



LADOTD

**Louisiana Local
Public Agency
Manual**

**For Accessing Federal & State
Transportation Funds for Locally
Owned Projects**

General Information



Updated Spring 2017

*Local Public Agency Manual
Project Administration Overview
Table of Contents*

- Introduction13
- Training14
- Federal Aid Funding Explained14
 - Stewardship and Oversight Agreement
 - Types of Projects Eligible for Federal Funds
 - Eligible Uses of Federal Funds within the LPA Programs
 - Matching Funds
 - Current National Transportation Law
 - Federal Aid Essentials Videos
- Responsible Charge20
 - Duties/Expectations when the LPA holds the Contract
 - Best practices for a Responsible Charge
 - Responsible Charge duties when DOTD holds a contract on a local route
 - Reporting Requirements for Federal Aid Projects
- Stages of a Transportation Project22
- Stage 0 – Planning and Feasibility24
 - Planning from the State Perspective
 - Local Transportation Planning
 - Example of a Successful Plan
 - Resources for a Local Plan

*Local Public Agency Manual
Project Administration Overview
Table of Contents*

- Regional Safety Coalitions in LA30
- Planning Expectation Summary30
- The Entity-State Agreement31
 - Description
 - The process
 - Supplemental Agreements
 - Initiating an Agreement
 - Agreement Identifying Information
 - Outline of the Articles in the Agreement
 - Article I Project Description
 - DOTD Project Numbering System
 - Article II Funding
 - Responsibility Table
 - Funding Table
 - Federal Funding Commitments
 - OMB Super Circular 2 CFR
 - Disbursement/Reimbursement
 - Time Limits
 - Non-Compliance with Federal/State Laws and/or regulations
 - Non-participating items
 - Final Billing
 - Article III Project Responsible Charge
 - Article IV Period of Performance
 - Article V Consultant Selection
 - Article VI Environmental NEPA Process
 - Article VII Preconstruction Engineering
 - Article VIII Right-of-Way Acquisition and Relocation
 - Article IX Transfer and Acceptance of Right-of-Way
 - Article X Permits
 - Article XI Utility Relocation/Railroad Coordination

Local Public Agency Manual
Project Administration Overview
Table of Contents

- Article XII Bids/Construction
 - Article XIII Construction Engineering and Inspection
 - Article XIV Subcontracting
 - Article XV DBE Requirements
 - Article XVI Direct and Indirect Costs
 - Article XVII Cost Records for all Phases of this Project
 - Article XVIII Cancellation
 - Article XIX Compliance with Civil Rights
 - Article XX Indemnification
 - Article XXI Final Inspection and Maintenance
 - Article XXII House Bill 1 Compliance
-
- Project Administration and Requirements61
 - Roles
 - Responsibilities

Acronyms and Abbreviations

- Acronyms/ Abbreviations
- Definitions

Program Descriptions – See Planning Chapter

- Summary of Application Deadlines
- Surface Transportation Program (STP) >200K and <200K (Urban Systems Program)
- Congestion Mitigation and Air Quality Program (CMAQ)
- Transportation Alternatives Program (TAP)
- Local Roads Safety Program (LRSP)

*Local Public Agency Manual
Project Administration Overview
Table of Contents*

- Safe Routes to Public Places (SRTPP)
 - Off-System Bridge Replacement Program (OSBR)
 - Recreational Trails Program (RTP)
 - Bicycle and Pedestrian Coordinator
-

Planning

- Project Applications
 - Steps for a Good Application/ Stage 0 Document
 - Parts of the Application
 - Sponsor Information
 - Consultant Information
 - Purpose and Need
 - Project Scope and Description
 - Maps, Plans & Photographs
 - Calculating Schedule Time
 - Budget
 - Determining Project Budgets
 - Steps to Determining a preliminary estimate
 - Example – Preliminary Construction Cost Estimate

Local Public Agency Manual
Project Administration Overview
Table of Contents

- Determining the opinion of probable cost for a project in final design
- Steps to Create an Opinion of Probable Costs
- Bid Award Parameters
 - Operation and Maintenance Costs
 - Project Benefits
 - Certification
- How is a Project Programmed?
 - Non-application based programs for LPAs
 - Projects in non-urbanized areas
- Projects in urbanized areas
 - Definitions
 - The Urban System Program
 - Project Description and Scope
 - Agency Coordination
 - Range of Alternatives

Engineering

- Overview
 - Goals of the project delivery process
 - Direction from the DOTD Chief Engineer
- General Responsible Charge Project Design & Delivery Duties

Local Public Agency Manual
Project Administration Overview
Table of Contents

- General Responsibilities
- Specific Responsibilities
- DOTD Design Phases and Stages
- Time Requirements
- Project Set-up Meeting
- Project Reporting
- Consultant Selection for Design Services
 - 100% Local Funds
 - Federal Funds
 - LPA Responsibilities if Federal Funds are used
 - DOTD Responsibilities if Federal Funds are used
 - Invoices
 - Reimbursement Method
 - Disbursement Method
 - Common Reasons for Invoice Rejection
- Predesign Meeting
- Environmental NEPA (Stage 1)
 - Programmatic Categorical Exclusion (PCE)
 - Categorical Exclusion (CE)
 - Environmental Assessment (EA)
 - Environmental Impact Statement (EIS)
 - Solicitation of Views (SOV)
 - Environmental Clearance Facts

*Local Public Agency Manual
Project Administration Overview
Table of Contents*

- Federal Aid Essential Videos for Environment
- Environmental Clearance/Permit Facts
- Actions worked concurrently with plan development
- Right-of-Way Maps, Joint Plan Review Meeting
 - Right-of-way map issues
 - Common mistakes on right-of-way maps
 - Joint Plan Review (JPR) Meeting
 - Right-of-Way Acquisition
 - Right-of-way certification
- Railroad Permits
- Utility Relocation Procedures for LPA projects
 - Utility Definitions
 - Documentation required for all projects
 - Additional documentation required if reimbursement is requested
 - Additional documentation if non reimbursement is requested
- Engineering Design & Plan Development
 - Policies and Procedures
 - Louisiana Professional Engineer & Land Surveyors (LAPE:LS) Board Rule References
 - Survey
 - Scope Changes

*Local Public Agency Manual
Project Administration Overview
Table of Contents*

- Traffic Counts
- Geotechnical Investigations
- Typical Section Design
- Formatting Plan Sheets
- Design Submittals to DOTD
- Plan-in-Hand Inspection (Field Inspection)
- Design Exception/Design Waiver
- Final Plans
- Lighting
- Landscaping
- Transportation Management Plan (TMP)
- Project Proposal Preparation
- Construction Contract Time
- Project Cost Estimate (Opinion of Probable Cost)
- PS&E Package
- Requirements for Bidding
- Falcon
- Revisions, Postponements, Withdrawals
- Bidding
 - Steps from Bidding to Notice to Proceed (NTP)
- Notice of Contract Execution and Notice to Proceed

*Local Public Agency Manual
Project Administration Overview
Table of Contents*

Construction Engineering and Inspection

- Introduction
- Agency Inspection Expectations
 - FHWA Construction Inspection Expectations from DOTD
 - Typical Types of FHWA Inspections
 - Items FHWA Considers During Inspection
 - DOTD Construction Inspection Expectations from the LPA
- CEI Personnel Options
 - Projects on a non-state route
 - Projects on a state route
- Project Set-up Meeting
- Roles and Responsibilities
 - LPA Project Engineer (LPA PE)
 - Responsible Charge
 - DOTD Project Coordinator
- Legal Documents that Apply to Construction
- DOTD Compliance Programs
 - DOTD Disadvantaged Business Enterprise (DBE) & Small Business Element (SBE) Programs
 - DBE/SBE Project Goals
 - The Process

*Local Public Agency Manual
Project Administration Overview
Table of Contents*

- Commercially Useful Function (CUF)
- Payroll
- The 1391 Process
- On-the-Job Training (OJT) Program
- Labor Compliance Reviews
- Construction Contract Administration Manual
- SiteManager
 - SiteManager Personnel Roles
- Standard Operation Procedures for Processing Partial Estimates
- Standard Operating Procedures for Processing Change Orders
- Inspection Requirements
- Work Zone Requirements
 - Definitions
 - Required Documents
 - Duties
 - Inspection of Traffic Control
 - Traffic Control Diary
 - Failure to Comply with Work Zone Safety Requirement
 - Eligibility Letters for Temporary Traffic Control Devices – Work Zone Letters
 - Public Convenience & Safety Special Provision

Local Public Agency Manual
Project Administration Overview
Table of Contents

- QA/QC
- Preconstruction Conference
- Successful Submittal of Partial Estimates and Change Orders
- Construction Documentation
 - Measurement of Work
 - Partial Estimate
- Change Orders
- Claims
 - Dispute Resolution Procedure
- Project Closeout
 - Project Closeout Tasks
 - Rejection Reasons
- Website Links

*Local Public Agency Manual
Project Administration Overview*

Introduction

The successful delivery of transportation projects is only achieved through an effective partnership between the Department of Transportation and Development (DOTD) and Local Public Agencies (LPA) that are sub-recipients of Federal funds. DOTD has and will continue to develop programs, processes, and training that provide local governments with the necessary tools to successfully deliver transportation projects so Federal and State stewardship and oversight obligations can be met and projects can be implemented in the most efficient and effective manner possible.

This manual was created to supplement the training and to familiarize the public agencies with the programs that are available to them through DOTD for local transportation and public works projects. It is also intended to help Louisiana's sub-recipients fulfill the requirements of planning, environmental clearance, design, right-of-way purchase, construction, and maintenance of transportation facilities using state or Federal funds. To assist agencies in accomplishing these goals, this manual describes the processes, documents, and approvals necessary to obtain Federal Highway Administration (FHWA) federal aid funds or state funds through DOTD to develop local transportation projects and defray the LPA's costs. These programs require a local public agency to initiate and sponsor the projects that are to be included in the DOTD Highway Program, Public Works projects, and Intermodal Transportation Programs using state and/or Federal Funds.

The following table lists the various programs that LPAs can apply for and the annual funding available statewide.

2017-18 Funding Available for LPA Programs	
Program	Annual Funding for 2017-18*
Transportation Alternative Program (TAP)	\$12M
Recreational Trails	\$1.9M
Safe Routes to Public Places (SRTPP)	\$2.4M
Local Road Safety Program (LRSP)	\$2.9M
Off System Bridge Program (OSBR)	\$13M
MPO – Urban System Program	\$68M
Total	\$100.2M*

*Total = Federal Funds + Matching Funds

*Local Public Agency Manual
Project Administration Overview*

Training

A phased training program has been developed by DOTD, LTAP and FHWA Louisiana Division to ensure qualified individuals are involved in oversight and implementation of LPA projects. The training includes the following modules:

- “Core Qualification Training”
- “Responsible Charge Project Management”
- “Construction Engineering and Inspection”

The training began in 2011. In the spring of 2014, DOTD began requiring that all LPA’s with active Federal Aid projects to take the 1st course in the LPA training program, the “Core Qualification Training.” The Qualifications Core Training is required for Local Public Agency (LPA) project representatives and consultants working on LPA projects that receive federal or state funding through DOTD. DOTD will keep a database of who has been to the qualification training. This course is required for the LPA person in responsible charge, elected officials, MPO personnel, consultants or anyone that will be explaining/or be involved with a LPA project. Projects will not be accepted into programs if the LPA has not participated in the training.

There are three purposes of the LPA Qualification Core Training. The first is to familiarize the LPAs with the expectations and requirements specified in the Entity-State Agreement, for local transportation and public works projects. The second is to strengthen the partnership between DOTD and the LPAs to successfully implement projects and the third is to provide information on how an LPA can successfully get a project into the DOTD system. This includes helping the LPA understand the expectations of the programs, understanding responsible charge duties, ensuring there is no misunderstanding of the commitments of the Entity-State Agreement, teaching the expectations of reporting and to identifying the resources available.

The other LPA training modules are strongly recommended, but are not currently required.

Federal-Aid Funding

Local Public Agency Manual Project Administration Overview



23 U.S.C. 106(g) (4) requires that the states provide oversight of the sub-recipients' (LPA's) to ensure proper expenditure of Federal Aid Funds. DOTD refers to FHWA funds as Federal-aid funds. All FHWA funding programs are **Reimbursement** programs; **NOT Grant programs**. The cost reimbursable funds are provided to an LPA by the FHWA through DOTD. DOTD **facilitates** the projects for the LPAs to use Federal funds through the Entity/State Agreement.

Federal Law requires states to be fiscally responsible for all sub-recipients' (LPA's) proper expenditure of federal funds.

The United States Code, 23 USC 114, states "the construction of any highways or portion of highways located on the Federal-aid system shall be undertaken by the respective State transportation departments or under their direct supervision... such construction shall be subject to the inspection and approval of the Secretary."

Stewardship and Oversight Agreement

Each FHWA Division Office has a unique Stewardship and Oversight Agreement with its State DOTD. The Louisiana Stewardship Agreement was signed in 2015. Based on a core set of rules and regulations that apply to all states, it focuses mainly on Interstate and National Highway System (NHS) projects, but established an oversight and delegation table under Title 23 Section 106.

In this agreement DOTD is responsible to ensure that the federal transportation funds are properly obligated, authorized and utilized. (Federal authorization is when FHWA officially approves the project and establishes the funding for the project in the federal financial system.) For all projects, including LPA projects, this responsibility extends from the programming of the funds through project completion and closeout.

On local routes LPAs are responsible for all aspects of design and construction inspection to DOTD's standards ensuring the project is constructed in accordance with the contract documents and specifications unless the project is part of the Off-System Bridge Replacement (OSBR) Program, the Local Road Safety Program (LRSP), Safe Routes to Public Places (SRTPP) or otherwise established in the Entity State Agreement.

