

2R Projects – Focus primarily on restoration of pavement structure, crown correction, ride quality basic safety, and spot safety. Widening shoulders for continuity with the existing roadway cross section is acceptable.

3R projects – Focus primarily on the preservation and extending of the service life of existing facilities and on safety enhancements. Work may include: resurfacing, pavement structural and joint repair, land and shoulder widening, alteration to vertical grades and horizontal curves, bridge repair, removal or protection of roadside obstacles, and improving bridges to meet current standards for structural loading and to accommodate the approach roadway width.

4R projects -- Modernization projects involving resurfacing, restoration, rehabilitation, and/or reconstruction or new construction of a roadway.

Access Management – Measures regulating physical connections to streets, roads and highways from public roads and private driveways.

ACT – Area Commissions on Transportation serve as regional advisory groups designed to strengthen state and local partnerships in transportation. ACTs participate in the State’s transportation planning and project development activities.

ADA – The Americans with Disabilities Act of 1990 which mandates sweeping changes in building codes, transportation, and hiring practices to prevent discrimination against persons with disabilities, not just in projects involving federal dollars, but all new public places, conveyances, and employers.

Ad and Award – Advertising and award of a construction contract. Includes all aspects of contract administration.

Addenda/Addendum – A written or graphic modification, issued before the opening of bids, which revises, adds to, or deletes information in the solicitation documents or previously issued addendum.

Additional Work – Increased quantities of any pay item, within the scope of the contract, for which a unit price has been established.

Administrative Settlement – A negotiated settlement of a right of way acquisition case in which the acquiring agency has administratively approved payment in excess of fair market value as shown on the agency’s approved determination of value (DV).

Advertisement – The public announcement inviting bids for work to be performed or materials to be furnished.

Agency – The city, county, State agency, special district or political subdivision, as applicable, which has entered into a contract with the contractor.

Agency Administrator – A local agency official empowered by position or delegated the authority to administer transportation projects.

Agency–Force Work – Construction work done by an agency's employees, or by one public agency for another.

Alignment – Geometric arrangement of a roadway (curvature, etc.).

Annual Average Daily Traffic (AADT) – The estimate of typical daily traffic on a road segment for all days of the week, Sunday through Saturday, over the period of one year.

Annual Seasonal Factors – The set of 12 factors, one for each month of the year, that is used to adjust coverage counts to estimates of AADT. Annual seasonal factors make use of the full year's data collected by continuous counters.

Anticipated Items – Extra funds are included in the estimate as special items that might need to be fixed, rebuilt or modified during the progress of the work to complete the project. (Items should not be quantified, designed or biddable).

Applicant – The originator of an Enhancement project. Sometimes the same as the project sponsor (if a public agency) but often a private organization involved in promoting, developing, constructing or maintaining a project in cooperation with a public agency sponsor.

Approach road – A roadway or driveway connection, between the outside edge of the shoulder or curb line and the right of way line of the highway, intended to provide vehicular access to and from said highway and the adjoining property.

Approval Authority – The position title designated in the Local Agency Certification Qualification Agreement as responsible for approving a document or stage of a federal-aid transportation project.

Archaeology – The study of human and culture through the analysis of material remains.

Archaeological Resources Protection Act (ARPA) – Establishes a permitting process for excavation on public (Federal) lands and identifies penalties for illegal excavations.

Archaeological Site – A place with evidence of human activity. Material evidence can be located on the surface or below the surface of the ground. Federal Law defines an archaeological site as 50 years or older, while the State of Oregon says an archaeological site is at least 75 years or older.

Assignment of Contract – The assigning, delegating, selling or transferring to any entity or otherwise dispose of any contract rights or obligations.

Assignment of Funds – The assignment of funds due or to become due under the contract to the contractor.

Automatic Traffic Recorder – A device that records the continuous passage of vehicles across all lanes of a given section of roadway by hours of the day, days of the week, or months of the year.

Average Daily Traffic (ADT) – The general unit of measure for traffic defined as the total volume during a given time period (in whole days), greater than one day and less than one year, divided by the number of days in that time period.

Award – Written notification to the bidder that the bidder has been awarded a contract.

Barriers Standard Rund (STD Rund) – Are guardrail and other barriers excluding terminals, transitions, attenuators, and bridge rails.

Barriers Bridge Rail – Is a barrier on a bridge excluding transitions.

Bid – A competitive offer, binding on the bidder and submitted in response to an invitation to bid.

Bid and Award – From FHWA authorization of federal funds and advertising to Notice to Proceed. Includes all aspects of contract administration.

Bid Bond – The surety bond for bid guaranty.

Bid closing – The date and time after which bids, bid modifications, and bid withdrawals will no longer be accepted.

Bidder – An entity that submits a bid in response to an invitation to bid.

Bid Opening – The date and time bids are opened.

Bid Schedule – The list of pay items, their units of measurement, and estimated quantities. When a contract is awarded, the bid schedule becomes the Schedule of Items.

Bridge Vertical Clearance – Is the minimum height between the roadway including shoulder and an overhead obstruction.

Bridge Structural Capacity – Is the load bearing ability of structure.

Brooks Act – *Public Law 92–582*. Requires federal agencies to use a qualifications-based process for selecting engineering and design consultants.

CAAA – The Clean Air Act Amendments of 1990 identify “mobile sources” (vehicles) as primary sources of pollution and call for stringent new requirements in metropolitan areas and states where attainment of National Ambient Air Quality Standards (NAAQS) is or could be a problem.

Capacity – Maximum volume of traffic that the roadway section is able to carry on a sustained basis.

Categorical Exclusion – Determination (by FHWA) that a project will not individually or cumulatively result in adverse environmental effects. Projects with an approved “Cat Ex” do not require an Environmental Assessment or Environmental Impact Statement.

CE – Categorical exclusions, actions that do not individually or cumulatively have a significant effect on the environment.

CFR – The codified administrative regulations of the federal government.

Change Order – A written order issued by the engineer to the contractor modifying work required by the contract, and if applicable, establishing the basis of payment for the modified work.

City/County or Local Agency – Any municipal corporation within the State of Oregon.

Class I Projects – Those projects likely to have a significant impact and requiring an EIS.

