|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **To:** | Jason Gilliam, Right-of-Way Bureau Chief | | | |
|  |  | | | |
| **From:** | Local Project Manager | | | |
|  |  | | | |
| **Date:** |  | | | |
|  |  | | | |
| **Subject:** | Contracting method: | Design Bid Build | | |
|  | Anticipated Advertising Date: |  | | |
|  | Anticipated Letting Date: | | |  |
|  | Federal Aid Project Name.: | |  | |
|  | Fed. Aid Project Number: | | |  |
|  | UPN: | | |  |

Per the Stewardship and Oversight Agreement by and between Federal Highway Administration (FHWA), Montana Division and the State of Montana Department of Transportation (MDT), MDT cannot delegate the authority to submit an official ROW/Utility/Railroad certification to FHWA.

[Local Agency Name] requests MDT Right of Way Bureau prepare and submit a Right of Way certification to FHWA on their behalf. Per 23 CFR 635.309, The [Local Agency Name] VERIFIES as follows:

|  |  |
| --- | --- |
|  | The [Local Agency Name] has possession of all right-of-way shown on the latest approved plans for this project. Said right-of-way has been acquired in accordance with applicable Federal and State regulations, policies, and procedures. |

|  |  |
| --- | --- |
|  | CONDITIONAL:  Except as indicated below, the [Local Agency Name] has possession of all right-of-way shown on the latest approved plans for this project.  All right-of-way is being acquired in accordance with applicable Federal and State regulations, policies, and procedures. All necessary arrangements will be made for the completion of right-of-way activities.  [Local Agency Name] verifies that a conditional ROW certification is in the public’s best interest based on the following justification:  Right-of-way is being conditionally verified pending receipt of final acquisition documents and payment processing for Parcel enter text.  Enter a detailed summary outlining the remaining ROW to be acquired along with forecasted dates of completion.  Appropriate notification must be provided in the request for bids, identifying all locations where right of entry and possession has not yet been obtained.  Prior to issuing a notice to proceed to the contractor with an outstanding conditional ROW certification, [Local Agency Name] must provide an updated notification to MDT and FHWA outlining the remaining ROW parcels and realistic acquisition timeframes**.  FHWA must approve all conditional certifications that are located on an interstate route.** |

|  |  |
| --- | --- |
|  | No right-of-way is required for the project(s). |

**RELOCATION**

|  |  |
| --- | --- |
|  | Relocation assistance and payments were not required for this project. |

**DEMOLITION OF IMPROVEMENTS**

|  |  |
| --- | --- |
|  | The [Local Agency Name] has removed or demolished any improvements which were on the right-of-way and were in conflict with the contemplated construction except as indicated below: |

|  |  |  |
| --- | --- | --- |
|  |  | The removal or demolition of improvements on Parcel enter text is in process and will be completed prior to Letting. |

|  |  |  |
| --- | --- | --- |
|  |  | The removal or demolition of improvements on Parcel enter text is in process and will not be completed prior to Letting so a special provision has been distributed to require the Contractor to avoid Choose an item until the removal or demolition is completed. |

|  |  |  |
| --- | --- | --- |
|  |  | The removal or demolition of improvements on Parcel enter text needs to be completed by the Contractor so a special provision has been distributed. |

cc: enter name, MDT Project Manager

Sarah Yancy, Compliance Specialist

Jamie Winstead, Utility Agent