The LPAs may employ the services of DOTD to administer local projects. In order for DOTD to administer the engineering phase of a project, prior to the execution of a phase, the LPA must provide the estimated required matching funds plus the amount of estimated DOTD indirect cost (IDC) funds at the time of contract execution.

Notes:

- State Routes: DOTD should hold the contract on all phases of the projects that are on state routes.

Local Public Agency Manual *Project Administration Overview*

- High-risk Entities: DOTD should hold the contract all projects for entities that have been deemed “high-risk”. The funds will have to be provided prior to DOTD entering into any contract.

Some programs allow Federal Funds to be used for the design and construction inspection, but the contracts must be advertised and selected through the DOTD [Consultant Contract Services process](#) (unless the LPA has a federally approved selection process). Funds are not accessible until the project is authorized by FHWA.

The LPA sponsored projects must be compliant with all applicable Federal and State requirements. Non-compliance can result in partial or complete withdrawal of Federal participation in the project. In the event of the LPA’s noncompliance with applicable requirements, DOTD may impose such contract sanctions as it, or the Federal Highway Administration (FHWA), may determine to be appropriate, including but not limited to withholding of payments to the LPA until the LPA complies and/or cancellation, termination, or suspension of the Entity-State Agreement, in whole or in part. Where reimbursements have been made, FHWA has the authority to seek repayment from DOTD for non-compliance. DOTD has the authority to seek repayment from the LPA if the LPA’s non-compliance is not resolved.

Depending on the program, Federal funds can fund many types of projects.

Types of Projects Eligible for Federal Funds

- Roadway Construction (new or pavement preservation)
- Rehabilitation or Replacement of Local Deficient Bridges
- Transportation Studies
- Roadway Safety
- Traffic Signalization
- Pedestrian and Bicycle Facilities
- Conversion of Abandoned Railway Corridors to Trails
- Pedestrian and Bicycle Routes to Public Places for Safety Improvements
- Recreational Trails

Eligible Uses of Federal Funds within the LPA Programs

The eligible phases are: preliminary engineering (design), right-of-way acquisition, utility relocation, construction, and construction engineering and inspection. **EACH PROGRAM IS SPECIFIC ON THE PHASES IT WILL FUND. CHECK WITH THE PROGRAM MANAGER FOR ELIGIBLE PHASES WITHIN A SPECIFIC PROGRAM.**

*Local Public Agency Manual
Project Administration Overview*

If Federal Funds are used on ANY phase of a project, ALL phases must follow DOTD/FHWA policies and procedures. Failure to do so will result in the forfeiture of ALL Federal Funds in **every** phase.

If 100% Local Funds are used for preliminary engineering (pre-construction), the LPA can either perform the work with in-house staff or select their own consultant to help with work using state procurement laws.

If Federal Funds are used for preliminary engineering (with local and/or state match), FHWA requires DOTD to facilitate the advertising of the consultant contracts and the bidding of the construction projects. If Federal funds are used for a project, DOTD selects the consultants and advertises construction projects even though the LPA **signs** both of these contracts. If the LPA has an FHWA approved consultant selection process, they can choose their consultant. *The Exception: If prior to the contract execution the Entity provides the matching funds plus the DOTD indirect cost (IDC) for a consultant contract to the DOTD, DOTD will hold the contract. This must be stated in the Entity-State Agreement.*

DOTD has a federally approved selection procedure because it incorporates the Brooks Act into its selection process. LA State Law procurement requirements for professional services do NOT meet the Brooks Act.

The Brooks Act (USC 40 Ch.) requires agencies to promote open competition by advertising, ranking, selecting, and negotiating contracts based on demonstrated competence and qualifications for the type of engineering and design services being procured, and at a fair and reasonable price.

In addition to the consultant selection, DOTD HQ advertises for bid ALL Federally funded construction projects for the LPA. The DOTD headquarters' procedures for both consultant selection and bidding activities have been previously approved by FHWA and meet all Federal requirements. (Even the DOTD district offices are not allowed to bid Federally funded construction projects.)

Matching funds - DOTD Transportation Trust Funds (TTF) are designated for State owned roads. The only exception is the Off-System Bridge Replacement Program which was amended by law. The LPA is required to provide match for their projects.

*Local Public Agency Manual
Project Administration Overview*

Stage of a Project	LPA Paying 100%	Federal Funds will Reimburse costs
Conceptual Plans and Environmental Decision	LPA can do work or select a consultant	DOTD process used for consultant selection
Preconstruction Engineering	LPA can do work or select a consultant	DOTD process used for consultant selection
Right-of-Way Acquisition and Relocation	LPA purchases – must follow fed. procedures	LPA purchases – must follow Federal procedures
Utility Relocation	LPA handles	LPA handles – must follow DOTD procedures
Construction Engineering & Inspection	LPA can do work or select a consultant	DOTD process used for consultant selection
Construction Bid	N/A	DOTD process used for project - award to low bid contractor

Current National Transportation Law



Fixing America's Surface Transportation (FAST) Act

The [Fixing America's Surface Transportation \(FAST\) Act](#) was signed into law on December 4, 2015. It provides long-term funding for surface transportation infrastructure planning and investment. The FAST Act authorized \$305 billion over fiscal years 2016 through 2020 for highway, highway and motor vehicle safety, public transportation, motor carrier safety, hazardous materials safety, rail, and research, technology, and

Local Public Agency Manual Project Administration Overview

statistics programs. The FAST Act maintains a focus on safety, keeps intact the established structure of the various highway-related programs we manage, continues efforts to streamline project delivery and, for the first time, provides a dedicated source of federal dollars for freight projects. With the enactment of the FAST Act, states and local governments have the confidence that they will have a federal partner over the long term. The FAST Act codified the online system to track projects and interagency coordination processes.

Each program has a fact sheet that can be found at <https://www.fhwa.dot.gov/fastact/factsheets/>. The Fact sheets on FAST Act provide program questions and answers. They identify the types of projects that are eligible for each funding program

FAST Act Impacts on LPAs

The funding categories that affect the LPA are:

- Off-System Bridge Replacement will be continue to be managed by the DOTD and is located in the Surface Transportation Program (STP).
- Greater than (>) and less than (<) 200K Urban System projects are continuing to be funded out of the same federally designated program (STP).
- CMAQ program will receive applications from the MPOs.
- HSIP is safety on all public roads and will maintain its Local Roads Safety Program which is administered through LTAP. Louisiana DOTD will fund a new program, the Safe Routes to Public Places Program, with safety money. These projects are required to be data driven.
- Planning for the major metropolitan areas will continue to be coordinated by the MPOs. A MPO area is established for urbanized areas greater than 50K
- Transportation Alternatives Program continues to combine the distinct programs: Scenic Byways, Safe Routes to School, Recreational Trails and Transportation Enhancements Programs into one program

Federal Aid Essentials Videos



Federal-aid Essentials for Local Public Agencies is a transportation resource designed by FHWA to help

local agency professionals navigate the Federal-aid Highway Program. The Federal-aid Essentials Web site contains a resource library of informational videos and related materials. Each video addresses a single topic in a broad way and condenses the complex regulations and requirements of the Federal-aid Highway Program into easy-to-understand concepts and illustrated examples.

Local Public Agency Manual

Project Administration Overview

The topics include:

- [Federal-aid Program Overview](#)
- [Civil Rights](#)
- [Environment](#)
- [Finance](#)
- [Right-of-Way](#)
- [Project Development](#)
- [Project Construction and Contract Administration](#)

Responsible Charge

In accordance with Federal Regulation 23 CFR 635.105, the LPA must provide a full time employee of the LPA to be in “responsible charge” of a project. This person is not required to be engineer, and is required, even if a consultant is retained by LPA, to perform the duties of Entity’s engineer. This position is not a full time job, but must be full time on the LPA’s staff (not a consultant hired by the LPA). It does not have to be the same person in design as in construction but, any change to the designated person requires written notification of DOTD.

Duties/Expectations when the LPA holds the contract: The Responsible Charge acts as the primary point of contact for the LPA with the DOTD Project Manager / DOTD Project Coordinator. They must attend and be involved in all key project related meetings and decisions involving the scope, schedule and/or budget. (A consultant does not have the authority to commit the LPA to additional money or a change of scope.)

IF THE RESPONSIBLE CHARGE IS NOT IN ATTENDANCE IN A KEY MEETING, THE MEETING WILL BE CANCELLED

As primary point of contact for the LPA, the Responsible Charge should oversee project activities including:

- Scope – Is involved in any decision that allows deviation from the approved project scope
- Schedule – Monitors the time adherence to contract requirements
- Budget (Costs) – Can make fiscal decisions and keeps decision makers informed of changes
- Documentation – Ensures proper documentation is being kept throughout the project

*Local Public Agency Manual
Project Administration Overview*



The qualities that DOTD Project Managers consider as good traits of a responsible charge are following.

Best practices for a Responsible Charge:

- Sets a project schedule with the consultant and then sticks to it.
- Has attended the LPA training.
- Completes the quarterly or monthly reporting forms.
- Is an active participant in meetings
- Reviews consultants responses to DOTD comments, ensuring that the comments are addressed or have a good explanation as to why they weren't (Just doesn't pass the plans through without looking at them)
- Attends all project related meetings.
- Visits project site as needed.

**These are LPA projects. It is
the LPA's responsibility to keep
it moving!**

On Local Routes:

If the LPA chooses for DOTD to hold the contact for a project phase, both DOTD and the LPA will have a Responsible Charge. (DOTD limits Responsible Charge duties to when they hold the contract.) In this situation the duties of the LPA responsible charge will be modified as following:

- Acts as primary point of contact for the LPA with DOTD
- Participates in decisions regarding cost, time, and scope of the project including changed/ unforeseen conditions or scope changes that require change orders or supplemental agreements
- Visits and reviews the project on a frequency with the magnitude and complexity of the project or as determined by the DOTD Responsible Charge
- Attends projects meetings as determined by the DOTD Responsible Charge; and shall attend the project's "Final Inspection".

*Local Public Agency Manual
Project Administration Overview*

Reporting Requirements for Federal Aid Projects

In order to facilitate better communication between the DOTD project manager and the LPA, DOTD has instituted a reporting system. Web based forms have been created for each program to allow easy completion by the Responsible Charge. These forms communicate the LPA's perceived status of the project to the Project Manager. Status updates for the projects in the federal programs are required. The Urban System Program monthly status reports are sent to the DOTD Project Manager, DOTD District Administrator, and the MPO. The TAP, SRTS, and LRSP programs all require quarterly status updates. These reports are sent to the DOTD Program Manager and the DOTD District Administrators. The forms can be submitted electronically. The forms can be found on the website. **For detailed information see LPA Manual, Engineering.**

http://wwwsp.dotd.la.gov/Inside_LaDOTD/Divisions/Administration/LPA/Pages/Forms.aspx

Stages of a Transportation Project

Every project – no matter how big or small – has to go through all of the DOTD project stages. For funding purposes, the projects are broken into phases. The following is the relationship between the stages and corresponding phases.

Local Public Agency Manual
Project Administration Overview

Relationship Between Stages and Phases			
Stage No.	Description (Stage)	Phase No.	Description (Phase)
0	Feasibility/Planning	1	<i>Feasibility/Planning</i> - Develops scope and alternatives. Identifies what we are going to do, if we can afford it and what needs to be done. (Will it work? Can we build it? What are the options for building it? How much money is available? Is there a need for the project?),
1	Environmental	1, 2	<i>Feasibility/Planning, Environmental</i> - Selects the preferred alternative and culminates in an environmental closure
2	Funding		Establishes a project design and development completion date or Project Delivery Date (PDD)
3	Preconstruction	2, 3, 4, 5	<i>Environmental, Design, Right-of-way, Utilities, Engineering</i> - Executes project development within the scope, on schedule, and within budget
4	Bidding (Letting)		Readies the project to be bid for construction
5	Construction	6	<i>Construction</i> - Administers a construction project from receiving the approved contract from Stage 4 through the final acceptance of the constructed project
6	Maintenance		Post construction activities such as disposing of excess right-of-way; documenting the addition of any utilities permitted on the right-of-way; ensuring compliance with post-construction environmental commitments; and maintaining the facility in acceptable condition

Local Public Agency Manual
Project Administration Overview

All phases must conform to Federal Law if Federal Funds are used for ANY phase. The LPA should carefully consider the procedures required by the funding types for each phase of project development when developing project schedules. Using Federal funds in any phase may require additional work or activities in prior work phases or require certain commitments or compliance in later work phases. A written Notice to Proceed (NTP) is required from the Project Manager to begin any reimbursable phase of a project.

Stage 0 - Planning and Feasibility

Planning from the State Perspective

What is the State's role in transportation?

1. To provide for the international, interstate, interregional, and interurban movement of people and goods.
2. To maintain a basic farm-to-market network.
3. To address identified traffic operations and safety issues on state-maintained highways.
4. To assist local government officials in addressing local transportation needs.
 - a. Administer programs (Off-System Bridge Replacement, Local Road Safety Program, Transportation Alternative Program, Safe Routes to Public Places, Urban Systems Program, Airport Priority Program, Port Priority Program, Rural Transit, Urban Transit)
 - b. Advice and training (LTAP)
 - c. Planning assistance in metropolitan areas and on a pilot basis in non-metro areas
 - d. Parish Transportation Fund (by formula)
 - e. Flood control program and public works support

Local Transportation Planning

The objective for local planning is to improve the local transportation system to benefit the citizens in the local community. Projects should support plans to accomplish local and community goals; both short & long term.

Local Public Agency Manual

Project Administration Overview

Why is planning important? It allows the LPA to direct growth rather than simply being the recipient of growth, it provides consistency and predictability, which leads to economic development, and it leverages public investment with private development.

