1.0 PURPOSE

The purpose of this Oversight Procedure (OP) is to describe the administrative conditions and requirements associated with the performance of oversight by the Project Management Oversight Contractors (PMOC) for the Federal Transit Administration (FTA).

2.0 BACKGROUND

As part of its responsibility to prudently use public funds, FTA performs project oversight to ensure that major capital transit projects are executed professionally, efficiently, and in conformance with applicable statutes, regulations, and guidance, and sound engineering and project management practices.

FTA performs oversight through its own staff and through its contractors, the PMOCs. While these OPs are meant to instruct both FTA staff and its PMOCs, the PMOCs, in fact, perform most of the oversight. Therefore, the OPs refer to the reviewer as the PMOC.

3.0 OBJECTIVES

FTA requires project oversight that is proactive, includes investigation of issues and conditions, dialogue and problem solving with the project sponsor, and provision of professional opinions and recommendations for action. Reports that support the oversight activities should be concise and provide FTA with critical input to its decision making on project advancement and funding.

4.0 REFERENCES

See Appendix A for the principal, but by no means the only, references to Federal legislation, regulation and guidance with which the PMOC should have a good understanding as related to the project sponsor’s project work and the oversight function.

5.0 PROJECT SPONSOR SUBMITTALS – NA

6.0 SCOPE OF WORK

6.1 General Administrative Requirements and Documents
6.1.1 Contracts

Every five years, FTA issues a request for proposals for project management oversight services for its major capital projects. A group of firms is selected for award of indefinite-delivery-indefinite-quantity (IDIQ) contracts for oversight services, over a period of five years, for a not-to-exceed contract amount. Specific assignments for oversight work are negotiated with individual firms and are authorized through task orders. A PMOC may be issued one or more task orders under its contract.

Contract Line Item Numbers (CLINs) are primarily used for administration and accounting. The contract includes the CLINs listed below:

| CLIN 0001 | PROGRAM SUPPORT AND LESSONS LEARNED |
| CLIN 0002 | ON-SITE MONITORING AND REPORTING |
| CLIN 0003 | BASELINE OVERSIGHT |
| CLIN 0004 | OPTIONAL OVERSIGHT |
| CLIN 0005 | TRAVEL AND OTHER DIRECT COSTS |

OVERSIGHT PROCEDURE BY CLIN LIST

| CLIN 0001 - PROGRAM SUPPORT AND LESSONS LEARNED |
|-------------------|-----------------------------|
| Oversight Procedure | OP 02 | PMOC Implementation / Transition Plans an PMOC Status Reports |
| | OP 26 | Lessons Learned |

<p>| CLIN 0002 - ON-SITE MONITORING AND REPORTING |
|-------------------|-----------------------------|
| Oversight Procedure | OP 03 | Special Tasks |
| | OP 20 | Project Management Plan Review |
| | OP 21 | Management Capacity and Capability Review |
| | OP 22 | Safety and Security Management Plan Review |
| | OP 23 | Real Estate Acquisition and Management Plan Review |
| | OP 24 | Quality Assurance/Quality Control Review |
| | OP 25 | Recurring Oversight and Related Reports |
| | OP 30 | Value Engineering and/or Constructability Review |
| | OP 31 | Annual New Starts Review |
| | OP 32A | Project Transit Capacity Review |
| | OP 32B | NEPA and Design Document Comparison |
| | OP 32C | Project Scope Review |
| | OP 32D | Project Delivery Method Review |
| | OP 33 | Capital Cost Estimate Review |
| | OP 34 | Project Schedule Review |
| | OP 36 | Buy America Compliance Review |
| | OP 37 | Fleet Management Plan Review |
| | OP 39 | Review of Third-Party Agreements for Major Capital Projects |
| | OP 40 | Risk and Contingency Review |</p>
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<tr>
<th>Oversight Procedure</th>
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<tr>
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<td>OP 52</td>
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<td>OP 53</td>
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<td>OP 54</td>
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<td>OP 56</td>
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**CLIN 0004 - OPTIONAL OVERSIGHT**

