. The Municipal Bridge Coordinator also scans a copy into BSIP.
- 315 Upon approval of the engineering consultant agreement, invoices may be submitted by the Municipality for costs incurred as specified in the Municipal agreement. All **preliminary engineering, and design invoices** should be submitted by the municipality to the Municipal Bridge Coordinator for approval and payment processing. DBE-IS forms must be submitted with all invoices. On each invoice, please note the project contract number, (WBS) number, the STIP Project B- number, invoice number, whether the invoice is a partial or final, and include a copy of cancelled check or bank statement. Proof of Payment and supporting documentation will not be necessary if the Municipality is reporting under the Single Audit Act. The Municipality shall make sure that project billing remains active (invoice sent to NCDOT every 6 months, minimum) for each FHWA-authorized phase of work. Shortly after the completion of each FHWA-authorized phase of work, the Municipality shall send NCDOT a FINAL invoice for that phase, and no more than six months after the completion of the construction phase.
- 316 Municipalities and their consultants shall coordinate with the Bridge Project Development Section on the Historic Preservation Act [Section 106], the Endangered Species Act [Section 7] and Native American Tribes requirements. All findings shall be included in the Planning Document for each project.

## SECTION: 3.2 REVIEW PLANNING DOCUMENT

- 320 Upon completion of the draft Planning Document by the Consultant, the Municipality will send an electronic copy of the document to the Municipal Bridge Coordinator. The draft Planning Document and the 25% design plans (refer to next section) must be submitted for review at the same time so the two reviews can be coordinated. The Municipal Bridge Coordinator will send an electronic copy to the Bridge Project Development Section for review and keep one copy for file. The Bridge Project Development Section will send comments directly to the Consultant. The Consultant will send an electronic copy of the revised Draft Planning Document to the Bridge Project Development Section for a full NCDOT review and comment. The Bridge Project Development Section will distribute copies of the second draft, including a copy to the Division Engineer, for review and comment, then collect the comments and return them to the Consultant. The Municipality and their Consultant will make revisions to the document and send

one copy of the final Planning Document, with Municipal signatures, to the Bridge Project Development Section for final approval and signatures. The Bridge Project Development Section will process the Final Planning Document for signatures and return the executed document to the Consultant. The Consultant will provide the Bridge Project Development Section with 5 copies of the executed Planning Document for distribution. The Bridge Project Development Section will distribute the document, and a copy will be scanned into BSIP by the Municipal Bridge Coordinator. Upon receipt of the executed Planning Document, the Municipal Bridge Coordinator will send written notification to the Municipality and they may then proceed with the final design phase of the project. The Municipality shall provide an estimated time schedule in month and year for the R/W and Construction to the Municipal Bridge Coordinator.

### SECTION: 3.3 REVIEW PRELIMINARY DESIGN PLANS

330 **\*\*NOTE: The Final Planning Document must be approved prior to proceeding beyond 25% Design Plans of the project.**

Preliminary design plans, six (6) full size sets, will be submitted by the Consultant to the Special Studies Squad Leader for review and approval. The Consultant will submit a copy of the transmittal letter to the Municipal Bridge Coordinator. Special Studies Squad Leader will return reviewed plans and comments directly to the Consultant. At a minimum, preliminary plans are to show design, profiles, typical sections, construction limits, drainage, and proposed right of way and/or easements. The project shall be designed in accordance with NCDOT Design Standard and Specifications. The Consultant shall contact the Special Studies Squad Leader regarding the submission requirements for review plans (25%, 75%, 90% and 100% plans). The Special Studies Squad Leader is the primary contact within NCDOT regarding the project plans. All project review plans will be submitted to the Special Studies Squad Leader and they will distribute plans to other Units within NCDOT for their review and approval.

331 Prior to the review and approval of the Right of Way (R/W) plans (75% plans), the Municipality shall provide a letter to the Special Studies Squad Leader indicating that public involvement was accomplished. It is essential that the Municipality provide this letter in the early stages of the project to eliminate possible delays in the project schedule. The type of public involvement the Municipality uses will be agreed upon at the scoping meeting held between the Municipality, Consultant and NCDOT.