What is a Comprehensive Plan? It is shared community vision, goals & objectives and provides a policy blueprint for 15-20 years in the future. It allows for coordination of government and private programs, major projects and funding opportunities. It is comprised of “Elements”: land use, transportation, economic development, public infrastructure/utilities, housing and human services, parks and open spaces, historic, environment and coastal resources, community facilities

Why Plan? It was not emphasized in the past and has led to entities being in responsive mode, rather than being proactive and able to manage change and growth in communities. We strongly encourage an LPA to plan, but it is NOT mandated. An advantage of a plan is that it allows the LPA to write a better application thus increasing the project’s chance of being selected and being successful. Projects that support local plans will be given priority during evaluation

Getting Started

1. Link transportation needs to community vision, goals and objectives
2. Identify a fact-base: Document locations and baseline conditions of existing facilities
3. Engage a team of key stakeholders that meet regularly to develop the plan
4. Incorporate public participation – input & transparency
5. Summarize results from 1

Planning Actions

1. Communicate your initial summary & opportunities within your LPA
2. Use your initial summary to identify and prioritize locations needing improvement
3. Use or set policies for transportation improvements
4. Estimate preliminary costs for improvements
5. Finalize plan – Write it down & publicize
6. Identify funding sources for plan implementation



Things to consider when developing a plan

Economic Development

Three things people call “economic development”

Local Public Agency Manual
Project Administration Overview

1. True Economic Development (net increases in employment & income for the state)
2. Real Estate Development (shifts or growth in population & retail sales)
3. Attempts to Stimulate Economic Growth (attempts to reverse economic decline & poverty)

Manage Growth

1. Develop a long-range (20-year) vision
2. Set some goals to achieve that vision
 - a. Preserve character of towns
 - b. Define and develop city centers/downtowns
 - c. Architectural themes/standards/zones
 - d. Placement of schools and other public facilities
3. Develop a land use plan that compliments the goals
4. Establish mechanisms to implement the plan (zoning, tax incentives)
5. Consider development codes and sign ordinances

Invest in Infrastructure

1. Develop a plan
2. Protect local infrastructure – weight enforcement
3. Improve local roads
4. Build new roads to develop grid
 - a. Think about transit
 - b. Serving the elderly
5. Workforce development
6. Think about walking and biking
7. What about other modes – airport, railroad, port

Hold Developers Accountable

1. Require mitigation of impacts
 - a. DOTD has a traffic impact policy for state highways
 - b. Many local governments assess impact fees
2. Manage access to improve safety and efficiency
 - a. require interconnection of parking lots
 - b. don't allow driveways too close to intersections
 - c. limit number and spacing of driveways
3. Consider the future – building setbacks
4. Work with the Metropolitan Planning Organization if applicable
Regional Discussion and Visioning (The MPO staff can assist with the following.)

Local Public Agency Manual Project Administration Overview

- Provide a forum for discussion of regional transportation issues
- Forge consensus on a vision for the metropolitan area
- Develop goals to achieve that vision
- Regional Planning and Coordination
- Develop a regional transportation plan based on the vision and goals
- Provide advice, technical data and analyses, and information to assist in local planning efforts
- Coordinate local land use and transportation plans
 - among local governments
 - with the regional transportation plan

Administer Transportation Funds

1. Administer an open, transparent decision-making process for setting priorities and allocating available funds to implement the regional plan
2. Build consensus on regional priorities for requests for additional state or federal funds

References for plans

- MPOs - http://wwwsp.dotd.la.gov/Inside_LaDOTD/Divisions/Multimodal/Transportation_Planning/Pages/Metropolitan_Planning_Organizations.aspx
- DOTD Stage 0 Manual - http://wwwsp.dotd.la.gov/Inside_LaDOTD/Divisions/Engineering/Environmental/Pages/Stage_1.aspx
- Center for Planning Excellence (CPEX) <http://cpex.org/>
- FHWA - <http://www.fhwa.dot.gov/planning/>

Community Level Transportation Plans - Examples of Comprehensive Plans

- Town of Jena - <http://jenavision.blogspot.com/>
- Tangipahoa Parish - <http://www.cpex.org/tangipahoa-parish>
- Vernon Parish - <http://www.planvernonparish.org/wp-content/uploads/2013/11/Vernon-Parish-Transportation-Plan-FINAL.pdf>
- West Feliciana Parish - <http://westfelicianatogether.frego.com/documents/AprilSupportCommitteeWF.pdf>
- St. Tammany Parish – New Directions 2025 - <http://www.stpgov.org/new-directions-2025>

Local Public Agency Manual
Project Administration Overview



Example of a successful plan



The Town of Jena created a plan, the *Jena Vision* for transportation & mobility priorities. They knew that Hwy 84 was going to be expanded. They wanted to ensure it would be expanded in a context sensitive manner. They wanted to improve the street network, maintain the existing roadway character, and expand transportation choices. Mayor McMillan from the Town of Jena said, “Jena’s long-range strategic plan, called *Jena Vision*, has been our key to success in growing a smart, sustainable community. Success in improving quality of life and sustainable growth of a community hinges on a well thought out long-range plan of action. Potential partners rely on the quality of a communities planning effort in selecting grant awardees.”

When creating a local plan, there are statewide and regional plans that should, also, be considered.

1. Metropolitan Transportation Plans (MPOs)
2. LA Bicycle Pedestrian Master Plan
3. LA Bicycle Suitability Map
4. LA Bicycle Goals Map (under development)
5. LA Complete Streets Policy
6. Louisiana Strategic Highway Safety Plan
7. Regional Safety Plans

Resources for a Local Plan

1. MPO *Metropolitan Transportation Plans* (MTP) - MPOs develop an MTP every four to five years to guide transportation system development over a 20-year planning horizon. The MTP presents a vision and goals for a region's transportation system
2. The *LA Statewide Bicycle and Pedestrian Master Plan* at http://wwwsp.dotd.la.gov/Inside_LaDOTD/Divisions/Multimodal/Highway_Safety/Bicycle_Ped/Pages/MasterPlan.aspx established master plan goals. These goals include, social equity, personal safety, economic development, public health, and environmental stewardship.
3. The purpose for the *Statewide Bicycle Suitability Map* is to provide the users with a tool to easily identify bicycle routes. It also identifies regional or national bike routes.
http://wwwsp.dotd.la.gov/Inside_LaDOTD/Divisions/Multimodal/Data_Collection/

Local Public Agency Manual
Project Administration Overview

[Mapping/Bicycle%20Map/Louisiana%20Bicycle%20Suitability%20Map%20%E2%80%93%202012%20\(side%20\).pdf](http://www.dotd.la.gov/Mapping/Bicycle%20Map/Louisiana%20Bicycle%20Suitability%20Map%20%E2%80%93%202012%20(side%20).pdf) .

4. DOTD's *Complete Streets Policy* Statement is to develop a comprehensive, integrated, connected network for Louisiana that balances access, mobility, and safety needs for motorists, transit users, bicyclists, and pedestrians of all ages and abilities, including users of wheelchairs and mobility aids. The Complete Streets policy is located on the DOTD website at http://wwwsp.dotd.la.gov/Inside_LaDOTD/Divisions/Multimodal/Highway_Safety/Complete_Streets/Pages/default.aspx

It ensures a fully integrated transportation system by planning, funding, designing, constructing, managing and maintaining a complete and multi-modal network that achieves and sustains mobility, while safely accommodating pedestrians, bicyclist and transit users.

There are exceptions to the policy. These exceptions include the following types of projects.

- Interstate improvements prohibit bicycles/pedestrians by Law.
 - Pavement Preservation Projects (Overlays) that do not require additional rights-of-way to provide pedestrian & bicycle facilities
 - If the cost of the improvements exceeds 20% of the associated project cost
 - Other factors that can affect the application of policy including a general lack of need; e.g. Sidewalks in rural areas may not be appropriate
 - A condition of the installation is the acceptance of maintenance and liability of the improvements (sidewalks, separate bike paths, lighting, landscaping) is the responsibility of the local jurisdiction and maintenance agreements must be in effect before the improvement is installed.
5. The statewide Strategic Highway Safety Plan (SHSP), Destination Zero Deaths, is located at <http://www.destinationzerodeaths.com/strategic/> . The goal of Louisiana's Strategic Highway Safety Plan (SHSP) is to reduce traffic crashes. It is led by DOTD, the Louisiana State Police (LSP), and the Louisiana Highway Safety Commission (LHSC). The plan outlines various ways safety stakeholders from throughout the state can make a difference.
6. In addition to the statewide coalition, there are Regional Safety Coalitions. The purpose of the Regional Safety Coalitions is to
- Review data to identify regional transportation safety problems;
 - Review the strategies from the statewide SHSP and determine relevance for the region;
 - Develop regional action plans;

*Local Public Agency Manual
Project Administration Overview*

- Assign responsibility for action step implementation; and
 - Report on progress to the statewide Emphasis Area Team leaders - (*Alcohol Related, Occupant Protection, Infrastructure & Operations, and Young Drivers*)
-

Regional Safety Coalitions in LA

1. Acadiana Traffic Safety Coalition
 2. Capital Region Transportation Safety Coalition
 3. Central Louisiana Regional Safety Coalition
 4. New Orleans Regional Traffic Safety Coalition
 5. North Shore Regional Traffic Safety Coalition
 6. Northeast Louisiana Highway Safety Partnership
 7. Northwest Louisiana Regional Safety Coalition
 8. South Central Safe Community Partnership
 9. Southwest Louisiana Regional Safety Coalition
-

Planning Expectations Summary:

- Develop a Local Transportation Plan if your LPA does not already have one
 - Projects Should Support **Local** Plans and Goals
 - Statewide Policies Should Be Considered in your projects
 - Projects Should Support **Statewide & Regional** Plans as Appropriate
-

*Local Public Agency Manual
Project Administration Overview*

The Entity-State Agreement

Federal law authorizes state transportation departments to enter into Entity-State Agreements with LPAs to administer Federal-aid projects provided certain criteria are met. Any LPA that chooses to take advantage of this opportunity must adhere to applicable state and federal laws

The Entity-State Agreement is a written/signed agreement between the state and the sponsoring entity (an LPA). It identifies the responsibilities and funding commitments of each entity and is a LEGALLY BINDING document. It is very important for the LPA sponsoring entity to understand what they are signing. The Entity-State Agreement template is located on the Consultant Contract Services DOTD website http://wwwsp.dotd.la.gov/Inside_LaDOTD/Divisions/Engineering/CCS/Pages/Manuals_Forms_Agreements.aspx

Every project must have an agreement signed by both parties before the project can move forward.

The LPA is required to provide a resolution by the governing body for the Transportation Alternative, Safe Routes to Public Places, and Local Roads Safety Programs before the Entity-State Agreement can be initiated. DOTD generates the Entity-State Agreement for the project prior to the initiation of any portion of the project that will require federal reimbursement.

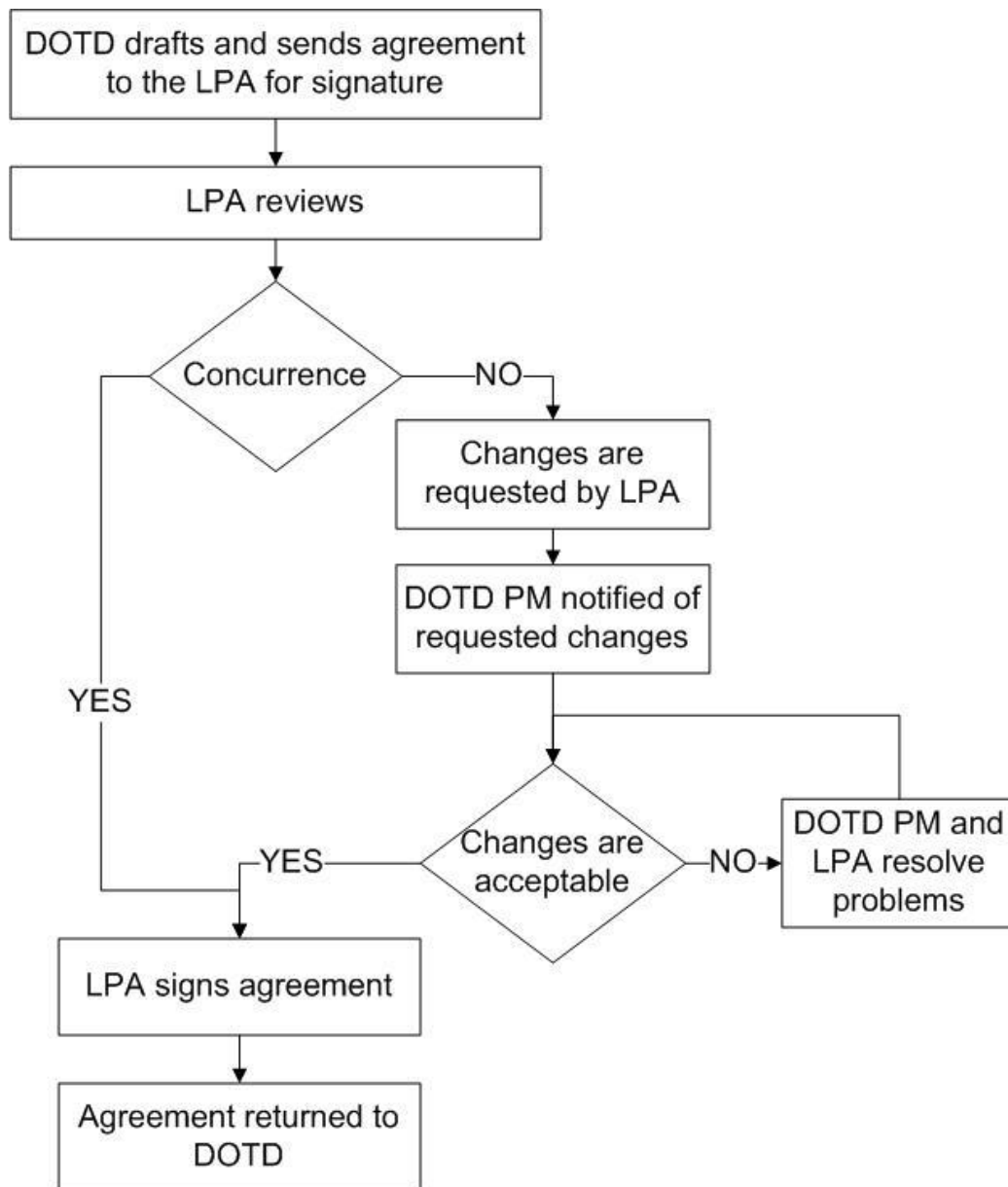
The agreement is a standard template. It cannot be individualized for each entity. It has standard language and contains articles that may not apply because the template encompasses all stages of a project.