<table>
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<th>Oversight Procedure</th>
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<tr>
<td>OP 27</td>
<td>Before-and-After Study Review</td>
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<td>OP 35</td>
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<tr>
<td>OP 38</td>
<td>Bus and Rail Vehicle Technical Review</td>
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**CLIN 0005 – TRAVEL AND OTHER DIRECT COSTS**
CLIN 0001 – PROGRAM SUPPORT AND LESSONS LEARNED

Program Support may be provided through the development of Implementation Plans, working group participation, conferences, workshop attendance and speaking, meeting support, site visits, stakeholder interviews, and other non-project related activities. Support for these activities comes in the form of Subject Matter Expertise (SME) to assist FTA in establishing and refining project management oversight standards. Listed below are some of the specific activities that could be carried out under this CLIN.

- Supporting the creation, review, and update of standard operating procedures (SOPs) and OPs that define oversight requirements and processes.
- Supporting the creation, review, and update of guidance documents (e.g. handbooks, lessons learned for performing project management oversight, frequently asked questions) that assist FTA staff and its contractors to implement project management oversight requirements and processes.

CLIN 0002 – ON-SITE MONITORING AND REPORTING

OP 25 describes the review, analysis, and recommended procedures and reporting requirements that the Federal Transit Administration (FTA) expects from the Project Management Oversight Contractor (PMOC) regarding ongoing or recurring oversight of major capital transit projects prior to and upon receiving a Small Starts Grant Agreement (SSGA) or Full Funding Grant Agreement (FFGA). In addition, it is to describe the expected type and quality of reports of the PMOC’s findings, conclusions, and recommendations based on oversight activities.

CLIN 0003 – BASELINE OVERSIGHT

Project level professional oversight services consist of conducting project management activities for major capital projects in accordance with the respective Project Oversight Plan (POP) for the project and executed using an Implementation Plan. The Oversight Procedures to support the development and update of planning documents that define the type of oversight activities are provided in Appendix E. These Oversight Procedures support FTA in establishing a risk-based POP for each unique project that is customized to define the scope of activities, deliverables due, funding needs, and milestone dates.

Deliverables shall be periodic project status reports to summarize the performance of project sponsor planning and the delivery of major capital projects. Details shall include contractor activities, budget, risks, and outcomes associated with the professional oversight services. Project management activities may consist of reviewing project sponsor documentation, investigating issues and conditions, engaging in dialogue and problem-solving in coordination with the project sponsor, and providing FTA professional opinions and recommendations for action. FTA’s risk-based approach using the Risk Evaluation Tool (RET) and the POP will tailor a specific level of effort for the completion of each project. Listed below are some of the activities derived from these OPs.
• Evaluating the project sponsor’s Project Management Plan (PMP) and monitoring conformance with the approved PMP
• Assessing the project sponsor’s technical capacity and capability to deliver the project
• Reviewing safety and security plans and related documents
• Reviewing real estate plans and estimates
• Assessing project sponsor quality assurance and quality control programs
• Evaluating value engineering activities
• Performing project scope reviews, including assessments of the National Environmental Policy Act (NEPA) compliance, transit capacity, and project delivery method
• Performing cost reviews to assess the consistency, soundness and reliability of estimates
• Performing schedule reviews and analyses
• Performing technical reviews of vehicle procurements and fleet management plans
• Conducting project risk and contingency reviews
• Assessing project readiness to advance to subsequent project phases (e.g. engineering, grant or loan agreement, construction, revenue service)
• Performing project-specific reviews to support FTA project evaluations and reporting
• Additional project-specific oversight reviews required by FTA

**CLIN 0004 – OPTIONAL OVERSIGHT**

Optional Oversight consists of conducting project management activities for major capital projects in accordance with the respective POP for the project and executed using the Implementation Plan. OPs to support the development and update of planning documents that define the type of oversight activities are provided in Table 6.1. These OPs differ from those under **CLIN 0003** in that they are optional. They are not associated with milestone reviews and project metrics such as cost, scope, schedule and risk. Deliverables shall be specialized reports or reviews to isolate an activity for the delivery of the major capital project.