332 The Special Studies Squad Leader will send a copy of the Location and Design Approval Letter to the Municipal Bridge Coordinator. This will signify approval of public involvement, and 75% (R/W) plans.

333 In the event R/W is not authorized within 12 months from the date that the Planning Document is signed, the Municipality must complete a Project Environmental Consultation (PEC) form. This form assures NCDOT and FHWA that environmental commitments are being addressed and that no new environmental issues have surfaced. The form will be provided to the Municipality, when applicable, and the signed original must be returned to the Municipal Bridge Coordinator. A copy of the latest plan sheet must be attached to the PEC. The Bridge Project Development Section and FHWA will review and approve the PEC as appropriate.

## 4. R/W PHASE

### SECTION: 4.1 OBTAIN FEDERAL AUTHORIZATION FOR R/W PHASE, AND R/W CERTIFICATION

- 410 **\*\*NOTE: The R/W Plans must be approved prior to proceeding to the next phase of the project.**

Work under this phase involves Right of Way Acquisition, Utility Relocation and Permits.

After receipt of R/W plan approval from the Special Studies Squad Leader in the Roadway Design Unit (and PEC approval from the Bridge Project Development Section when applicable), the Municipal Bridge Coordinator will request FHWA authorization of right of way funds. Upon FHWA approval, the Municipal Bridge Coordinator will advise the Municipality **in writing** to conduct a preliminary acquisition process meeting. The Municipality shall comply with all rules and regulations and R/W must be certified in accordance with the Uniform Relocation Assistance and Real Property Act of 1970. Certification of existing municipally owned R/W shall be in accordance with all rules, regulations and procedures governing the acquisition of R/W.

NOTE: the cost of relocating municipal owned utilities (e.g., water and sewer lines) that conflict with a municipal (OFF State system) bridge project are an 80% federally reimbursable project cost.

- 411 After receipt of **written notification** authorizing R/W acquisition, the Municipality must meet with the Division R/W agent prior to initiating any R/W acquisition. The meeting is to review the required approved negotiation and relocation processes that must be followed by the Municipality. No reimbursement for R/W costs shall be made to the Municipality until this meeting has been held and the Agent has notified the Municipal Bridge Coordinator in writing.
- 412 A R/W certification letter is required from the Division R/W Agent stating that all R/W issues have been resolved.
- 413 The Municipality shall accomplish, or cause to be accomplished the relocation and/or adjustment of any and all publicly or privately owned utilities in conflict with the project. A plan showing utility conflicts shall be included with the 90% completed plans.
- 414 The non-betterment costs associated with the relocation of municipally-owned water and sewer lines located within municipally-owned R/W are reimbursable.
- 415 The Municipality shall submit the utility cost estimates to the Municipal Bridge Coordinator who will forward to Special Studies Squad for review, comments and reimbursement eligibility. The municipality must receive in writing the cost authorization for relocating the utilities from the Program Development prior to any relocation.
- 416 The Municipality is responsible for all permits on the project.
- 417 The Erosion Control plans are to be reviewed and approved by the Land Quality Section of the NC Department of Environment and Natural Resources (NCDENR).

### SECTION: 4.2 REVIEW FINAL DESIGN PLANS AND CONTRACT PROPOSAL

- 420 After each Unit reviews and approves the plans and prior to the Municipality advertising for bids, the Consultant shall submit two (2) sets of approved 100% plans, calculation of final quantities and a quantity estimate to the Special Studies Squad Leader. Special Studies will submit one (1) copy each of these items, a copy of the Planning Document and the Special Studies Project

Notebook to NCDOT's Plan Checking Section for review and comments.

After incorporating the Plan Checking Section review comments into the plans and updating the quantity estimates, the Consultant shall submit to the Special Studies Squad Leader, two (2) half size sets of approved final plans signed and sealed by a licensed North Carolina Professional Engineer, two (2) copies of the contract proposal, and two (2) copies of the quantity estimates. Special Studies will submit one (1) copy each of these items to NCDOT's Contract Standards and Development Unit / Proposals and Contracts Section for their review and comments pertaining to the contract document. The Special Studies Squad Leader will submit one (1) copy of the quantity estimates to NCDOT's Estimating Section to obtain an updated engineering cost estimate for NCDOT.