The applicability of the section is determined by the “Responsibility Table” and the “Funding Table” (defined in the Article II, Funding section). If either of these two tables is modified to add a stage, the language of that stage will then apply. For example, if right-of-way participation changed from “no participation” at project initiation to “participation” during the project, the agreement would not have to add that section, but just change the responsibility and funding tables.

The LPA cannot start a reimbursable phase without an executed agreement. Therefore, review and signing of the agreement should be done ASAP by the LPA so that project progress is not halted. This task should be overseen by the Responsible Charge.

*Local Public Agency Manual
Project Administration Overview*

The process



Supplemental Agreements - If changes to the responsibilities or scope arise during project development, a Supplemental Agreement may be needed. Any Supplemental Agreements must be generated, approved and processed by DOTD. The Supplemental Agreements to the Agreement are executed between DOTD and the LPA.

Local Public Agency Manual
Project Administration Overview

If any Federal funding changes are made for the Safe Routes to Public Place, Local Roads Safety Program or Transportation Alternatives Program, a revised Funding Commitment Letter is sent to the Responsible Charge. If Federal funding changes on an Urban System project, is reflected in the MPO TIP.

Initiating an Agreement

For DOTD to initiate an Entity-State Agreement, the following information is required from the LPA.

- Project Name – Must conform to DOTD’s naming convention (40 total characters allowed)
- Project Description – At a minimum should include location, limits, construction type, drainage, bridge, traffic control devices, and enhancements
- Contracting/Signatory Party
 - Official name and title
 - Telephone number
 - Parish
 - Mailing address (Street address, City, State, Zip + 4)
 - Email Address
 - Data Universal Numbering System (DUNS) Number
 - Catalog of Federal Domestic Assistance (CFDA) Number
- Name of Contact Person (if different from signatory party) with their telephone number and email address

This information is placed at the beginning of all Entity-State Agreements. It identifies the project information in the project header. It also identifies that the DOTD and “Entity” (the LPA and MPO if in an urban area) agree to work together on this project.

Agreement identifying information

Each project is assigned a unique project number which will be sent to the LPA by the DOTD PM. This number with the project title and parish number should be place on all correspondence.

DOTD identifies Agreements by the following basic information, which except for the project number and DOTD district is provided to DOTD by the LPA. This information includes the following:

- The project number

Local Public Agency Manual
Project Administration Overview

- The project title
 - The parish and DOTD district where the project will be constructed
 - The LPA sponsoring entity's legal name, DUNS number and CFDA number (federal identification number)
 - A detailed project description & scope of work
 - Amount or percentage of federal funding eligible to be used for the project & matching funds required
-

Outline of the Articles in the Agreement

- I. Project Description
 - II. Funding
 - III. Project Responsible Charge
 - IV. Period of Performance
 - V. Consultant Selection
 - VI. Environmental Process
 - VII. Pre-Construction Engineering
 - VIII. Right-of-Way Acquisition and Relocation
 - IX. Transfer and Acceptance of Right-of-Way
 - X. Permits
 - XI. Utility Relocation/Railroad Coordination
 - XII. Bids for Construction
 - XIII. Construction Engineering and Inspection
 - XIV. Subcontracting
 - XV. DBE Requirements
 - XVI. Direct and Indirect Costs
 - XVII. Record Retention
 - XVIII. Cancellation
 - XIX. Compliance with Civil Rights
 - XX. Indemnification
 - XXI. Construction, Final Inspection and Maintenance
 - XXII. House Bill 1 Compliance
 - XXIII. Compliance with Laws
-

*Local Public Agency Manual
Project Administration Overview*

STATE OF LOUISIANA
LOUISIANA DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT
T
ENTITY/STATE AGREEMENT
STATE PROJECT NO. H.****
FEDERAL AID PROJECT NO. H*****
PROJECT NAME *****
ROUTE *****
*****PARISH

Example WHEREAS' –

WHEREAS, under the provisions of Title 23, United States Code, "Highways", as amended, funds have been appropriated out of the Highway Trust Fund to finance improvement projects under the direct administration of DOTD; and

WHEREAS, the Entity has requested an appropriation of funds to finance a portion of the project as described herein; and

WHEREAS, DOTD is agreeable to the implementation of the Project and desires to cooperate with the Entity as hereinafter provided:

WHEREAS, Entity is required to attend the mandatory Qualification Core Training and reference the Local Public Agency Manual

NOW, THEREFORE, in consideration of the premises and mutual dependent covenants herein contained, the parties hereto agree as follows:

ARTICLE I: PROJECT DESCRIPTION

(This article describes the type of improvement/project, location, type and description of work, and the assigned project number.)

Some of the items that may be included in a project scope are location, project limits (begin, end, length), construction type, parish, route number, pavement types, curb & gutter, roadway widths, drainage features (subsurface, open ditch), bridges, traffic control devices, enhancements, sidewalks, lighting, etc. All costs associated with the project shall be identified with the assigned project number.

Scope changes from the original detailed project description **are strongly discouraged**. Any scope changes MUST be approved by DOTD (and the MPO if in an urban area). All significant changes to the approved project scope or budget are

*Local Public Agency Manual
Project Administration Overview*

strongly discouraged after the original agreement has been signed. The change must have justification and written approval from the DOTD Program Manager. Scope changes require an adjustment to the project's Entity-State Agreement.

Scope change examples include: changing the project limits, changing the work intended, or changing the product. Scope changes have the potential to affect the eligibility of the project for funding in the program and/or require the environmental document to be reevaluated. Changes in scope after environmental clearance must be submitted to DOTD Environmental Section for review. The Responsible Charge must be involved in any/all scope changes.

DOTD Project Numbering System

All communication with DOTD on the project must use the designated project number. The assigned number remains with the project through all project phases. In the DOTD numbering system the first two numbers refer to type of project. A construction project uses "H.00" for tracking the project throughout the multiple phases. The next four numbers are job counts that are sequentially assigned when requests are made. The decimal number indicates the project phase.

- H.xxxxxx.1 Feasibility
- H.xxxxxx.2 Environmental
- H.xxxxxx.3 Right of Way
- H.xxxxxx.4 Utility Relocation
- H.xxxxxx.5 Design (Engineering)
- H.xxxxxx.6 Construction

ARTICLE II: FUNDING

(This article describes the funding arrangements and funding limits for the project work to be done. It defines who pays for what phase. Federal-aid funds are cost reimbursable funds provided to the Local Public Agencies by the FHWA through DOTD. This section defines the percentages required to match the Federal funds for each stage of the approved project (i.e. environmental decision, pre-construction engineering, construction, and/or construction inspection and administration (CE&I) cost)). (All sources of Federal-aid match are subject to federal requirements.)

Services eligible for reimbursement will be identified in the Funding Table. Only phases listed in the table as participative will be reimbursed. A reimbursable stage CANNOT begin prior to the execution of the Entity-State Agreement.

No Notice to Proceed shall be issued and no compensable costs may be incurred prior to a formal notification from DOTD that federal authorization has been received. Any

***Local Public Agency Manual
Project Administration Overview***

costs incurred prior to such authorization will not be compensable and nullifies the phase for reimbursement.

The agreement uses the Responsibility Table and the Funding Table to identify and consolidate all commitments in the Agreement into a central location. Each section of the Agreement listed in the Responsibility Table begins with “*If it is specified in the Funding Table, the environmental process is eligible as a project cost. The Responsibility Table defines whether DOTD or the Entity shall be obligated to complete the work specified in this Article.*”

**Responsibility Table¹
Roadway Control Section XXX-XX**

Responsibility Table ¹ Roadway Control Section XXX-XX			
	Entity	DOTD	Comments
Roadway Owner	Yes or No	Yes or No	
Environmental Process	Yes or No	Yes or No	
Pre-Construction Engineering	Yes or No	Yes or No	
Right-of-Way			
Services	Yes or No	Yes or No	
Acquisition and Relocation	Yes or No	Yes or No	
Permits	Yes or No	Yes or No	
Utility (Clearance/Permits)	Yes or No	Yes or No	
Construction	Yes or No	Yes or No	
Construction Engineering Administration and Inspection	Yes or No	Yes or No	
Construction Engineering Testing	Yes or No	Yes or No	
Non-roadway enhancement	Yes or No	Yes or No	

¹*This table defines who will perform the work involved with each item listed in their respective articles, either directly with in-house staff or through a consultant or contractor. This table does not address funding.*

*Local Public Agency Manual
Project Administration Overview*

Funding Table²

Roadway Control Section XXX-XX

Method of Payment Phase	Disbursement or Reimbursement		
	Percentage Paid By Entity ³	Percentage Paid By DOTD ⁴	Percentage Paid By FHWA ⁴
Environmental			
Preconstruction Engineering			
Right-of-Way			
Services			
Acquisition and Relocation			
Compensable Utility Relocation ⁵			
Construction Engineering and Inspection			
Construction			
Non-roadway enhancements			

¹This table defines who will perform the work involved with each item listed in their respective articles, either directly with in-house staff or through a consultant or contractor. This table does not address funding.

²Percentages are to be applied to the actual cost of the Project. A Funding Commitment Letter (FCL) outlining the project funding levels and limits has been sent with this Agreement and is to be approved and signed by the Entity. During the life of the Project, any approved funding changes will be made to the Funding Commitment Letter by the DOTD Project Manager and sent to the LPA Responsible Charge for processing. Where funding is limited to fixed amounts, the Funding Commitment Letter will identify the fixed amount of available funds.

³If DOTD holds contract on a Non-state route, any required matching funds and the DOTD administration fee must be paid to DOTD by the entity prior to any preconstruction contract action or construction letting. If DOTD holds the contract on a State route, any required matching funds must be paid to DOTD by the entity prior to any preconstruction contract action or construction letting.

⁴When DOTD consents to use its own staff to provide the required services, the staff will track their time and charge it to the cost of the Project at the indicated percentages.

⁵Includes railroads

Federal funds are eligible to pay for the environmental decision, pre-construction engineering, construction, and/or construction inspection and administration (CE&I) cost, but the allowable reimbursable phases are **program specific**.

*Local Public Agency Manual
Project Administration Overview*

LPA's can elect to pay 100% of any phase. Some programs limit the phases eligible for federal participation funding

The programs that allow Federal funds for all phases:

- Urban Systems Program
- Local Roads Safety Program (\$500,000 max total project)
- Safe Routes To Public Places (\$300,000 max total project)

The program that DOES NOT allow funding for all phases:

- Transportation Alternatives Program – This program only funds the construction phase. It does not fund engineering or CE&I

LPA's can apply for reimbursement based on work eligible for the program. If approved, the LPA may be reimbursed with federal/state funds for the eligible work. Any stage funding decision must be documented in the Entity-State Agreement and the LPA given **written** approval from DOTD to begin the stage to be eligible for reimbursement.

Cautions for the LPA using Federal funds:

- Project cost increases may be 100% Entity's responsibility
- Project work outside of scope may not be eligible for Federal funds
- Expenditures must be supported with documentation

Federal Funding Commitments - The specific funding amount can be identified in the Entity-State Agreement in two ways. The specific amount is either identified in the TIP/STIP or the DOTD Program Manager will identify the specific funding amount in the Project Funding Document.

Federal Funding Commitment for MPO projects

For the Urban System Program the percentages will be identified with a note included that "the percentages are to be applied to the amounts shown in the most current approved TIP including subsequent modifications and amendments".

Federal Funding Commitment Letter for Non-MPO projects

For the other programs, the "*Funding Commitment Letter*" will be sent from the DOTD Project Manager identifying the actual funding amounts. The DOTD Project Manager will send the *Funding Commitment Letter* with Agreement. The agreement can be revised with a revised commitment letter accordingly. The amounts may be limited by

*Local Public Agency Manual
Project Administration Overview*

the program. Any changes must be coordinated by the LPA with the DOTD Program Manager.

If DOTD is the Roadway Owner and the Entity is responsible for providing matching funds for construction, the estimated matching funds are required to be sent to DOTD prior to advertisement for construction.

The Responsible Charge must be aware of the funding commitments for the project that are specified in the agreement and ensure no reimbursable expenditures are made until the Agreement is executed (Entity holds contract). Any changes to the funding commitment letter will be sent to the Responsible Charge for processing. They must communicate any changes to the signatory authority and DOTD. They must ensure proper documentation is being kept. They must be involved in all financial transactions.

- **Deadlines to Proceed to Construction** – This is program specific. The maximum allowable time for construction to begin is before the end of 10th fiscal year from the time the project began. If the project has not begun by the end of the 10th fiscal year, any Federal funds expended on the project must be repaid.
- **Not Having Approval to Use Funds** - Prior to beginning reimbursable work, the LPA must obtain written approval from DOTD to begin work (Notice to Proceed - NTP). Not having this could jeopardize reimbursement.
- **Funding Cost Increases** - There are Federal-aid programs where additional funds are not available beyond the approved project amount; examples the Transportation Alternative Program (TAP). **The Entity will be responsible for any cost in excess of the maximum Federal funds for the project**
- **Additional Work Not in Contract** - Any work not specified in the contract authorized by the LPA without approval by the DOTD Program Manager may not be reimbursed. Reimbursable work **MUST** be approved by DOTD.
- **Funding Documentation** – The LPA is responsible to supply all cost records. If required records are not supplied DOTD will withdraw funding for the project and request the reimbursement of Federal funds expended on the project. A copy of the LPA's annual audit report of financials should be submitted to the DOTD Program Manager (PM). The DOTD PM will forward it to DOTD Audit Section for review and tracking as per the OMB Super Circular requirements.

