

Project Development for Local Public Agencies



PDM Training for LPAs and Consultants

1

Purpose and Goals of this Class

- Overall Understanding of LPA Program
- Familiar with Manual
- Emphasize recurring issues
- Put a Name with a face
- Answer your questions

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LPA Program Overview

- The LPA is the owner of this project
 - MDOT is a pass through agency (3rd Party)
 - Federal funds
 - Legislative funds
- This is a partnership
 - FHWA
 - MDOT
 - LPA
 - Consultant

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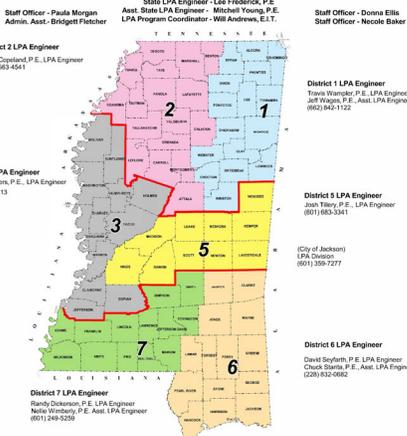
LPA Program Overview



- MDOT LPA Team
 - LPA Division
 - District LPA Engineers
 - Day to Day Reps
- LPA Program Goals
 - Help meet your needs
 - Meet Fed Guidelines
 - Not be a barrier

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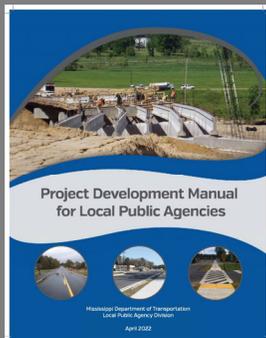
LPA DIVISION



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PDM Chapters

1. Program Overview
2. Project Activation & Oversight
3. Environmental Documentation
4. Right-of-Way Procedures
5. Preparation of PS&E
6. MDOT Authorization and LPA Selection of a Contractor
7. Construction Administration



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Additional PDM Resources

- Abbreviations and Definitions:
- Project File Index:
- MDOT District Map:
- MDOT Phone Numbers:
- Errata Page

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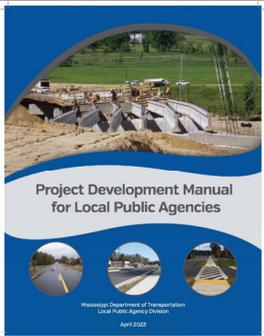
Ch. 1 Program Overview

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PDM Chapters

1. Program Overview
2. Project Activation & Oversight
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LPA Program Funding: Overview

- Fixing America's Surface Transportation (FAST) Act
 - 5 Year Legislation
 - 305 Billion over FYs 2016-2020
 - Mostly level funding
 - Focus on freight corridors

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LPA Program Funding: Overview

- Funding Types:
 - Surface Transportation Program (STP) – 80/20
 - Transportation Alternatives (TA) – 80/20
 - RAISE Funds – Rebuilding American Infrastructure with Sustainability and Equity
 - Eastern Federal Lands Program (EFLAP) – 80/20
 - Legislative Earmark Projects (Depends)
 - Emergency Relief (ER)
 - Safe Routes To School (SRTS)
 - Safety Circuit Rider Program/HSIP Funds

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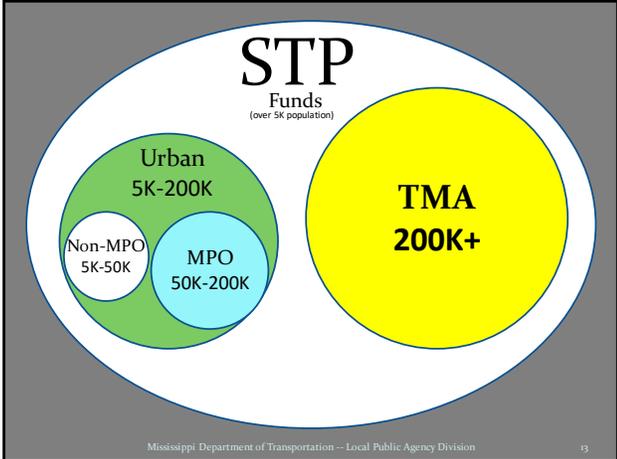
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Surface Transportation Program