In the event construction of the project is not initiated within 12 months from the date that the R/W is authorized, the Municipality must complete a Project Environmental Consultation (PEC) form. This form assures NCDOT and FHWA that environmental commitments are being addressed and that no new environmental issues have surfaced. The form will be provided to the Municipality, when applicable, and the signed original must be returned to the Municipal Bridge Coordinator. A copy of the latest plan sheet must be attached to the PEC. The Bridge Project Development Section and FHWA will review and approve the PEC as appropriate.

The Municipality shall obtain all required permits for the project and verify to the Municipal Bridge Coordinator that all permits have been obtained and have not expired prior to project construction advertisement.

- 421 Four (4) weeks prior to the Municipality advertising the project for letting, the Municipality or Consultant will submit to the Special Studies Squad Leader two (2) copies of the contract proposal, which address comments previously received from the Contract Standards and Development Unit (see above). The contract proposal shall include the Disadvantaged Business Enterprise (DBE) goal as required by NCDOT; the required Federal and State provisions; permits and permit drawings. The Special Studies Squad Leader will forward a copy of the contract proposal and a copy of the environmental commitments (Green Sheets) taken from the Planning Document to the Contract Standards and Development Unit for final review and approval. The Special Studies Squad and the Contract Standards and Development Unit will retain a final copy of the contract proposal for their records. The Special Studies Squad Leader will notify the Municipality once the contract proposal is approved by NCDOT and send a copy of the notification to the Municipal Bridge Coordinator.

### SECTION: 4.3 OBTAIN FEDERAL AUTHORIZATION FOR CONSTRUCTION PHASE

- 430 After the Special Studies Squad has reviewed and approved the final plans and contract proposals for the project, and the Municipal Bridge Coordinator receives a copy of the right of way field certification, verified construction cost estimates and a valid planning document or PEC, he/she will request FHWA approval to proceed with the construction advertisement.



## 5. CONSTRUCTION PHASE

### SECTION: 5.1 CONSTRUCTION ENGINEERING / INSPECTION AND PROJECT LETTING

510 The construction phase will include activities such as advertising, project letting and Construction Engineering and Inspection 'CEI'.

Upon receipt of approval by FHWA, the Municipal Bridge Coordinator shall notify the Municipality **in writing** that it may proceed with advertisement. Letting of contracts for construction and purchases shall be in accordance with NCGS 143-129 and 23 CFR 635.

511 For information about the contract proposal, see Section 4.2.

512 Upon receipt of bids and prior to award of the construction contract by the Municipality, the Municipality shall submit a bid package to the Special Studies Squad and copied to the Municipal Bridge Coordinator. The bid package shall contain One (1) copy of the following:

- Resolution from the Local Government Agency recommending award
- Detailed summary letter
- Bid tabulations
- Engineer's Estimate for a line by line comparison to the responsive bidder's estimate
- DBE participation ("Listing of DBE Subcontractors")
- Letters of Intent to Subcontract, if applicable
- Good Faith Effort documentation if applicable
- Low bidder's Bid Proposal
- Signed & sealed Execution of Bid Form (including Non-collusion affidavit, etc.)

513 The State Contract Officer, upon review and approval of bid package information will issue a concurrence letter to the Special Studies Squad Leader authorizing the Municipality to proceed with award of the construction contract.

514 Upon award of the project to contract, the Municipality shall furnish the State Contract Officer 5 copies of the executed contracts and 5 sets of plans.

515 Unless specified otherwise in the municipal agreement, the municipality is responsible for Construction Engineering and Inspection (CEI) for the project. The Municipality may hire a consultant to perform these services (follow procedures under 'Solicit Private Consultant'). The use of a consultant does not relieve the Municipality of ultimate responsibility for the proper administration and inspection of the construction contract. The Municipality shall oversee the consultant's work.

