

## 2013 AASHTO Subcommittee on Construction Local Public Agency Oversight Questionnaire Results

This questionnaire was developed to determine existing policies and procedures in place by State Department of Transportations (SDOT) for the administration of the Federal-Aid program for Local Public Agencies (LPA). The collected information is summarized below. Additionally links to website information provided by the SDOT's are included in Appendix A.

### Respondent Information:

There were 30 total responses to the questionnaire out of approximately 50 invitations to participate. Responses were analyzed as a composite of SDOT and FHWA responses.

1. What are the demographics of the LPA and the SDOT, for the following items?

	Average	Minimum	Maximum
a. Dollar Value of the previous Fiscal Years LPA projects	\$176,488,737	\$1,445,000	\$1,000,000,000
b. Dollar Value of the previous Fiscal Years SDOT projects	\$914,812,599	\$35,000,000	\$4,000,000,000.00
c. Number of LPA Lane Miles	122,153	19,078	422,531
d. Number of SDOT Lane Miles	64,921	10,041	251,765
e. Number of LPA Bridges	6,669	690	20,363
f. Number of SDOT Bridges	6,083	1,041	33,513

**Comments: Note that not all states were able to respond, or responded inconsistently with the direction given. Therefore Items 1c, 1d, 1e, 1f were tabulated using FHWA Office of Highway Policy Information Highway Statistics Series HM-60 or BR-6.**

(WI) Dollar amounts and miles are estimated.

(MS) I didn't have all information readily available.

(AR) This information is based on projects let to contract in Federal Fiscal Year 2012. Department projects do not include 100% state funded projects. Two of the four LPA bridges were historic restoration projects. Please note that the above project lengths are shown in miles not lane miles.

(CO) \$900M SDOT, \$300M LPA, 171,000 LPA lane miles

(CT) 1. a. Includes all locally administered projects (at full project value) authorized in FY12. This number has been rounded up from \$72.3m to account for a portion of FY12 PE, RW and modifications. Includes all state administered projects (at full project value) either fully or partially financed in FY12; includes projects authorized in prior years with ongoing financing in FY12. Significant other additives include funds transferred to FTA (fastrak) (\$72m), Emergency Relief funds for storms (\$81.2m), Planning Program (\$25.6m) plus PE, RW and modifications (\$25m).SDOT lane miles include ramps.

(WA) Dollar amounts shown are estimated for Federal Fiscal Year 2013 and are federal dollars only. Prior years actual are not representative of current program

(AL) This office only administers County projects. Therefore, numbers above only reflect county projects.

(NH (FHWA)) The state DOT defines bridges as any structure 10 feet or greater in length. I believe eligibility of highway bridge program federal-aid funds is limited to what FHWA defines as a bridge (structures 20 feet or greater in length). I do not have the lane mile information readily available.

(OR) Lane miles are only Federal Aid eligible miles and not total lane miles (2011 data from HPMS).

(NV) Dollar value based on funding obligated for FFY12. The lanes miles shown are the federal aid eligible miles. Total miles for LPA are 65,393 and for NDOT are 13,572. In addition to the LPA and NDOT bridges, there are 61 Federal Bridges and 44 Private Bridges in the state.

(NC) NCDOT does not track LPA projects separately in the STIP, by lane miles or bridges.

(OH) Definition of a bridge in Ohio represents structures greater than 10 feet.

(NY) NYS Thruway is considered a local facility because it is not under the control of NYSDOT

(MT) The LPA program in Montana is currently limited to TE and Rec Trails projects, so these are typically small non-complex projects. For this form, I'll complete it in consideration of just these programs. I'm not counting the 2 TIGER 1 projects that are mostly completed and not typical. The new TA process will remove the LPA's from most everything but the application process.

(IN (FHWA)) Bridge information came from Keith Hoernschemeyer FHWA IN. Total bridges: 18,731, State toll bridges: 328, bridge total does not include Federal Lands bridges and a few other misc. groups. Lane mile information came from Dan Keefer, FHWA IN. Lane miles does not include Federal Lands roads. Finance information came from Mark Newland, FHWA IN.

(OK) the number of lane miles and number of bridges are not readily available.

(FL) Dollar Value of Previous Fiscal Years SDOT Projects = Construction Contracts Executed between 07/01/2011 and 06/30/2012 Lane Mile Information Source - Florida's Transportation System by the Numbers: <http://www.dot.state.fl.us/interMTdal/system/> Lane Miles reported as Centerline Miles

(VA) Dollar values are construction value for all LPA projects - state and federal aid. Does not include PE/RW values. VDOT operates/maintains all county roads, with exception of two counties. 83 cities/towns operate/maintain their own systems. VDOT maintains all County roads, with exception of two. Mileage is approximate - 2010.

2. What agency, SDOT or LPA is responsible for oversight of the following project phases? (i.e. Michigan DOT provides all oversight of the LPA Federal-Aid program)

Project Phase	SDOT Oversight %	LPA Oversight %	Both Agencies %
a. Planning	53	37	10
b. NEPA	70	20	10
c. Design	57	30	13
d. ROW	63	23	13
e. Utility Coordination	53	37	10
f. Bid Letting /Award	70	17	13
g. Construction Administration	60	23	17

**Comments:** Additional field (Both Agencies %) was created for analysis of agencies who share delegation responsibilities of Federal.

(ID) Per our ITD/FHWA stewardship agreement, ITD has oversight over all local projects. Local Highway Technical Assistance Council (LHTAC) has construction administration over STP-Rural, STP-Urb, 5000 pop and Off-system Bridges. Ada County Highway District (ACHD) has construction administration over STP-TMA and STP-Urb projects in their jurisdiction. These are the only two entities that have construction administration. These entities are considered LPA's for this response.

