

# How to Prepare a Relaxation of Standards Request

## A Complete Submittal Package

It is important to submit a complete package, consisting of a cover letter along with attachments that support the request. There are 18 basic requirements in 428 NAC 2-004 (pages 91-94) along with other requirements depending on what is being requested. Between the cover letter and the attachments, all of the required information must be submitted before the Board will consider the request. Use the listing in the regulation as a checklist to be sure you are submitting everything that the Board expects to receive; organizing your documents in that fashion (004.01A1, 004.01A2, 004.01A3, etc.) is a good idea. There is an electronic checklist of these requirements online on the [Resources for Pre-Exam Training Workshop - NDOT](#). An incomplete submittal could delay the relaxation decision and thus delay your project.

A data sheet on the project is required. 004.01A2 requires “Form 7.” That form is outdated. **Use the “Sample Work/Project Form Fill Out LB82 (2019) dated 5/27/2021** on the [Relaxation Checklist Fill Out](#) under “Resources for Pre-Exam Training, Day 3, Relaxation Checklist.”

Note that one of the requirements is a detailed cost estimate of meeting standards, compared to a detailed cost estimate of the design alternative or alternatives. “Detailed” means breaking the cost down by construction groups or more detailed, as necessary. It does not mean providing only the overall cost estimate for meeting standards and for each alternative.

The entire set of design plan sheets is usually not necessary. Submit only the pertinent design plan sheets. Do not forget the existing typical section and the proposed typical section, as required by 004.01A18.

## Writing The Cover Letter

The cover letter is the guiding document for a relaxation of standards request. It is the request itself. The letter explains, summarizes, and refers to attachments which support the request. It serves as a roadmap for the request, making it easy for NBCS Board members to follow and understand.

Right up front in the opening paragraph state what the request is for. Which Board standards cannot be met? How many locations of non-standard values are there in the request? Where (station number) are they? If there are multiple non-

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standard values, putting them in a table format instead of using a lot of words is a good idea.

In the rest of the letter, provide background, details, and good reason(s) why the Board would grant the request. Describe the project scope, functional classification(s) of the segment(s), and types of work (New, Reconstruction, 3R, Maintenance). Provide other pertinent details such as traffic volumes, design speed, posted speed limit, pertinent hydraulic studies, etc.

As mentioned above, unless there is only one non-standard value being requested, add a table comparing the Board's standards to (a) the existing condition values and (b) the non-standard value for the proposed design. Identify the station of each non-standard value. A table is a good way to help the Board understand the request. If there is more than one design alternative being considered, add columns to the table for each of those alternatives. Do not forget about general notes (428 NAC 2 001.03B, pages 47-54, bold font items) associated with the standards; add lines in the table as needed for these.

Use terminology consistent with the standards and that the Board is familiar with. That is, terminology from state statutes and regulations, in this case 428 NAC.

It is important to make the case for granting the relaxation in the letter. Using terminology from state statutes, show how applying standards would be a *special hardship due to peculiar, special, or unique local situations*. What are the reasons? Examples are severe effect on the natural environment, social impacts, right-of-way impacts, historic or cultural resources, sensitivity to context and/or community values, or construction costs.

Safety is the uppermost concern for the Board. Explain the anticipated effect on the safety and operation of the facility, and how the project fits with adjacent segments in terms of safety. Describe features, if any, that will be added to the project to mitigate the effects of not meeting standards. Are there any future improvements that will correct the substandard segment?

If the political jurisdiction has an appointed superintendent, that person must sign the cover letter.