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# Locally Administered Projects Program (LAPP) Programmed Projects Training

March 23, 2010

1 p.m.



# Today's Agenda

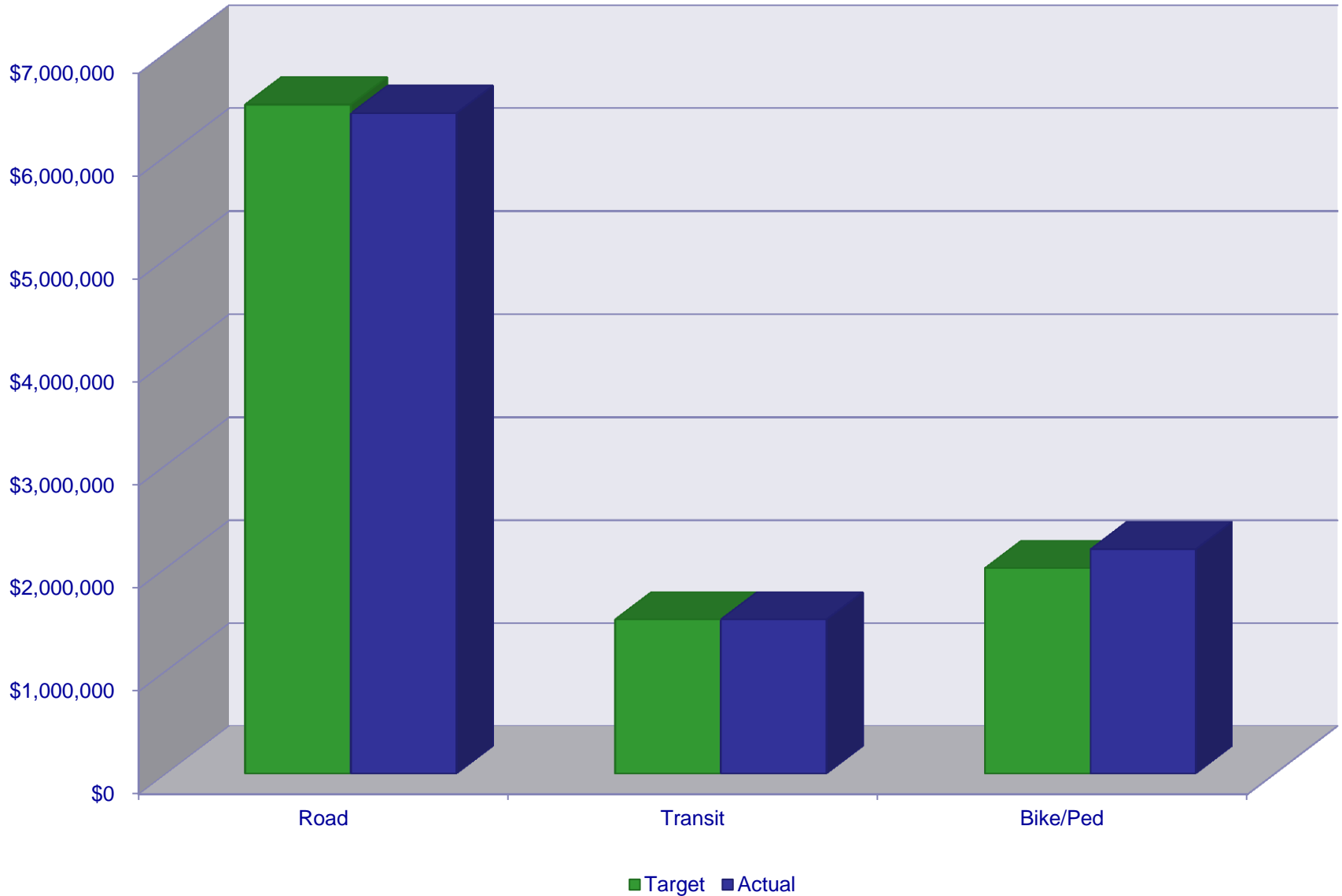
- LAPP Introduction
- TIP / STIP Programming
- Local Project Management
- Project Phase Requirements
- Reporting Requirements & Process
- Reimbursement
- Federal Considerations



# LAPP - Introduction

- In March, 2010 the TAC directed staff to create the Locally Administered Projects Program.
  - Holistic approach to identify & prioritize highly effective projects
  - Efficient use of available funds
  - Avoid future Federal rescissions to the maximum extent possible
  - Annual modal investment mix
  - Project tracking system
  - Training program

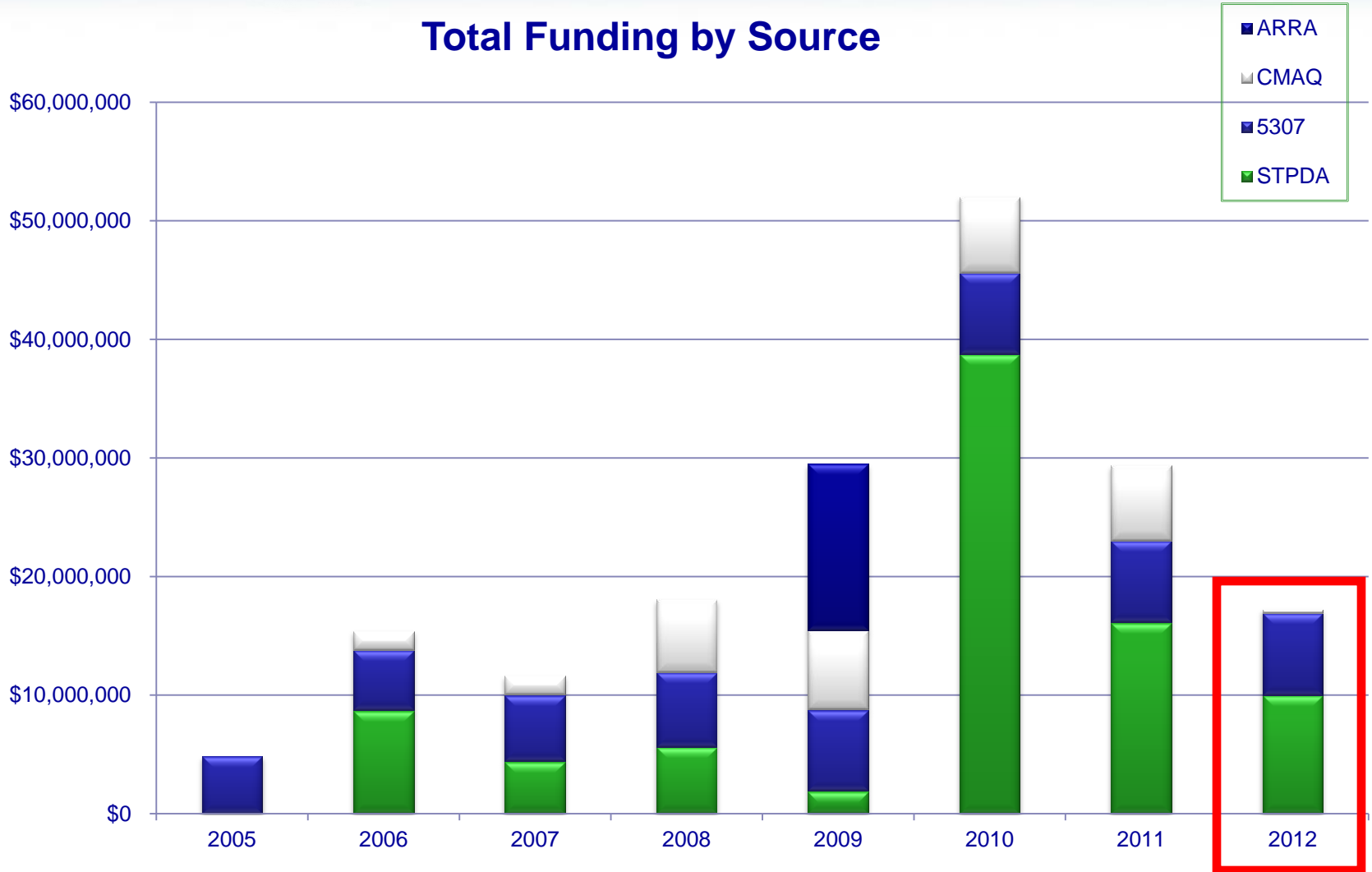
# FFY 2012 LAPP Draft Target vs. Actual Investment Mix