(MS) Mississippi DOT has oversight responsibility for all LPA projects.

(MA) SDOT provides all oversight for the LPA federal aid program.

(AR) Please note that the Department has oversight responsibilities for all Federal-aid projects including LPA projects in accordance with the terms of our Federal Oversight Agreement with the FHWA-Arkansas Division; however, LPAs handle all of the project phases.

(CO) Per CFR 23, CDOT is responsible for oversight of all project phases. However, LA's can significantly advance a significant portion of the work required for each phase, thus "overseeing" phases of the work. CDOT is currently developing a risk-based approach to formally assign degree of oversight by phase.

(WA) The local agency operating under a certified acceptance agreement are responsible for ensuring that their projects meet federal and state requirements, the state completes compliance reviews on a sampling basis and review of specific documents and milestones. For projects being delivered by local agencies not under a certified acceptance agreement, our regional staff will determine specific milestones and steps requiring state concurrence or approval.

(AL) We as the State has the oversight responsibility for all aspects of County projects. The Counties, themselves perform the work, with the State providing the oversight.

(OR) If the local public agency is Certified through ODOT's Certification Program they have an opportunity to oversee the phases they are certified for. If the LPA is not certified (non-certified) ODOT oversees all phases.

(NC) NCDOT maintains oversight through various contract administration processes. LPAs develop scope, advertise and select consultants to provide services for Preconstruction, R/W and Construction activities. LPAs develop plans and specifications, let and administer construction activities.

(OH) The SDOT is always responsible for oversight and monitoring of activities performed by LPAs. ODOT allows LPAs to perform activities associated with all project phases above given that the LPA is properly staffed and capable.

(MT) Oversight is a broad term. The state has oversight review points although it may not be doing the actual work.

(FL) FDOT does not delegate NEPA and ROW authority.

(VA) Utility coordination on projects within Counties/Cities/Towns that operate/maintain their own road systems would have LPA oversight. VDOT would approve any federal payments associated with utility work.

(IA) Responses shown reflect typical LPA Federal-aid projects, most of which do not involve a primary highway. Primary highways are roadways under State jurisdiction or joint State and LPA jurisdiction. Some Federal-aid primary highway projects are a cooperative effort between the DOT and the LPA, and for those projects, the DOT sometimes assumes responsibility for certain project phases, as specified in the DOT-LPA project agreement. Almost all LPA Federal-aid projects are let for bids by the DOT, but the LPA is responsible for the decision to award. A limited number of LPA Federal-aid projects (those involving trails or other non-highway work) may be let locally. In all cases, the DOT must concur the LPA's decision to award a contract.

(KY (FHWA)) The LPA is responsible for all aspects of the project with the exception of the NEPA phase for any project funded through the Office of Local Programs (TE, SRTS, TCSP, Scenic Byways, CMAAQ). Those projects have all NEPA documents prepared by KYTC.

3. Who typically performs the following function for delivering the LPA Federal-Aid Program in your state? Check all that apply. (i.e. LPA or their Consultant does all the delivery of the program except for the majority of the bid and award of contracts are through the SDOT)

Project Phase	% of Agencies Responding Yes		
	SDOT	LPA	Consultant
a. Planning	20	60	50
b. Design	7	47	70
c. Design - QA	53	40	37
d. NEPA Preparation	57	50	63
e. ROW	37	70	67
f. Utility Coordination	33	70	67
g. Bid Letting	43	63	30
h. Construction Administration	57	70	67
i. Construction Administration – Materials Testing and Quality	43	50	70

**Comments:**

(ID) We recently started allowing the LPA's to handle the utility relocates and ROW acquisition per their own process= they are aware that they have to follow the CFR's for federal reimbursement. In the case of LHTAC, they often hire consultants to assist with construction administration. ACHD is the only other LPA that performs construction administration on their projects. ITD administers construction on all other LPA projects.

(WI) WisDOT uses Management Consultants (MC). An MC is a private firm that is under contract with WisDOT to manage the delivery of the Local Program. MC's work directly with the LPA's and report to the Local Program Project Managers in each Region office. The MC has a dual role of enforcement of Federal and State Requirements, as well as assisting LPA's with project design and construction issues. The MC's are an extension of DOT staff. They have been delegated review and/or approval authority for certain project actions.

(MS) The LPA is responsible for the project, but typically hires a consultant to develop and oversee the construction of the project. If NEPA elevates to an EIS, MDOT takes it over, otherwise the LPA keeps it. MDOT is available to do the testing for the LPA depending on the quantity and the availability of MDOT staff. There are some tests that MDOT has to do.

(MA) The vast majority of LPA projects are designed by consultant engineering firms under contract to the LPA. The SDOT reviews the designs at the 25%, 75% and 100% stage to evaluate the application of design criteria and ensure consistency and quality. The SDOT then procures the construction contract and provides Resident Engineer services during construction.

(AR) Arkansas is a rural state and many of the LPAs do not have full time technical staff. As a result, consultants handle much of the work for the LPA projects including assisting the LPA on procuring construction bids. But, the staff for larger LPAs will often handle acquiring right-of-way, coordination of utility adjustments, and construction inspection. Consultants nearly always handle the design and environmental documentation for LPA projects.

(CO) Delivery on any phase can and usually is done as partnership between CDOT and the LA on a given project. Consultants are often but not always used and can participate in any phase.

(CT) Consultants deliver project level pieces of the program, such as designs and construction inspections.

(WA) The local agency is responsible for all aspects of delivery of each project and the program. The magnitude of consultant involvement varies by project and agency resources/capacity. WSDOT staff within the Local Programs Division oversee all NEPA review and approval, level of involvement in development of NEPA documents by local programs staff varies based on project complexity and agency resources/abilities.

