

State-Federal Relationship Under the Secondary Road Plan

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INTRODUCTION

In 1954, Congress established the Secondary Road Plan. The plan authorizes the Federal Highway Administrator, upon the request of any state, to discharge certain of his responsibilities relative to secondary projects, by accepting the state's certification that the work has been done in accordance with standards and procedures previously approved. Under this plan most of the administrative procedures which the Bureau of Public Roads must carry out with respect to all Federal-aid highway projects are eliminated.

By 1958, all but two states, Indiana and West Virginia, had elected to come under such a plan of operation. Since then West Virginia has adopted the plan, thus leaving Indiana as the only state of the original 48 contiguous states not now operating under the plan.

Several attempts have been made to develop a mutually acceptable plan but none has materialized to date for reasons of inclusion of a number of minor reservations not clearly defined by the law as being appropriate.

In January of this year a further revised edition of the plan was submitted for bureau consideration. The plan is now under study and undoubtedly the bureau will be able to resolve any minor differences that may arise over the provisions of the proposed plan.

OPERATING PROCEDURES

The Secondary Road Plan will apply to all projects financed with Federal-aid secondary funds on state and county secondary systems alike and urban extensions of these secondary systems, with the exception of urban extensions which are financed with urban funds. Under the plan it is the policy of the Bureau of Public Roads to extend to the state highway departments as much freedom in standards and operational procedures as is consistent with the Bureau of Public Roads'

responsibility to protect the Federal investment and to assure economy and efficiency in the expenditure of Federal funds.

The standards just mentioned must define such values and controls thereof so that their application to the plans and specifications of proposed projects will:

1. Provide facilities that will adequately meet the existing and probable future traffic needs in a manner conducive to safety durability and economy,
2. Provide all weather service, and
3. Permit maintenance at reasonable cost.

The 1962 AASHO Guide "Geometric Design Standards for Highways other than Freeways" and other criteria as set forth in PPM 40-2 "Design Standards for Federal-Aid Projects", for the first time require that design for secondary roads be based upon the same criteria as primary trunklines, when similar traffic volumes exist. This means we no longer have dual standards, one for county roads and one for state highways.

This requirement was apparently overlooked when the State's January 1965 application for approval of the secondary plan was made, and is one of the principal reasons approval of the plan has experienced delay.

Operating in accordance with approved procedures, under the Secondary Road Plan, the state highway commission will submit a program of secondary projects it proposes to construct. Each project in the program submission should be clearly and concisely described as to location and design geometrics and standards planned for the improvement. It is at this stage that representatives from the Division Office of the Bureau of Public Roads will make a thorough field and/or office review of the proposed project to be sure that both the state and bureau concepts are the same as to the warranty for the improvement being proposed and that there is a clear understanding between the two governmental agencies as to the adequacy and appropriateness of the design of the project to serve present and future traffic needs.

If at the time of submission of a project for program approval, the state highway commission contemplates that exception to the minimum design standards or previously approved procedures will be needed during accomplishment of the proposed project, such exceptions shall be listed and reasons therefor clearly explained. If after program approval, it is determined that a change in location, length or type of project, or make exception to minimum design standards, is desirable, approval of the Division Engineer of Bureau of Public Roads must be

obtained in the same manner as all program changes are handled before proceeding with work under the revised project.

Upon approval of a program item, the state will be authorized concurrently to proceed with the development of the project. This means that without further review and approval on the part of the bureau, the planning, surveying and engineering may be developed, rights-of-way purchased, project advertised and let to contract. After the state has awarded the contract, three copies of the contract estimate will need to be furnished the bureau to adjust project fiscal records and as a basis for execution of the project agreement.

During the course of construction, secondary projects, whether county or state, will not be inspected routinely by any representative of the bureau. A check on compliance will be by means of annual inspections-in-depth on a state-wide basis. Therefore, construction supervision of the project is delegated to an approved publicly employed project engineer. He must be well trained and qualified to handle the work and above all he must be a person of unquestioned integrity. He must be free from prejudice, pressure and politics in performance of his duties.

At this point, it is emphasized that Title 18, United States Code, applies to all Federal-aid projects and to all persons working on the project whether they be state, county or contractor employed. In brief, it deals with those who make false statements or misrepresentations regarding work on Federal-aid projects. A maximum fine of ten thousand dollars or imprisonment of not more than five years or both may result. Title 18 posters should be displayed at all project and office sites.

After the state and county have determined that the project is satisfactorily completed in accordance with plans and specification requirements and that all record sampling and testing is completed and all encroachments have been resolved, final acceptance of the project will be made by the bureau. The bureau inspection will normally be limited in scope. It will include a check of the general location, completion in accordance with previously agreed standards, installation of signing and markings, linear measurements of some of the finished work and the taking of record samples or review of results if taken by state personnel.

Following the final inspection, the state highway commission shall submit: (1) pertinent certificates relative to conformance with plans and specifications of materials and workmanship, (2) a final voucher and supporting final estimate of costs submitted by the state shall be certified by the Division Engineer following a verification by the auditor that the amount claimed represents the actual cost which the state has paid or is obligated to pay as reflected in the state's accounting records. Costs for rights-of-way or for work performed by a railroad or utility or

for changes and extra work orders and contingencies shall be supported in the manner prescribed in "PPM 30-6."

BUREAU AND STATE BENEFITS

Having covered lightly the procedures to be followed under the Secondary Road Plan, it is appropriate to enumerate and evaluate the benefits that may well accrue to both the state and the bureau by operating under the plan.

The bureau will realize a substantial savings in manpower which accrues from the curtailment of the following duties and activities currently being performed in administering secondary funds to the state: (1) grade line check (2) field check of plans (3) review of right-of-way appraisals (4) office review of completed plans (5) intermediate inspections, generally on monthly basis, of construction while work is in progress (6) engineering examination of project records and material test reports in project engineer's files during routine inspection trips, and (7) review and approval of miscellaneous field changes.

It is a well established fact that the more people involved in decision making the more time is consumed and more paper work is an absolute necessity. It should therefore be easily recognized that manpower requirements on the part of the state to prepare and submit the aforementioned documentation should be lessened considerably under the plan.

SUMMARY

In summary, only through mutual confidence and trust between the state and bureau could such a plan be conceived and this remains the essential ingredient for its success.