- Any street or highway on the Federal-aid system.
- 80% Federal / 20% Local Match
- Separated into TMA Funds and Urban Funds
 - TMA (Population 200,000)
 - Urban (5,000 – 200,000)
 - MPO (50,000 – 200,000)
 - Non-MPO (5,000 – 50,000)

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Transportation Alternative

- Continued in FAST Act
- Same eligibility as TAP
- Sub-allocates funding directly to TMAs
 - They do their own selection/award
- MDOT awards all non-TMA projects
 - PE may be eligible for reimbursement per the 2021 TA Booklet
- Eligible Project Activities
 - Sidewalks
 - Landscaping only projects (FA routes only)
 - Multi-use paths (10 ft minimum width)
 - Pedestrian related lighting
 - Others....

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RAISE funds

- Rebuilding American Infrastructure with Sustainability and Equity
- Similar to the TIGER and BUILD funds
- % Participation is project specific
- Info committed to in the application is very important
- Application process bypasses MDOT

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EFLAP funds

- Eastern Federal Lands Access Program
- Routes that connect federal lands
- Application process has limited involvement with MDOT
- Applicants will need to have a Current Audit for consideration
- Examples
 - Road connecting two national parks
 - Frontage road to USACE property

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Legislative Earmarks

- Project specific

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ER funds

- Emergency Relief
- Repair or reconstruction of roads damaged by natural disaster
- Federal-aid routes not maintained by MDOT
- Reimbursement requires extremely detailed records
 - Dailey diaries
 - Payrolls
 - Pictures before and after
- See MDOT LPA Division website for more info
- Debris clean-up in select situations. Consult your DLE.

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SRTS

- Safe Routes To School
- Now included in the TA program

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Safety Circuit Rider Program-
HSIP Funding

Mark Thomas, PE
MDOT Safety & Rails Division

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**SAFETY CIRCUIT RIDER
PROGRAM/HSIP FUNDING**

LPA PROJECT FUNDING FOR SAFETY



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WHAT IS SAFETY CIRCUIT RIDER?

- An MDOT safety program aimed at improving safety on all local roads
- Provides technical assistance and education
 - Crash data review
 - Site visits
 - Countermeasure recommendations
- Projects
 - Sign Projects
 - Projects with Construction Lettings



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SIGN PROJECTS

- Provides FREE advisory, regulatory, and warning signage to LPAs based on a safety review of the site(s)
- Intersection and sections
- Signs installed by the LPA
- LPAs sometimes asked to provide services as part of project (tree trimming, etc.)
- Did I mention it's free?



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PROJECTS WITH CONSTRUCTION LETTINGS

GETTING STARTED

- LPAs contact their area Circuit Rider
- Review crash data and site conditions together with the Circuit Rider
- Discuss possible countermeasures
- LPAs apply for funding from Safety Circuit Rider (HSIP funds)
- Project reviewed for possible funding through HSIP Program



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PROJECTS WITH CONSTRUCTION LETTINGS

FUNDING, COUNTERMEASURES AND DESIGN

- All selected projects will go through the LPA process (County, City, etc.)
- Funding percentage (90/10% split, 100%, etc.) is determined by countermeasure (striping, roundabout, rumble strips, etc.)
- MDOT and LPA enter into MOA for PE and CON
- MDOT will provide PE on LPA's behalf



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PROJECTS WITH CONSTRUCTION LETTINGS

LETTING AND CONSTRUCTION

- MDOT consultant handles the project through bid letting and up to Pre-Con meeting
- SCR construction projects are handled through reimbursement as per normal LPA procedures
- CE&I consultant takes over at Pre-Con; CE&I consultant chosen by LPA
- MDOT/SCR involved in final inspections



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PROJECTS WITH CONSTRUCTION LETTINGS

GENERAL INFORMATION

- No current deadline for funding applications (accepted year round)
- LPA projects weighed against all HSIP projects statewide (state and local roadways)
- Priority for funding is crash reduction and benefit to cost
- If you ever wonder if a project is eligible for funding, just ask!



