Agreements Process Chart

|  | **Step 1:**  **Draft the Agreement** | **Step 2:**  **Internal Review of the Draft Agreement** | **Step 3:**  **CCO Review and Approval to Form** | **Step 4:**  **Approval by Other Party** | **Step 5:**  **Execution of Agreement** |
| --- | --- | --- | --- | --- | --- |
| Who | **District Staff:**  Maintenance Engineers  Traffic Engineers  Utility Engineers  Right of Way Managers  Project Managers  Area Engineers  Transportation Project Designers  Planning Staff  Procurement Staff  **Central Office:**  Construction, Materials Research  General Services Procurement Staff  IS Consultants  Planning Staff | **Agreements Review Group:**   * Cost share / cost participation agreements * County / municipal agreements   **CO Liaisons in Design- Right of Way, Traffic, Maintenance and Multimodal Operations:**   * Consultant agreements * License agreements * Road relinquishments * Trail agreements * Break in access agreements * Air space agreements * Maintenance agreements * Traffic / ITS / Signal agreements * Operating assistance agreements for state block grants for aviation / rail / ports / freight / transit   **General Services Procurement:**   * Fleet and facility agreements   **Financial Services:**   * State and federal funding agreements * MTFC-loan agreements * STAR loans * Innovative finance agreements   **Professional Services Committee:**   * Consultant agreements for architects’, land surveyors’, or engineers’ services   **District MT & TR Engineers, Utility Engineers, Right of Way Managers, and Planning:**   * Traffic permits * MRUA * Utility easements * Road relinquishments * CO Information Systems: * PAQ Statement of Work   **CO Construction, Materials and Research:**   * Research and development agreements * New product demonstration agreements * Consultant and training agreements   **CO Transportation Planning:**   * Master agreements with MPOs and RPCs   **Chief Counsel’s Office:**   * Solicitation of competitive procurement of services before posting | * **Drafters from Step 1** * **Chief Counsel’s Office** | * **Drafters from Step 1** * **Representatives of other party** | * **MHTC** * **Chief Counsel’s Office** (approve to form) * **District engineers and division heads** (based on Execution of Documents policy) * **Commission Secretary** (attestation) * **CO Design** (Bidding and Contract Services – Bid Packet) |
| What | 1. Identify the funding source 2. Identify the appropriate form 3. Review applicable forms’ drafters notes 4. Review checklist 5. Review MoDOT policies that relate to the situation 6. Contact CCO with questions, as needed 7. Contact the other party for substantive parts of the draft agreement; inform other party of boilerplate language 8. Complete applicable parts of the form (use draft mode) 9. Review document for completeness, accuracy, etc. 10. Submit for internal review | 1. Review document for:  * Clarity and intent * Inconsistencies, inaccuracies, omissions, etc. * Readability/flow for reader * Form (numbering, pagination, etc.) * Checklist items included  1. Review portions that are related to the subject matter. 2. Review portions that are added to the form 3. Ask questions through the eAgreements Sharepoint site to get clarification from drafters 4. Keep the document in track changes mode during the review 5. Provide comments along with suggested changes or examples to the drafter that will improve the document through the eAgreements Sharepoint site | 1. Drafters will submit to CCO through the eAgreements Sharepoint site after incorporating revisions suggested by reviewers. 2. CCO will review as to form and address any legal issues | Drafter submits the internally approved agreement to the other party for review and signatures. | 1. Approval to form 2. Sign the agreement 3. Attestation |
| When | This step begins when a need arises for an agreement to be drafted. Time to complete this step will vary. Step is considered complete when it is submitted for internal review.  Drafters should be aware that they will need to allow sufficient time for the next steps to be completed before submitting a draft agreement for review. | All reviews are expected to be completed in five business days of receipt of the draft agreement. Drafters are encouraged to follow up on comments and provide feedback to the reviewers on revisions that are incorporated into the draft agreement. | CCO will have five business days to review the revised draft agreement. | The internally approved agreement is to be sent to the other party after CCO has completed its review in Step 3 of this process. | This step is completed as stated in the Execution of Documents policy. |

If properly applied, this process should result in the following outcomes:

* Improved ability to collect data, especially for completion times, volumes, types, etc. The data analysis should help identify bottlenecks.
* Reduced liability or risk to MoDOT
* Better drafter agreements with fewer errors and comments along with reduced review time.
* Better understanding of application of MoDOT’s Execution of Documents policy.
* Fewer supplemental agreements
* Clearer expectations for drafters and agreements on their roles and responsibilities. Performance feedback between supervisors and employees may also be improved.