# FY12 Investment Mix

## Total Funding by Source





# FFY12 Roadway Projects

| Total Points | Project Name   | Sponsoring Agency | LAPP Cost   | Funding Status |
|--------------|--|-------------------|-------------|----------------|
| 71.64        | Morrisville-Carpenter Widening and Morrisville-Car (...)           | Morrisville       | \$811,850   | Funded         |
| 61.04        | Downtown Cary Roundabouts  | Cary              | \$800,000   | Funded         |
| 56.57        | Lake Wheeler Road Improvements                                     | Raleigh           | \$1,720,000 | Funded         |
| 45.80        | Carpenter Fire Station Road Grade Separation NEPA and Design (...) | Cary              | \$720,000   | Funded         |
| 37.63        | Reedy Creek Road Widening NEPA and Design                          | Cary              | \$160,000   | Funded         |
| 33.48        | NC 42 Business Connector to Downtown Clayton (via Front St)        | Clayton           | \$1,296,000 | Funded         |
| 32.00        | Division 5 Safety-Related Improvements (3 locations)               | Division 5        | \$108,400   | Funded         |
| 26.34        | Green Level West Rd. Widening NEPA and Design                      | Cary              | \$800,000   | Funded         |

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# FFY12 Bike/Ped Projects

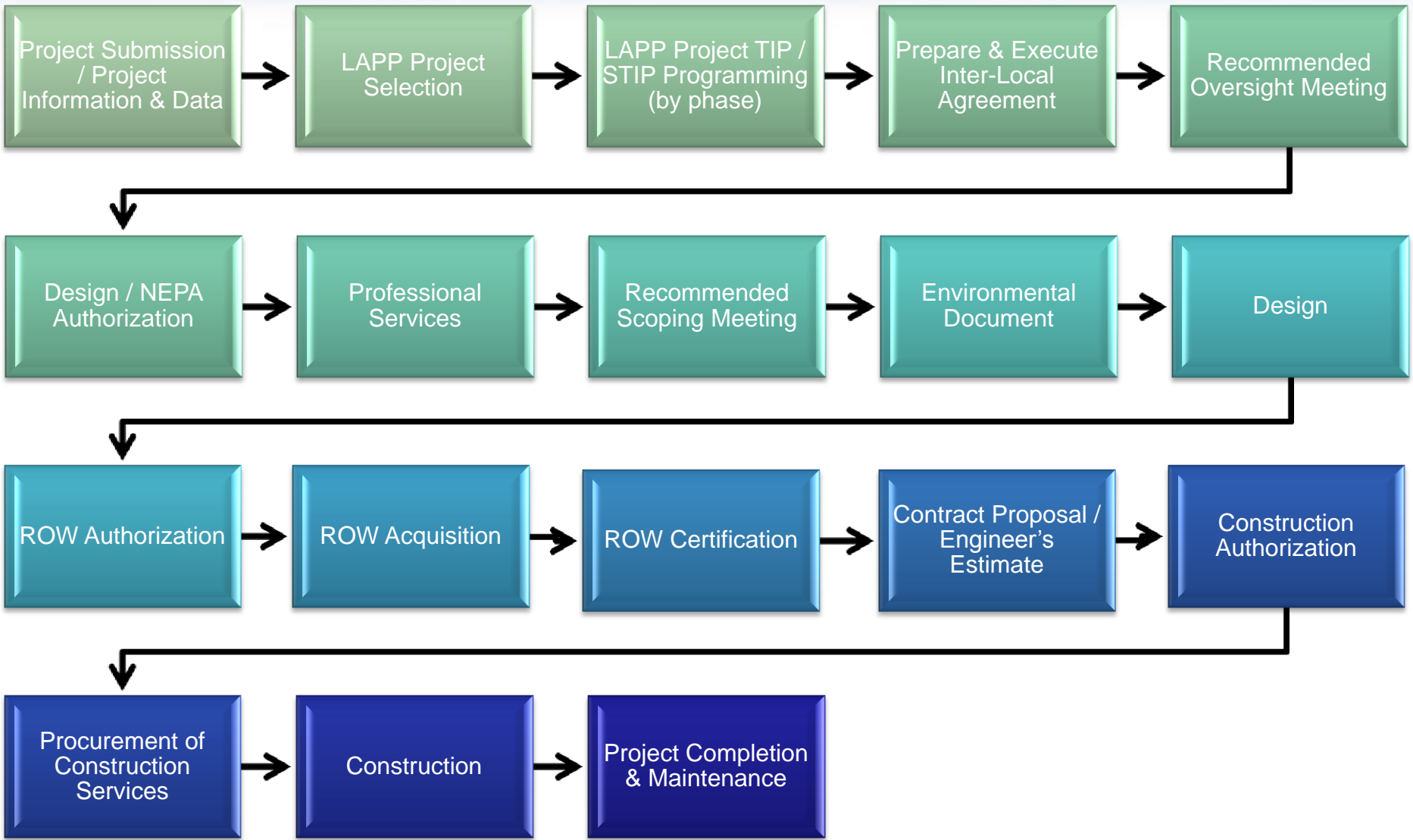
| Total Points | Project Name                                  | Sponsoring Agency | LAPP Cost   | Funding Status |
|--------------|---|-------------------|-------------|----------------|
| 62           | Shiloh Greenway South                         | Morrisville       | \$216,315   | Funded         |
| 58           | Clayton Community Center Pedestrian Connector | Clayton           | \$76,000    | Funded         |
| 55           | Old Raleigh Sidewalk                          | Apex              | \$248,000   | Funded         |
| 54           | NCSU Upper Walnut Creek Connector Trail       | NCSU              | \$96,000    | Funded         |
| 54           | NCSU Middle Walnut Creek Connector Trail      | NCSU              | \$141,600   | Funded         |
| 54           | Walnut Street Improvements                    | Cary              | \$200,000   | Funded         |
| 52           | Creedmoor Road Sidewalks                      | Raleigh           | \$1,204,000 | Funded         |

