

CAP Audit Typical Questions

1. Was the project included in the FHWA/FTA approved/amended (STIP) at the time of authorization in FMIS? 23 CFR 450.220(a)/(b)
2. Was the appropriate NEPA action completed prior to the date of authorization in FMIS? Record of decision (ROD), Finding of No significant impact (FONSI), or Categorical Exclusion (CE) determination? 23 CFR 635.309(J), 23 CFR 771.113(A)(1)
3. Did the State provide a statement regarding the status of all ROW, utility, and railroad work prior to the date of authorization in FMIS? 23CFR 635.309(b)
4. Is the Form FHWA- 1273 contract provisions physically incorporated into the construction contract? 23CFR 633.102(b) 23CFR 633.103
5. Do the approved project plans and specifications include a Transportation Management Plan (TMP) or provisions for the Contractor to develop a plan? For projects or classes of projects that the State determines to have less than significant work zone impacts, the TMP may consist only of a Temporary Traffic Control (TTC) plan. 23CFR 630.1012(b) & (c)
6. Following opening of bids, did the State examine the unit bid prices of the apparent low bid for reasonable conformance with the engineer's estimated prices, including a thorough evaluation of an obvious unbalancing of unit prices or bid with extreme variations from the engineer's estimate? 23CFR 635.114(c) & (d) & (k)
7. Was the State's request for obligation of federal funds supported by a documented cost estimate that is based on the State's best estimate of cost? 23CFR 630.106(a)(3)
8. Based on a review of one Federal-aid billing, were expenditures allocated to the appropriate Federal program fund category (program code) on multi-funded projects? 2 CFR 200.400
9. If a specific patented or proprietary material or product is included in the approved PS&E, did the State certify either that such patented or proprietary item is essential for synchronization with existing highway facilities, or that no equally suitable alternate exists? 23CFR 635.411(a)(2) FHWA's Contract Administration Core Curriculum Manual and Reference Guide
10. Does the contract specify that the percentage of work that must be performed by the prime contractor is greater than or equal to 30 percent of the total original contract price excluding identified specialty items? 23CFR 635.116(a)
11. Does the project agreement in FMIS include a project agreement end date? 2 CFR 200.210

Construction requirements

12. Is there a full time employed public employee in responsible charge for administering the project? 23CFR 635.105(b) & (c)(4)

CMO

13. Based on a minimum review of one contract change order or extra work order, did the state perform and adequately document a cost analysis for each negotiated change or extra work order? 23CFR 635.120
14. Based on a minimum review of one contract time extension request involving federal participation, was the contract time extension request fully justified and adequately documented? 23CFR 635.121(b)

15. Did all major changes in the plans and contract provisions and all major extra work have formal approval by the Division Administrator in advance of their effective dates? 23CFR 635.120 (a)

Pay Apps

16. Are all eligible charges incurred after the date of construction authorization in FMIS? 23CFR 1.9(a) & 630.106(b)
17. Has the Federal-aid share of eligible project costs in the project agreement or in subsequent amendments to the agreement remained unchanged? 23CFR 630.106(f)
18. Has the project maintained the same category of Federal funds as originally obligated, except for the addition of Federal fund categories to cover an increase of eligible project costs? 23CFR 630.110(a) Appropriations Law, Vol. II, Chapter 7, Section E, DBE obligation.
19. Were indirect charges billed under an approved indirect cost rate? 2 CFR 200.416 Appendices IV, V, VI and VII to Part 200
20. Based on review of one Federal-aid billing, were payroll, fleet, and equipment charges allocated properly to the project? 2 CFR 200.430
21. Was the reason, or reasons, for using force account procedures documented? 23CFR 635.120 (d)
Note: In establishing the method of payment for contract changes or extra work orders, force account procedures shall only be used when strictly necessary, such as when agreement cannot be reached with the contractor on the price of a new work item, or when the extent of work is unknown or is of such character that a price cannot be determined to a reasonable degree of accuracy.
22. Based on a minimum review of one applicable contract pay item paid in one progress payment, did the State provide adequate assurance that completed work quantities were determined accurately, in accordance with the State's statewide uniform procedures? 23 CFR 635.123
23. Based on a minimum review of one applicable contract pay item paid in one progress payment, did the State provide adequate assurance that stockpiled material conformed to the requirements of the plans and specifications? 23CFR 635.122(a)(1)

Erosion

24. Are erosion and sediment control measures and practices being monitored and maintained or revised to insure that they are fulfilling their intended function during the construction of the project? 23CFR 650.209(c)
25. Are mitigation measures stated as commitments in the environmental document being implemented on the project? 23CFR 771.109(b)

Civil rights

26. Are the DBE firms originally identified by the prime contractor at the time of contract award the same firms that are approved to work on the project at the time of this review? 49CFR 26.53(b)(2) & (f)(1)
27. Based on a minimum review of one subcontract, has the State authorized in writing the subcontract, or if FHWA has approved the State's process has the contractor certified, that each subcontract has a written agreement containing all the requirements and pertinent provisions of the prime contract? 23CFR 635.116(b)

Buy America

28. Based on a minimum review of one applicable pay item paid in one progress payment, did the State ensure that all steel or iron material manufacturing processes, including application of coatings, for that pay item occurred in the United States? 23CFR 635.410(b)(1) FHWA's Contract Administration Core Curriculum Manual. October 2014.