(NH (FHWA)) By written agreement with a local agency, NHDOT may delegate some project activities. NHDOT maintains responsibility under Federal law for delegated activities. NHDOT cannot delegate certain project activities including NEPA review and approval, Design exception approval, sole source justification, PS&E approval, ROW certification, DBE goals, labor compliance enforcement and final inspection and acceptance

(NC) Typically, the LPA's use of consultant services to perform these items of work is directly related to its ability and/or availability to perform those functions.

(OH) ODOT will let and provide construction administration / materials testing for those locally sponsored project which ODOT determines the LPA is not sufficiently staffed or capable.

(NY) For Projects on the NHS, NYSDOT performs QA on construction material, e.g. plant inspection, soils testing, etc. the same as is performed on State projects.

(FL) The majority of the projects are performed via consultant forces, however, there are a few projects that are delivered by Local Agency forces.

(VA) VDOT is responsible for overall planning/coordination in the State. Each City/Town/County will have Comprehensive Plans that will include a transportation component. Responses to the remaining project phases are based on the average LPA. Larger LPA's may design some of their own road work, manage their own ROW phase, utility coordination, etc., but will often also make use of consultants.

**3. Comments: (continued)**

(IA) There really isn't a "typical" situation for LPA projects. The distribution of work between LPA and consultant is probably fairly even. But in general, the counties tend to rely less on consultants for design and construction inspection than do the cities. In general, cities tend to use consultants more frequently for all phases, especially the smaller cities. Iowa has 946 cities, but only 49 of them have a population greater than 8,000. Those below 8,000 usually don't have engineers on staff, and so they rely heavily on consultants to provide design and construction inspection services. For very small cities, sometimes the county will perform the engineering work or hire and oversee a consultant on behalf of the city.

(KY (FHWA)) The LPA or their consultant does the delivery of the program. However, in the case of NEPA preparation, the Cabinet does prepare all NEPA documents for Office of Local Programs projects.

(NE (FHWA)) Some LPA's do their own work in-house, but typically consultants do the work.

(MD) 3e. The SDOT performs the entire ROW function, with frequent use of consultants for Appraisals and closings. The LPAs are responsible for their ROW function. Some perform the entire function with their own staff while others use consultants for part or all functions.

4. Does the SDOT have certification requirements for those (LPA or Consultants) delivering all or part of phases for the LPA Federal-Aid Program? If “yes” please provide document links or details to the requirements in the comment box. (i.e. Michigan DOT requires certification of Engineers (individuals) to submit final pay estimates for projects without having to do an independent documentation review.)

Requirement	% of Responding Agencies			
	LPA		Consultant	
	Yes	No	Yes	No
a. Licensing	17	53	60	13
b. Certification	43	40	40	37
c. Years of Applicable Service	3	60	7	53
d. Specific Training	40	37	43	30
e. Other	7	20	10	20

**Comments:**

(ID) The consultants are selected from our pre-qualified list, most of the time, where they have been qualified to do different categories of work. No certification requirements for the LPA's.

(WI) Non-Traditional Certification for LPA

(MS) The LPA and the consultants must attend mandatory training and provide their certificate from the training to receive or work on Federal-Aid LPA projects. All consultants must be licensed in MS in either engineering or architecture.

(MA) The SDOT requires that LPA's use consultant engineering firms that are pre-qualified by the SDOT in the appropriate category of work.

(AR) The Department does not have any certification requirements or other risk assessment tools for LPAs. For consultant contracts, they must be licensed to practice in the state. During the consultant selection process, certifications, years of applicable service, specific training, and other issues are considered.

(CO) No specific certification is required by CDOT, although an individual-level years certification program has been discussed recently. Licensure is required but not certified independently on all engineering plans.

(CT) Consultants do not get licensed or certified to deliver phases of the LPA program.

(WA) WSDOT H&LP Division has certification requirements for agencies to operate under Certified Acceptance. Agencies that are not certified can still administer federal aid projects with additional oversight by the state or another certified acceptance agency. See <http://www.wsdot.wa.gov/LocalPrograms/LAG/>

(AL) Engineers must be licensed. Construction inspectors must be certified.

(NH (FHWA)) The following is the address to the NHDOT Bureau of Planning and Community Assistance website which contains additional links to their new LPA Manual, Certification Program and other information:

<http://www.nh.gov/dot/org/projectdevelopment/planning/documents.htm>

(OR) <http://www.oregon.gov/ODOT/HWY/LGS/Pages/Certification.aspx> ODOT requires consultants (and LPAs as applicable) to be "qualified" by specific ODOT training for making Endangered Species Act (ESA) effects determinations. There are similar qualification requirements for Section 106 and Inspection work. These training classes occur on at least an annual basis, and there are requirements to be re-qualified or certified on a regular basis to do this environmental work.

(NV) All engineering are required to be licensed. On projects completed on the NHS or within NDOT right of way, we require that LPA personnel and consultants involved in testing and sampling are qualified/certified by the Western Alliance for Quality Transportation Construction (WAQTC)/Nevada Alliance for Quality Transportation Construction (NAQTC)

(NC) NCDOT does not require LPA certification for Federal or State projects at this time. NCDOT anticipates that some form of prequalification or certification for LPAs may be required in the future. Consulting firms providing services must be prequalified by NCDOT to provide services. This prequalification process includes licenses, certifications (if applicable), work experience, references and safety.

(OH) ODOT has a LPA Participation Requirements process that certifies LPAs to be able to administer projects. The process is outlined in Chapter 1 to our Locally Administered Transportation Projects Manual of Procedures. This manual can be accessed at [http://www.dot.state.oh.us/Divisions/Planning/LocalPrograms/Pages/Manual\\_of\\_Procedures.aspx](http://www.dot.state.oh.us/Divisions/Planning/LocalPrograms/Pages/Manual_of_Procedures.aspx) ODOT also requires LPAs to utilize ODOT Pre-qualified Consultants and Contractors.