Class II Projects – Those projects with no significant impact and excluded from NEPA documentation requirements. They may, however, require individual research reports to support permit applications.

Class III Projects – Those projects in which the significance of impacts is not established. Such projects require an EA to evaluate the extent of the project impacts.

Class I Railroad – A railroad with annual gross operating revenue in excess of \$250 million based on 1991 dollars.

Class II Railroad – Railroads with an annual gross operating revenue of between \$250 million and \$20 million.

Class III Railroad – Railroads with gross operating revenue of less than \$20 million. These include short-line and light-density railroads.

Class of Work – A designation referring to the type of work in which bidders must be pre-qualified.

Clear Zone – Is the total roadside border area, starting at the edge of the traveled lane, available for use by errant vehicles. This area may consist of a shoulder, a recoverable slope, a non-recoverable slope, and/or a clear run-out area.

CMAQ – The Congestion Mitigation and Air Quality Program is a \$6 billion funding program contained in Title I of ISTEA. Funds are provided for projects and activities which reduce congestion and improve air quality.

Coast Guard Permit – A permit issued by the Coast Guard for all structures in navigable waterways (Rivers and Harbors Act (33 USC 9)).

COG – Council of Governments is a voluntary consortium of local government representatives, from contiguous communities, meeting on a regular basis and formed to cooperate on common planning and to solve common development problems of their area.

Commercial Center – An area of concentrated commercial activity inside the urban growth boundary. A commercial center is intended to support commercial, office, residential, and civic activities of the surrounding neighborhood, neighborhoods or communities. The buildings are clustered in compact development patterns and provide convenient and safe pedestrian linkages between them.

Commitment File – A file containing a summary of local agency commitments made to other agencies or groups during project development which will be incorporated into the design and construction of a project.

Community – A major subdivision of a municipality, composed of neighborhoods, considered as a unit for planning purposes.

Construction – The building of a street, a portion of a street or a transportation facility that did not previously exist. It may be on new right of way or on existing right of way.

Consultant – An individual, public or private organization or institution of higher learning having expertise in professional disciplines applicable to transportation programs.

Consultant Service – Utilization of professional expertise external to an agency, on a contract basis, to perform a specific study, project, or task. Does not include personal-service contracts for routine, continuing and necessary tasks.

Contingencies – An amount of funds usually a small percentage of the detail estimate, set aside for unforeseen items or quantities of work not specified in the contract documents, but required to complete the project. The percentage used for contingencies varies depending on the type and scope of work.

Continuous Counter – An automatic traffic recorder that operates continuously for all hours of a year.

Continuous Two-Way Left-Turn Lane – A traversable median that is designed to accommodate left-turn egress movements from opposite directions.

Contract Amount – Sum of the pay item amounts computed by multiplying the pay item quantities by the unit prices in the Schedule of Items.

Contract Documents – Solicitation documents, contract booklet, change orders, force account work orders, pay documents issued by the Agency, materials certifications, project work schedules, final estimate, written orders and authorizations issued by the Agency, approved plans, material source development and reclamation plans, and permits, orders and authorizations obtained by the contractor or Agency applicable to the project, as well as all documents incorporated by reference therein.

Contractor – The entity awarded the contract pursuant to the solicitation.

Contractor's DBE Liaison Officer – The individual designated by the Contractor to assist the Contractor in meeting the Contractor's responsibility of compliance with the legal requirements of the DBE program and with the contractual obligations imposed by these supplementary provisions including but not limited to assuring that the DBE subcontractors under each WOC perform a commercially useful function.

Corridor Hearing – See location hearing.

Coverage Count – A traffic count taken as part of the requirement for system-level estimates of traffic. The count is typically short-term, and may be volume, classification, or weigh-in-motion.

Cross Slope, Lane – Is the rate of elevation change across a lane. This element includes the algebraic difference in cross slope between adjacent lanes.

Cross Slope, Shoulder – is the rate of elevation change across a shoulder.

Critical Habitat – Consists of: (1) the specific areas within the geographical area occupied by the species, at the time it is listed in accordance with the provisions of section 4 of the federal ESA, on which are found those physical or biological features (constituent elements) (a) essential to the conservation of the species and (b) which may require special management considerations or protection; and (2) specific areas outside the geographical area occupied by the species at the time it is listed in accordance with the provisions of section 4 of the ESA, upon a determination that such areas are essential for the conservation of the species.

Cultural Resource – a cultural or historic object or site.

Davis Bacon Act – Sets wage requirements on federally-funded projects greater than \$2000. Applies to all Enhancement projects within an existing highway right of way, or linked to a federal-aid facility by proximity or impact. Does not apply to work by highway agency forces. Contractors may not use volunteer labor on "Davis Bacon" projects, but state or local agencies can if the workers are under their direct control as a force account effort.

DBE – Disadvantaged business enterprise, a small business concern: (a) which is at least 51 percent owned by one or more socially and economically disadvantaged individuals, or, in the case of any publicly-owned business, at least 51 percent of the stock of which is owned by one or

more socially and economically disadvantaged individuals; and (b) whose management and daily business operations are controlled by one or more of the socially and economically disadvantaged individuals who own it.

DBE Eligibility – A firm is eligible to participate as a Disadvantaged Business if it meets the criteria as established by regulation and enforced by the certifying agency. A firm will no longer be able to participate as a DBE on current or future contracts when it receives notification of decertification, denial of recertification, or notice of graduation by the certifying agency.

Decision Statement – A document prepared following the location/design hearing documenting the recommended course of action determined by the Project Team, and examining major issues raised at the hearing.

Design Hourly Volume (DHV) – The DHV is generally the 30th highest hourly volume (30DHV) of the future year chosen for design. On the average rural road or arterial, DHV is about 15 percent of ADT. For urban areas, DHV is usually between 8 to 12 percent of the ADT.

Design Acceptance (state projects) – This milestone is a critical point of decision-making that establishes the geometric boundaries of the project footprint, and allows for the concurrent right-of-way (ROW), permitting, and construction contract document activities to move forward. Design Acceptance also provides for environmental and land use requirements, and subsequently how they affect permitting and the development of construction contract documents. It occurs at the end of the initial design phase and requires all project disciplines to review the design for balance of context with standards and policies. It is the primary opportunity for both technical and non-technical stakeholders to review design elements according to their specific interests.

