

TO:

**SUPERSEDED BY EI 74-106
EFFECTIVE 11/19/1974**



ENGINEERING INSTRUCTION

NEW YORK STATE DEPARTMENT OF TRANSPORTATION

SUBJECT: ACCEPTANCE OF HIGHWAY CONTRACTS
BY AFFECTED AGENCIES

Subject Code: 7.32-3-1

Distribution:



Main Office



Regions

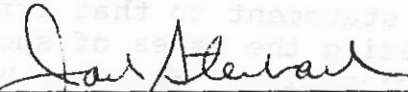


Special

Code: EI-72-14

Date: 2/15/72

APPROVED:


Deputy Chief Engineer

Supersedes:

Instruction 70-25

This instruction supersedes Instruction 70-25 dated April 30, 1970. Additional material is incorporated defining the specific documentation necessary to substantiate acceptances by affected agencies. In order to comply with the requirements of its PPM 20-6.1, the Federal Highway Administration has requested notification of the dates of concurrence by cooperating or affected agencies in the acceptance of completed highway contracts. The term cooperating agency is intended to mean any federal, State, county, city, private or public utility or other agency which has provided funds, land, or some type of real interest for constructing any portion of a construction project. Some examples are:

1. An agency or political entity which is either participating in the cost of the work or will have the maintenance responsibility upon completion.
2. An agency or political entity which has furnished funds for adjusting, improving or constructing facilities as part of the highway contract.
3. A public or private utility whose facilities may be adjusted as part of the contract.
4. A governmental agency which has placed certain requirements as a condition of conveying land or property to the State for purposes of highway construction. (This is an infrequent condition, but could possibly occur.)
5. The U.S. Coast Guard or Corps of Engineers relative to compliance with clearance requirements affecting navigation. (The Structures Subdivision will advise Regions re compliance)
6. A local government or toll authority which has reached agreement with the State for improvement or adjustment of some segment of its street or highway system as part of the highway contract.

Any of the following are acceptable forms of documentation of acceptances by affected agencies:

1. A written notification of acceptance from the agency.
2. A documented report by the EIC of verbal acceptance by a responsible agency official, which also indicates that a copy of this report

Subject: ACCEPTANCE OF HIGHWAY CONTRACTS BY AFFECTED AGENCIES

has been mailed to the agency.

3. Documentation of correspondence sent to the agency requesting its concurrence with the acceptance of the project or comments as to corrections needed and indicating that no reply by a specified date will signify concurrence.

Where cooperating or affected agencies concur in the acceptance of the project, it will be sufficient to include a statement to that effect on the back of the Final Acceptance form indicating the dates of such concurrence, without forwarding copies of documentation. However, where no replies are received from the other agencies or where there are specific objections by such agencies which have not been resolved, copies of related correspondence and reports, as well as your comments, should be forwarded with the recommendation for final acceptance.

This procedure shall apply to all highway construction contracts let by this Department, whether financed with federal or 100 % State funds.

JS:MC