(NY) NYSDOT is investigating this option under the Every Day Counts 2 local program initiative with FHWA.

(MT) The SDOT does have a written certification process for LPA's to get certified to manage projects other than TE and Rec Trails, but no LPA has become certified yet. I expect some larger LPA will become certified in the next 1-2 years.

(IN (FHWA))

(FL) All Local Agencies must be certified to participate in the program. For all projects on the national and state highway system the consultants must be FDOT pre-qualified. We currently do not have a years of service or time limit on the certification for the Local Agencies.

(VA) VDOT does not have a formal certification or qualifications process for LPA's or consultants to administer federal aid projects. VDOT does have a formal process whereby localities request to administer federal aid projects and submit a list of their capabilities to administer the project - this submittal is then used to determine if the locality has suitable capabilities to administer the particular federal aid project. VDOT does have a certification process where certain municipalities may be provided greater autonomy (with minimal VDOT project oversight) and a more streamlined approval process than the typical LPA administering a federal aid project. The process to become certified is very rigorous and, to date, only one locality has received the certification.

**4. Comments: (continued)**

(IA) Regarding licensing for LPAs, each county must employ a registered professional engineer that serves as the County Engineer. Adjacent counties may share a County Engineer, but the County Engineer must be an employee of the county. Cities do not have a licensing requirement. However, cities must have an employee in responsible charge who is able to oversee the activities a consultant that is providing design or construction inspection services. For very small cities that do not have any full time employees, the Iowa DOT assists the city in meeting the responsible charge requirement. Public improvements such as highway construction require plans and specifications to be prepared by a registered professional engineer. Therefore, consultants providing these services must be licensed in accordance with Iowa Code Chapter 542B, Professional Engineers and Land Surveyors. In terms of overall project delivery, the Iowa DOT does not currently have a certification, years of service, or certain training requirements for LPAs or consultants. However, we do provide and strongly encourage LPAs and consultants to participate in our Federal-aid training program;

([http://www.iowadot.gov/local\\_systems/publications/fedaid\\_training\\_resources.html](http://www.iowadot.gov/local_systems/publications/fedaid_training_resources.html)).

We also require training and certifications for LPA and consultant personnel who perform certain construction inspection and materials testing functions. This training is delivered through the Iowa DOT's Technical Training and Certification Program (<http://www.iowadot.gov/training/ttcp.html>).

(MI) Certification is for the Engineers for Construction Administration. Other requirements for Construction Inspectors/Technician certification as required for sampling and testing on NHS routes.

(TX) Responsible Person in charge is to be a full time employee of LPA. State RPIC is to be a P.E. LPA RPIC is to be certified through the TxDOT Local Governments Policy and Procedures Manual Certification Program, a 2-3 day course outlining project and administrative requirements for Federal-aid LPA projects.

(KY (FHWA)) KYTC requires all consultants be prequalified by the Cabinet in the appropriate area and be a licensed PE in the Commonwealth of KY. The Office of Local Programs requires LPAs to sign a certification that indicates they can administer a federally-funded transportation project. (A copy of this form can be provided.)

(NE (FHWA)) There is a state requirement for engineers to have a professional license. NDOR has a Certification process outlined in the NDOR LPA Manual, which is accompanied by a training course before the project can be initiated. NDOR has a few consultant specific training courses they offer (NEPA training for ENV on-call firms)

(MD) The only certification required of the LPAs for the ROW phase is that consultant appraisers or reviewers must be State of Maryland certified appraisers.

5. If the SDOT and/or LPA use consulting firms for delivering all, or any portion of the LPA Federal-Aid program, who is responsible for obtaining these services, State or LPA, and how are they obtained? Check as many as applicable. (i.e. State Pre-qualifies a listing of consulting firms that LPA's can then select from through competitive selection process)

	% of Responding Agencies		
	SDOT	LPA	N/A
a. Indefinite Delivery/Indefinite Quantity (Multiple Award Task Order Contract)	17	27	50
b. Indefinite Delivery of Service master contract with separate authorizations for specific projects	33	30	43
c. Projects Specific Qualifications Based Selection	23	87	3
d. Low Bid – No Federal Participation	10	40	50
e. Other (Please provide description or link in comment)	3	10	13

**Comments:**

- (ID) ITD doesn't use the IDIQ procurement method for hiring consultants on projects. LPA's can use our pre qualified list to choose qualified consultants for the category of work. They can also choose to do a Request for Proposal (RFP).
- (WI) State pre-qualifies a listing of consulting firms that LPA's can then select from through competitive selection process
- (MS) Most LPAs advertise and select their firm on a qualifications based selection. We have recently made all DOT master contracts (chosen by DOT through qualifications selection) available to the LPAs too. They now have two methods of selecting. All selection, regardless of which method, are overseen and concurred in by our Consultant Services Division.
- (MA) The LPA's are responsible for performing a qualifications based selection. In most circumstances this selection process is for a specific project (not Task Order).
- (AR) The Department has procured contracts with separate task orders for each project. Only for the Safe Routes to School program has given the LPAs the option to use the Department's consultants to design their projects.
- (CT) CTDOT Pre-qualified contractors list.
- (WA) Local agencies are responsible for administering all aspects of projects, the level of oversight/approvals required by the state vary depending on agency status (CA vs Non-CA)
- (AL) Counties may choose consultants from a list of pre-qualified consultants compiled by the State
- (NC) b. One LPA has developed a master on-call contract for use on multiple projects. Each project will have a separate "PO" awarded. e. LPAs perform the selection of firms through a quality based selection process.
- (NY) The NYS County Highway Superintendents Association (NYSCHSA) manages a Local Design Service Agreement (LDSA) process state wide to assist municipalities in streamlining consultant selection.
- (FL) The Local agencies are responsible for all aspects of consultant acquisition.
- (IA) If Federal-aid is used for the consultant services, LPAs must follow the selection procedures provided in I.M. 3.305, Federal-aid Participation in Consultant Costs ([http://www.iowadot.gov/local\\_systems/publications/im/3305.pdf](http://www.iowadot.gov/local_systems/publications/im/3305.pdf)). If Federal-aid is not used for the consultant services, LPAs are encouraged, but not required, to follow a qualifications-based process.
- (MI) For projects where Design Engineering Costs are estimated to be below \$100,000 small purchase contracts are allowed. For estimated design fees in excess of \$100,000 then Brooks Act compliant procedures are followed. MDOT LAP uses consultants as needed, to supplement its resources during peak work load periods.
- (KY (FHWA)) We have a statewide LPA contract that has 3 consultants on a rotating basis that LPAs may choose to use, or the LPAs can obtain services themselves, using a QBS process.
- (MD) For the ROW phase appraisal or appraisal reviewers must be pre-certified by the State of Maryland as appraisers, and must be selected by a competitive bid process.