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SAFETY CIRCUIT RIDER PROGRAM

Contact Information

Mark Thomas, PE
(601) 359-1454
mthomas@mdot.ms.gov

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Funding Types Recap

- Surface Transportation Program (STP) – 80/20
- Transportation Alternatives (TA) – 80/20
- RAISE Funds
- Eastern Federal Lands Program (EFLAP) – 80/20
- Safety Circuit Rider Program
- Legislative Earmark Projects (Depends)
- Emergency Relief (ER)
- Safe Routes To School (SRTS)

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Project Funding

- Reimbursement Program:
 - Must meet all State and Federal
 - laws, regulations, policies, and procedures
 - No interest
 - Payments within 45 days
- MDOT monitors...
 - Status and Availability of Federal Funds
 - Federal and State laws met
 - Sub-recipient activities with Federal Funds
 - How LPA handles federal expenditures
 - LPA's should be aware of Audit Requirements, as non-compliance could result in withholding reimbursements-section 1.2 of the PDM

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Federal Reimbursement Options

- MPO Areas
 - PE/ROW
 - Depends on MPO
 - Construction, CE&I, and Testing
 - All federally reimbursed as funding allows
- Non-MPO/Urban Areas
 - PE/ROW
 - Special Match Credit (SMC) Only
 - Construction, CE&I, and Testing
 - All federally reimbursed as funding allows

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STIP/TIP

- The STIP...What is that?
 - Statewide Transportation Improvement Program
 - MDOT managed
 - 4 year listing of Federal-Aid projects
 - Includes all Federally funded projects
- The TIP...What is that?
 - Transportation Improvement Program
 - MPO Managed
 - Federally funded projects in MPO
 - Adopted into STIP once approved

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STIP/TIP Pointers

- Fiscal Year-Year funds will be obligated
- Must have accurate estimates and timelines
- Making changes = DELAYS
- Grouped Projects
 - TA Projects
 - CE (Typically fall into Grouped Category)

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Ch. 2 Project Activation

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LPA Program Overview

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MDOT Public Affairs Overview

Michael Flood
MDOT Public Affairs

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MDOT Public Affairs Overview

The LPA is the lead for everything concerning LPA projects

- MDOT Public Affairs can and will assist as needed

- All public facing messages and materials referencing MDOT or project funding sources must be reviewed by Public Affairs.
 - Example: *This project is funded by FHWA and appropriated through MDOT and the MPO with a local match*
- For any events, Public Affairs must be involved at the beginning of the event planning process.
 - Public Affairs will act as liaison between LPA and Transportation Commission office
- Public Affairs can also assist with media relations, including:
 - Press release assistance
 - Calls to local media
 - Social media engagement
- Event support is also offered, including:
 - On-site media management
 - Photography, if requested in advance
 - Stage and audio equipment, if requested in advance

Public Affairs Contact: Michael Flood– 601-359-7020, mflood@mdot.ms.gov

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Project Activation – Step 1

Activation Packet Must Include

- Letter from Chief LPA Official
 - Assign LPA Project Director & LPA Project Manager
 - Contact Info for Chief LPA Official, and LPA Project Director/Manager
- Board or Council Minutes
- Vicinity Map
- Excerpt from STIP (Award Letter for Grouped projects)
- LPA Training Certificate
- LPA's Annual Audit Report (if not already submitted with app)
- Letter from MPO (if applicable)

Project Number Assigned and Step 1 letter from MDOT

Memorandum of Agreement drafted

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Letter from the LPA Official

(LPA Letterhead)

January 1, 2010

Mr. Travis Wampler, P. E.
District One LPA Engineer
Mississippi Department of Transportation
P. O. Box 2060
Tupelo, MS 38801-2060

Re: Amendment Request for Project on Main Street
City of [redacted] County

Dear Mr. Wampler:

On behalf of the City of [redacted], I am pleased to request that the City of [redacted] be allowed to proceed with the [redacted] of referenced project. The project involves the following scope of work:

Repair and construction of sidewalks along Main Street from Cemetery Street to Jones Street.