Design Acceptance Package – The submittal of the following required documents for the process of Design Acceptance.

[Certification of Design Acceptance Memo](#)

[Design Acceptance Checklist](#)

Design Hearing – A public hearing to examine the design features of a proposed transportation facility.

Design Hourly Volume (DHV) - The DHV is generally the 30th highest hourly volume (30DHV) of the future year chosen for design. On the average rural road or arterial, DHV is about 15 percent of ADT. For urban areas, DHV is usually between 8 to 12 percent of the ADT.

Design Report – A formal documentation of design considerations and conclusions reached in the development of a project. The design report is prepared to record the evaluations of the various disciplines which result in design recommendations. This report is then reviewed and, upon concurrence, results in approval of the design. For most projects, the project prospectus serves as the design report.

Determination of Value – The agency's approved fair market value of a right of way acquisition.

Deviation or Design Deviation – Departure from applicable design standards.

Draft Environmental Impact Statement (DEIS) – A document identifying a course of action, alternative actions, analysis of the environmental impacts of alternates considered, and proposed mitigation of impacts. The DEIS is circulated to other agencies and the public for review and comment.

EA – Environmental Assessment, a document prepared for federally funded, permitted, or licensed projects, that are not categorical exclusions (CE) but do not appear to be of sufficient magnitude to require an EIS. The EA provides sufficient analysis and documentation to determine if a Finding of No Significant Impact (FONSI) can be adopted or if an EIS must be prepared.

Earmark – Funds set aside for a specific project, purpose, use, recipient, etc.

EEO – Equal Employment Opportunity. A general term referring to all contract provisions relative to EEO.

EJ – Environmental Justice refers to a Presidential Executive Order directing federal agencies and recipients of federal funds to avoid disproportionate impacts to low income and minority populations.

EIS – Environmental Impact Statement, a detailed written statement of project environmental effects required by state and/or federal law. This term refers to either a Draft or Final Environmental Impact Statement, or both, depending on context.

Engineer – The Chief Engineer of the Agency acting either directly or through authorized representatives. If the Agency has not designated a Chief Engineer, this term denotes the person responsible for administering its public works program.

Engineer's Estimate – An estimate of the anticipated cost of the individual bid items for a particular project.

Entity – A person capable of being legally bound, sole proprietorship limited liability company, corporation, partnership, limited liability partnership, limited partnership, profit or nonprofit unincorporated association, business trust, two or more persons having a joint or common economic interest, or any other person with legal capacity to contract, or a government or governmental subdivision.

Environmental Document – A term used for any document that identifies the social, economic, and environmental effects of a proposed action.

Equipment – All machinery, tools, and apparatus needed to complete the contract.

ER – Emergency Relief, a federal-aid funding program administered by FHWA and ODOT.

ESA – Endangered Species Act, Congress passed the Endangered Species Preservation Act in 1966. This law allowed listing of native animal species as endangered and provided limited means for the protection of species so listed. The Departments of Interior, Agriculture, and Defense were to seek to protect listed species, and insofar as consistent with their primary purposes, preserve the habitats of such species. Land acquisition for protection of endangered species was also authorized. The Endangered Species Conservation Act of 1969 was passed to provide additional protection to species in danger of "worldwide extinction". [Endangered Species Act of 1973](#) (16 U.S.C. 1531–1544, 87 Stat. 884), as amended – Public Law 93–205, approved December 28, 1973, repealed the Endangered Species Conservation Act of December 5, 1969 (P.L. 91–135, 83 Stat. 275). The 1969 act had amended the Endangered Species Preservation Act of October 15, 1966 (P.L. 89–669, 80 Stat. 926). The 1973 Endangered Species Act provided for the conservation of ecosystems upon which threatened and endangered species of fish, wildlife, and plants depend, both through Federal action and by encouraging the establishment of State programs.

ESU – Evolutionary Significant Unit, a unit of habitat associated with the survival of an endangered or threatened species.

Execute - After the contract “*award*” is approved, there is a period of time when the contractors obtain their bonds and insurance certificates. Then when everything is in order, all parties sign or “*execute*” the contract. In the case of ODOT, on a federally funded project, we will give contractor up to the time of “*executing*” (signing) the contract to supply ODOT with the CCB license, landscape license or Secretary of State Business Registry.

Expressway – Highways that provide for safe and efficient high speed and high volume traffic movements.

Fair Offer – An offer to acquire real property for just compensation, which is the approved appraisal of the property's fair market value.

Federal-Aid Requirement Checklist – A list of requirements for acquiring right of way on federal-aid projects.

Federal-Aid Projects – Activities funded solely or partly through the Federal Highway Administration. Applicants must share in project costs by providing “matching funds.”

Federal-Aid Project Prospectus – Part 1 is used for the FHWA federal-aid programming purposes. Parts 2 and 3 give the state and FHWA additional information about the proposed project.

FEIS – Final Environmental Impact Statement, a document containing an evaluation of the course of action that an agency intends to follow. It contains the same information required for the DEIS, with appropriate revisions reflecting comments received from circulation of the DEIS and from public meetings.

Federal Highway Administration – An agency of the US Department of Transportation. Oversees various programs that provide funding and assistance for highway and other transportation projects.

Fill/Ditch Fore Slope – Is downward slope from edge of shoulder to bottom of ditch or catch.

Final Estimate – An estimate of the total cost of a project prepared after completion of the construction contract and used as the basis for final payment to the contractor.

Final Inspection – The inspection conducted by the Engineer to determine that the project has been completed in accordance with the contract.

Financial Spreadsheet (PS&E) – Engineer’s estimate for cost of project compiled at least 4 weeks prior to ad.

Financial Spreadsheet (Post–Bid Final Estimate) – Engineer’s estimate on PS&E spreadsheet updated to contractor bid prices, compiled after contract awarded.

Finding – A written justification for an Agency’s conclusion that includes, but is not limited to, information regarding financial, public benefits, value engineering, specialized expertise required, public safety, market conditions, technical complexity, and funding sources.