516 The Municipality shall send six copies of the CEI agreement to the Municipal Bridge Coordinator for distribution to the Special Studies Squad of the Roadway Design Unit, Division Engineer and file.

### SECTION: 5.2 PROJECT CONSTRUCTION

520 The Division Engineer will assign a Division Contract Administrator to oversee that project construction is in compliance with NCDOT standards and specifications. All **construction invoices**, including ones for CEI, and supporting documentation should be submitted to the Division Contract Administrator for review and approval subject to all conditions contained

- within the Municipal Agreement. DBE-IS forms must be submitted with all invoices to report payments to DBE firms. An inspection log will be maintained for review in a location designated by the Division Contract Administrator indicating project review prior to payment of invoices in accordance with 23 CFR 635.105(a). The Municipality must adhere to Cost Principles as contained in OMB Circular A-87, Administrative Requirements as contained in 49 CFR 18 and shall arrange for an independent audit in compliance with NCGS 159-34 and in accordance with OMB Circular A-133. The Division personnel will enter the invoice into BSIP for reimbursement to the Municipality. All support documentation will be scanned.
- 521 Six copies of all shop drawings, as approved by the Engineer of Record, shall be sent to the Special Studies Squad Leader for NCDOT review and approval. Such approval is required before materials are purchased.
- 522 The funding of a typical project is as follows: eighty percent (80%) from Federal-Aid, Highway Bridge Program Funds as allocated by the FHWA; twenty percent (20%) Municipal matching funds. NCDOT shall have no liability for project costs that are disallowed by the FHWA and the Municipality shall bear all project costs for which it is unable to substantiate actual cost.
- 523 In the event that the Municipality does not undertake construction of the project for which sums of Federal Funds have been paid for preliminary engineering and/or right-of-way acquisition by the end of the tenth year following execution of the Project Municipal Agreement, then the Municipality shall repay any such expended Federal Funds in accordance with the terms of the project Municipal agreement. Further, in the event that funding is withdrawn or adjusted by FHWA, the NCDOT shall have no further obligation to the Municipality or liability for the project.
- 524 Prior to final acceptance of the project by the Municipality and final payment by NCDOT, the Division Engineer will make a final inspection of the completed work and notify the State Materials Engineer for certification of the project.
- 525 Any moneys due from the Municipality or any costs not reimbursed to the NCDOT by FHWA shall be borne by the Municipality and are subject to deduction from the Municipality's Powell Bill Allocation as allowed by NCGS 136-41.3.
- 526 Upon completion of the project, the Municipality shall furnish five complete half size sets of As Built Plans. One will be sent to the Structure Management Unit and the rest to the Special Studies Squad Leader.

### SECTION: 5.3 MAINTENANCE RESPONSIBILITIES

- 530 The Municipality shall be responsible for the proper maintenance of the completed improvements and the costs thereof. Further, NCDOT is indemnified and held harmless from any and all claims that might arise on account of such project, to the extent allowed by law.

### SECTION: 5.4 BRIDGE INSPECTION FOLLOWING PROJECT COMPLETION

- 540 The Municipality shall be responsible for complying with the National Bridge Inspection Standards (NBIS) 23 CFR Part 650. These standards include completion of a safety inspection and report within 90 days of a bridge being opened to traffic. Bridges must be inspected by a qualified engineer approved by the NCDOT Structure Management Unit. Inspections are also required every 24 months throughout the life of the structure. The cost of these mandatory inspections is eligible for Federal funding (80% FHWA, 20% Municipality).

**\*\*NOTE: PLEASE MAKE SURE YOU HAVE OBTAINED PROPER WRITTEN AUTHORIZATION AND/OR APPROVAL BEFORE BEGINNING WORK ON ANY PHASE OF THE PROJECT.**

## 6. PROJECT CLOSE OUT

### SECTION: 6.1 CLOSING THE PROJECT

- 610 The CLOSEOUT procedure is outlined by the NCDOT Local Programs Management Handbook. Project records shall be available for at least three years from the date of FHWA Final Voucher Signature.