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# LOCALLY ADMINISTERED PROJECTS PROGRAM Implementation Process





# Upcoming Dates

- July 31, 2011: Local Execution of ILA
- August 2011: 2012-2018 TIP Adoption
- September 2011: 2012-2018 STIP Adoption

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# LAPP – Common Terms

## **Contract Authority**

U.S. Congress: *“You (NCDOT) might be able to obligate X dollars . . .”*

## **Obligation Ceiling (or Obligation Limitation)**

*“. . . but, based on overall budget conditions, you can only obligate Y dollars”*

## **Funds programmed (not yet guaranteed)**

News headline: *NCDOT outlines a “Program” to obligate funds (7-year STIP)*

## **Funds obligated (safe from rescission axe)**

Upon NCDOT request, FHWA agrees to reimburse for a specific project

## **Rescission (“Houston, we have a problem”)**

Congress decreases the State’s Contract Authority



# TIP/STIP Programming

- All FFY 2012 projects will be programmed in the 2012-18 TIP / STIP
- TIP/STIP numbers will be available in the coming months



# TIP changes

## Amendments require CAMPO Executive Board (TAC) action

- Add or substantially modify a Phase of work
- Project requiring new stand alone TIP number
- Change Fiscal Year in which \$\$ to be authorized

## Modifications that require administrative approval (No TAC action)

- Change funding amount
- Use different source of funds
- Small changes in project scope



# STIP changes\*

## “Revisions” - requires Board of Tr. (BOT) action

- Change Fiscal Year in which \$\$ to be authorized  
NOTE: FFY begins Oct 1; ends Sep 30
- Add (or modify) a Phase of work
- Add new stand alone project (not EL-5100 or U-5118)

## Cases NOT requiring BOT action

- Change funding amount
- Use different source of funds

\*If STPDA funds involved, MPO must review and concur

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# Typical Local Project Management & Implementation



# LPM Organization

Jimmy Travis, PE, Manager

Program Consultant

Marta Matthews

## Contract Officers

- East (Div 1 - 4, Wake Co)      Sylvia Marshall
- Central (Div 5 - 9)      Sheila Gibbs
- West (Div 10 - 14)      Sheila Elliott

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# Division Project Managers

- 14 Transportation Divisions across the State
- CAMPO is within parts of Divisions 4, 5, and 6.
  - Division 4 Jerry Page, PE
  - Division 5 Mike Kneis, PE
  - Division 6 Jerry Bradley



# Agreement

- Executed between NCDOT and the Local Governmental Agency.
- Includes provisions that LGA must comply with in order to receive reimbursement.
- Includes funding, time frames, scope of work, and responsibilities.

**Funding Authorizations cannot occur until a fully executed agreement is in place.**



# PE FUNDING AUTHORIZATION

- Occurs after the Agreement is fully executed
- Usually takes 2 - 3 weeks after initial request is made
- LGA will be notified in writing once PE funds have been authorized
- Any work occurring before authorization will not be eligible for reimbursement.



# Professional Services

- All professional services must be pre-qualified by NCDOT
- Eligible Activities:
  - Preliminary Engineering (conceptual plans, env planning, design, surveys)
  - Right of Way (preparation of plats, appraisals, review of appraisals)
  - Construction (construction administration, engineering & inspections)\*



# Procurement

- Requirements for any Professional Services must be publicly announced.
- Services must be selected on the basis of qualifications.
- LGA is responsible for this phase, with NCDOT providing concurrence and review of rates and man-hours.



# Process

- Develop an RFQ using template provided by NCDOT.
- Submit RFQ for review (e-mail) - allow at least two weeks.
- Advertise or otherwise solicit for professional services
  - This should not occur until after PE Funding Authorization is received.
- Review and select most qualified consultant.
  - Optional Scoping Meeting



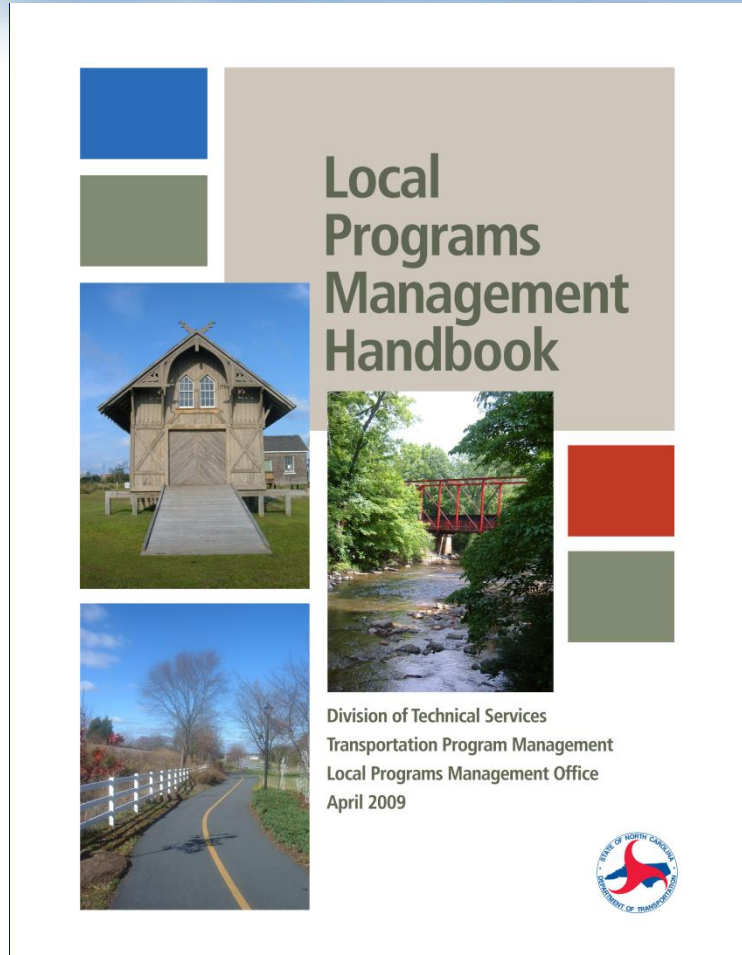
# Process - cont'd

- Request a cost proposal from selected consultant
  - Tasks, personnel, man-hours, rates, and overhead
- Submit letter with overview of selection process (use template) and include proposal from consultant.
- Allow one month for review and comments or concurrence by NCDOT.
- Same process should be followed for construction administration/engineering & inspection