FONSI – Finding of No Significant Impact, a federal lead-agency document presenting the reasons why a proposal will not significantly affect the environment and an EIS will not be prepared. The FONSI includes the EA and references any other related environmental documents.

Force–Account Work – Construction work not covered in the contract documents and of a type not amenable to definition by a change order. Force-account reimbursement is used when it is difficult to provide adequate measurement or to estimate the cost of certain items of work. The contractor is reimbursed for the cost of the work plus profit using established weighted wage rates, equipment rental rates, and the invoice cost of materials.

Foreign Contractor – A contractor that is not domiciled in or registered to do business in the State of Oregon.

Foreslopes – The roadway fill slope or ditch in slope.

Freedom of Information Act (FOIA) – Authorizes public release of documents.
Archaeological information is exempt from FOIA and is considered protected information.

Function (as a means of establishing a project’s relationship to the transportation system) – Actual use or past use for transportation or people or goods. Commonly applies to bikeways, walkways and other pedestrian/bicycle facilities. May also apply to historic preservation projects if the building, structure or facility once served as a component of the transportation system or will be used for transportation upon completion of the project.

Functional Classification – The grouping of streets and highways into classes, or systems, according to the character of service they are intended to provide. The recognition that individual roads do not serve travel independently and most travel involves movement through a network of roads is basic to functional classification. The roadway classifications referred to in this manual are the federal functional classifications as defined by AASHTO.

Functional System – Highways of a similar type as determined by functional classification.

FTA – Federal Transit Administration (formerly the Urban Mass Transit Administration, UMTA).

Goal – An assigned numerical percentage value of the total dollar amount of a contract award which must be allocated for DBE participation.

Good Faith Efforts – Efforts required to obtain and support DBE participation that could reasonably be expected to produce and maintain a level of DBE participation sufficient to meet the contract goal. Good faith efforts are required before bid opening, upon contract award, and continue throughout the performance of the contract to maximize DBE participation.

Grade Crossings – Intersections between railroad tracks and a road. Crossings can be either “at-grade” (at the same level) or separated grade, where the road uses either a tunnel or a bridge to avoid crossing the rail tracks.

Grant – a grant is either:

- A Public Contract under which an Agency receives money or property from a grantor for the purpose of supporting or stimulating an Agency program or activity, and in which no substantial involvement by grantor is anticipated in the contemplated program or activity other than activities associated with monitoring compliance with Grant conditions; or
- A Public Contract under which an Agency provides money or property to a recipient for the purpose of supporting or stimulating a program or activity of the recipient, and in which no substantial involvement by Agency is anticipated in the contemplated program or activity other than activities associated with monitoring compliance with Grant conditions.

Ground Disturbance – Can include but not limited to, excavating for a new road, culvert replacement, quarry use and development, bridge building, staging areas, depositing fill, borrow pits, extracting rock, etc.

Hard Match – Cash payments or approved expenditures applied towards the project sponsor’s required share of project costs.

Hearing Transcript – A transcript of recorded testimony from the project hearing.

HHS, HES - Hazard Elimination, a federal-aid funding program administered by FHWA and ODOT.

Highway – Every road, street, thoroughfare and place, including bridges, viaducts and other structures within the boundaries of the State, open, used or intended for use by vehicular traffic.

Highway Traffic Data – Estimates of the amounts of person or vehicular travel, vehicle usage, or vehicle characteristics associated with a system of highways or with a particular location on a highway. These types of data include estimates of the number of vehicles traversing a section of highway or system of highways during a prescribed time period (traffic volume), the portion of such vehicles that may be of a particular type (vehicle classification), the weights of such vehicles including weight of each axle and associated distances between axles on a vehicle (vehicle weight), or the average number of persons being transported in a vehicle (vehicle occupancy).

Historical Archaeology – The study of human culture through material remains, written documentation, and oral information. Within Oregon, historic sites (rural and Urban) date between 1805 and 1950 and can be characterized as homesteads, logging camps, Chinese mining camps, fur trade posts, etc.

Horizontal Alignment – Is the horizontal attributes of the roadway including horizontal curvature, super-elevation, and stopping sight distance; all based on design speed.

HOT Lanes – High-Occupancy/Toll lanes, a type of HOV lane which can be used by single occupancy vehicles for an extra charge.

HOV Lanes – High-Occupancy Vehicle lanes, special road lanes which can only be used by vehicles with more than one occupant.

Immediate Opportunity Fund – A fund that enables ODOT to respond quickly to economic development opportunities by funding transportation projects that will influence business location decisions.

Impact (as a means of establishing a project's relationship to the transportation system) – Action that reduces adverse impacts of an existing facility or improves the use or service of an existing or planned facility. For example: pedestrian walkways that reduce auto traffic in an area, or creation of a wetland that filters pollutants from highway runoff. Mitigation required or normally provided with new construction does not qualify.

Improvement – Betterment in traffic service without major changes in the existing facility. This includes widening, signals, illumination, curbs, gutters, drainage, sidewalks, and other items which add value to the existing facility.

Independent Contractor – a person or business that provides services to an Agency in which the Agency neither controls nor has the right to control the means or manner by which work is performed. The Agency may control the results of the services, but not control the means or manner of Contractor's performance of the work.

Innovative Financing (from the *NHS Designation Act of 1995*) – Allows donated cash, materials or services to count towards the “match” requirement (sponsor’s share of project costs). ODOT requires advance approval and a signed agreement before allowing this option.

Intermodal Transportation System – All forms of transportation, considered in a unified, interconnected manner. Includes the National Highway System, principal arterial roads, and facilities for transferring from one mode of transportation to another. Also includes public transportation, access to ports and airports, and programs that improve mobility for elderly persons, persons with disabilities, and economically disadvantaged persons.

ISTEA – Intermodal Surface Transportation Efficiency Act Of 1991.

I/S (Intersection) Sight Distance – Is the distance that the driver of a vehicle on the crossroad can see along the through roadway, as compared to the distance required for safe operation.

I/S Angle – Is the angle between any two intersecting legs at the point that the center lines intersect.

Jeopardy – To engage in an action that reasonably would be expected, directly or indirectly, to reduce appreciably the likelihood of both the survival and recovery of a listed species in the wild by reducing the reproduction, numbers, or distribution of that species. [50 CFR 402.02]

Joint Venture – An entity consisting of two or more businesses formed to jointly carry out a single highway construction project.

