

## Emergency Repair Checklist

ER Site: Location:		Date:	
-----------------------	--	-------	--

<b>YES</b>	<b>N/A</b>
------------	------------

**Site Inspection:**

1. Site inspection performed by required personnel and eligibility determined:
  - a) for State Highways – NDDOT Maintenance and NDDOT District staff
  - b) for Local Federal Aid Route (CMC or Urban) – NDDOT Local Government, NDDOT District, LPA Representative, Consultant (if applicable)


**Contract Requirements**

1. Provide contractor with packet including DBE SP, FHWA 1273, Davis-Bacon wage rates, Buy America Provision, EEO Requirements, Prompt Payment, Convict Labor. Have contractor certify that they've received the documents and that they will comply with the requirements
2. Repair projects under the ER program must comply with the requirements of the National Environmental Policy Act (NEPA) of 1969.
3. Permanent restoration performed concurrently with emergency repairs must proceed in accordance with the Programmatic Agreement between the NDDOT, FHWA, USACE, USFWS and NDSWC
4. Advertisement requirements are waived for emergency repairs and for permanent restoration performed concurrently with emergency repairs
5. Emergency repairs can be completed by either NDDOT or LPA Forces, or:
6. Under Contract
  - a) Must contact at least 3 contractors for quotes - unless ND Century Code 24-03-04 is invoked, and FHWA is notified
  - b) Work can be contracted by:  
force account, solicited contract, negotiated contract


**Regulations**

1. Work must be limited to original footprint of roadway in order to be in compliance with: National Historic Preservation Act, Endangered Species Act, Floodplain Permits. Spawning areas must be avoided.
2. Any impacts outside original footprint must be assessed and mitigated after work is complete (example: fill placed during emergency grade raise that widens footprint)


**Documentation**

1. Certification Sheet signed by contractor, if applicable.
2. Material Quantities
3. Material source clearance
4. Completed DDIR


Signed: \_\_\_\_\_

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

## Permanent Restoration Checklist

ER Site: Location:		Date:	
-----------------------	--	-------	--

<b>YES</b>	<b>N/A</b>
------------	------------

**Site Inspection:**

1. Site inspection performed by required personnel and eligibility determined:
  - a) for State Highways – NDDOT Maintenance and NDDOT District staff
  - b) for Local Federal Aid Route (CMC or Urban) – NDDOT Local Government, NDDOT District, LPA Representative, Consultant (if applicable)


**Approval and Authorization**

Permanent Work can be performed as either:

1. Permanent repairs completed concurrently with emergency repairs
  - a) Permanent repairs performed with emergency repairs must proceed in accordance with the Programmatic Agreement between the NDDOT, FHWA, USACE, USFWS and NDSWC
2. Permanent Repairs completed after emergency work
  - a) Permanent repairs are approved as eligible once the DDIR is signed by FHWA. Permanent repairs are not authorized until funds are available and programmed. There are three options for funding permanent repairs:
    - I) Wait until FHWA authorizes ER funds for the event and program project with those funds
    - II) Use other regular federal aid to program project and replace those funds with ER funds once ER funds for that event become available
    - III) Program project with AC funds and be reimbursed once ER funds for that event become available
  - If a LPA wants to use option III) they must be Title VI compliant


**Contract Requirements**

1. Permanent repairs must be bid through the NDDOT following all standard procedures
2. Advertising requirement (3 weeks) can be shortened if prior FHWA approval is obtained


**Regulations**

1. Permanent repairs must be designed to meet NDDOT Standard Specifications
2. All permanent repairs must include the most current version of all of the required federal contract provisions/documents
3. Environmental impacts must be assessed and addressed using traditional project development procedures


**Documentation**

1. NEPA Document
2. Certification Sheet signed by contractor, only applies for permanent restoration done concurrently with emergency repairs
3. Material Quantities
4. Material source clearance
5. Completed DDIR
6. Hydraulic Analysis for Permanent Grade Raise
7. Plans, Specs, Cost Estimate
8. ROW acquisition complete and certified
9. Utility relocation complete


Signed: \_\_\_\_\_

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