# IMPORTANT

- **NCDOT policy prohibits same consultant for design and CEI.**
- **Request for exception to policy must be made in writing.**
- **Reviewed and approved/denied by the Construction Unit.**
- **If approved, cannot automatically extend PE contract to cover CEI - must undergo new solicitation.**



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# Design/NEPA Phase(s)

## Review NCDOT Design & NEPA guidelines and requirements

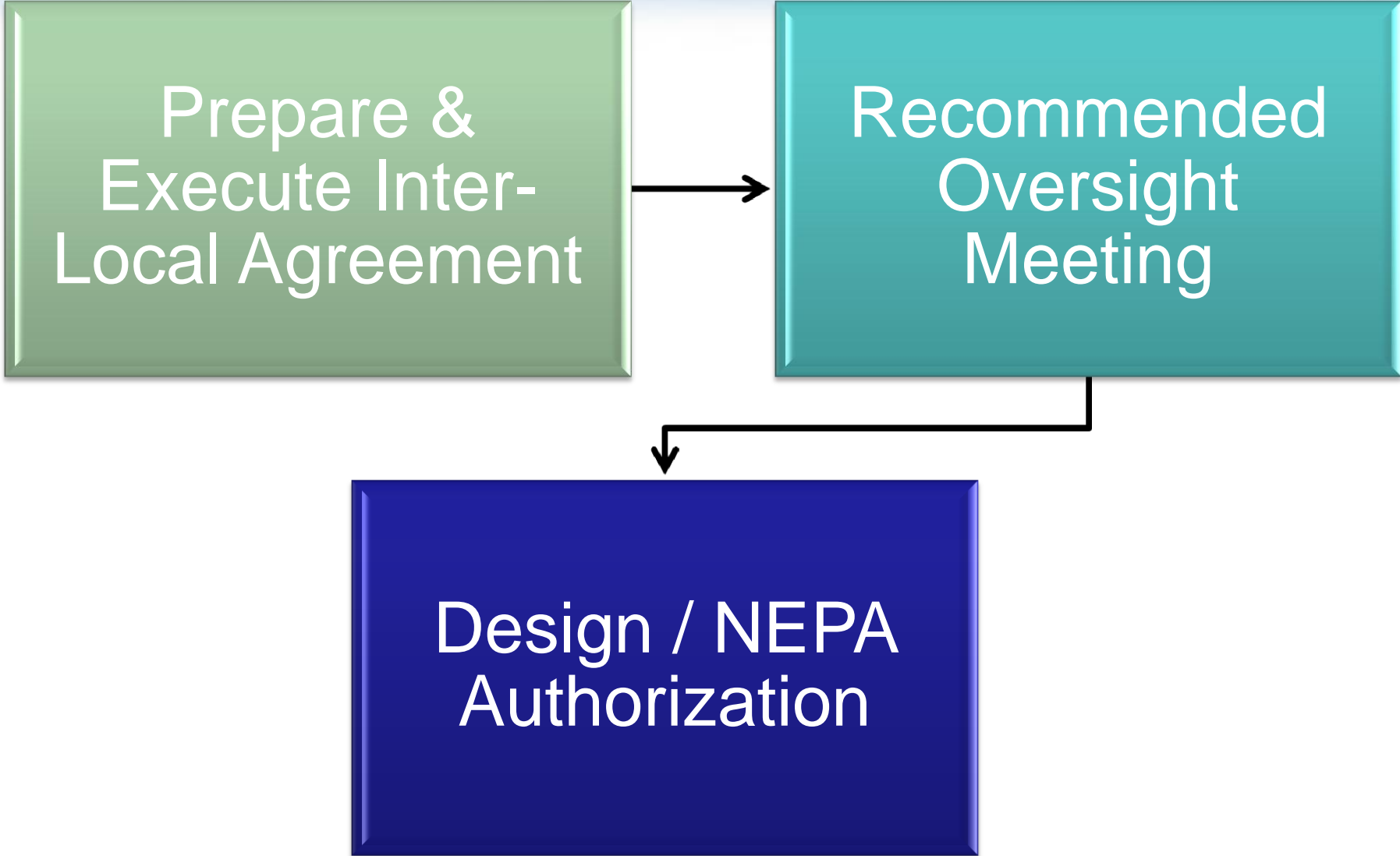
- Environmental Documents
- Major Projects
- Minor Projects

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# LOCALLY ADMINISTERED PROJECTS PROGRAM DESIGN/NEPA Phase





# Minor Project Design

- What's "minor"? Simple design, no complicating issues.
- What's makes a simple project no longer minor? – Closed Drainage systems, culverts, other structures – things a design unit in Raleigh must review
- Same Standards as Large Projects - Use NCDOT STD Drawings



# Minor Project Review Time

- Is it a complete set of plans?
- Review of simple projects doesn't take long, but.....there are dozens of projects (not just LAPP projects), and typically 1 reviewer!
- Be patient. Normally can get it reviewed in a week or two, if submittals are spread out and expected.
- Simple coordination by email, speeds up process.