LAC – Local Agency Certification, the process of approving local agencies to administer their federal-aid transportation projects.

Lane and Shoulder Taper – (pavement transitions) Are the rate and length of transition of changes in width of roadway surface.

Lane Width – Is the distance between lane lines.

Lead Agency – A federal agency taking primary responsibility for an environmental document prepared by the federal agency itself, or by the State or Local Agency receiving federal funds.

Liquidated Damages – Amounts of money to be assessed against a contractor for late completion. These amounts must be related to the actual damages suffered by the owner because of the late completion.

Local Agency Agreement – An agreement to allocate federal funds to a transportation project. Negotiated between a Local Agency and ODOT.

Local Agency, City/County, or Agency – Any municipal corporation within the state of Oregon.

Local Contract Review Board – A board created by any local public agency pursuant to ORS 279.055 and has rulemaking authority to carry out the powers and duties of the board under ORS 279.011 to 279.063.

Local Match – That portion of a project's cost paid for with Local Agency funds.

Location Hearing – A public hearing to examine the location of a proposed transportation facility, also called corridor or route hearing.

Low Volume Roads and Streets – For this document, a collector or lower classified road or street with a n ADT of less than 400.

Lump Sum Bid – A bid that is the total completed project price.

Maintenance – Work directed toward preservation of the existing roadway and related appurtenances as necessary for safe and efficient operation. Any surface treatments less than 18-mm (0.75-inch) thick crack sealing, etc. are considered to be maintenance and are not 3R activities.

Maintenance Agreement – A written commitment by a private organization to provide long-term maintenance on a public right of way or public property. Often used where completed projects require maintenance treatments not typically performed by the state or local government maintenance crews.

Manufacturer – A firm that operates or maintains a factory or establishment that produces on the premises the materials or supplies obtained by the Contractor.

Match Ratio – The sponsor's share of project costs, expressed as a percentage of total eligible costs. (The minimum match ratio for Enhancement projects in Oregon is 10.27%.)

Matching Funds or "**Match**" – The sponsor's share of the costs on a federal-aid project. May be fulfilled through cash expenditures or approved in-kind contributions, and may be applied to any or all of the three project phases (preliminary engineering, right of way acquisition, and construction). *See "soft match" and "hard match".*

Median – That portion of the roadway which separates opposing traffic streams. See also non-traversable median and traversable median.

MPO – Metropolitan Planning Organization is the agency designated by the Governor (or governors in multistate areas) to administer the federally required transportation planning in a metropolitan area. An MPO must be in place in every urbanized area over 50,000 population. The MPO is responsible for the long-range plans and the transportation improvement program. The official name for an MPO may also be Council of Governments, Planning Association, Planning Authority, Regional or Area Planning Council, Regional or Area Planning Commission.

MUTCD – Manual on Uniform Traffic Control Devices for Streets and Highways, USDOT and FHWA.

NAAQS – National Ambient Air Quality Standards were set by the Environmental Protection Agency to define air pollution. EPA established NAAQS measures for six pollutants: carbon monoxide, ozone, particulate matter, lead, sulfur dioxide, and nitrous oxide.

National Highway System – The National Highway systems (NHS) includes the interstate highway system as well as other roads important to the nation’s economy, defense, and mobility. The NHS was developed by the U.S. Department of Transportation in cooperation with the states, local officials and the Metropolitan Planning Organization. For more information see [The National Highway System](#).

Native American Graves Protection and Repatriation Act (NAGPRA) – Sets up protection for Indian burials, sacred objects and funerary items.

Native Plant – A species that occurs naturally in a particular region, ecosystem, and/or habitat without direct or indirect human actions.

NEPA (National Environmental Policy Act) – Requires federal agencies to consider social, economic, and environmental impacts before committing to a project. Defines procedures for evaluating impacts, documenting conclusions, and incorporating public/agency involvement.

Neighborhood – A secondary subdivision of a municipality, a portion of a community, considered as a unit for planning purposes.

New Construction – The building of a new roadway or structure on substantially new alignment, or the upgrading of an existing roadway or structure by the addition of one or more lanes. If 50 percent or more of the project length involves vertical or horizontal alignment changes, the project is new construction. The following types of projects are not classed as new construction, and the 3R standards apply:

- Modernization of an existing street or road by resurfacing, widening lanes, adding shoulders, or adding turn lanes at intersections.
- Temporary replacement of a street or roadway, immediately after the occurrence of a natural disaster or catastrophic failure, to restore the facility for the health, welfare, and safety of the public.

NHPA (National Historic Preservation Act) – Provides for protection, rehabilitation, restoration, and reconstruction of historic sites and objects significant in American architecture, archeology, and culture.

Nonparticipating Items – Items of project work that are not a part of the federal-aid funding.

Notice of Intent – A federal notice, printed in the Federal Register, advising that an EIS will be prepared and considered for a proposal.

Notice to Proceed – Written notice authorizing the contractor to begin performance of the work.

OA – Obligation Authority. Under ISTEA, it is vested with ODOT except for STP funded projects within TMA boundaries.

OFCCP – Office of Federal Contract Compliance Programs is part of the U.S. Department of Labor's Employment Standards Administration. The OFCCP enforces Executive Order 11246 as amended, Section 503 of the Rehabilitation Act of 1973 as amended, 38 USC 4212 The Vietnam Era Veterans' Readjustment Assistance Act of 1974 (VEVRAA), Immigration Reform and Control Act of 1986 (IRCA), and Title I of the Americans with Disabilities Act of 1990 (ADA).

OJT – On-the-Job Training is a federally required program that can be used as an affirmative action tool to help contractors meet their EEO obligations.

OMWESB – The Office of Minority, Women and Emerging Small Business, which is authorized to certify Disadvantaged Business Enterprises in accordance with Federal regulations.

On-site Work – Any work taking place on the project site, including designated staging areas adjacent to the project site, except for installation of covered temporary signs.

Opportunity for Hearing – Soliciting public interest in holding a hearing by publishing notice.

Paths and/or Trails – Is the construction of non-motorized facilities that are independent of a roadway alignment.