OMB “Super Circular” 2 CFR

The federal Office of Management and Budget (OMB) implemented this “Super Circular” to streamline the government-wide guidance on Administrative Requirement, Cost

*Local Public Agency Manual
Project Administration Overview*

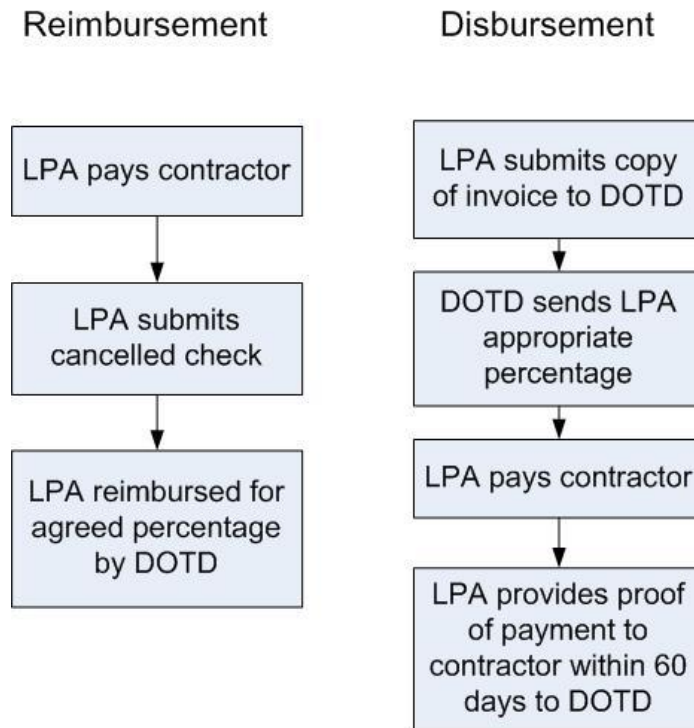
Principles and Audit Requirements for Federal awards. It consolidates 8 existing circulars. It was adopted December 26th, 2014.

Some of the key changes that affect FHWA are:

- All new LPA projects will require the ICQ form to be completed by the LPA prior to acceptance into a program.
http://wwwsp.dotd.la.gov/Inside_LaDOTD/Divisions/Administration/LPA/Forms/Internal%20Control%20Questionnaire.pdf
 - A project end date is required for all projects
 - <http://www.ecfr.gov/cgi-bin/text-idx?SID=877cbcfdb938179c907c4a31fc8c2e47&node=pt2.1.200&rgn=div5>
-

Disbursement – The DOTD Secretary has approved a process to allow the LPA to submit their invoices to DOTD for reimbursement before having a copy of a cancelled check.

The following diagram compares the disbursement process with the reimbursement process.



*Local Public Agency Manual
Project Administration Overview*

Upon receipt of the Entity's invoice, DOTD will pay the Entity the correct federal ratio of the approved project costs (i.e. pre-construction engineering services, right-of-way acquisitions, utility adjustments and/or the costs of construction) in the funding article. The LPA shall render invoices no more than monthly for disbursement, but no less than once every six months from the date of authorization. The invoices shall be submitted with an executed DOTD Cost Disbursement Certification (located on the DOTD Consultant Contracts website:

http://wwwsp.dotd.la.gov/Inside_LaDOTD/Divisions/Engineering/CCS/Pages/Manuals_Forms_Agreements.aspx) by the proper designated official of the LPA. Upon receipt of each disbursement request, the Entity is required to tender payment for the invoiced cost to the vendor. Within sixty (60) days from receipt of payment from DOTD, Entity will provide proof to DOTD of said payment to the contractor. All such charges shall be subject to verification, adjustment and/or settlement by the DOTD's Audit Officer.

Consultant invoices must have the proof of payment of the previous invoice attached starting with invoice number 2 and applying to all subsequent invoices unless they are consistently sent every month.

For Disbursement:

- **Engineering** - Engineering invoices should be filed with DOTD on a monthly basis. They should be transmitted to DOTD Project Manager. The submittal should include the invoice summary sheets, back-up documents, cost records, and the cost disbursement certification. They must have the proof of payment of the previous invoice attached starting with invoice number 2 and applying to all subsequent invoices.
- **Construction**: The LPA sends the executed DOTD Cost Disbursement Certification to the DOTD Project Manager or the DOTD Project Coordinator. The DOTD Headquarters Estimate Section will prepare the paperwork for payment to LPA. The LPA will transmit the back-up documents to the DOTD Project Coordinator. The LPA must pay the contractor within the limits of the contract.
- **Proof of Payment** – Proof of payment is either a copy of the cancelled check showing the back and front or a copy of the electronic transfer. The LPA is required to provide proof of payment of the invoice within 60 days of receiving the funds from DOTD for construction invoices.

For detailed information see LPA Manual, Engineering.

Local Public Agency Manual
Project Administration Overview

Time Limits – All final billings for all phases of work is required within one year after the notification of final acceptance of the project. Failure to submit these billings within the specified 1 year will result in the project being closed on previously billed amounts and any unbilled costs will become the responsibility of the LPA.

Non-compliance with Federal/State laws and/or regulations – The LPA shall reimburse DOTD any and all cited amounts for non-compliance within 30 days of notification. All future payment requests from the LPA will be held until the cited amount is exceeded at which time only the amount over the cited amounts will be released for payment. No new projects will be approved until cited amount is reimbursed.

Non-participating items - DOTD will not participate in the cost of items not constructed in accordance with the approved plans and specifications. The LPA will be obligated to assume full financial responsibility of those items. If DOTD cites the LPA for noncompliance with Federal/State laws and/or regulations, the LPA will reimburse the DOTD any and all amounts that are cited. The cited amounts reimbursed by the LPA will be returned to the LPA upon clearance of the citation(s). If the LPA fails to reimburse the DOTD any and all cited amounts within a thirty (30) day period after notification, all future payment requests from the LPA are held until the cited amount is exceeded at which time only the amount over and above the cited amount(s) will be released for payment. No new Local Public Agency project will be approved until such time as the cited amount is reimbursed to the DOTD.

Final Billing - All final billings for all phases of work must be submitted within one year after the completion of final acceptance of the project. The project will be closed in the specified year. Any unbilled cost is the responsibility of the LPA.

Responsible Charge Duties

- Understand the choice of the payment method outlined in the agreement
 - Old agreements may have the disbursement amendment added to the agreement
 - Reimbursement - Provide the copy of cancelled check or electronic transfer with invoice
 - Disbursement – Ensure the Disbursement Form is submitted with invoice and proof of payment is received within 60 days for construction or with the subsequent invoice for engineering.
- Ensure correct and sufficient documentation is being collected
 - All documentation of pay quantities shall conform to DOTD policies and procedures.
 - Engineering invoices are sent to the Project Manager.
 - Construction invoices are generated by SiteManager and are directly sent to DOTD.

*Local Public Agency Manual
Project Administration Overview*

- Ensure contractors are paid in accordance with Federal and State Law time limits. (The contract is between the LPA and the contractor).

***** ARTICLE III***: PROJECT RESPONSIBLE CHARGE**

(This article defines expectations of having a full time entity employee in “responsible charge” of the project and the duties required of this person. The language placed in this article is from the FHWA responsible charge guidance. This requirement applies even when consultants are providing design and/or construction engineering services.)

The LPA Responsible Charge should know the status of the project and where the money is being spent. The LPA must complete and return the *Responsible Charge Form* to DOTD. If the Responsible Charge changes, the LPA must complete a new form and send it to DOTD.

For detailed information on Responsible Charge engineering responsibilities see LPA Manual, Engineering.

***** ARTICLE IV***: PERIOD OF PERFORMANCE**

(This article explains the period project costs can be incurred. Costs incurred after the end date are not eligible for reimbursement.)

The DOTD PM will send the LPA a Period of Performance written notification for each authorized stage/phase noting the begin/end dates and any changes.

***** ARTICLE V ***: CONSULTANT SELECTION**

(This article defines the requirements and process to procure a consultant if Federal funds are used to perform work for a phase of a project. DOTD will select the consultant. The LPA will enter into a contract prepared by DOTD under the direct supervision of the LPA’s Responsible Charge. This article, also, warns that no work can take place until notification by DOTD of the fully executed contract.)

An LPA can decide to pay for the engineering work completely with their funds, or ask for federal/state funds to reimburse the cost of this work. This decision must be documented in the funding table in the agreement. If there are no Federal funds in the

*Local Public Agency Manual
Project Administration Overview*

design, the only requirement is that the selected consultant cannot be on DOTD's disqualification list, has been debarred or has not attended appropriate LPA modules.

NOTE: If services will be performed by a consultant, they will be under the direct supervision of the LPA's "Responsible Charge" who will have charge and control of the project at all times. (No reimbursable work shall take place until notification by DOTD of the fully executed contract between the Consultant and the LPA and that work can begin.)

For detailed information see LPA Manual, Engineering

*****ARTICLE VI***: ENVIRONMENTAL NEPA PROCESS**

(This article describes the National Environmental Protection Act (NEPA) requirements that must be processed & documented. It mandates adherence to state and federal laws. NEPA requirements apply to all projects. It is important for the environmental process to be properly followed so projects can progress to the next stage.)

During the NEPA process if a project has more environmental impacts than expected the project may need to be re-scoped for feasibility. The environmental document must be approved prior to acquiring the right-of-way. The Responsible Charge must be involved in any/all environmental problems that may affect the project.

The project must be developed in accordance to the National Environmental Policy Act (NEPA) as amended and its associated regulations and FHWA applicable laws, regulations, rules and guidelines, in particular 23 CFR Parts 771,772, and 774. DOTD required processes and policies are found in the latest version of the DOTD "Stage 0: Manual of Standard Practice" and the "Environmental Manual of Standard Practice".

All of the documents prepared by the entity or the entity's consultant must be submitted to DOTD for approval.

For detailed information see LPA Manual, Engineering.

*Local Public Agency Manual
Project Administration Overview*

***** ARTICLE VII***: PRE-CONSTRUCTION ENGINEERING**

(This article states that all pre-construction engineering design services includes the requirements necessary for the preparation of complete plans, specifications and estimates for the proposed improvements developed per DOTD and federal requirements, the latest editions of the Louisiana Standard Specifications for Roads and Bridges, 23 CFR Part 630, "Preconstruction Procedures")

The design must comply with 23 CFR Part 625, "Design Standards for Highways, and DOTD guidelines. The plan format and specifications must conform to DOTD's standards for bidding. The plans must include all applicable accessibility codes.

Schedule – A schedule should be worked out with the designer. If there are no reimbursable funds in design, the design may begin at any time. If there are Federal funds, the LPA must wait for notification from DOTD to issue a notice to proceed.

Disqualification List – Work will not be accepted if designed by a consultant on the DOTD disqualification list or has been debarred.

Contract Cost attributable to error or omissions – The LPA is responsible for these costs.

Work Prior to NTP - No reimbursable work can begin until DOTD notifies the LPA in writing to issue a Notice to Proceed (NTP)

Not meeting Project Schedule - LPA programs are allowed a specified amount of funding allocated to be spent each fiscal year. It is important to develop an accurate project schedule. Projects missing their schedule will have to be worked into the program manager's future funding schedule, which may cause the project to be delayed.

Design Standards - All designs and engineering documents shall be prepared in accordance with the latest editions, supplements and revisions of the required DOTD manuals, when applicable. Deviations from Design Standards require design exceptions signed by the DOTD Chief Engineer. The LPA is responsible for any design exception using the DOTD's *Design Exception/Design Waiver Form*. The LPA Responsible Charge will complete, sign, and forward the document to the DOTD program manager.

Documentation Submittal - Plans will not be considered delivered until all permits and agreements (right-of-way, utilities, environmental and railroad) are completed. A completed package requires: final signed, sealed, dated plans signed by both the entity and the designer of record signatures, final technical specifications with the cover sheet signed and stamped by the responsible parties, final plans, specifications & cost estimate (PS&E), copies of the issued permits, the completed utility certification form, and the *LPA Verification Letter* requirements.

The *LPA Verification Letter* includes the following acknowledgements.

*Local Public Agency Manual
Project Administration Overview*

- The LPA is aware this is a cost-reimbursable program
- The LPA is aware it must provide any additional funds required to build the project if it concurs with bid award
- The LPA is aware they must provide construction administration and inspection & testing conforming to DOTD policies and procedures
- The LPA is responsible for maintenance and liability

Project Maintenance Operation and Inspection Plan (MOI Plan) – This plan covers the managing, financing, inspecting and repairs to the project in accordance with applicable codes and design guides for each component of the project. It must be provided to DOTD prior to the project bidding.

- For landscaping projects the MOI plan shall cover all components of maintenance (mulching, pruning, weeding, mowing, etc.).
- For lighting systems projects the MOI plan shall meet the requirements that are outlined in the latest edition of the DOTD publication, “A GUIDE TO CONSTRUCTING, OPERATING AND MAINTAINING HIGHWAY LIGHTING SYSTEMS”. The LPA must provide DOTD with documentation of the utility service account in the LPA’s name when projects are built on state rights-of-way.

For detailed information see LPA Manual, Engineering.

*****ARTICLE VIII**: RIGHT-OF-WAY ACQUISITION AND RELOCATION**

(This article describes how the LPA shall acquire all real property and property rights required for the project in accordance with all applicable State and Federal laws and regulations. This applies even if the project has not begun the state/federal process. If an entity begins a project without planning to use federal funds, then adds federal funds, previous land acquisitions or donations may jeopardize the project’s federal eligibility.