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# ROW Phase(s)

## Review NCDOT right of way certification guidelines and requirements

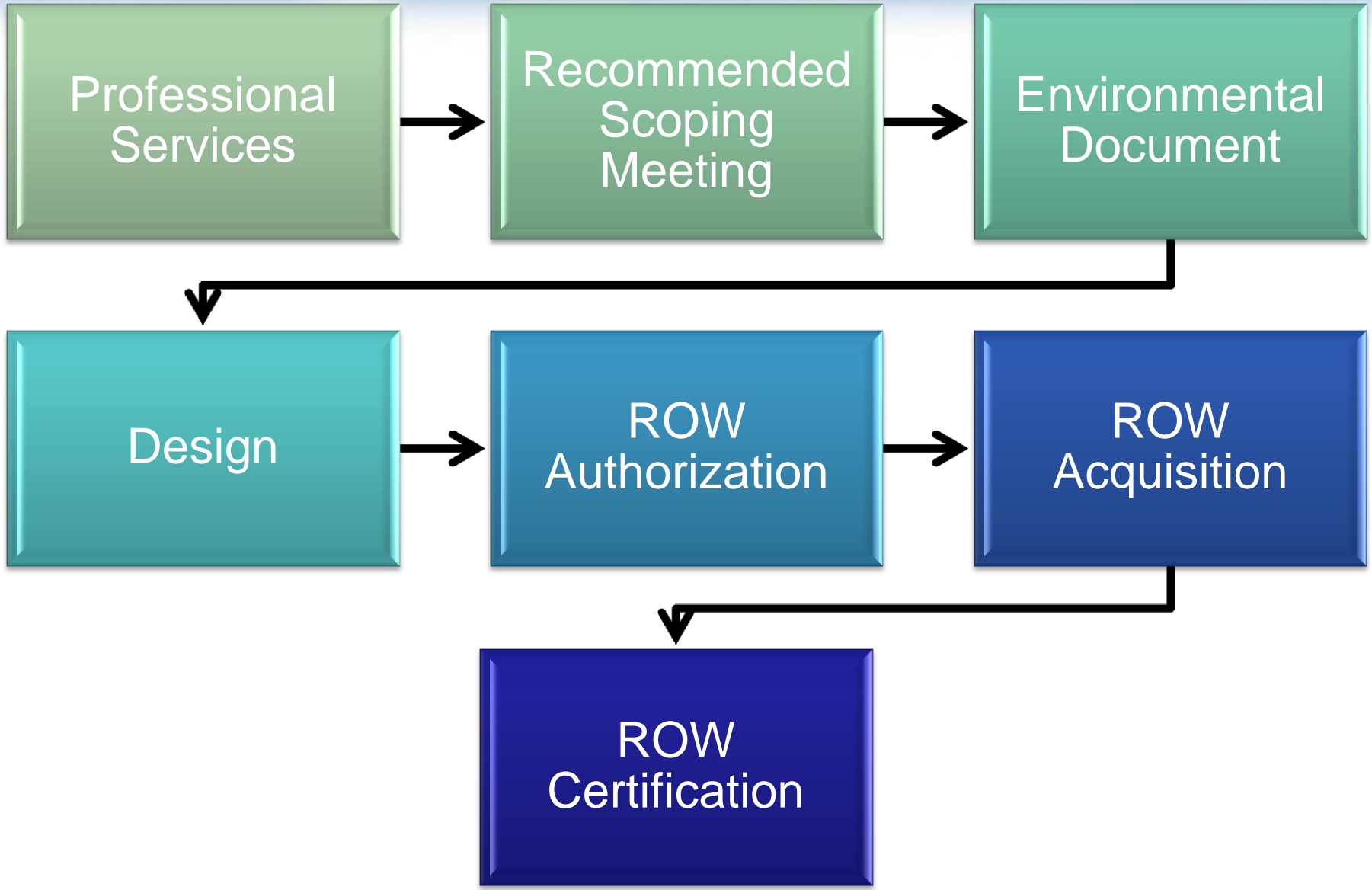
- TEA CERTIFICATION GUIDELINE PACKAGE

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# LOCALLY ADMINISTERED PROJECTS PROGRAM ROW Phase





# PAST PITFALLS AND DELAYS IN CERTIFICATIONS

- INCOMPLETE PACKAGES
- CURRENT RIGHT OF WAY NOT VERIFIED BY LETTER, PLATS, DEEDS ETC.
- APPRAISALS AND OFFERS INCONSISTENT
- PLATS, PLANS, AND DEEDS INCONSISTENT



## PAST PITFALLS AND DELAYS IN CERTIFICATIONS

- **LAST MINUTE SUBMISSIONS**
- **FEDERAL GUIDELINES NOT FOLLOWED**
- **MUNICIPAL AGREEMENT NOT PROVIDED**
- **MUNICIPAL AGREEMENT NOT FOLLOWED**  
(ex: utilities relocated a part of right of way certification)



# Package Submission

- SIGNED TEA CERTIFICATION GUIDELINE LETTER ( IN HAND OUT)
- CONSTRUCTION PLANS WITH IDENTIFYING OWNERS AND PARCEL NUMBERS
- RECORDED PLATS
- RECORDED DEEDS
- REVIEWED APPRAISALS
- STATEMENT INDICATING VALUE ORIGIN ON OTHER APPRAISALS
- OFFER LETTER AND/OR NOTICES TO PROPERTY OWNER