Pay Item (contract item) – A specific unit of work for which a price is provided in the contract.

Payment Bond – The approved security furnished by the contractor's surety as a guaranty of the contractor's performance of its obligation to pay promptly in full all sums due for materials, equipment, and labor furnished to complete the work.

Peak Hour – Hour of the day with the most traffic, usually during morning and evening commute times.

Pedestrian – A person on foot, in a wheelchair or walking a bicycle.

Pedestrian Facility – Is a facility designed to meet the needs of pedestrians in accordance with city, county, and ADA requirements concurrent with a local agency project.

Performance Bond – The approved security furnished by the contractor's surety as a guaranty of the contractor's performance of its obligation to pay promptly in full all sums due for materials, equipment, and labor furnished to complete the work.

Prehistoric Archaeology – The study of past human behavior and culture characterized by cultural material and archaeological sites dating before Euro-American contact. Sites might include lithic scatters, rock cairns, etc.

PL – Project Leader, the person designated to oversee development of a project.

PL – Public law, the designation for a law passed by the U.S. Congress before codification into the USC.

Plans – Standard and Supplemental Drawings, and approved unstamped and reviewed stamped working drawings.

PONTIS – A bridge management system created cooperatively by FHWA, the state of California, and six “technical advisory” states. Meets ISTEA requirements.

Preliminary Engineering – All work necessary to advance a project from concept stage to award of contract. Includes scoping, planning studies, developing alternatives, environmental documentation, project design, and preparation of all project plans and contract documents.

Pre-qualifying Prospective Bidders – A process by which a contracting agency in advance of considering, opening, or accepting bids, or in advance of issuing bid proposals, establishes limitations on amounts and types of work contractors are permitted to bid on and to have underway at one time.

Progress Billing – A request from a Local Agency or contractor to ODOT for state/federal reimbursement for work completed on a federal-aid transportation project during a defined time period.

Progress Estimate – An estimate of the total amount of work completed by a contractor as of the estimate date listed by work item.

Progress Payment – A payment by a public agency to a consultant or construction contractor for work completed on a federal-aid transportation project during a defined time period.

Project – An undertaking to construct.

Project Agreement/IGA – A legal document prepared by ODOT and local agency describing a proposed transportation project and outlining the responsibilities of each Party to the agreement.

Project Engineer – The person designated by a Local Agency to oversee development of a project.

Project File – A file containing all the correspondence for a specific project beginning with submittal of PS&E for forwarding to Highway Finance for federal fund authorization, advertisement, bid opening, bid review and analysis, protest, Notice of Intent, DBE documentation, contract award, and all other aspects of the Bid and Award Process.

Project Management Review (PMR) – A review of an Agency's project administration conducted by the ODOT Local Programs personnel.

Project Prospectus – A document prepared by a Local Agency and submitted to ODOT describing a proposed transportation project and requesting environmental classification. Used to support authorization of federal funds.

Proprietary Specifications – Those referring to specific products by trade name and model.

Proximity – (as a means of establishing a project's relationship to the transportation system). Occurring "within the viewshed" – that is, the area seen by users of the transportation route or facility. May apply to scenic easements, landscaping projects, and removal of outdoor advertising–activities that may not contribute to the movement of people or goods, but which integrate a transportation facility with its surrounding environment and provide social benefits.

Proximity Damages – An element of severance damages caused by the proximity of the remainder of a land parcel to the improvement being constructed, such as a highway. It may also arise from proximity to an objectionable site or improvement, or from all causes such as dirt, noise, or vibration.

PS&E – Plans, specifications and engineer's estimate of project. A scheduled milestone wherein all elements of a project necessary for advertising for competitive low bid is complete. This includes, but is not limited to, the plan set, the specifications, a construction schedule, and the final PS&E estimate and confirmation that the funding is in place.

Public Involvement Plan – A required, integral part of an environmental study plan which outlines procedures for presenting information to the public, obtaining public comment, and considering public opinion.

Punch List – A list of known clean up work and items yet to be corrected by the contractor. This list is attached with the Second Notification.

Qualifications-Based Selection – Negotiations for a consultant where price is not a factor (based on the Brooks Act).

Railroad – Publicly or privately owned rail carrier, including passenger, freight, and commuter rail carriers, their tenants, and licensees. Also utilities that jointly own or use such facilities.

Reconstruction – Projects may add additional travel lanes to an existing roadway or bridge and if 50 percent or more of the project length involves vertical or horizontal alignment changes, the project will be considered reconstruction.

Record of Decision – A document prepared by the federal lead agency, after an EIS has been completed, outlining the final decision on a proposal. It identifies the decision, alternatives

considered, and measures to minimize harm; and it outlines a monitoring or enforcement program.

Region Manager – The manager in charge of each of the five transportation regions in the State.

Regional Local Agency Liaison – The designated representative for Local Agency and ODOT liaison in the Region office. Though each Region may adopt a slightly different title for this position, for Local Agency Guideline purposes the position will be referred to as “Regional Local Agency Liaison.”

Rehabilitation – Similar to "Restoration" except the work may include reworking or strengthening the base or subbase, recycling or reworking existing materials to improve their structural integrity, adding underdrains, improving or widening shoulders. Rehabilitation may include acquisition of additional right of way.

Relocation Plan – A plan for relocating persons and personal property displaced by public projects.

Remainder – The portion of a land parcel not acquired for public right of way.

Repair – Replacement or rebuilding of a facility which is worn out, destroyed, or damaged. Repair includes overlays 18-mm thick or thicker. Crushed surfacing placed to 18-mm thick or thicker and covering more than 10 percent of the original surface area may be considered repair.

Research Report – A report documenting findings concerning impacts of a project relative to an individual area of expertise (e.g., botany, acoustics, sociology). The report evaluates the impacts of the proposal and, where appropriate, includes recommendations concerning the course of action considered most desirable to fulfill the requirements of environmental laws and regulations addressed by the discipline.

Responsible Bidder – An entity that has submitted a Bid and meets the standards set forth in the rules and procedures and that has not been disqualified under laws, rules and procedures.

Responsive Bid – A bid that has substantially complied with applicable solicitation procedures and requirements and the solicitation document.

Responsive Bidder – An entity that has substantially complied with applicable solicitation procedures and requirements and the solicitation document.