6. What are LPA's in your state using for methods of alternative project delivery? Check all that apply.

% of Responding Agencies	
a. Construction Manager / General Contractor	17
b. Design-Build	37
c. Fixed Cost-Variable Scope	0
d. Design-Build-Finance	7
e. Design-Build-Finance-Operate-Maintain	7
f. Private Public Partnerships (P3)	20
g. Indefinite Delivery/Indefinite Quantity	7
h. Alternate Bids	40
i. Project Specific Pre-Qualification	33
j. Best Value	23
k. Lump Sum	27
l. Acceleration Techniques (i.e. A+B Contracting, No Excuse Clauses, Modular Bridge Construction, etc.)	20
m. Other (please comment)	13

**Comment:**

(ID) None of the above on Federal Aid projects

(MS) The only method that has ever been used in MS is an add option to the base bid. The low bid is determined by the base bid and all alternatives. The LPA can then choose which of the add alternatives they want to do or can afford to do once the contractor has been chosen based on the low bid described above. MDOT does not disqualify any of the above methods, but thus far none have been used mainly due to the projects being smaller in nature.

(MA) To date, all LPA projects have been procured by the SDOT utilizing a Design - Bid - Build procurement.

(SD) LPA's do not do contracting for federal aid projects

(AR) Other - State law allows cities and counties to use the deductive alternate method of bidding. State law allows them to use up to three deductive alternates.

(CO) The Regional Transportation District (Denver area transit provider) has used all of the above methods. Other LA's have little experience in any of these methods, except project-specific pre-quals.

(CT) Non of the above applies to our LPA program delivery.

(WA) Responses are limited to delivery of federal aid highway projects. Local government use nearly every approach listed above on capital projects.

(NV) To date all construction contracts completed by LPAs under our LPA Program have been Design-Bid-Build Contracts.

(NC) The project delivery method most commonly used in NC by LPAs' is low-bid in almost all cases due to project size and delivery requirements.

(NY) Design - Build is not available to all LPAs at this time.

(MT) LPA's sometimes use additive bids (additional work) to better control costs to budget amount.

(IN (FHWA)) This method can be used by LPA's but typically is not.

(OK) these are used on LPA projects very rarely.

(MI) Occasionally Local Public Agencies may offer a non-Federal Aid participating incentive. Looking into including these on local contracts in the future pilots (FCVS, Alt Bid).

(TX) TxDOT's Pass-Through Funding Program. Comprehensive Development Agreements. Public-Private Partnerships



7. Does the SDOT have a process in place for assessing LPA compliance with Federal and/or State laws and regulations for the table of project phases below? (i.e. VDOT has a compliance assessment program that annually, selects a number of representative locally administered projects which are evaluated to ensure compliance with state and federal laws and regulations, and other state policies relating to locally administered projects. Assessment items include: compliance with federal/state procurement regulations (i.e. Brooks Act), right of way acquisition (Uniform Act), environmental (NEPA and State NEPA), Civil Rights (Davis-Bacon wage rates, DBE assurance) materials quality assurance specifications, etc. Results from these project assessments are used to target needed training and guidance for the locally administered projects program)

Project Phase	% of Responding Agencies	
	Yes	No
a. Planning	63	30
b. Design	70	30
c. Design - QA	70	23
d. NEPA Preparation	77	23
e. ROW	77	23
f. Utility Coordination	70	23
g. Bid Letting	77	17
h. Construction Administration	73	20
i. Construction Administration – Materials Testing and Quality	77	17

**Comment:**

(ID) ITD is currently working with FHWA to develop a procedure to review both LPA and ITD District projects from a process perspective. We envision it to be a two-step process. First, doing a quick and dirty spot check to assess whether we are reviewing the appropriate items. i.e. a problem exists. Once the issue is confirmed, we will move into a full blown process review. The details are being worked out regarding sample size, personnel requirement, etc. but the intent is to perform the reviews to get some feedback on where improvements are needed either in process or training.

(MS) MDOT randomly selects 2 projects from each MDOT district and takes an audit team to review project files in each of the above categories. The project review also includes in the field reviews.

(MA) Only three of the above activities are routinely performed by the LPA. The SDOT provides a review and oversight role of these activities. The remaining activities are self-performed by the SDOT.

(AR) While the Department does not have a single document detailing the process for assessing the LPA's compliance with federal laws, the Department does review all phases of LPA projects. This review includes reviewing for compliance with the Brooks Act, the uniform Act, NEPA, Title VI and DBE, and material sampling and testing requirements. In addition, the Department periodically conducts program reviews and audits with the FHWA-Arkansas Division. These audits include audits of selected LPA projects.

