project management oversight pro-
gram will benefit specifically the agen-
cy or the recipient. Typically, this
means a project that:
(i) Generally is expected to have a
total project cost in excess of $100 mil-
lion or more to construct;
(ii) Is not exclusively for the routine
acquisition, maintenance, or rehabili-
tation of vehicles or other rolling
stock;
(iii) Involves new technology;
(iv) Is of a unique nature for the re-
cipient; or
(v) Involves a recipient whose past
experience indicates to the agency the
appropriateness of the extension of this
program.

Project management oversight means
the monitoring of a major capital
project’s progress to determine wheth-
er a project is on time, within budget,
in conformance with design criteria,
constructed to approved plans and
specifications and is efficiently and ef-
effectively implemented.

Project management plan means a
written document prepared by a recipi-
ent that explicitly defines all tasks
necessary to implement a major cap-
itual project.

Recipient means a direct recipient of
Federal financial assistance from FTA.

FT Act means the Federal Mass Tran-
sit Act of 1964, as amended.

FTA means the Federal Transit Ad-
ministration.

Subpart B—Project Management
Oversight Services

§ 633.11 Covered projects.
The Administrator may contract for
project management oversight services
when the following two conditions
apply:
(a) The recipient is using funds made
available under section 3, 9, or 18 of the
Federal Mass Transit Act of 1964, as
amended; 23 U.S.C. 103(e)(4); or section
14(b) of the National Capital Transpor-
tation Amendments of 1979; and
(b) The project is a “major capital
project”.

§ 633.13 Initiation of PMO services.

PMO services will be initiated as
soon as it is practicable, once the agen-
cy determines this part applies. In
most cases, this means that PMO will
begin during the preliminary engineering
phase of the project. However, con-
sistent with other provisions in this
part, the Administrator may determine
that a project is a “major capital
project” at any point during its imple-
mentation. Should this occur, PMO
will begin as soon as practicable after
this agency determination.

§ 633.15 Access to information.

A recipient of FTA funds for a major
capital project shall provide the Ad-
ministrator and the PMO contractor
chosen under this part access to its
records and construction sites, as rea-
sonably may be required.

§ 633.17 PMO contractor eligibility.

(a) Any person or entity may provide
project management oversight services
in connection with a major capital
project, with the following exceptions:
(1) An entity may not provide PMO
services for its own project; and
(2) An entity may not provide PMO
services for a project if there exists a
conflict of interest.
(b) In choosing private sector persons
or entities to provide project manage-
ment oversight services, FTA uses the
procurement requirements in the gov-
ernment-wide procurement regula-
tions, found at 48 CFR CH 1.

§ 633.19 Financing the PMO program.

(a) FTA is authorized to expend up to
$1 of 1 percent of the funds made avail-
able each fiscal year under sections 3,
9, or 18 of the FT Act, 23 U.S.C.
103(e)(4), or section 14(b) of the Na-
tional Capital Transportation Amend-
ments of 1979 (93 Stat. 1330) to contract
with any person or entity to provide a
project management oversight service
in connection with a major capital
project as defined in this part.
(b) A contract entered into between
FTA and a person or entity for project
management oversight services under
this part will provide for the payment
by FTA of 100 percent of the cost of
carrying out the contract.