Restoration – Work performed on pavement or bridge decks to render them suitable for resurfacing. This may include supplementing the existing roadway by increasing surfacing and paving courses to provide structural capability, and widening up to a total of 3 meters (10 feet). Restoration will generally be performed within the existing right of way.

Resurfacing – The addition of a layer or layers of paving material to provide additional structural integrity, improved serviceability, and ride ability.

Right of way – The corridor of land occupied by a public road or other transportation facility. May also include lands held by a public agency or private entity for present or future uses related to transportation or utilities.

Right of Way Certification – A letter from a Local Agency to the Region Right of Way Supervisor certifying that right of way has been acquired in accordance with federal regulations.

Roadway Width – The portion of a street or road, between curbs or including shoulders, intended for vehicular use. This definition is for use in Design Standards only.

ROD – Record of Decision, a document prepared by the federal lead agency, after an EIS has been completed, outlining the final decision on a proposal. It identifies the decision, alternatives considered, and measures to minimize harm; and it outlines a monitoring or enforcement program.

Route Hearing – See location hearing.

RRP, RRS – Railway–Highway Grade Crossing, a federal-aid funding program administered by FHWA and ODOT.

Rural Area – Any land area outside the boundaries of the federally-designated urban areas as shown on the official urban area maps on file at ODOT.

Safety Improvements – Are the safety items listed under the “Safety Improvements” section of these standards.

Scoping – A process for identifying issues and alternatives for an EIS. Also the determination of work scope of a proposed project.

Schedule of Pay Items – The list of pay items, their units of measurement, estimated quantities, and prices.

Section 4F (§ 4F)– *Section 4(f) of the U. S. Department of Transportation Act.* Requires that transportation projects avoid the use of publicly owned parks, recreation areas, wildlife and waterfowl refuges, and historic sites of national, state, or local significance unless there is “no prudent and feasible alternative.” Does not apply to historic transportation facilities if the proposed work will not adversely affect the historic qualities associated with the facility.

Section 4F (§ 4F) Evaluation – A document presenting the avoidance alternatives to the use of properties identified in Section 4(F) of the U.S. Department of Transportation Act as amended (49 USC 1653H). The document must substantiate that other courses of action are not prudent or feasible.

Section 4F (§ 4F) Lands – Generally, public parks, recreation areas, wildlife refuges, and historic sites.

Section 106 – *Section 106 of the National Historic Preservation Act of 1966.*

Requires federal agencies, and others receiving federal funds, to consider their project's potential effects on properties listed in or eligible for the National Register of Historic Places.

Severance Damages – The reduction of the market value of a remaining area because of a partial acquisition of property or property rights (damage to the remainder). See also proximity damages.

Shared Use Bicycle and Pedestrian Facilities – Are walkways, paths, or trails for use by bicyclist or shared use by both pedestrian and bicycle traffic.

Shoulder Width – Is the distance between the outside or inside edge line and the edge of the in-slope, or face of barrier.

Sidewalk Width – Is the width of a sidewalk from the face of curb to the back of sidewalk.

Signed or Signature – Any mark, work or symbol executed or adopted by any entity evidencing an intent to be bound.

Small Business Concern – A small business as defined according to Section 3 of the Small Business Act and other relevant regulations.

Small Purchase Procedures – Procedures to utilize external personal service or equipment rental for routine, continuing, and necessary tasks.

Socially And Economically Disadvantaged Individuals – Black Americans, Hispanic Americans, Native Americans, Asian-Pacific Americans, Asian-Indian Americans, and any other minorities or individuals found to be disadvantaged by the Small Business Administration pursuant to Section 8(a) of the Small Business Act. These individuals must be U.S. citizens or lawfully admitted permanent residents.

Soft Match – The use of donated funds, materials, and/or services as all or any portion of the required matching funds. (ODOT requires advance approval and a signed agreement for this.)

Solicitation Document – Documents which define the procurement of a public improvement project, including, but not limited to, the bid booklet, Agency-provided Plans, Standard Specifications, Supplemental Specifications (if any), Special Provisions, Addenda, and which includes all documents incorporated by reference.

Special Provisions – A portion of the construction contract specifications separate from the Standard Specifications and Supplemental Standard Specifications covering conditions unique to a specific project.

Specifications – Any description of the physical or functional characteristics or of the nature of a supply, service or construction item, including any requirement for inspecting, testing, or preparing a supply, service, or construction item for delivery and the quantities of qualities of materials to be furnished under the contract. Specifications generally will state the result to be

obtained and may, on occasion, describe the method and manner of doing the work to be performed. The Standard Specifications, the Supplemental Specifications (if any) and Special Provisions, together with all provisions of other documents incorporated therein by reference.

Sponsor – The public agency that has agreed to provide matching funds for an Enhancement project, manage project development and construction, and provide long-term maintenance. May be the agency that originated the project, or may be advancing the project in cooperation with a private organization not eligible to become a Sponsor. *Compare to “Applicant”*.

Standard Specifications – Sets of typical construction contract specifications.

State – The State of Oregon

Statement of Work – means all provisions of a Public Contract that specifically describe the services or work to be performed or goods to be delivered by either the contractor, its subcontractor(s), or the Agency, as applicable, including any related Technical Specifications, deadlines, or deliverables.

Statewide Planning Goals – 19 statewide planning goals requiring all incorporated cities and counties to prepare Comprehensive Land Use Plans. Cities of a certain size require Transportation System Plans (TSPs).

STIP – *Statewide Transportation Improvement Program*. A four-year capital improvement program, showing construction funding and project scheduling for ODOT and the state’s metropolitan planning organizations (MPOs). Developed every two years through coordinated efforts by ODOT, federal and local governments, tribal governments, and the public. All Enhancement projects must be included in the STIP to be eligible for funding.

Stipulated Settlement – Final settlement of a right of way acquisition case through the acquiring agency’s attorney that is stipulated (agreed to) by the property owner and any other interested parties prior to trial, and evidenced by a stipulated Judgment and Decree of Appropriation being filed in the superior court having jurisdiction.

Strict Liability – Liability that is imposed without finding fault. A concept applied by the courts in product liability cases in which seller is liable for any and all defective or hazardous products which unduly threaten a consumer’s personal safety.