Attached are the following documents necessary to activate the project:

- 1) A copy of Board of Aldermen/minutes authorizing the Mayor to activate this project
- 2) Vicinity map showing the location of the proposed project and the FA route number
- 3) Excerpt from the STIP

Your approval for the City of [redacted] to proceed with this project is requested. Please advise should you have any questions or need additional information.

Sincerely,
[redacted] Mayor
City of [redacted]

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Board or Council Minutes

Upon motion made by _____ duly seconded by _____ and unanimously approved, the board of alderman authorized Mayor John Smith to initiate and request activation to the Mississippi Department of Transportation pending award of the of the following project:

Repair and construction of sidewalks along Main Street from Cemetery Street to Jones Street and along Second Street from Clayton Street to Cox Street

STATE OF MISSISSIPPI
 COUNTIES OF _____
 CITY OF _____

I, Jane Doe, City Clerk of the City of _____, Mississippi, hereby certify that the above and foregoing is a true and correct copy of the minutes of the City of _____ meeting on August 3, 2010.

Witness my signature under the Seal of the said City of _____, Mississippi, this the ____ day of _____, 20____.

 Jane Doe, City Clerk



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Vicinity Map

mdot.ms.gov TRAVEL MAPS Functional Class System Counties Urban Small Urban

Show Project Termini

Be sure and note the Functional Classification Number



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STIP Excerpt

mdot.ms.gov PROGRAMS STIP

- STIP Page
- STIP Amendment Form
- Send Award Letter
 - Commissioner
 - MPO

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Other Activation Items

- Training Certification
 - LPA full time employee
 - Project Director or higher
- Letter from MPO, if applicable
 - Approving and giving funding type
- Contact Information for LPA Personnel
- LPA's Annual Audit Report

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MDOT Audit Monitoring

Emily Harrington
Director Internal Audit Division

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MDOT Audit Requirements Overview

- MDOT will perform a risk assessment for any grant program you apply to for funding
- Risk Assessments require a review of audit reports or financial information
- Must complete an Audit Determination Form
- If an award is granted, recipients will be required to complete a yearly certification of their Single Audit status

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MDOT Audit Requirements

- 2 CFR 200 “Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards”
- Section 200.205 requires MDOT to establish a merit review process for applications
- Section 200.332 requires MDOT to perform monitoring activities, including the submission of Single Audit reports to the FAC
- Section 200.339 allows MDOT to enforce remedies in the event of noncompliance

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Pre-Award Risk Assessment

- MDOT has adopted a merit review process with the objective to select recipients most likely to be successful in delivering on program objectives
 - Financial stability
 - Quality of management systems
 - History of performance
 - Results of audits or financial information
 - Ability to implement program requirements
- At the end we will make a determination if the applicant is low/high risk

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Audit Submission Requirements

- The type of audit report or financial information will be dependent on the size and complexity of the applicant
- MDOT will require the most recent fiscal year reports to be presented
- Reports are considered “due” 9 months after the close of the most recent fiscal year end

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What is Required from Me?

- Single Audit – applicants who expend \$750,000 or more in federal funding. Must be accepted by the Federal Audit Clearinghouse (FAC) within 30 days of receipt of the audit report or 9 months after the end of the fiscal year, whichever is earlier
<https://harvester.census.gov/facweb/>
- Full Scope GAAP Audit in accordance with GASB 34 – applicants with total revenues or expenditures, whichever is greater, equal to or greater than \$10,000,000. Optional for all other entities
- Full Scope OCBOA Audit in accordance with GASB 34 – applicants with total revenues or expenditures, whichever is greater, equal to or greater than \$1,000,000 but less than \$10,000,000

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What is Required from Me?