*NOTE: The Federal Relocation Assistance and Real Property Acquisition Policies (The Uniform Act) has different requirements than state law, so the LPA **must** contact the DOTD Real Estate Section FIRST to make sure they know the federal requirements!*

This article, also, describes the required LPA Assurance Letter, certification and review/audit of R/W files, and assurances that the project will be constructed within the existing right-of-way or within the right-of-way acquired by the LPA for the project, as shown on the construction plans. It specifies that design surveys, right-of-way surveys and the preparation of right-of-way maps shall be performed in accordance with the DOTD requirements.

*Local Public Agency Manual
Project Administration Overview*

An LPA can decide to pay for right-of-way all on their own, or ask for federal/state funds to reimburse the cost. Even if the LPA pays for the right-of-way, the Federal rules must be followed to ensure that construction of the project can be paid for with Federal funds.)

The right-of-way acquisition must comply with all applicable state and Federal laws; Title 49 CFR, Part 24 as amended, Title 23 CFR, Part 710 as amended, DOTD's Right-of-Way Manual, DOTD's LPA Right-of-Way Manual, DOTD's Guide to Title Abstracting and any official written instructions from the DOTD Real Estate Section.

DOTD will acquire the required property if it is a state route. If it is not a state route, the entity will acquire the required property.

For detailed information see LPA Manual, Engineering.

*****ARTICLE IX***: TRANSFER AND ACCEPTANCE OF RIGHT-OF-WAY**

(This article describes how right-of-way parcels which will not remain in the State Highway System after completion and acceptance of the Project, will be transferred by DOTD, in full ownership, to the LPA, upon Final Acceptance of the Project by the Chief Engineer of DOTD. It, also, obligates the LPA to maintain and operate these improvements, all at its sole cost and expense, and in perpetuity. The LPA agrees to hold harmless and indemnify and defend DOTD against any claims of third persons for loss or damage to persons or property resulting from the LPA's failure to maintain or to properly sign or provide and maintain signals or other traffic control devices on the property acquired from DOTD pursuant to this Agreement.)

An example of a project where DOTD acquires the right-of-way on a non-state route is a state/local intersection that requires right-of-way. DOTD Real Estate Section would acquire right-of-way for the whole project, which may include the non-state route.

For detailed information see LPA Manual, Engineering.

*****ARTICLE X***: PERMITS**

(This article states who is responsible for obtaining all necessary permits and approvals in accordance with the Responsibility Table.)

*Local Public Agency Manual
Project Administration Overview*

The Responsibility Table will identify who is responsible for obtaining all necessary and/or required permits and approvals necessary for the project, whether from private or public individuals and whether pursuant to local, State or Federal rules, regulations or laws.

For detailed information see LPA Manual, Engineering.

*****ARTICLE XI***: UTILITY RELOCATION/RAILROAD COORDINATION**

(This article identifies who must work with utility companies and railroads on local routes to ensure that utility relocation is done in accordance with state and federal requirements.)

The DOTD Utility Section will acquire the utility relocation permits for state routes.

The LPA is responsible for obtaining all of the agreements on local roads and railroad crossings and for the design of any new system, if required. The LPA is required to comply with the utility relocation process as specified in the Local Public Agency Manual Appendix.

If utility relocation is identified for disbursement/reimbursement, formal notification from DOTD of federal authorization is required prior to the issuance of a Notice to Proceed date. Any costs which the LPA expects to be reimbursed prior to such authorization will not be compensable prior to the Notice to Proceed date.

The LPA is responsible for any and all costs associated with utility relocations, adjustments and construction time delays on non-state routes after the project is awarded.

For locally owned project the following applies.

Delayed Bidding Date – The LPA is responsible for transmitting plans to the utility companies during all phases of the project. The LPA should coordinate work and procedures with the DOTD District Utility Representative (DUS). Some programs require utility relocations to be the responsibility of the LPA with the affected utilities relocated prior to bidding. Some programs require a letter of assurance that all utilities will be relocated prior to bidding. It is the responsibility of the Responsible Charge to determine the DOTD requirements for their project. Utility conflicts must be discussed at the plan-in-hand. A utility agreement with supporting documentation must be sent to the DOTD District Utility Specialist,

*Local Public Agency Manual
Project Administration Overview*

DOTD Area Engineer and the DOTD Program Manager prior to construction verification and/or scheduling of the utility relocation.

Delay Claims During Construction - Many problems in construction are a result of utility issues. The LPA is responsible for coordinating any required utility relocation prior to construction. If utility relocation is not properly coordinated prior to delivery, it can cause delay claims during construction which are the responsibility of the LPA and typically not reimbursed by the FHWA

Expectation of Design Cost Reimbursement – The design costs for a new system is not eligible for federal funds

Betterments – This is any improvement beyond replacement in-kind and is ineligible for reimbursement. Utility relocation must be required for a project and not used as an opportunity to replace/upgrade a utility.

For detailed information see LPA Manual, Engineering.

***** ARTICLE XII ***: BIDS/CONSTRUCTION**

(This article describes how DOTD will use the plans, specifications and estimate to prepare the project construction proposals to comply with DOTD's current practices and advertise for and receive bids for the work in accordance with DOTD's normal requirements. It describes the process of how the bids will be reviewed and contract signed by the Entity and awarded to the lowest bidder, per state and federal requirements.

The Entity is responsible for all contract costs above the amounts shown in the Agreement! The Entity will be responsible for construction contract recordation with the Clerk of Court in their Parish.)

NOTE: DOTD advertises and receives bids all projects with the exception of the Recreational Trails projects which are administered through the Department of Culture, Recreation and Tourism.

Construction Oversight – The LPA and their PE schedule a meeting with the DOTD Project Coordinator prior to the pre-construction conference to determine: when a DOTD-certified inspector is needed, the paperwork required for partial estimates, final estimates and change orders (plan changes), verification of the sampling and testing requirements for the job, and the establishment of access to Site Manager/receive training if not active.

*Local Public Agency Manual
Project Administration Overview*

***** ARTICLE XIII ***: CONSTRUCTION ENGINEERING AND INSPECTION**

(This article describes how the LPA or its consultant will provide construction administration and inspection during the project construction per state and federal regulations, including the requirement to keep project documentation in SITE Manager, (DOTD's electronic record keeping system for construction projects). It states that the work will be performed under the direct supervision of a full time employee of the LPA who will have charge and control of the project at all times (responsible charge). It describes the DOTD District office's role as coordinator for the project. It describes requirements for equipment and/or construction procedures, construction inspections & personnel qualifications, documentation of pay quantities, materials sampling and testing procedures and personnel qualifications. If it is a state route, the DOTD District office will either provide inspection with in-house staff, or manage the contract if a consultant is performing the construction inspection.)

All construction procedures must be in accordance with DOTD guidelines and policies established by the latest edition of the Construction Contract Administration Manual, the Engineering Directives and Standard Manual (EDSM), and any applicable memoranda.

The LPA or its consultant will provide construction administration and inspection per state and federal regulations on non-state routes during the project construction. The LPA must plan for construction oversight prior to bidding whether using in-house personnel or hiring a consultant. If the LPA plans to use federal funds to hire a consultant, a significant lead time is required because DOTD must select the consultant.

The construction engineering and inspection task must include certified inspectors and project documentation kept in SiteManager (DOTD's electronic record keeping system for construction projects).

On state routes, DOTD's District Construction Section will provide the construction inspection or may require that funds be designated to hire a consultant.

Inspectors - All construction inspections personnel utilized by the LPA and/or the LPA's consultant must meet the same qualifications required of DOTD construction personnel. When certification is required in the specification of an item, the inspectors shall be DOTD-certified and experienced in the type of construction they are required to oversee. Construction inspection personnel are responsible for inspecting for compliance with accessibility codes and regulations. Inspectors should be on-site whenever construction activities that require an inspector are performed. DOTD-certified inspectors will be required for

*Local Public Agency Manual
Project Administration Overview*

a project if a DOTD-certified inspector is required for similar work on DOTD owned construction projects.

For example, pouring structural concrete would require a DOTD-certified inspector. Pouring sidewalks does not require a DOTD-certified inspector. To lay and backfill pipe does not require a DOTD certified-inspector; however, to run a density test does require a DOTD-certified inspector. To lay hot mix does require a DOTD-certified inspector. When in doubt as to whether a DOTD-certified inspector is required, please consult with specification and the DOTD District Project Coordinator.

DOTD District Project Coordinator - DOTD will assign a representative from its district office to serve as a project coordinator for DOTD during project construction. The project coordinator makes intermittent trips to the construction site to ensure that the construction contractor is following established construction procedures and that applicable Federal and State requirements are being enforced. The project coordinator advises the LPA's Responsible Charge of any discrepancies noted and, if necessary, will direct that appropriate remedial action be taken.

Documentation – Construction documentation will be performed by the LPA's project engineer and staff in DOTD's SiteManager program. It must be made in accordance with the latest edition of the Construction Contract Administration Manual. Poor documentation may result in forfeiture of federal funds

Sampling & Testing - All sampling and testing must be done in accordance with the DOTD Materials Sampling Manual. The LPA project engineer is responsible for obtaining all the necessary samples and performing tests in the field unless stated in contract specifications. The project will be built in accordance with the latest version of the Louisiana Standard Specifications for Roads and Bridges. Contractor Quality Assurance must follow the appropriate quality assurance manuals for all materials to be tested and insure that proper sampling and testing methods are used. Sampling shall be done in accordance with DOTD's Sampling Manual or as directed by the Department through SiteManager Materials.

Testing Lab - If a private laboratory is used for material testing, the LPA is responsible for all cost associated with the material testing. The selected laboratory must be accredited by an accreditation laboratory approved by the DOTD. (Approved accreditation entities are listed on the DOTD Materials Lab website.) All the private laboratory personnel utilized by the LPA and/or the LPA's consultant must meet the same qualifications required of DOTD laboratory personnel. When certification in a specific area is required, these personnel must meet the certification requirements of DOTD.

*Local Public Agency Manual
Project Administration Overview*

Shop Drawings - Shop drawings and submittals are to be reviewed and approved by the LPA's design engineer

Change Orders / Plan Changes – A change order should be initiated any time it is necessary to deviate from the contract, specifications or plans or an overrun or underrun for an item is 5% or greater. The LPA project engineers are responsible for writing change orders. The DOTD Project Coordinator can provide guidance. The procedure is documented in the CCA Manual. **NO** extra work may begin until the change order has been approved. Change orders require justification and are required for any extra cost, extra work and/or changes in contract time. The paperwork for change order must be completed in SiteManager with all applicable signatures. The paperwork addresses the overall scope of the project, nature of changes, how they affect items in project and quantities of items.

Justification - Provide a justification for any extra cost, extra work and/or any changes in contract time (with all applicable signatures in SiteManager). Change order documents are signed by the LPA and the project engineer. They are sent to the DOTD Project Coordinator for processing.

Responsible Charge – The LPA will provide a full time employee to provide direct supervision and have charge of the project at all times whether it is contracted out or performed by the LPA.

Discrepancies/Remedial Action – (Work not performed in accordance with plans and specifications). If the DOTD Project Coordinator advises the PE of discrepancies and recommends remedial action, but it is not being addressed, funds will be withheld until the corrective measures are taken by the LPA.

Construction According to Plans – FHWA will not participate in the cost of the items that are not constructed in accordance with the approved plans and specifications. If there is a discrepancy, the LPA will be obligated for the cost.

Approvals - When stipulations in the latest edition of the Louisiana Standard Specifications for Roads and Bridges require approval by the engineer or DOTD for equipment and/or construction procedures, such approval must be obtained through the DOTD Construction Section. All DOTD policies and procedures for obtaining such approval shall be followed.

Responsible Charge should ensure the following:

- Construction oversight is planned prior to bidding
- Oversight has proper inspectors
- Documentation is being kept
- Sampling & testing is being performed

*Local Public Agency Manual
Project Administration Overview*

- They are involved in discrepancies/remedial actions
- They are involved in all change orders

*****ARTICLE XIV***: SUBCONTRACTING**

(This article describes the requirements for any subcontracting performed for a project with state or federal funds either by consulting engineers engaged by the LPA or the construction contractor. Subcontracting by consulting engineers or construction contractor must have prior written approval from the LPA and DOTD.)

In the event that the consultant or the contractor elects to sublet any of the services required under the contract, it must take affirmative steps to utilize Disadvantaged Business Enterprises (DBE) as sources of supplies, equipment, construction, and services. The steps that have to be followed are

- (a) Included qualified DBE on solicitation lists.
- (b) Assure that DBE are solicited whenever they are potential sources.
- (c) When economically feasible, divide total requirements into smaller tasks or quantities so as to permit maximum DBE participation.
- (d) Where the requirements permits, establish delivery schedules which will encourage participation by DBE.
- (e) Use the services and assistance of the Office of Disadvantaged Business Enterprise of the Department of Commerce and the Community Services Administration as required.
- (F) The Contractor is encouraged to procure goods and services from labor surplus areas.

*****ARTICLE XV*** DBE REQUIREMENTS**

(This article describes the federal policy and requirements that small business firms owned and controlled by socially and economically disadvantaged persons and other persons defined as eligible in Title 49 Code of Federal Regulations, Part 26 (49 CFR 26) shall have maximum opportunity to participate in the performance of contracts

*Local Public Agency Manual
Project Administration Overview*

*financed in whole or in part with Federal funds. Also that the LPA or its contractor **agrees** to ensure that Disadvantaged Businesses (DBE) as defined in 49 CFR 26 have maximum opportunity to participate in performance of contracts and subcontracts financed in whole or in part with Federal funds.)*

It is the policy of USDOT that small business firms owned and controlled by socially & economically disadvantaged persons or small race neutral business firms SHALL have an equal opportunity to participate in the performance of federally financed contracts or subcontracts. DOTD does not allow discrimination on the basis of race, color, national origin, or gender in the award of any United States Department of Transportation (US DOT) financially assisted contracts or in the administration of its DBE program or the requirements of 49 CFR Part 26, and takes all necessary and reasonable steps under 49CFR Part 26 to ensure there is nondiscrimination in the award and administration of US DOT assisted contracts.