Optional oversight activities may consist of reviewing project sponsor documentation during phase gates of the project lifecycle. In addition, these reviews ensure the sponsor has demonstrated the capability and capacity to move forward. FTA’s risk-based approach using the RET and POP will tailor a specific level of effort for the completion of each project. Listed below are some of the activities derived from these Optional Oversight Procedures.

• Performing project-specific reviews to support FTA project evaluations and reporting
• Additional project-specific oversight reviews required by FTA

**CLIN 0005 – TRAVEL and OTHER DIRECT COST**

This CLIN is used to cover travel expenses and Other Direct Costs (ODCs).

**6.1.2 Roles and Responsibilities**

The project sponsor is fully responsible for the development and implementation of the capital transit project including:
• Planning, design, and bidding the contract documents,
• Supervising, administering, inspecting and accepting construction,
• Performing testing and startup.

FTA administers grants and loans to State and local public bodies, and in public-private partnerships to private entities, to acquire, construct, and reconstruct transit facilities. As a steward of public funds, FTA provides oversight to ensure that FTA-funded transit projects are implemented responsibly – that scope, schedule and cost are in balance and the project design and construction conform to statutes, regulations, guidance, etc.

FTA performs oversight through its own staff and through its PMOCs to ensure the adequacy of the project sponsor’s management capability and capacity, assess the reasonableness of the scope, schedule and cost, and assess the likelihood the cost and schedule will hold through revenue service. As part of oversight, FTA and the PMOCs identify problems, suggest solutions to the project sponsor, and report to FTA their findings, professional opinions, and recommendations.

Apart from oversight, FTA and the PMOCs occasionally provide technical assistance to project sponsors. Such assistance may include providing information and instruction in project management and project analysis practices and sharing technical expertise in transit project design and construction. In the course of performing oversight, the PMOCs must bring to FTA’s attention the occasions when the project sponsor could benefit from technical assistance. FTA will issue direction to the PMOC through the Task Order scope to cover these occasions.

The FTA Office of Capital Project Management (TPM-20) within the Office of Program Management (TPM) in Washington, D.C. and the FTA Regional Offices (TROs) are responsible for providing project oversight prior to Engineering, and the Full Funding Grant Agreement (FFGA) or prior to the Small Starts Grant Agreement (SSGA), into construction, substantial completion, testing, startup, and revenue service. As a general rule, recurring oversight (periodic and quarterly) is conducted by TROs; whereas, reviews for scope, schedule, cost, contingency and risk, etc. are usually initiated by TPM. The TPM, TRO and FTA Office of Procurement help administer PMOC contracts and Task Orders.

The PMOCs’ primary FTA points of contact are FTA’s Alternate Contracting Officer Representatives COR/ACOR from TRO or TPM. The primary staff person in the FTA Office of Procurement is the Contracting Officer (CO). The Contracting Officer’s Representative (COR) for the PMO program is part of TPM. The ACOR assumes the duties of the COR in his or her absence.

The PMOCs are responsible for rigorously but non-intrusively analyzing progress on projects; positively and constructively interacting with the project sponsor to solve problems; and maintaining objectivity in discussions of findings, conclusions and recommendations with FTA and the project sponsor.

One of the most important reviews is the assessment of project sponsors’ management capacity and capability to successfully implement projects. Through a review of project sponsors’
organizations, personnel qualifications and experience, and the project sponsors’ stated approaches to the work and understanding of the work, PMOCs can assess the project sponsors ability to perform the work responsibly and keep projects on time, on budget, and in accordance with approved plans and specifications.

The PMOCs also review the planning, design, construction and operations of the project in the context of the existing transit system. The review covers all project components – guideway structures, stations, maintenance and storage facilities, site work, power, signal and communications systems; fare collection; real estate; vehicle design and manufacturing – as well as overall project quality and capacity, safety, cost estimates, schedules, and assessments of risk.

After PMOCs are awarded contracts, they may be awarded Task Orders to perform oversight. Task Orders will typically cover all projects by a particular project sponsor. “Programmatic” Task Orders issued from TPM can cover special studies and research, as well as technical reviews of project scope, schedule, cost, risk, and other tasks, as necessary.