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# Construction Phase

## Review NCDOT Construction Phase guidelines and requirements

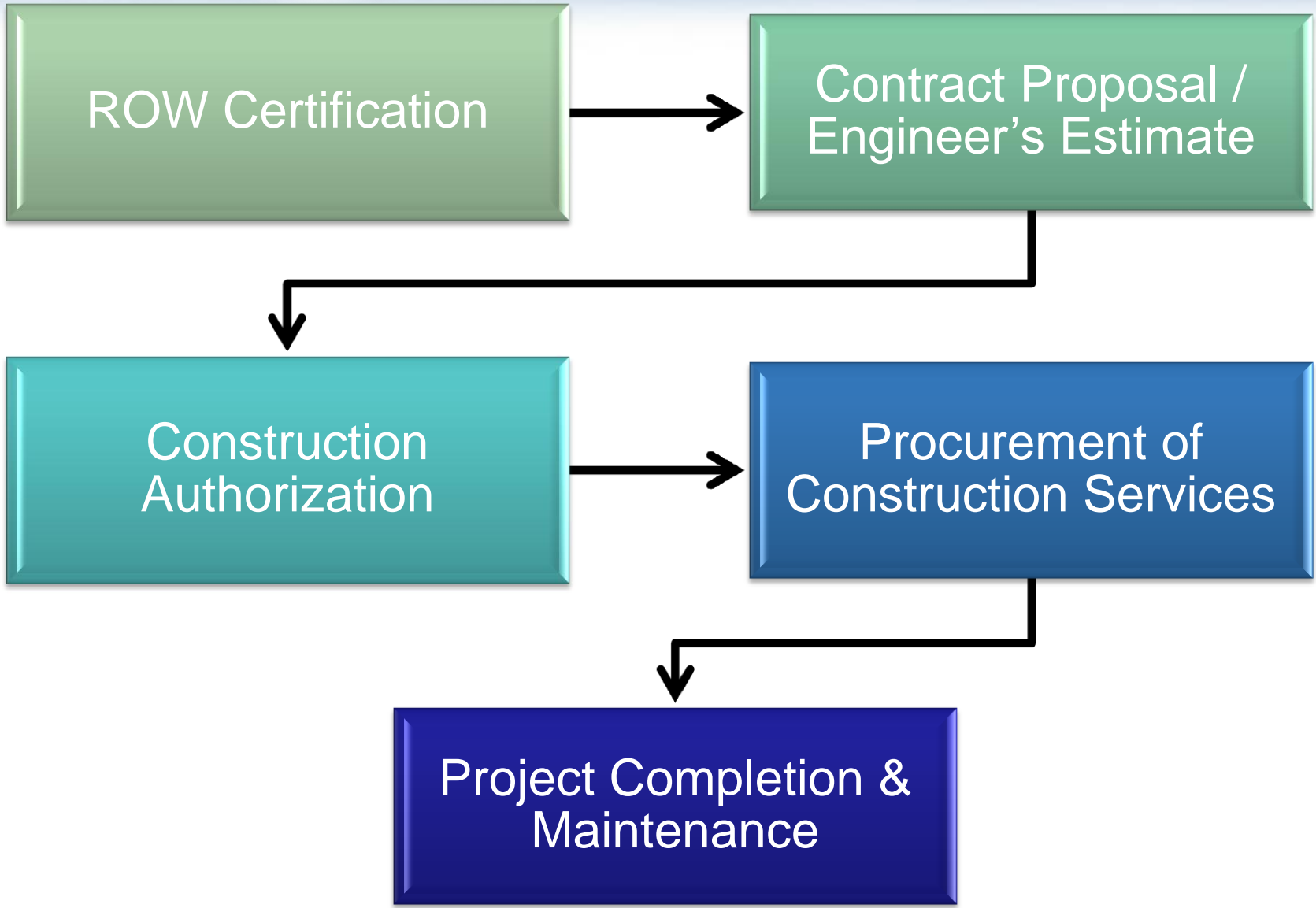
- Major Projects
- Minor Projects

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# LOCALLY ADMINISTERED PROJECTS PROGRAM Construction Phase





# Contract Proposal

- Use Line-Up Sheet provided by LPMO.
- DOT Specs for Municipalities are here:  
<http://www.ncdot.org/doh/preconstruct/ps/contracts/sp/2006sp/municipal.html>
- Check effective dates for Specs when updating proposals.
- Do NOT use AIA Documents – often causes conflicting specs and leads to claims.
- Need Line Item Estimate at this point for goal setting



# Specialty or Proprietary Items

- Avoid if at all possible.
- If using name brand items, must list 3 brands and also “or equivalent”.
- Specialty Items **MUST** be approved well in advance of letting. i.e. trash cans on a streetscape project where matching existing trashcans on previous projects is desired. Approval could take several weeks!



# Construction Authorization

## Items Needed:

- R/W Certification
- Approved NEPA document
- Approved Plans and Proposal
- Approved Line Item Estimate

## Next Step by NCDOT:

- LADA memo and Request Memo internally at NCDOT, Request to FHWA



# Concurrence in Award

## Items Needed:

- Bid tabs
- All forms filled out by bidders
- Letters of Intent from listed DBE subs
- Resolution from Council OR proof of delegation to Manager, etc.
- Letter from Town requesting Concurrence



# Construction Inspection/Oversight

## Your Responsibilities:

- Daily Inspection/Observation
- Testing by NCDOT Certified Inspectors at frequency required by DOT Specs.
- Get Change Orders approved by NCDOT PRIOR to the contractor doing the work, even if it's only for time. Must be on NCDOT Form 880LG
- Oversight

## NCDOT Responsibilities:

- Answer your questions
- Review Change Orders and Claims.
- Audit

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# LAPP – Project Management Process

Online project management/reporting  
– Live Demo...

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# LAPP – Reimbursement Request Process

**Contractor does work**

**Contractor bills the Local Agency**

**Local Agency pays the contractor**

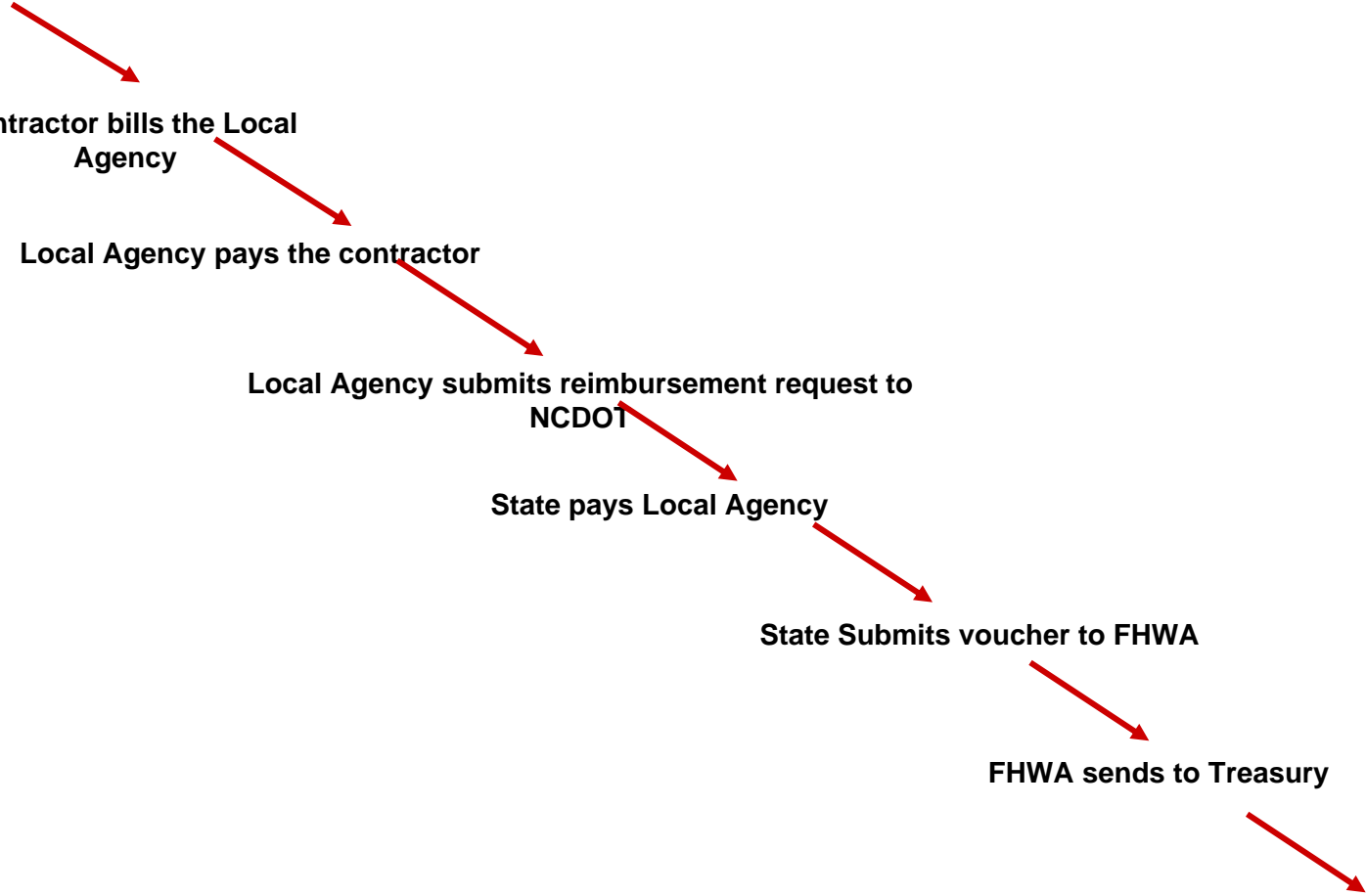
**Local Agency submits reimbursement request to NCDOT**