- Compilation report in accordance with GASB 34 – applicants with total revenues or expenditures, whichever is greater, less than \$1,000,000
- Financial Statements – applicants with total revenues or expenditures, whichever is greater, less than \$100,000 may submit the following in lieu of an audit or compilation report
 - Full set of financial statements for the most recent fiscal year
 - Municipalities must also request exemption from the Office of the State Auditor within 90 days of the end of their fiscal year
- Not-For-Profits – follow the same requirements

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What is Required from Me?

- Audit Determination Form – all applicants must complete an audit determination form indicating the following 2 items:
 - The type of audit report or financial information they qualify for
 - Ability to properly administer federal funds

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MDOT Ongoing Monitoring

- To meet our responsibility under 2 CFR 200.332, MDOT will require sub-recipients to designate an individual to register with an MDOT e-forms system account.
- The designee will receive an email with a link to complete the "Single Audit Certification and Exemption" form by June 30 of each year.
- The form is required for each year the sub-recipient has an open project with the LPA division

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Audit Suspension

- MDOT reserves the right to request additional information as necessary due to conditions that may arise or guidance released by FHWA or the OSA
- Failure to comply may result in:
 - High risk assessment determination
 - Delay of project activation
 - Temporary withholding of cash payments
 - Any other actions deemed appropriate by MDOT and allowed under law

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Questions?

Emily Harrington, CPA
Director of Internal Audit
eharrington@mdot.ms.gov
601-359-7500

<https://mdot.ms.gov/portal/audit>

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Project Oversight

- Chief LPA Official
 - Mayor, President BOS or College
- Project Director (Full time LPA Employee)
 - Public Works Director, City Engineer
- Project Manager (Can be same as above)
 - If consultant, can't be from same firm hired to design
 - Runs day to day operations
- Personnel Changes
 - In writing and include name, title, and position

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Memorandum of Agreement (MOA)

- Legal agreement between the LPA and MTC
 - Take it or leave it document
 - Outlines the duties and responsibilities
 - Defines Federal participation
 - Defines Reimbursement percentage
 - Sets obligation target date
 - Commission approval to extend time
 - Executed by MDOT

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Project Kick-off Meeting

- Goal of Meeting
 - Get off on right foot
 - Properly scope the project
- Meeting Should Happen...
 - Consultant Selected, but not under contract
- District LPA Engineer Initiated
 - ROW and Environmental Division Represented
 - Rails Division, if applicable

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Project Activation – Step 2

Before moving to Step 2 LPA must have

- Assigned project number
- Executed MOA
- Possibly contracted with consultant
- Received Step 2 letter or email

Step 2 items

- LPA-100
- LPA-700 (to be discussed later by Roadway Design Division)
- ENV-160 (consult your District LPA Engineer)

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LPA-100

Sections 1, 2 and 3

The screenshot shows the 'Request' page for 'Local Public Agency Projects' (MDOT Form LPA-100). The 'Project Information' section is highlighted. Fields include: Requested By (Tyner, Tom), Project Number (107904-701000), External Project Number (STP-9138-000033LPA), Project Date (8/13/2020), County Name (Harrison), Applicant LPA Name (Harrison County Board of Supervisors), Address (1801 23rd Avenue, Gulfport, MS 39501), Phone (02-9876268), Project Director (Jaclyn M. Turner), Project Description (Harrison County BOS - Landon Rd), and Project Location (Harrison County BOS - Widening of Landon Road and adding bicycle and...).

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LPA-100 Section 1

This screenshot is identical to the one above, but with a blue arrow pointing to the 'External Project Number' field, which is highlighted with a green box. A blue label 'FMS #' is positioned above the arrow.