The DBE program is a Federal requirement and implementation of this program is a legal obligation. Failure to carry out the terms of this program shall be treated as a violation of the Entity-State agreement. If there is failure to carry out the requirements after notification by DOTD, DOTD may withhold funds, may terminate the agreement, or may execute other remedies DOTD deems appropriate.

It is the responsibility of the LPA or its consultant to ensure that the “Required Contract Provisions for DBE/SBE Participation in Federal Aid Construction Contracts” are adhered to for the duration of the project.

The DOTD includes as part of the solicitation of bids a current list containing the names of firms that have been certified as eligible to participate as DBE/SBE on US DOT assisted contracts. This list indicates the project numbers and bidding date for which this list is effective. Only DBE/SBE’s listed on these lists can be used to meet the established DBE/SBE goal for these projects.

It is the LPA or its contractor’s responsibility to monitor that only the certified DBE/SBE’s committed to this project are performing the work items they were approved. The LPA or its contractor must verify actual payments to DBE/SBE’s for the previous month’s reporting period on a Form CP-1A, Contractors Monthly DBE/SBE Participation. This form is completed by the Prime Contractor and provided to the LPA or its contractor to verify and then submitted to DOTD’s Project Coordinator for approval, once approval is obtained, DOTD’s Project Coordinator must send the CP-1A to DOTD’s Compliance Program Section.

The above requirements shall be physically included in all contract and/or subcontracts entered into by the LPA or its contractor.

Local Public Agency Manual
Project Administration Overview

Goals - A DBE/SBE project goal is a percentage of the total contract amount that must be subcontracted by a prime contractor to certified DBE/SBE's. Goals are set on DBE projects that are estimated to be \$500,000 and over. Goals are set on SBE projects that are estimated to be between \$125,000 and \$500,000.

Establishing the amount reasonable to be met by contractors - All projects that fit the above criteria are reviewed by DOTD to ensure contractors take steps to encourage DBEs to compete for construction contracts, procurement contracts, grants, services, financial aid or other benefits. The DOTD DBE Goals Committee reviews each project to determine if work allows for DBE participation. They consider if the dollar amount of contract is large enough to allow efficient subcontracting, the type of work on the project that can be subcontracted, and the availability of DBE firms in the project area able to do the required work.

Contract Requirements – DBE language found in the DBE Requirements section of the agreement must be physically located in all subcontracts entered into by the Entity or its Contractor. Failure to carry out the requirements will constitute a breach of the agreement and may result in termination of the agreement by DOTD or other remedies as DOTD deems appropriate.

The LPA Responsible Charge should know if the project has a DBE/SBE goal, and if it does the percentage of work to be by a DBE subcontractor because additional contract reporting is required for a DBE/SBE contractor. The location of the goal information in the construction proposal is under the Section entitled “Special Provisions” in a paragraph entitled “DBE/SBE Participation in Federal Aid Construction Contracts”. This will show the percent for the DBE/SBE goal.

Training - Training for local agencies can be arranged by DOTD Compliance Programs Department's Equal Opportunity Office (EOO)

Monitoring – The LPA P.E. is responsible to monitor the DBE's performance to ensure the Commercially Useful Function (CUF) is performed. If the monitoring is not adequately performed, the LPA is held responsible and will have money withheld.

A DBE/SBE subcontractor must be reported, even if project does not have a DBE goal Construction Form CP-1A tracks payment to the DBE/SBE is completed even if DOTD did not set a project goal

*Local Public Agency Manual
Project Administration Overview*

*****ARTICLE XVI**: DIRECT AND INDIRECT COSTS**

This article notes that Incidental Project costs (i.e. administrative, overhead, if any) incurred by the Entity is eligible for reimbursement as per “Super Circular” 2CFR Part 200.

Indirect costs (2 CFR 200.412 thru 200.417) - Under the new rules, Federal agencies and pass-through entities must accept a negotiated indirect cost rate if one exists, or negotiate a rate in accordance with Federal guidelines. There are exceptions when a statute or regulation requires it, or if the non-Federal entity receives \$35 million or less in direct Federal funding.

- Non-Federal entities that have never had a negotiated indirect cost rate may use a de minimis rate of 10 percent of modified total direct costs.*
- Entities with an approved negotiated indirect cost rate can now apply for a one-time extension of up to four years without further negotiation.*

To receive indirect costs reimbursement, the entity must provide proof (copies payrolls) of labor expenditures on the project. The indirect cost will be calculated from this information.

*****ARTICLE XVIII**: COST RECORDS FOR ALL PHASES OF THIS PROJECT**

(This article describes the requirements for the LPA and all others employed by it to maintain all required books, documents, papers, accounting records and other evidence pertaining to costs incurred relative to the project. These documents are to be kept and available at its offices at all reasonable times during the contract period and for five years from the date of final payment for the project, for inspection by DOTD, the Legislative Auditor, or any authorized representative of the Federal Government.)

*****ARTICLE XVIII**: CANCELLATION**

This article describes the conditions under which the Agreement may be terminated

The Agreement is a legal document and is binding upon the parties until the work has been completed, accepted, and all required payments have been made. The Agreement can be terminated under any or all of the following conditions:

1. By mutual agreement and consent of the parties.
2. By the LPA should it desire to cancel the project prior to the receipt of bids. The LPA will repay any federal/state costs that have been incurred for the development

*Local Public Agency Manual
Project Administration Overview*

of the project.

3. By DOTD due to the withdrawal or reduction of State or Federal funding for the project.

4. By DOTD due to failure by the LPA to progress the project forward or follow the specific program guidelines. The Program Manager will provide LPA with a written notice specifying the failure. If within sixty (60) days after receipt of such notice, the LPA has not either corrected the failure, or begun in good faith to correct the failure if it cannot be corrected in 60 days but is proceeding diligently to complete it, DOTD will terminate the Agreement on the date specified in the notice. Any Federal/State costs that have been incurred for the development of the project will be repaid by the LPA to DOTD. Additionally, the LPA will not be eligible for other LPA projects for a minimum of 12 months or until any repayment is rendered.

*****ARTICLE XIX*** COMPLIANCE WITH CIVIL RIGHTS**

This article describes how the LPA will agree to abide by the requirements applicable laws: Titles VI and VII of the Civil Rights Act of 1964, as amended; the Equal Employment Opportunity Act of 1972, as amended; Federal Executive Order 11246, as amended; Section 504 of the Rehabilitation Act of 1973, as amended; the Vietnam Era Veteran's Readjustment Assistance Act of 1974, as amended; Title IX of the Education Amendments of 1972; the Age Discrimination Act of 1975; the Americans with Disabilities Act of 1990, as amended; and Title II of the Genetic Information Nondiscrimination Act of 2008

NOTE: The Entity agrees not to discriminate in its employment practices, and shall render services under this Contract without regard to race, color, age, religion, sex, national origin, veteran status, political affiliation, or disabilities.

If the LPA does not comply with the applicable statutory obligations, the Agreement can be terminated.

ADA - Self-Evaluation Plans

Local Public Agencies (LPAs) are required to perform "self-evaluations" of their current facilities, relative to the accessibility requirements of the ADA. All public entities are obligated to have some planning method to make facilities ADA accessible. LPA's are required to correct any deficiencies identified through self-evaluation.

An ADA Transition Plan details how accessibility issues or deficiencies within the Public Right of Way will be corrected, scheduled, budgeted for and monitored for progress and

*Local Public Agency Manual
Project Administration Overview*

compliance. An ADA Transition Plan is a living document that must be updated regularly as projects are completed or changes occur within the Public Right of Way.

LPA's (cities, parishes, etc.,) are required to perform "self-evaluations" of their current facilities, relative to the accessibility requirements of the ADA. LPA's are required to correct any deficiencies identified through the self-evaluation and are obligated to have some planning method to make facilities ADA accessible.

Do All Public Agencies Require an ADA Transition Plan?

- LPA's with more than 50 employees (both full and part-time) are required to have a Public Right of Way (PROW) Transition Plan detailing how the deficiencies will be corrected
- A PROW accessibility transition plan is recommended for ALL LPA's regardless of number of employees

Considerations for inclusion in Transition Plans

- ADA Title II Regulations
- Formal Written Complaint Procedure
- Request for Accommodation Procedure
- Contact Numbers of the LPAs ADA Coordinator, State and Federal offices, etc.

*****ARTICLE XX***: INDEMNIFICATION**

(This article describes how the LPA agrees to indemnify (to compensate for loss or damage; to provide security for financial reimbursement to an individual in case of a specified loss incurred by the person), save harmless and defend DOTD against any and all claims, losses, liabilities, demands, suits, causes of action, damages, and judgments of sums of money growing out of, resulting from, or by reason of any act or omission of the LPA, its agents, servants, independent contractors, or employees while engaged in, about, or in connection with the discharge or performance of the terms of this Agreement.)

This also applies to sidewalks, shared use paths, landscaping and lighting on state routes.

*Local Public Agency Manual
Project Administration Overview*

***** ARTICLE XXI***: FINAL INSPECTION AND MAINTENANCE**

(This article describes how the LPA, upon completion and Final Acceptance of the project, will adopt a resolution granting a Final Acceptance to the contractor. The resolution will be recorded with the Clerk of Court in the appropriate Parish. The LPA will assume the maintenance of the improvement at its expense and in a manner satisfactory to DOTD and the federal government. Title to the project right-of-way shall be vested in the LPA but shall be subject to DOTD and FHWA requirements and regulations concerning abandonment, disposal, encroachments and/or uses for non-highway purposes.)

Before making the final inspection, the Entity's Responsible Charge shall notify DOTD's District Project Coordinator shall be notified so that he/she may have representatives present for such inspection

The Parish/Council will adopt a resolution when the project is completed and Final Acceptance is agreed granting a Final Acceptance to the contractor. This resolution must be recorded in the Clerk of Court in project's parish. The receipt of filing from the courthouse must be sent to the DOTD Project Coordinator. The LPA will furnish an acceptance letter with a copy of the resolution to DOTD.

DOTD does not accept maintenance or liability for sidewalks, landscaping, separate bike paths, or lighting on state routes. Upon completion and Final Acceptance of a project on a state route, a copy of the acceptance will be furnished by DOTD to the LPA. The LPA will then assume the maintenance of the specified improvement(s) listed above at its expense and in a manner satisfactory to DOTD and/or the FHWA. The Final Acceptance is recorded by DOTD. Before making the final inspection, the LPA will be notified so that they may have representatives present for such inspection.

***** ARTICLE XXII*** HOUSE BILL 1 COMPLIANCE**

(This article states that the LPA shall fully comply with the provisions of House Bill 1, if applicable, by submitting to DOTD, for approval, the comprehensive budget for the project showing all anticipated uses of the funds appropriated, an estimate of the duration of the Project, and a plan showing specific goals and objectives for the use of the appropriated funds, including measures of performance.

No funds are transferred to the LPA prior to receipt and approval by DOTD of the submissions required by House Bill 1.)

Local Public Agency Manual
Project Administration Overview

This article was added at the request of the Legislative Auditor. This article applies if the project has been included in House Bill 1 (given additional funding by State of LA). Additional documentation will be required. Line item appropriations have specific requirements for the Office of Contractual Review (OCR).

Project Administration and Requirements

Roles

LPA's Design Engineer – A licensed engineer in the State of Louisiana contracted by the LPA (employee or consultant) to provide signed, stamped, and dated construction plans in accordance with DOTD polices which will be let (bid) by DOTD

Responsible Charge – A full time local government employee that is responsible for administering and accountable for the project. The Responsible Charge should be involved with the scope, schedule and budget of the project and ensure adequate documentation is being kept.