The PMOCs’ main responsibilities include:

- Investigating project conditions and core documents; visiting project sites; reviewing pertinent documents; performing interviews; all in sufficient detail as to become familiar with the proposed project goals, site conditions, design criteria, operations plans, drawings and specifications, value engineering studies, peer and constructability reviews, schedules, cost estimates, risks, bid packages and contracts, construction progress, methodology for resolving changes and claims, and conducting project closeout;
- Assessing project sponsors’ management capacity and capability to manage the projects, to meet goals related to design capacity, scope, schedule, budget, quality, and safety both during construction and in revenue service;
- Identifying problems and uncertainties in a timely manner;
- Making recommendations and proactively solving problems with the project sponsor and FTA staff;
- Providing professional opinions on the project sponsors’ work to the FTA;
- Discussing findings, conclusions and recommendations with the project sponsor and FTA;
- Providing supporting reports and presentations to the FTA;
- Engaging in other duties and responsibilities as requested by FTA.

In the performance of the above, the PMOCs are to accomplish, among other duties, the following:

1) Communications
   a) Develop and regularly maintain contact throughout a project sponsor’s organization with key personnel in planning, design and construction departments as well as operations, operations planning, procurement, legal, budgeting and real estate; and
avoid relying on only one source for information;
b) Develop and regularly maintain contact with FTA CORs/ACORs at both headquarters and the region;
c) Maintain a log of project contacts;
d) Coordinate with other PMOCs covering the same project sponsor;
e) Remind the project sponsor of its responsibility for the project; and that PMOC oversight or technical assistance in no way relieves the project sponsor of responsibility;
f) Provide informal communication to the project sponsor on the results of PMOCs’ reviews and analysis after approval from FTA. Provide draft reports to FTA and receive comments from FTA before providing copies to the project sponsor. Discuss draft findings with the project sponsor prior to finalizing reports.

2) Oversight assessments, recommendations, reporting

a) Identify sources of information to allow the FTA to directly question the project sponsor on the accuracy or completeness of their information. Present information without taking it out of context. Efficiently verify the information with trusted sources, before presenting it as fact. Describe PMOC assumptions used to form conclusions and the methods used to come to those conclusions. Support PMOC statements, observations, findings, conclusions and professional opinions with project information, appropriate analysis and interpretation of the project information by qualified PMOC personnel with relevant and appropriate project development, design and construction experience.

b) Based on a cost-effective mix of random and planned sampling and, in certain cases, sampling all the information provided from the project sponsor, perform quantitative and qualitative checks on project sponsors’ project information.

c) Provide reports that are focused, clear, coherent, accurate, complete, objective and unbiased. Perform work in a cost-efficient manner.

d) Specifically cost-related

i) Regarding the project sponsors’ cost estimating methodologies, verify that current market conditions for bidding of construction contracts are considered; provide professional estimators’ opinions to help determine project sponsors’ cost estimate information is complete, coordinated, and unbiased;

ii) Describe the context of key cost assumptions and decisions by involved parties such as the project sponsors, and their consultants and contractors; state reservations about costs in estimates or bids.

The PMOC shall notify the CO whenever it has reason to believe that the costs it expects to incur within the next 60 days, when added to all costs previously incurred, will exceed seventy-five percent (75%) percent of the total amount of so far allotted (obligated funding) to the Task Order.
6.1.3 QUALITY ASSURANCE SURVEILLANCE PLAN

The Contractor shall establish and implement a Quality Assurance program. The Contractor shall provide a Quality Assurance Surveillance Plan (QASP) as part of their proposal. The QASP shall be approved by the COR. Once approved, the QASP shall be implemented at Contract Award and shall be continued throughout the Period of Performance of the Contract. The plan shall consist of sequential inspection and progressive Quality Control throughout the lifecycle of the Contract. The QASP shall detail methods for documenting defects, providing for timely correction of deficiencies, identifying deficient areas, and recommending solutions to systemic problems.