**State pays Local Agency**

**State Submits voucher to FHWA**

**FHWA sends to Treasury**

**Treasury sends check to State**



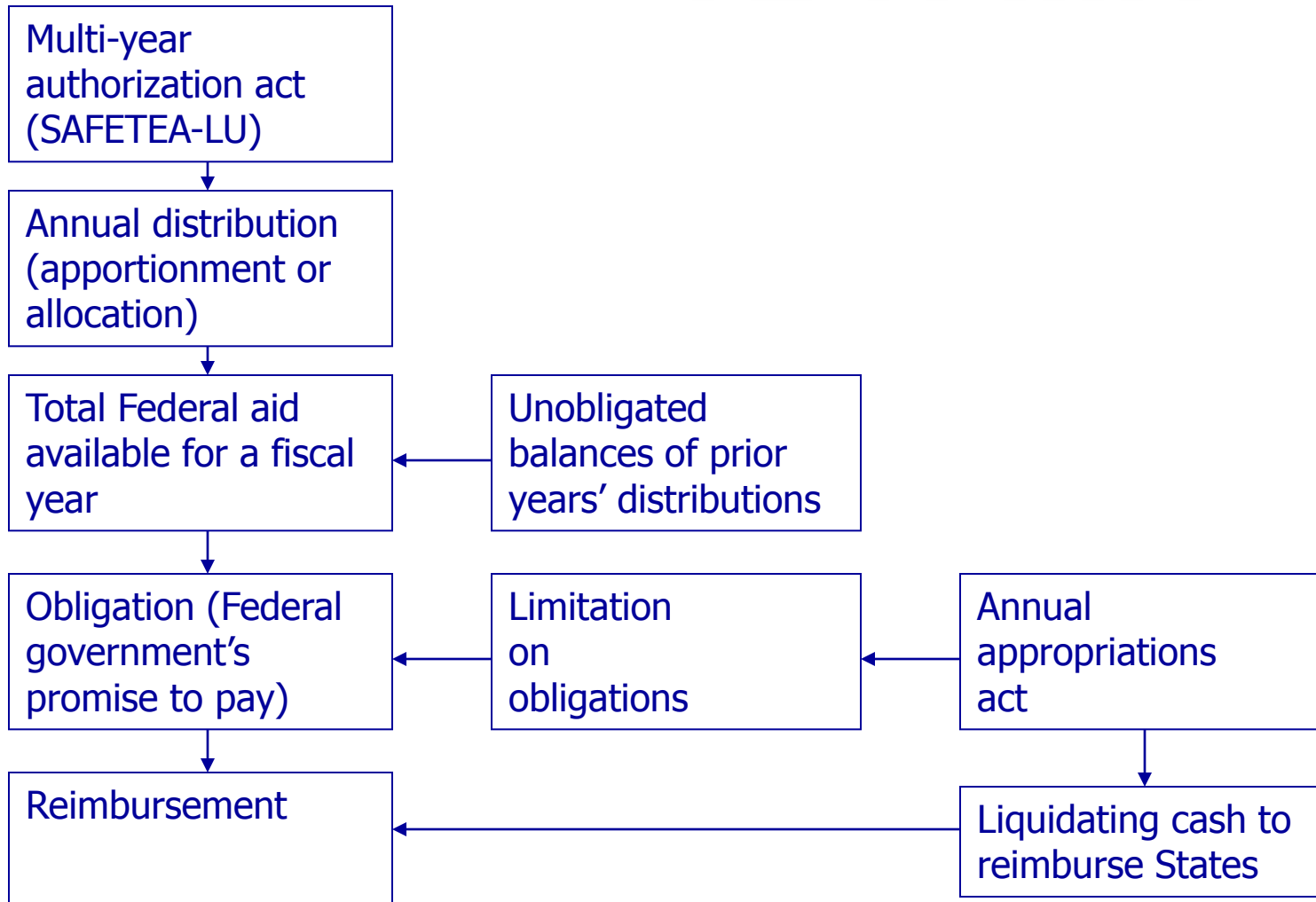


# Invoices to NCDOT

- **Reimbursement Request (80% of elig. expenses)**  
(See LPM Handbook for complete procedure)
  1. **Cover letter to NCDOT:**
    - Basic project information
    - Amounts paid by project work phase
    - Bills paid by LGA (summary of invoices)
    - Phase-specific items (e.g., material testing - QA & QC rpt)
  2. **Actual invoices from consultants**
  3. **Subcontractor payment report**
  4. **Evidence of LGA's payments to consultants and contractors**



# FAHP financial procedures





# Federal Funding Categories

- Transportation Enhancement (TE)
- Transportation, Community and System Preservation (TCSP)
- Congestion Mitigation and Air Quality (CMAQ)
- Surface Transportation Program (STP-DA)
- Safe Routes to School (SRTS)
- Congressional Earmarks
- ARRA (“Stimulus”)



U.S. Department  
of Transportation  
Federal Highway  
Administration

## A Guide To Federal-Aid Programs And Projects

- **A Guide To  
Federal-Aid  
Programs And  
Projects**



<http://www.fhwa.dot.gov/federalaid/projects.cfm>



# Project Authorization / Funds Obligation

FHWA commitment that Federal funds are available for the project

1. Preliminary Engineering (PE)
2. Right of Way acquisition (ROW)
3. Construction

- **Required prior to incurring any expenses**
  - Work done before the date of FHWA Division authorization is NOT eligible for reimbursement



# Programming Phase: Transportation Improvement Program (TIP)

**The S/TIP shall include for each project or phase** (e.g. Preliminary Engineering, ROW or Construction) the following:

- (1) **Sufficient descriptive material** (i.e., type of work, termini, and length) to identify the project or phase;
- (2) **Estimated total project cost**, or a project cost range, which may extend beyond the four years of the STIP;
- (3) **The amount of Federal funds proposed to be obligated during each program year** (for the first year, this includes the proposed category of Federal funds and source(s) of non-Federal funds); and
- (4) **Identification of the agencies** responsible for carrying out the project or phase.