(WA) See <http://www.wsdot.wa.gov/LocalPrograms/LAG/> for details of the state's oversight of local agency projects

(AL) The State has oversight for the items checked. The items not checked are performed by the State.

(NH (FHWA)) The NHDOT's LPA Manual and other documents/manuals outline the processes necessary for assessing compliance. NHDOT LPA staff also have developed some internal standard operating procedures (NEPA, PS&E checklists, etc), but our Division continues to work with them to evaluate further improvements and/or development of measures from which the program can be evaluated.

(OR) For NEPA, it depends on what is meant for NEPA "Preparation". In general, FHWA OR Division does not delegate NEPA responsibilities to LPAs so ODOT performs all compliance with NEPA-required clearances, approvals, and permits. Consultants however can, and do, "prepare" some of the documentation required for NEPA approval. Therefore, ODOT does not have a compliance assessment program for LPAs for meeting NEPA requirements, but the ODOT NEPA Program has established a Quality Control/Assurance program approved by FHWA OR Division for ODOT's compliance with NEPA for all FHWA-funded/approved projects--including LPA projects.

(NV) NDOT reviews every project through all phases to ensure compliance with requirements. Issues identified through the review process are used to modify or adjust the program and identify potential training areas.

(NC) NCDOT's normal contract administration process provides for review and concurrence in all activities referenced above. NCDOT's OIG Office performs audits for all project types each year. The OIG selects project randomly and performs various levels of audits for all activities included in the work.

(OH) ODOT Construction monitors perform documentation reviews on projects monthly, or commensurate with the complexity of the project. Central Office also performs 6-10 LPA Partnering Reviews on projects annually, depending on risk, which inquires on LPA processes and procedures related to the above phases.

(MT) The SDOT reviews all and approves some phases of work. When the SDOT approval is needed, the LPA cannot move to the next phase without the SDOT approval.

(IN (FHWA)) INDOT conducting assessment/reviews of LPA projects is at the top of our list to instate.

(OK) not that I'm aware of. The SDOT handles the letting and construction administration.

**7. Comments: (continued)**

(IA) These processes are described in our Federal-aid Project Development Guide and Instructional Memorandum's (I.M.s) to Local Public Agencies. They are also described in Appendix I of the FHWA - Iowa DOT Stewardship and Oversight Agreement at <http://www.fhwa.dot.gov/federalaid/stewardship/agreements/pdf/ia2012.pdf>.

(KY (FHWA)) KYTC reviews all documents related to each phase of the project for state and federal compliance prior to giving a notice to proceed to the LPA for the next phase. This includes ensuring the LPA followed all applicable state and federal procurement regulations, the Uniform Act, and DBE and Davis Bacon related requirements.

(NE (FHWA)) NDOR assists the LPAs during the project delivery process, providing review and approval at various steps in the process. Due to the initial review and oversight, NDOR does not have a process to assess post project compliance. This will be discussed when NDOR considers delegating more authority to the LPAs.

(MD) d. For the NEPA process SHA ensures that all materials are complete and consistent with our Programmatic Agreement with FHWA. All of the coordination and supporting documentation is prepared and completed by the LPA or their consultants. Typically, SHA will prepare the actual NEPA documentation once we have received the supporting materials from the LPA. e. Maryland State Highway Administration reviews each Federally funded LPA project that includes any acquisition of property rights. This review is to assess compliance with the Uniform Act. h. Working on it.

8. Does the SDOT have performance measures for LPA project delivery? If yes, please provide which metrics are most relevant and/or helpful to assess the LPA's performance in the comments section. (i.e. VDOT is currently developing a set of performance metrics to be used to evaluate the effectiveness of the program and to help in the assessment of a locality's ability to effectively administer federal-aid projects. Currently, metrics being used include dropped & total phase starts from federal strategy, on-time advertisements (annual), and on-time advertisements trends (improving or not).)

% of Responding Agencies	
a. Yes	23
b. No	77

**Comment:**

(ID) ITD is currently working with FHWA to update our Stewardship agreement which will, for the first time, contain performance measures. Once we define them for ourselves, appropriate measures will be applied to the LPA projects.

(MS) MDOT does not currently have performance measures, though we are working with our FHWA Division Office to begin to develop measures. We currently put a date in the MTU that is signed by the LPA and MDOT and Federal funds must be obligated by that date or the funds are subject to being pulled.

(AR) The Department's Programs and Contracts office uses an Access database to track project management milestone dates such as environmental clearance, right-of-way certification, and FHWA authorization for construction funding. The Department has conducted limited analysis of this data to identify areas of concern.

(CO) These are being considered.

(WA) We are currently testing methods to measure project delivery for agencies and programs that uses a good/fair/poor rating for scope, schedule and budget.

(NH (FHWA)) In progress. All NHDOT Bureaus have been tasked with developing what they term Balanced Scorecards from which goals and measures can be tracked and evaluated.

(OR) Obligation rates% PS&E on time projects completed on time to construction timeliness (Notice to Proceed) Project on Budget

(NC) NCDOT is considering performance measures for LPA project delivery; however, this is not currently implemented.

(OH) ODOT maintains an internal Local-let Project Evaluation (SharePoint) site that allows District Program Administrators to evaluate and comment on all phases of project delivery and administration by the LPA. Because the decision to allow an LPA to administer locally is made on a project-by-project basis, this evaluation is then used as a tool for determining an LPA's capability to participate in the LPA program on future projects.

(NY) Performance metrics used to evaluate LPA project delivery are Cost and Schedule, or on time/early and over, under or on budget.

(MT) Inactive projects for TE has been an issue due to LPA's not billing to the project for long periods of time.

(IN (FHWA)) This is also at the top of our list. INDOT LPA director has begun setting up some LPA training and this will continue to grow.