Strict Liability Law – A party can be convicted under the statute without demonstration of specific intent or guilty knowledge.

Subcontract – An agreement between a contractor and another entity to perform a part of the contractor’s contract requirements. The following conditions apply:

- Compensation for performance of work is on a fixed price, billing rate, or time and materials basis, or a combination of these.

- The subcontractor exercises full control and authority over the subcontracted work, including the furnishing of labor and equipment and choice of work methods, with only general supervision being exercised by the prime Contractor.
- Personnel involved in the operation are under the direct supervision of the subcontractor and are included on the subcontractor's payroll.
- ODOT has provided written consent to the subcontract arrangement, regardless of tier.

All conditions involved should be considered and no one condition alone will normally determine whether a subcontract actually exists.

Subcontractor – An entity with whom the contractor contracts to perform a portion of the work.

Super-elevation – The rotation of the roadway cross section in such a manner as to overcome part of the centrifugal force that acts on a vehicle traversing a curve.

Supplemental Standard Specifications – Construction contract specifications supplementing the Standard Specifications.

Supplemental Warranty Performance Bond – A bond furnished by an authorized surety company to secure the performance by the contractor of correction work on any defects that the contractor may be directed to perform.

Surety – A bonding company, for example.

Take (MBTA – Migratory Bird Treaty Act) – To pursue, hunt, shoot, wound, kill, trap, capture, collect or attempt to do these things, on any of the species of birds protected by the MBTA as well as their feathers, parts, nests, or eggs.

Take (BGEPA – Bald and Golden Eagle Protection Act) – To pursue, shoot, shoot at, poison, wound, kill, capture, trap, collect, molest or disturb.

Take (federal ESA) – To harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect or attempt to engage in any such conduct. **Harm** is further defined to include significant habitat modification or degradation that results in death or injury to listed species by significantly impairing behavioral patterns such as breeding, feeding, or sheltering. **Harrass** is defined as actions that create the likelihood of injury to listed species to such an extent as to significantly disrupt normal behavior patterns which include, but are not limited to, breeding, feeding or sheltering. [50 CFR 17.3]

Take (state ESA for fish/wildlife ENDANGERED SPECIES ACT) – To kill or obtain possession or control of any wildlife.

Take (state ESA for plants) – To collect, cut, damage, destroy, dig, kill, pick, remove, transplant, transport, or otherwise disturb, including the collection or disruption of pollinators, or

other organisms shown by research to be required by the listed species to effectively grow or reproduce.

TCM – Transportation Control Measures are implemented to enable non-attainment areas meet their emissions goals. They can include Transportation Demand Management measures, parking policies and pricing, or other system improvements which reduce congestion.

TDM – Transportation Demand Management measures try to reduce the proportion of SOV commuters. TDM measures can include portion of non - SOV modes of transportation, car and vanpool formation assistance, transit subsidies, and a variety of other measures.

Terminals – Are crashworthy end treatment for longitudinal barriers that is designed to reduce the potential for spearing, vaulting, rolling, or excessive deceleration of impacting vehicles from either direction of travel. Impact attenuators are considered terminals and beam guardrail terminals include anchorage.

TEA-21 – Transportation Equity Act for the 21st Century.

TMA – Transportation Management Areas. Any area over 200,000 population is automatically a Transportation Management Area, which subjects it to additional planning requirements but also entitles it to earmarked funds for large, urbanized areas under the Surface Transportation Program. There is currently one TMA in Oregon, Portland. Eugene/Springfield and Salem/Keizer are expected to meet the criterion soon.

Transitions – Are section of barriers used to produce a gradual stiffening of a flexible or semi-rigid barrier as it connects to a more rigid barrier or fixed objects.

Traffic Data Collection Session – The collection of highway traffic data for a defined period of time at a specific highway location.

Traffic Monitoring Guide (TMG) – The FHWA's statement of good traffic monitoring practices. The TMG describes the number and duration of traffic data collection sessions and the adjustments that need to be made to the collected data in order to develop location or system level estimates of the average traffic volume. The TMG also describes vehicle classification and truck weight data collection programs.

Traveled Lane – The portion of the roadway intended for the movement of vehicles, exclusive of shoulders and lanes for parking, turning, and storage for turning.

True Cost Estimate – The most refined estimate of all acquisition costs of all parcels within a project.

TS&L – The type, size, and location stage of design development of bridges. A specific report (TS&L Report) which must be prepared on major or unusual bridges.

TSP – A Transportation System Plan or Corridor Plan is a 20-year transportation plan required of the metropolitan areas by the Transportation Planning Rule.

Touchdown Points – For bridge projects all approach work necessary to transition back to existing roadway also where the bridge supports come into contact with the ground, such as columns, including the end abutments. For reasonable touchdown points all approach work within 50 feet of each on of the bridge.

Turn Radii – The geometric design of the intersection to allow the design vehicle for each turning movement to complete the turn without encroachment.

Uniform Act – *Uniform Relocation Assistance and Real Properties Acquisition Act*. Provides protection and benefits for people whose property is acquired or who are displaced (forced to move) because of a federal or federally-assisted program or project. On Enhancement projects, there are exemptions for property acquired by conservation organizations. Also, simplified procedures can be used in “voluntary transactions” (when the purchaser is not able or willing to condemn the property).

Unit Price – A bid that provides unit prices based upon estimated quantities.

Urban Area – Any land area within the boundaries of the federally-designated urban areas (population over 5,000) as shown on the official urban-area maps on file at ODOT.

Vertical Alignment – Is the vertical attributes of the roadway including vertical curvature, profile grades, and stopping sight distance; all based on design speed.

Vendor – need to add a definition when get it hashed out

Walkway – A continuous way designated for pedestrians and separated from through lanes for motor vehicles by a curb, space, pavement marking, or other barrier.

Warranty Performance Bond – The approved security furnished by the contractor’s surety as guaranty of the contractor’s performance of its warranty obligations.

Wetlands – Lands characterized by specific soil types, hydrology, and plant communities. They are typically covered by shallow water or lands where the water table is at or near the surface; includes marshes, swamps, bogs, natural ponds, wet meadows and river overflow.