# Environment Phase

Environmental stewardship and streamlining resources for FHWA Division Offices, State Departments of Transportation, Resource Agencies, and Consultants.

## Welcome to the Environmental Review Toolkit Homepage

On this website you will find information and resources for topics on the environment and transportation.

### News and Updates

- [A Guide to Measuring Progress in Linking Transportation Planning and Environmental Analysis](#)
- [State Transportation Liaison Funded Positions Study](#)
- [Section 4\(f\) at a Glance](#)
- [Guidance for Determining De Minimis Impacts to Section 4\(f\) Resources](#)

[View these and other special features here.](#)

[View FHWA and Resource Agency Environmental Contacts](#)

| Planning & Environment Linkages   | NEPA and Project Development   | Streamlining/Stewardship  | Historic Preservation  | Section 4(f)  | Environmental Competency Building   |
|---|--|---|--|---|---|
| <ul style="list-style-type: none"> <li>▪ <a href="#">Program Overview</a></li> <li>▪ <a href="#">Implementation</a></li> <li>▪ <a href="#">Effective Practices</a></li> <li>▪ <a href="#">Publications</a></li> <li>▪ <a href="#">Integrated Planning Working Group</a></li> <li>▪ <a href="#">Training and Workshops</a></li> <li>▪ <a href="#">PEL Legislation, Regulations and Guidance</a></li> </ul> | <ul style="list-style-type: none"> <li>▪ <a href="#">Program Overview</a></li> <li>▪ <a href="#">NEPA Implementation</a></li> <li>▪ <a href="#">NEPA and Transportation Decisionmaking</a></li> <li>▪ <a href="#">NEPA Documentation</a></li> <li>▪ <a href="#">Bridge Case Study</a></li> <li>▪ <a href="#">Active and Inactive EISs</a></li> <li>▪ <a href="#">Re: NEPA</a></li> </ul> | <ul style="list-style-type: none"> <li>▪ <a href="#">Program Overview</a></li> <li>▪ <a href="#">SAFETEA-LU Environmental Provisions and Related Information</a></li> <li>▪ <a href="#">Conflict Resolution</a></li> <li>▪ <a href="#">State Practices Database</a></li> <li>▪ <a href="#">Newsletters</a></li> <li>▪ <a href="#">Eco-Logical</a></li> <li>▪ <a href="#">Performance Reporting</a></li> <li>▪ <a href="#">Florida FIS Peer Exchange Report</a></li> </ul> | <ul style="list-style-type: none"> <li>▪ <a href="#">Program Overview</a></li> <li>▪ <a href="#">Archeology</a></li> <li>▪ <a href="#">Historic Bridges</a></li> <li>▪ <a href="#">Historic Roads</a></li> <li>▪ <a href="#">Interstate Highway</a></li> <li>▪ <a href="#">Tribal Issues</a></li> <li>▪ <a href="#">Historic Preservation Resources</a></li> </ul> | <ul style="list-style-type: none"> <li>▪ <a href="#">Program Overview</a></li> <li>▪ <a href="#">Section 4(f) Policy Paper</a></li> <li>▪ <a href="#">Section 4(f) Programmatic Evaluations</a></li> <li>▪ <a href="#">Section 4(f) Guidance Documents</a></li> </ul> | <ul style="list-style-type: none"> <li>▪ <a href="#">Program Overview</a></li> <li>▪ <a href="#">Competency Navigator</a></li> <li>▪ <a href="#">Resource Database</a></li> <li>▪ <a href="#">Steering Committee</a></li> </ul> |

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<http://environment.fhwa.dot.gov/index.asp>

Real Estate Acquisition Guide For Local Public Agencies - Windows Internet Explorer

http://www.fhwa.dot.gov/realestate/lpaguide/index.htm

File Edit View Favorites Tools Help Convert Select Links

Real Estate Acquisition Guide For Local Public Agencies


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## Real Estate Acquisition Guide For Local Public Agencies



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The guide is available for download in PDF format: [reag.pdf](#) (1.75MB)  
To view PDF files, you need the [Acrobat® Reader®](#)

**Acknowledgements**

The FHWA gratefully acknowledges the contributions of the Maryland State Highway Administration and the Colorado Department of Transportation. We thank them for their assistance in providing many of the photographs used in this publication.

To provide Feedback, Suggestions or Comments for this page contact Carolyn James ([carolyn\\_james@dot.gov](mailto:carolyn_james@dot.gov)).

This page last modified on November 18, 2009

Trusted sites 100%

Start | Inbox - Microsoft Outlook | Real Estate Acquisitio... | Microsoft PowerPoint - [... | ROW | Microsoft Office PowerP...

<http://www.fhwa.dot.gov/realestate/lpaguide/index.htm>

<http://www.fhwa.dot.gov/REALESTATE/distlearn.htm>



# Municipally-Owned Utilities

- Utility adjustments within NCDOT ROW are reimbursable for municipalities with populations of 5,500.
- If the municipal population is over 5,500, the municipality pays for relocating their lines within NCDOT ROW except when it has a compensable interest in the existing ROW location. A compensable interest exists when the municipality has existing or prior easement rights within the limits of the project, either by recorded ROW or adverse.
- The non-betterment costs associated with the relocation of municipally-owned water and sewer lines located within municipally-owned ROW are reimbursable.



# FHWA NRT ARRA Project Findings

1. Unauthorized use of local specifications instead of NCDOT's specifications
2. Contracts without Buy America provisions
3. No Standardized Change Conditions clause in contract
4. Subcontracts did not physically incorporate FHWA 1273
5. Proprietary items in contract without a public interest finding from FHWA
6. No documented assurance that utility work completed before construction
7. Pending permit issues
8. Outdated Davis-Bacon Wage Rates



# FHWA NC LPA Billing Review Findings

1. No pay records
2. Weigh tickets not in the ticket book
3. No certified payrolls
4. No wage rate interviews
5. No material received reports
6. No Buy America certifications
7. No sampling and test reports
8. NCDOT personnel were not verifying pay quantities before approving invoices
9. No DBE documentation
10. Force Account by local agency

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# Questions?

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**[Shelby.powell@campo-nc.us](mailto:Shelby.powell@campo-nc.us)**

**<http://www.campo-nc.us/lapp.html>**