(OK) the LPA's do not administer the state/federally funded construction projects in Oklahoma.

(FL) We are currently in the process of developing performance measures.

(VA) On-time advertisement delivery; Specific phase/task on-time delivery (VDOT requires scoping within 6 months of project agreement); meeting annual federal obligation requirements; VDOT monitors trends for on-time advertisement for each locality

(IA) Performance measures for LPA projects include: a) number of LPAs and LPA employees attending Federal-aid training sessions, b) number of project / construction reviews performed by Iowa DOT staff, and c) number and dollar amount of inactive obligations.

(MI) Grade inspection meeting within 30 days of application submittal. Let all projects within 120 days of complete bid package submittal. Revising letting goal to process 80 % of LPA projects within 70 days of receiving the acceptable final bid package.

(GA) 1. For Preliminary Engineering, GDOT has authorization goals of 100% for each fiscal year.2. For ROW Authorization, GDOT has authorization goals of 80% for each fiscal year.3. For Construction Authorization, GDOT has authorization goals of 75% for each fiscal year. In addition; GDOT conducts monthly Let Status meetings and District meetings to review results and projections to enhance delivery performance and trends.

(KY (FHWA)) While we do not currently have performance measures in place, the Office of Local Programs is in the early stages of working with FHWA to develop performance measures for CMAQ and TAP.

9. What Quality Assurance (QA) program, procedures, or guidance are being used by the SDOT and/or LPA for delivering all or parts of phases of the LPA Federal-Aid Program? Please provide links in the table below.

Document Type	Web Address/Link
a. Policy Statement	
b. LPA Program Administration Manual	
c. Design Manual	
d. Construction Manual	
e. LTAP Guidance Documents	
f. Forms	
g. Materials Manual	
h. Other	
i.	
j.	
k.	
l.	
m.	
n.	
o.	
p.	

**Note: All website links received from question 9 are contained in the following pages of Appendix A. Text entries or descriptions of updates were omitted.**

Appendix A: State DOT Websites for LPA Program Information

State	9A - Policy Statement	9B - LPA Program Administration Manual	9C - Design Manual	9D - Construction Manual	9E - LTAP Guidance Documents	9F - Forms	9G - Materials Manual
AL							
AR			<a href="#">AR - Design Manual</a>	<a href="#">AR - Construction Manual</a>			<a href="#">AR - Materials Manual</a>
CO	<a href="#">CO - Policy Statement</a>	<a href="#">CO - LPA Program Administration Manual</a>	<a href="#">CO - Design Manual</a>	<a href="#">CO - Construction Manual</a>		<a href="#">CO - Forms</a>	<a href="#">CO - Materials Manual</a>
CT			<a href="#">CT - Design Manual</a>	<a href="#">CT - Construction Manual</a>	<a href="#">CT - LTAP Guidance Documents</a>	<a href="#">CT - Forms</a>	<a href="#">CT - Materials Manual</a>
FL		<a href="#">FL - LPA Program Administration Manual</a>	<a href="#">FL - Design Manual</a>	<a href="#">FL - Construction Manual</a>		<a href="#">FL - Forms</a>	<a href="#">FL - Materials Manual</a>
GA	<a href="#">GA - Policy Statement</a>	<a href="#">GA - LPA Program Administration Manual</a>	<a href="#">GA - Design Manual</a>	<a href="#">GA - Construction Manual</a>	<a href="#">GA - LTAP Guidance Documents</a>	<a href="#">GA - Forms</a>	<a href="#">GA - Materials Manual</a>
IA	<a href="#">IA - Policy Statement</a>	<a href="#">IA - LPA Program Administration Manual</a>	<a href="#">IA - Design Manual</a>	<a href="#">IA - Construction Manual</a>	<a href="#">IA - LTAP Guidance Documents</a>	<a href="#">IA - Forms</a>	<a href="#">IA - Materials Manual</a>
ID	<a href="#">ID - Policy Statement</a>	<a href="#">ID - LPA Program Administration Manual</a>	<a href="#">ID - Design Manual</a>	<a href="#">ID - Construction Manual</a>	<a href="#">ID - LTAP Guidance Documents</a>	<a href="#">ID - Forms</a>	<a href="#">ID - Materials Manual</a>
IN	<a href="#">IN - Policy Statement</a>	<a href="#">IN - LPA Program Administration Manual</a>	<a href="#">IN - Design Manual</a>	<a href="#">IN - Construction Manual</a>	<a href="#">IN - LTAP Guidance Documents</a>	<a href="#">IN - Forms</a>	<a href="#">IN - Materials Manual</a>
IN (FHWA)	<a href="#">IN (FHWA) - Policy Statement</a>	<a href="#">IN (FHWA) - LPA Program Administration Manual</a>	<a href="#">IN (FHWA) - Design Manual</a>		<a href="#">IN (FHWA) - LTAP Guidance Documents</a>	<a href="#">IN (FHWA) - Forms</a>	<a href="#">IN (FHWA) - Materials Manual</a>
KY (FHWA)		<a href="#">KY (FHWA) - LPA Program Administration Manual</a>	<a href="#">KY (FHWA) - Design Manual</a>			<a href="#">KY (FHWA) - Forms</a>	<a href="#">KY (FHWA) - Materials Manual</a>
MA		<a href="#">MA - LPA Program Administration Manual</a>	<a href="#">MA - Design Manual</a>				
MD							
MI	<a href="#">MI - Policy Statement</a>	<a href="#">MI - LPA Program Administration Manual</a>	<a href="#">MI - Design Manual</a>	<a href="#">MI - Construction Manual</a>	<a href="#">MI - LTAP Guidance Documents</a>	<a href="#">MI - Forms</a>	<a href="#">MI - Materials Manual</a>
MS		<a href="#">MS - LPA Program Administration Manual</a>	<a href="#">MS - Design Manual</a>	<a href="#">MS - Construction Manual</a>		<a href="#">MS - Forms</a>	<a href="#">MS - Materials Manual</a>

