

Chapter 1. Overview of Local Administered Projects - Contents

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Chapter 1. Overview of Local Administered Projects

1.1 FHWA-GDOT Role for a Local Government Administered Project

The Georgia Department of Transportation (GDOT) assumes the responsibilities of the U.S. Secretary of Transportation for all projects not on the National Highway System for design, plans, specifications, estimates, contract awards, and inspection of projects. Title 23 U.S.C. does not recognize local entities as direct recipients of Federal funds and GDOT is not relieved of these responsibilities by authorizing performance of work by a Local Government (LG). A LG, viewed in Federal regulations as a sub-recipient of Federal funds, must be determined by GDOT to have adequate delivery systems for the project and sufficient accounting controls to properly manage Federal funds. If the LG elects to use a consultant to meet its Federal-aid project responsibilities, the LG will provide a full time public employee to be in responsible charge.

Note: In general, this GDOT Local Administered Project Manual applies to all Federal-aid projects, however, projects funded by Transportation Enhancement, Scenic Byways, Congestion Mitigation and Air Quality Improvement Program and Safe Route to Schools Programs do not require the LG to be Qualification Certified. These projects are administered in accordance with the GDOT requirements are exempt with its own manuals and other guidance for federal compliance at the following links:

- TE Sponsor Guidebook for Enhancement <http://www.maa.net/TE/>
- Designation Process for Scenic Byways <http://www.dot.ga.gov/DS/Travel/Scenic>
- Congestion Mitigation and Air Quality Improvement Program (CMAQ) <http://www.dot.ga.gov/DS/Travel/AirQuality>
http://documents.atlantaregional.com/tcc/cmaq/CMAQ_Funding_Recommendations.pdf
- Safe Routes to Schools (SRTS)
<http://www.dot.ga.gov/InvestSmart/Funding/Pages/SRTS.aspx>
http://www.fhwa.dot.gov/environment/safe_routes_to_school/guidance/

The GDOT Office of Program Delivery should be contacted early regarding Federal requirements related to the Transportation Enhancement Program, Scenic Byway Program, Safe Route to Schools Program and CMAQ-funded projects.

In summary, LAP Qualification Certification is not required for:

Program Owner	GDOT Contact
1. Transportation Enhancements (TE Projects)	Office of Program Delivery
2. Scenic Byways	Office of Planning
3. Safe Routes to School (SRTS)	Office of Traffic Operations
4. CMAQ	Office of Planning
5. Off-System Lump Sum Safety projects	Office of Local Grants
6. High Risk Rural Roads Lump Sum Safety Projects	Office of Traffic Operations
7. Railroad projects (Force Accounts)	Office of Utilities
8. Lighting projects	Office of Design Policy & Support

1.2 Project Initiation

A project is identified through planning studies conducted by the GDOT Office of Planning Office or the Metropolitan Planning Organizations for the large urban areas of the state. This Office manages the development of planning studies for new capital projects and the public information process. Planning studies can range from development of need and purpose statements to specific project implementation plans. All of these project planning activities rely on input from citizens and their elected officials, and must be in agreement with the goals and objectives of municipal, county and regional governments. The Office of Planning manages the State Transportation Improvement Program (STIP). The STIP is a multi-year capital improvement program which contains information on all programmed projects receiving Federal funds in the state of Georgia. Project schedules for plan development, funds authorization, and lettings must conform to the phase, estimates and program funding as included in the Federally approved STIP.

1.3 Local Government Prequalification

In order to administer a project, GDOT requires LG to possess an adequate organizational structure, experienced employees, and processes for project development that promotes on time project delivery. These considerations apply to more than just the specific disciplines associated with design and construction, but also general aspects of stewardship related to public business practices, right of way, fiscal accountability, and other applicable responsibilities associated with State and Federal funding.