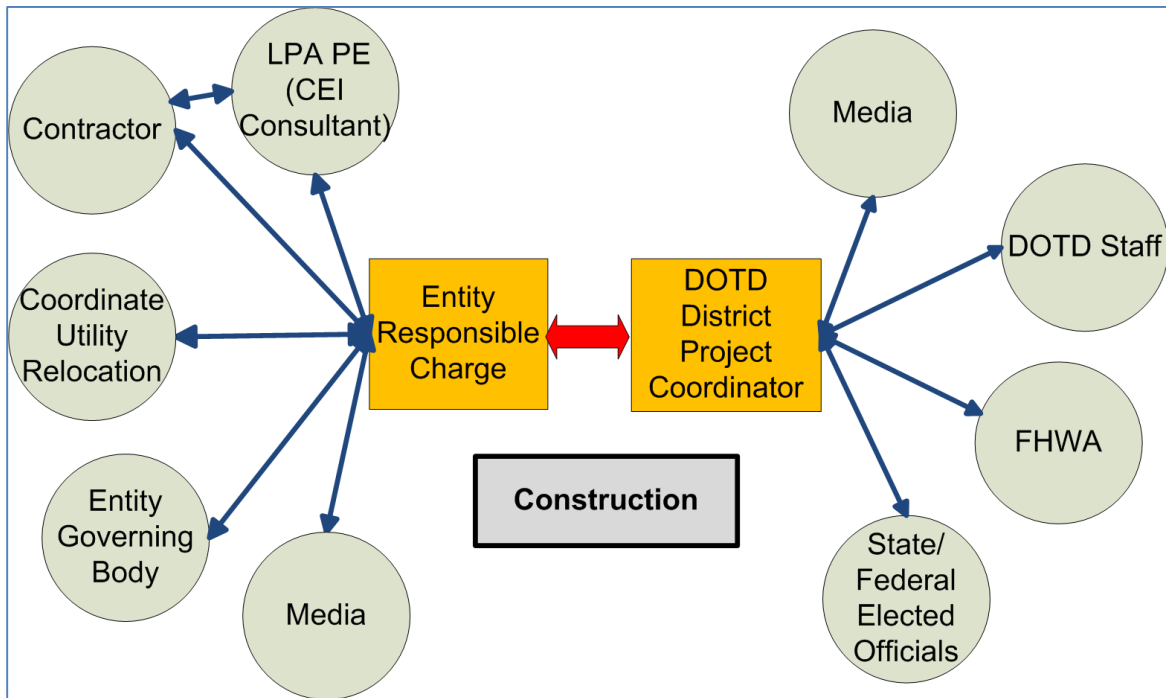
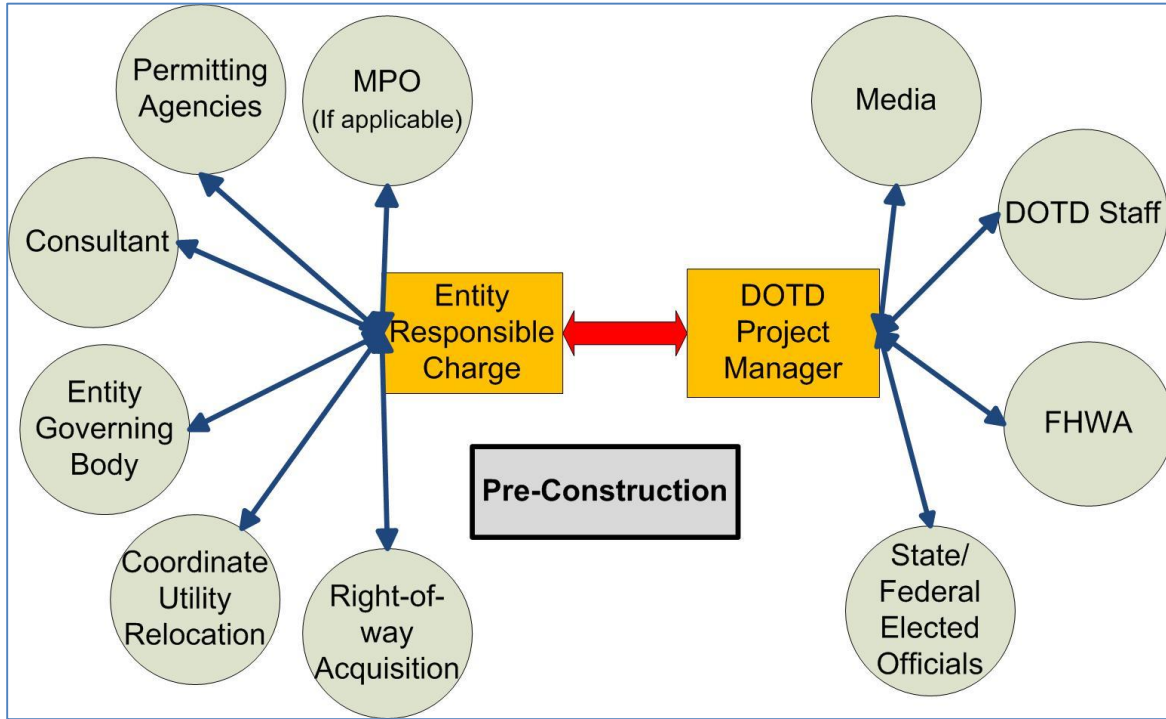
DOTD Project Manager – An engineer from the DOTD that provides oversight for the design project and is a resource to the LPA Responsible Charge and their design engineer.

DOTD Project Coordinator – An engineer from the DOTD office that provides DOTD oversight for the construction project and is a resource to the LPA Responsible Charge and their project engineer

LPA's Project Engineer (LPA PE) – A licensed engineer in the State of Louisiana contracted by the Entity (employee or consultant) to provide contract administration for construction engineering and inspection in accordance with DOTD polices

Working with DOTD All submittals must be sent by the LPA Responsible Charge to DOTD PM, even if you know the TM

*Local Public Agency Manual
Project Administration Overview*



*Local Public Agency Manual
Project Administration Overview*

Entity Responsible Charge	LPA Design Engineer or Consultant	DOTD
Preconstruction		
Project Initiation		
<ul style="list-style-type: none"> Attends LPA Qualification Core Training Module Develop program application or Works with MPO, if applicable, to create the Stage 0 report 	<ul style="list-style-type: none"> Attends LPA Qualification Core Training Module Assists in the development of the application or Stage 0 document 	<ul style="list-style-type: none"> Reviews application or Receives approved Stage 0 from DOTD's Planning Section Sends to Environmental Section for Document Determination
<ul style="list-style-type: none"> Processes Entity State Agreement timely 		<ul style="list-style-type: none"> Prepares Entity State Agreement
Engineering		
<ul style="list-style-type: none"> Provides updates during life of project to the by sending updated reporting form to the DOTD PM, DOTD District Administrator and MPO, if applicable Ensures project stays within terms of contract – scope/schedule/budget, requests any required contract time extensions 	<ul style="list-style-type: none"> Completes and submits updated reporting form to the LPA Responsible Charge Provides a schedule & budget Updates during life of project in agreement with the MPO 	<ul style="list-style-type: none"> Updates the DOTD project system DOTD processes invoice requests and time extensions requests timely
Federal Money in Design		
<ul style="list-style-type: none"> Submits scope of services & man-hours Contract Executed in timely manner, Issues NTP Reviews and approves and transmits invoices to the DOTD PM during the project 		<ul style="list-style-type: none"> Reviews scope & man-hours Prepares and advertises contract Selects consultant with input from entity Prepares contract Sends notification for entity to issue NTP Processes and pays invoices
Pre-design		
<ul style="list-style-type: none"> Submits completed pre-design form to the DOTD PM Attends Pre-design meeting 	<ul style="list-style-type: none"> Completes pre-design form Attends Pre-design meeting 	<ul style="list-style-type: none"> Schedules & Chairs Pre-design meeting Sends out minutes
Preliminary Plans Submittals		
<ul style="list-style-type: none"> Transmits submittals to DOTD that were agreed upon at pre-design meeting Transmits plans within LPA as appropriate 	<ul style="list-style-type: none"> Transmits submittals to LPA that were agreed upon at pre-design meeting Transmits plans to utility companies 	<ul style="list-style-type: none"> Distributes plans to DOTD (& FHWA) personnel as needed. Submits and plan comments to the LPA Responsible Charge

Local Public Agency Manual
Project Administration Overview

<ul style="list-style-type: none"> Submits completed Status Update Form to DOTD PM 	<ul style="list-style-type: none"> Provides written responses for every comment sent by the DOTD PM 	
Field Review / Plan-in-hand (P/H) Inspection		
<ul style="list-style-type: none"> Submits PIH prints to DOTD PM Distributes meeting plans internally Attends PIH field inspection 	<ul style="list-style-type: none"> Submits PIH prints to LPA Responsible Charge Submits plans to utilities Schedules meeting location if requested Attends PIH field inspection Summarizes comments and provides to DOTD PM for the LRSP & SRTS per agreement 	<ul style="list-style-type: none"> Schedules & Chairs PIH Sends out comments/notes Distributes plans to DOTD (& FHWA personnel as needed) Distributes notes from field inspection and reviews
Final plans		
<ul style="list-style-type: none"> Transmits submittals that were agreed upon at pre-design meeting to DOTD PM Ensures written responses are provided to all comments Transmits stamped, signed & dated plans, opinion of probable costs, calculations report and final drainage calculations to DOTD Submit any Non-Standard (NS) items that request form to DOTD PM Submit any design exception request form to DOTD PM Coordinates any TIP changes with MPO if estimate is different from TIP Submits completed Status Update Form to DOTD PM 	<ul style="list-style-type: none"> Transmits submittals that were agreed upon at pre-design meeting to LPA Responsible Charge Transmits plans to utility companies & other entities as appropriate Transmits stamped, signed & dated plans, opinion of probable costs, calculations report and final drainage calculations to Entity Responsible Charge Completes and submits Non-Standard (NS) items forms for any NS items that need to be created to LPA Responsible Charge Completes design exception request form if needed and submits to LPA Responsible Charge 	<ul style="list-style-type: none"> Distributes plans to DOTD (& FHWA personnel) as needed Reviews cost estimate Prepares submittal for bidding in DOTD's system
Bidding		
<ul style="list-style-type: none"> Formally responds to DOTD request for concurrence Reviews estimate for anomalies Awards & signs contract timely 	<ul style="list-style-type: none"> Reviews estimate for anomalies 	<ul style="list-style-type: none"> Advertises and receives bids Reviews bids with LPA & MPO (if applicable) Requests formal concurrence from entity Awards bid Prepares contract for execution by LPA and Contractor
Environmental – non state routes		
	<ul style="list-style-type: none"> Prepares environmental document Obtains required permits 	<ul style="list-style-type: none"> Processes & obtains FHWA approval of the environmental document

Local Public Agency Manual
Project Administration Overview

	<ul style="list-style-type: none"> Coordinates utility clearances 	<ul style="list-style-type: none"> Ensures utility clearance is obtained
Permits		
<ul style="list-style-type: none"> Sends a copy of all permits to PM 	<ul style="list-style-type: none"> Obtains all permits 	<ul style="list-style-type: none"> Receives copies of permits and processes accordingly Ensures permits are acquired prior to requesting federal authorization
Utilities		
<ul style="list-style-type: none"> Ensures utility relocations clearance and certifications are coordinated 	<ul style="list-style-type: none"> Keeps utility companies involved throughout the project Coordinates and receives all utility clearance / certification letters Sends completed utilities forms to the District Utility Specialist (DUS) and include all correspondence from Utility companies in submittals 	<ul style="list-style-type: none"> Ensures utilities are cleared prior to requesting federal authorization
Right-of-way		
<ul style="list-style-type: none"> Submits preliminary R/W plans to DOTD PM for JPR meeting Attends JPR meeting Submits final R/W plans to DOTD PM 	<ul style="list-style-type: none"> Prepares preliminary R/W maps (60%) for the Joint Plan Review (JPR) meeting Attends JPR meeting Makes corrections from JPR & prepares final R/W maps Acquires R/W within all state & federal guidelines subject to DOTD's audit upon receipt of notice to proceed from DOTD 	<ul style="list-style-type: none"> Sends out maps for review Schedules, chairs JPR meeting Sends out JPR meeting comments Requests authorization for purchase of R/W from FHWA Notifies entity in writing when authorized. Audits R/W & clear project for authorization Ensures right-of-way is acquired prior to requesting federal authorization for construction
Railroad Permit		
<ul style="list-style-type: none"> Submits permit to DOTD PM 	<ul style="list-style-type: none"> Coordinates & obtains RR permit 	<ul style="list-style-type: none"> DOTD ensures all proper paperwork is obtained prior to requesting federal authorization

*Local Public Agency Manual
Project Administration Overview*

Entity Responsible Charge	LPA Design Engineer or Consultant	DOTD
Construction		
Project Set-Up		
Sends copy of proof of contract recordation Attends Project Set-Up meeting	Records contract in Clerk of Court's office Schedules Project Set-Up meeting	Attends Project Set-Up meeting
Pre-construction meeting		
Attends preconstruction meeting	Schedules predesign meeting Leads preconstruction meeting	Attends preconstruction meeting
Construction		
<ul style="list-style-type: none"> • Attends all meetings when a decision is needed regarding scope, schedule or budget • Review & approve change orders • Ensures Work Zone safety is being addressed • Make periodic site inspections 	<ul style="list-style-type: none"> • Ensures project is constructed in accordance with plans & specifications • Prepares, reviews and recommends approval of change orders • Ensures Work Zone Safety • Obtains all necessary samples and performs tests in the field 	<ul style="list-style-type: none"> • Attends any meetings requested by the LPA Responsible Charge or LPA PE • Verifies project is being constructed in accordance with plans & specifications • Reviews and approves change orders • Verifies Work Zone Safety requirements are being implemented • Advises LPA P.E. or LPA inspector of any noted construction deficiencies & unacceptable methods of written records/field documentation • Provides technical assistance and answers questions • Make periodic inspections of the work • Document the inspection
Construction Payment		
<ul style="list-style-type: none"> • By law pays the contractor correctly and on time for work performed on a monthly basis • Reviews invoice and prepares / submits Cost Disbursement Certification monthly to DOTD Project Coordinator 	<ul style="list-style-type: none"> • All items to be paid should be measured and documented in both field books/spreadsheets and SiteManager • Creates partial estimate each month in SiteManager 	<ul style="list-style-type: none"> • Verify conformity with first partial estimate. If involves DBE/SBE work ensure conformity with DBE/SBE Contract Provisions • Review payrolls with LPA PE for conformity with the first estimate

***Local Public Agency Manual
Project Administration Overview***

Construction Documentation		
<ul style="list-style-type: none"> • Ensures LPA PE is keeping the required documentation 	<ul style="list-style-type: none"> • Documentation must follow that shown in the Construction Contract Administration Manual • Measure work on a daily basis • Project diaries, daily work reports kept daily in SiteManager • All DBE/SBE forms are completed in accordance with requirements • Completed 2059 Form 	<ul style="list-style-type: none"> • Make periodic inspections of the work • Document the inspection
Construction Closeout		
<ul style="list-style-type: none"> • Attend final inspection • Ensures final estimate package is sent to DOTD • Transmit copy of recordation to DOTD Project Coordinator 	<ul style="list-style-type: none"> • Notify DOTD Project Coordinator of project completion • Schedule final inspection • Prepare the final estimate package with all backup documentation • Hand carry final estimate package to DOTD HQ within 30 days of final acceptance • Record final acceptance in the Clerk of Court's office 	<ul style="list-style-type: none"> • Attend final inspection • Provide guidance to the LPA PE to prepare the final estimate package • Review the final estimate package with backup documentation