Appendix A: State DOT Websites for LPA Program Information

State	9A - Policy Statement	9B - LPA Program Administration Manual	9C - Design Manual	9D - Construction Manual	9E - LTAP Guidance Documents	9F - Forms	9G - Materials Manual
MT		<a href="#">MT - LPA Program Administration Manual</a>				<a href="#">MT - Forms</a>	
NC		<a href="#">NC - LPA Program Administration Manual</a>		<a href="#">NC - Construction Manual</a>		<a href="#">NC - Forms</a>	<a href="#">NC - Materials Manual</a>
NE (FHWA)	<a href="#">NE – Policy Statement</a>	<a href="#">NE - LPA Program Manual</a>	<a href="#">NE (FHWA) - Design Manual</a>	<a href="#">NE (FHWA) - Construction Manual</a>		<a href="#">NE – Forms</a>	<a href="#">NE (FHWA) - Materials Manual</a>
NH (FHWA)		<a href="#">NH (FHWA) - LPA Program Administration Manual</a>	<a href="#">NH (FHWA) - Design Manual</a>	<a href="#">NH (FHWA) - Construction Manual</a>			<a href="#">NH (FHWA) - Materials Manual</a>
NV		<a href="#">NV - LPA Program Administration Manual</a>		<a href="#">NV - Construction Manual</a>			
NY	<a href="#">NY - Policy Statement</a>	<a href="#">NY - LPA Program Administration Manual</a>	<a href="#">NY - Design Manual</a>	<a href="#">NY - Construction Manual</a>	<a href="#">NY - LTAP Guidance Documents</a>	<a href="#">NY - Forms</a>	<a href="#">NY - Materials Manual</a>
OH	<a href="#">OH - Policy Statement</a>	<a href="#">OH - LPA Program Administration Manual</a>	<a href="#">OH - Design Manual</a>	<a href="#">OH - Construction Manual</a>	<a href="#">OH - LTAP Guidance Documents</a>	<a href="#">OH - Forms</a>	<a href="#">OH - Materials Manual</a>
OK							
OR		<a href="#">OR - LPA Program Administration Manual</a>		<a href="#">OR - Construction Manual</a>			
SD		<a href="#">SD - LPA Program Administration Manual</a>	<a href="#">SD - Design Manual</a>	<a href="#">SD - Construction Manual</a>	<a href="#">SD - LTAP Guidance Documents</a>	<a href="#">SD - Forms</a>	<a href="#">SD - Materials Manual</a>
TX	<a href="#">TX - Policy Statement</a>	<a href="#">TX - LPA Program Administration Manual</a>	<a href="#">TX – Design Manual (Module 7)</a>	<a href="#">TX - Construction Manual (Module 11)</a>		<a href="#">TX - Forms</a>	<a href="#">TX - Materials Manual</a>
VA	<a href="#">VA - Policy Statement</a>	<a href="#">VA - LPA Program Administration Manual</a>	<a href="#">VA – Design Manual</a>	<a href="#">VA - Construction Manual</a>		<a href="#">VA - Forms</a>	<a href="#">VA - Materials Manual</a>
VT					<a href="#">VT - LTAP Guidance Documents</a>		
WA	<a href="#">WA - Policy Statement</a>	<a href="#">WA - LPA Program Administration Manual</a>		<a href="#">WA - Construction Manual</a>	<a href="#">WA - LTAP Guidance Documents</a>	<a href="#">WA - Forms</a>	<a href="#">WA - Materials Manual</a>
WI			<a href="#">WI - Design Manual</a>	<a href="#">WI - Construction Manual</a>			<a href="#">WI - Materials Manual</a>

Appendix A: State DOT Websites for LPA Program Information

State	9H - Other	9I – Other	9J - Other	9K – Other	9L - Other	9M - Other
IA		<a href="#">IA - Standard Specifications</a>	<a href="#">IA - LPA Utility Policy</a>	<a href="#">IA - Right of Way Manual</a>	<a href="#">IA - Project Development Information</a>	<a href="#">IA - Project Inspection and Administration</a>
ID	<a href="#">ID - Other (Standard Specifications)</a>	<a href="#">ID - LHTAC QA Manual</a>				
KY (FHWA)		<a href="#">KY (FHWA) - Standard Specifications</a>				
MI	<a href="#">MI - Other (Design Engineering Requirements)</a>	<a href="#">MI - LAP Non Competitive Bid</a>	<a href="#">MI - LAP Guidelines for Geometrics</a>	<a href="#">MI - Materials Approval and Documentation Guide</a>		
MT	<a href="#">MT - Other (CTEP Liaison Manual)</a>	<a href="#">MT - CTEP Manual</a>	<a href="#">MT - CTEP</a>	<a href="#">MT - Recreational Trails Program Grants</a>		
NC			<a href="#">NC - Roadway Design Manual</a>	<a href="#">NC - Structures and Design Management</a>	<a href="#">NC - LPA Proposal Guidance</a>	
NE (FHWA)			<a href="#">NE (FHWA) - LPA Manual</a>			
NV		<a href="#">NV - Documentation Manual</a>	<a href="#">NV - Right of Way Manual</a>			
NY		<a href="#">NY - Emergency Relief</a>	<a href="#">NY - Civil Rights</a>	<a href="#">NY - Project Development</a>		
TX		<a href="#">TX - Utility Requirements for LPA</a>	<a href="#">TX - Real Estate Acquisition for LPA</a>			
WI	<a href="#">WI - Other (Non-Tradition Transportation Project Implementation)</a>					