1.4 GDOT and Local Government Project Agreements

There are several agreements that LG will receive and need to execute during project development and construction. Each LG desiring to administer a Federal project must first submit a **GDOT Local Administered Projects Certification or Re-Certification Application** formerly referred to as a LAP Certification Acceptance Qualification Agreement (See [POLICY AND PROCEDURE 2410-1](#)) for review and approval. Second, for each project added to the Program the LG will receive a **GDOT LAP Letter of Notification Agreement (Appendix H)**. Third, a more detailed **Project Framework Agreement** will be submitted to the LG for execution prior to the start of major plan development activities. Finally, if applicable, additional **Specific Activity Agreements** addressing issues such as right-of-way, utility, construction or maintenance/operations will be required to define more specific commitments. (Reference [POLICY AND PROCEDURE 7120-3](#))

1.5 Consultants

The LG may engage a consultant to perform architectural, engineering, environmental, right-of-way, and related services needed to develop and deliver a Federal-aid project if the LG provides a full time public employee to be in responsible charge, who will serve among various duties as the liaison between the consultant and the GDOT Project Manager. Every LG selected consultant must be pre-qualified by GDOT.

If there is FAHP funding participating in an engineering and design related services contract, then the Federal competitive negotiation/qualifications based selection (Brooks Act) procurement procedures is still applicable and must be conducted in accordance with the guidelines

established in 23 C.F.R. Part 172 as agreed upon in Attachment “G” found in either the PFA or the LAP Letter of Notification Agreement.

1.6 Plan Development Process

The Plan Development Process commences with the authorization of Preliminary Engineering Funds (PE), continues through Right of Way Acquisition (if applicable) and ends when the construction funds are authorized.

The first phase is to develop the concept and conduct the special studies to identify environmental resources, especially the location of protected waters and species, cemeteries, and determine the eligibility of historic resources. The objective of the concept studies is to determine an alignment that meets the need and purpose identified in the planning studies; minimize adverse impacts to environmental resources; minimize the costs for the project; identify the stakeholders and the scope of public involvement, and produce a Concept Report. All environmental work shall be done in accordance with the GDOT Environmental Procedures Manual which is located at:

<http://www.dot.ga.gov/PS/DesignManuals/EnvironmentalProcedures>

1.7 Preliminary Design

Preliminary Plans development begins after the approval of the Concept Report and continues up to the point of beginning the final right-of-way plans. Coordination with state and Federal environmental resource agencies continue so that commitments and mitigation to protect the significant environmental resources become known. The appropriate environmental documents are developed and approved. The proposed design is developed and will address all of the elements of the project area such as the existing transportation facilities, developed property, utilities, and drainage. The objectives of this phase are to determine the fullest extent of the right of way to be needed and to gain approval of the environmental documents prior to beginning any right of way phase or final design activities. A preliminary field plan review, determines the constructability of the project within the right-of-way and easements established for the project cleared through the environmental document. Upon approval of all environmental documents by GDOT and FHWA, the project is cleared for the GDOT Project Manager to request right of way Federal funding to be authorized and upon FHWA right of way phase authorization all right of way phase activities may begin by the LG. *NOTE: Violation of any of the requirements may jeopardize all or part of the project's eligibility for Federal funding. In addition, no project will be advertised for bids, nor will any project right of way or construction work be undertaken, and no materials will be purchased on any Federal-aid project prior to Federal-aid funding authorization approval from GDOT and FHWA. Violation of this requirement will result in the project being ineligible for Federal funding and the LG liable for the total cost of accrued project expenditures to that point.*

1.8 Final Design

Chapter 5 Plan Development Process (PDP) details the Final Design activities. LG final design cannot proceed prior to environmental approval by GDOT and FHWA. Note that, if any changes are made to the project footprint during the final design phase, the environmental impacts must be reevaluated immediately at the time of the change. Approval of the construction funding and the

letting will be delayed until such time the environmental reevaluation is approved by GDOT and FHWA.

1.9 Local Government Right of Way Acquisition

If Federal funds are involved in any phase of a project, compliance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 is required. The GDOT Acquisition Guide for Local Public Agencies and Sponsors manual provides the right of way acquisition process. A right of way certification letter of compliance is required from the LG with the PS&E submittal package to the GDOT Project Manager.