The QASP shall ensure the quality of items presented to the Government meets the requirements of the specifications, whether processed by the Contractor, or procured from subcontractors or vendors. The plan shall be totally integrated into all areas of the Contractor’s development and operation, both technical and administrative, including project oversight and non-project related activities. If during the Period of Performance of the Base Contract, modifications to the QASP are proposed for any reason, the Contractor shall submit the changes to the Government for approval. The submission schedule shall allow ten (10) working days for the Government review and provide comments prior to implementation.

The personnel assigned to the development, administration, and daily functions of the QASP, shall be fully trained in their areas of responsibility which may include: instruction and procedure development; product quality monitoring; inspection techniques; and inspection data management and analysis. The personnel assigned to quality assurance functions shall have sufficient, well defined responsibilities, the independent authority and organizational freedom to identify and evaluate quality problems and to initiate and recommend timely and positive solutions. Timely notice shall be given to the Government of personnel changes that affect the overall and internal reporting requirements of either the Quality Assurance organization or its assigned personnel.

Documentation which demonstrates the Contractor has accomplished Quality Assurance inspection shall be maintained and be made available to the Government prior to presentation for preliminary acceptance. The inspection documentation shall clearly describe the type of inspection to be accomplished with acceptance or rejection criteria. The documentation shall list the quantity and type of deficiencies found and the nature of the corrective action taken. The establishment and implementation of a QASP by a subcontractor or vendor does not relieve the Contractor of its responsibility to furnish to the Government items which fully comply with the requirements of the Contract.

Quality Assurance procedures shall be applied to all deliverables, invoices, conference presentations, reports, and other products as prescribed by the COR. The Contractor, in the performance of the Contract, shall conduct audits of the developing products. The QASP shall describe the audit procedures to be used and shall identify the documents to be audited.
6.1.4 Task Orders

To begin the Task Order process, FTA Headquarters or Regional staff considers a project sponsor and its current and foreseeable projects. Generally, Task Orders will be written for oversight of all projects by a particular project sponsor. However, when the projects are too many or too large for the capacity of one PMOC, the project sponsor’s work will be divided among two or more PMOCs.

The FTA ACOR will develop a draft Task Order and a related Independent Government Estimate (IGE). After internal approval of these documents, FTA will issue the schedule and scope of work to PMOCs as a request for a cost proposal. Within seven days of receipt (or as noted in the Task Order proposal request), the PMOCs should submit cost proposals for the scope of work for each year of the Task Order. The cost proposal should be supplemented as required with work and staffing plans.

In the interest of economy and efficiency, follow-up Task Orders will typically be issued to the PMOC holding the initial Task Order in order to provide oversight of a project sponsor’s projects. However, if the performance of the PMOC is unsatisfactory, or if introducing competition is deemed in the best interest of the government, FTA will follow the processes above for issuing a new Task Order under the Fair Opportunities Clause reference in FAR Part 16.505.

The PMOC is required to submit a Task Order Implementation Plan upon selection and award of a Task Order. The plan outlines the proposed approach to the overall task, identifies activities to be performed, and provides a schedule and cost breakdown for the corresponding activities. The Monthly Task Order Cost Status Reports and updated Task Order Implementation Plans (in Excel Format) are required to be submitted with the OP2 Cost Report in order to track estimated versus actual costs for each Task Order.

In a single year, the funding for all Task Orders will not exceed the total amount available to FTA for major capital project oversight, as documented in the one-year program plan for the TPM-20 (Office of Major Capital Project Management). Therefore, while Task Order dollar amounts will cover two to five years of work, funding will be incrementally provided on a one-year basis.

7.0 REPORTING, PRESENTATIONS, RECONCILIATION

For most oversight activities, the PMOC is required to provide FTA with a supporting written report of findings, analysis, recommendations, professional opinions, and a description of the review activities undertaken.

The sequence and distribution for all reports are as noted in Section 7.0 of OP 25.

Reports should be submitted via email. Unless specifically requested, no paper copies of reports should be submitted. In addition, the PMOC may be required to post reports to an FTA website (to be identified in the future).

