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| **To:** | Jason Gilliam, Right-of-Way Bureau Chief | |
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| **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 Utility and Railroad certification to FHWA on their behalf. Per 23 CFR 635.309, The [Local Agency Name] VERIFIES as follows:

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|  | The [Local Agency Name] has made all necessary arrangements to relocate all utility conflicts as shown on the latest approved plans for this project.  Said utility relocations will be completed in accordance with applicable Federal and State regulations, policies, and procedures. |

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

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|  | No utility relocations are required. |

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|  | The [Local Agency Name] has made all necessary arrangements to complete all railroad work on the latest approved plans for this project. Said railroad work has been completed in accordance with applicable Federal and State regulations, policies, and procedures. |

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|  | CONDITIONAL:  Except as indicated below, the [Local Agency Name] has completed all railroad work as shown on the latest approved plans for this project.  All railroad work is being completed in accordance with applicable Federal and State regulations, policies, and procedures. All necessary arrangements will be made for the completion of railroad activities.  MDT certifies that a conditional railroad certification is in the public’s best interest.  Railroad work is being conditionally certified pending completion of final railroad documents and payment processing for the following:  Enter a detailed summary outlining the remaining railroad work to be relocated along with forecasted dates of completion.  Appropriate notification must be provided in the request for bids, identifying all locations where railroad work has not yet been completed.  Prior to issuing a notice to proceed to the contractor with an outstanding conditional railroad certification, [Local Agency Name] must provide an updated notification to FHWA outlining the remaining railroad work and realistic completion timeframes**.  FHWA must approve all conditional certifications that are located on an interstate route.** |

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|  | No railroad work is required. |

cc:

enter name, MDT Project Manager

Sarah Yancy, Compliance Specialist

Jamie Winstead, Utility Agent