1.10 Utilities & Railroads

The LG must perform utility relocation activities in compliance with 23 CFR Part 645; Title 32, Official Code of Georgia Annotated; and, the GDOT Utility Accommodation Policy and Standards Manual, current edition. The LG provides certification that all utility facilities have been appropriately relocated or conflicts resolved so as not to interfere with construction activities. A reimbursable cost utility agreement with each utility owner that is reimbursable for their relocation work is required. If utility relocations are reimbursable, a GDOT Utilities Certification Letter and a copy of the reimbursement agreement, which will include Buy America Language, must be submitted to the appropriate GDOT District Utility Office.

Early railroad coordination is essential for any railroad inside or within 200 feet of the project limits. Involvement requires the LG to submit preliminary and final plans to the railroad for their approval and to obtain a railroad agreement that includes the Buy America Language, if applicable, with each owner. After railroad coordination is completed by the LG a copy of the final plan approval letter from the railroad will be sent to the State Utility Office Railroad Liaison Engineer at the GDOT General Office location.

1.11 Construction by GDOT

The Local Government shall submit all plans and information to the Department following the PDP, Chapter 7 for letting of the project. GDOT has the policies, administrative programs, personnel and equipment in place to administer construction of the Federal-Aid Highway Program and by default will let all Federal-Aid projects except those noted specifically below.

Projects which may be let by Local Governments include:

- Transportation Enhancements
- Off-System Lump Sum Safety projects
- High Risk Rural Roads Lump Sum Safety Projects
- Lighting projects

Any projects that do not meet these criteria shall require prior approval by the Department's Director of Construction and Chief Engineer to be let by the LG. This approval must be requested through the Project Manager. The Local Government must also be LAP Certified before requesting approval to let any projects not noted in the list above.

1.12 Lettings, Bid Review and Awards By Local Governments

Project types which are noted in Section 1.11 or other projects specifically approved by the Director of Construction and the Chief Engineer may be let by the LG. Lettings by the LG require the prior authorization of Federal construction funds. Construction funding authorization requires the LG to provide the Project Manager with all the information listed in Section 10.2. All utility and/or railroad agreements must be executed or resolved before proceeding with request for construction authorization.

The LG will provide the GDOT Project Manager with a copy of its contract proposal and provisions for review and approval. Once FHWA has authorized the construction funds the Project Manager will issue a Notice to Proceed (NTP) to the LG to advertise the project for bid.

The LG must comply with local, state, and Federal laws and regulations during this phase of the project administration. The GDOT “The Source,” the Plan Development Process, GDOT Office of Construction Bidding Administration, GDOT Construction Manual are key references that the LG should use to assure compliance with the Letting, Bid Review and Award procedures.

Any LG that proceeds ahead with any task or procedure without first securing GDOT and FHWA construction phase authorization may result in the loss of eligibility for Federal funds. Upon the determination of Federal funding ineligibility by FHWA, the LG is liable for repayment of all accrued Federal share project cost.

1.13 Construction

During construction of a Local Let project, the LG must ensure that adequate inspections are made to determine that the construction is in accordance with the contract plans and specifications, that materials meet the project specifications and that personnel that are performing the testing are certified by GDOT, that Federally required records are maintained and retained to support the eligibility for and the reimbursement of Federal funds, and that progress reports are accurate for all construction activities. The LG will be subject to a GDOT Construction/Engineering Audit prior to or shortly after the Notice to Proceed. The GDOT Project Manager shall make notification and arrangements for the preliminary review. All project construction actions are subject to audit reviews by GDOT and FHWA staff in order to verify all commitments and mitigation requirements identified in the approved environmental documents were carried out, as well, as compliance with other Federal and state laws such as Disadvantaged Business Enterprise (DBE) and Equal Employment Opportunity (EEO).

GDOT staff must approve Supplemental Agreements and time extensions even if there are no State or Federal funds needed in the Supplemental Agreement.

1.14 Project Completion and Maintenance

Activities associated with the closure of a project include a notice of completion, a final field inspection, conducting a Closing Conference, a review of the eligibility of project costs for Federal reimbursement, making a determination of Final Acceptance, maintaining the project after

completion and meeting required retention disposition of project records. The LG is required to maintain the project according to Section 116 Title 23 U.S.C.

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