After FTA approval, the PMOC may be instructed to share the report with the project sponsor. In cases where differences of opinion exist between the PMOC and the project sponsor
regarding the PMOC’s findings, the FTA may direct the PMOC to reconcile with the project sponsor and provide FTA with a report addendum covering the agreed modifications by the project sponsor and PMOC. Occasionally, the PMOC may be required to make presentations of project reports or other studies to FTA, the project sponsor, or third parties.

7.1 Format for Reports

The PMOC should be concise in their reporting, avoid repeating text and, as needed, refer back to the original text. Reports should provide current information, avoid long historical narratives or lists of events and creatively portray information to aid understanding (e.g. photographs, tables, graphs, etc.). Reports should use Times Roman 12-point font and bold or underline text for emphasis. Standard business reporting tools like Microsoft Word, Excel, and project scheduling software are most familiar and best suited to support reporting requirements. Lastly, avoid reader confusion by referring to “PMOC” instead of “contractor” to distinguish from construction contractors. All reports should include the following.

1) Cover page (See Appendix B for sample cover page and required information.)

2) Executive Summary (three pages max) – a simply written summary of the most important findings, professional opinions, conclusions, and recommendations. This section should include a one-paragraph description of the project scope.

3) Table of Contents

4) Body of Report – By topic
   a) Findings (include photos of site conditions to aid in understanding)
   b) Analysis, professional opinions regarding status, recommendations for action with the time frame for performing recommended actions

5) Appendix
   a) Acronyms used
   b) Supporting checklists, tables, spreadsheets, photos, etc.
   c) PMOC team – list personnel, qualifications for performing the review
OP 01 Administrative Conditions and Requirements

APPENDIX CONTENTS

Appendix A  References
Appendix B  Report Cover Page Sample
APPENDIX A - References

The following are the principal, but by no means the only, references to Federal legislation, codification, regulation and guidance with which the PMOC should have a good understanding as related to the project sponsor’s project work being reviewed under the Oversight Procedures (OPs):

Legislative

• Fixing America's Surface Transportation Act, Public Law 114-94, December 3, 2015

United States Code

• 49 U.S.C Section 5327, Project Management Oversight
• 49 U.S.C Section 5309, Fixed Guideway Capital Investment Grants

Regulations

• Project Management Oversight, 49 C.F.R. Part 633
• Major Capital Investment Projects, 49 C.F.R. Part 611
• Joint FTA/FHWA regulations, Metropolitan Planning, 23 C.F.R. Part 450
• Joint FTA/FHWA regulations, Environmental Impact and Related Procedures, 23 C.F.R. Part 771
• U.S. DOT regulation, Uniform Relocation Assistance and Real Property Acquisition for Federal and Federally Assisted Programs, 49 C.F.R. Part 24

FTA Circulars

• C 4220.1F (Previously C4220.1D) Third Party Contracting Guidance
• C 5010.1E (Previously C5010.1D) Award Management Requirements
• C 5200.1A (Previously C5200) Full Funding Grant Agreements Guidance
• C 5800.1 (Previously C6800.1) Safety and Security Management Guidance for Major Capital Projects
Guidance

- Final Capital Investment Grant Program Interim Policy Guidance
  - [https://www.transit.dot.gov/funding/grant-programs/capital-investments/final-capital-investment-grant-program-interim-policy](https://www.transit.dot.gov/funding/grant-programs/capital-investments/final-capital-investment-grant-program-interim-policy)

- Project and Construction Management Guidelines, 2016 Update

- Construction Project Management Handbook, 2016 Update

APPENDIX B

Report Cover Page Sample

CAPITAL COST ESTIMATE REVIEW

<PROJECT NAME> <PROJECT SPONSOR> <REGION>

Status as of November 1, 2019

Submitted
December 15, 2019

Rev. 0

PMOC Contract Number: DTFT-TPM20-_____-

Task Order Number:

Project Number:

Project Type:

Project Phase:

OPs Referenced:

PMOC firm name, address

PMOC lead person’s title, name, affiliation if different from PMOC firm, phone, email Length of time PMOC firm and person have been assigned to this project