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LPA-100

Section 2 With SMC

The screenshot shows the LPA-100 form for Section 2. It includes a 'Request' section with a 'Submit' button. Below are two main sections: 'Federal Reimbursement' and 'Special Match Credit'. Each section has a table with columns for 'Cost Type' and 'Reimbursement Amount'. The 'Federal Reimbursement' section has three rows: Construction, P.E., and R.O.W. The 'Special Match Credit' section has two rows: P.E. and Other. Each row has radio buttons for 80/20%, 100%, and None. A 'Project Expenditures' section shows 'P.E. and Design Costs' at \$248,747.84 and 'Right of Way (R.O.W.) Costs' at \$0.00. A 'Project Funding Calculation' section shows 'Sub-Total Costs to be paid by LPA' at \$248,747.84. A note at the bottom states: 'NOTE: If you choose P.E. or R.O.W. reimbursement during the Design phase you will have less funds available during the Construction phase.'

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LPA-100

Section 3

The screenshot shows the LPA-100 form for Section 3. It includes a 'Request' section with a 'Submit' button. A blue arrow points to the 'Sub-Total Construction Cost' field, which contains '\$1,700,000.00'. A blue text box next to it says 'This is an estimate only'. Below the 'Request' section is the 'Email Delivery Settings' section, which has fields for 'Enter the name of the individual preparing this form', 'Enter the title of the individual preparing this form', 'Enter the name of the Chief LPA Official', and 'Enter the title of the Chief LPA Official'. There are also fields for 'Enter the LPA Contact Person's email address to receive the LPA-100 form attachments' and 'Select the MDOT District LPA Engineer to receive a copy of the LPA-100 form attachments'.

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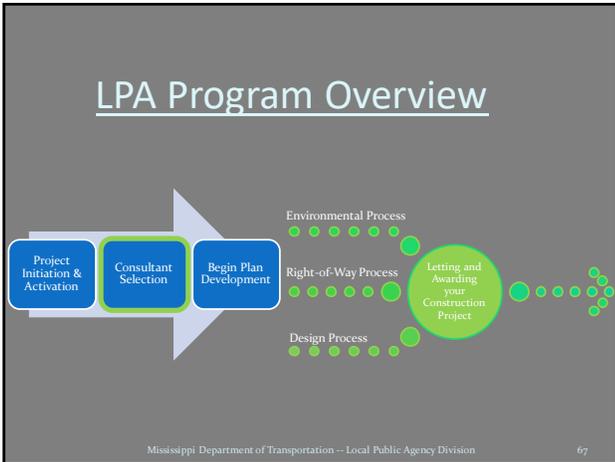
LPA-700

Roadway Design Data

To be discussed
later by Roadway
Design Division

The screenshot shows the LPA-700 form. It includes a 'Segments' section with a table showing two segments. The 'LPA Roadway Design Related Data' section has a 'Tell us about your proposed LPA Project' section with a 'Project Location' field and a 'City or District' dropdown. There are also fields for 'Is this project a roadway, non-roadway, or hybrid project?', 'Is this project a new construction or reconstruction?', 'How many segments will this project have?', 'Length of Segment (miles)', and 'City or District'. The 'Project Remarks' section has a 'Project & Improving Maintenance' section with a 'Project Location' field and a 'City or District' dropdown. There is also a 'Correspondence' section.

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MDOT LPA Consultant Operating Procedures for Professional Services

Presenters: Stephanie Henley, and
Leland L. Hennington, P.E.

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Stewardship and Oversight Program

The Stewardship and Oversight Program monitors the effective and efficient use of resources to best meet the transportation needs of the nation with the specific focus on financial integrity and project delivery.

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Consultant Services Unit (CSU) Introduction

- CSU reviews the process for LPA Federally Funded Projects (through the MDOT LPA Engineer);
- Multiple written MDOT concurrences for consultant selection and contractual process is vital;
- Proper documentation required before any MDOT concurrence (GoMDOT.com for templates); and
- MDOT LPA Engineer communicates with the LPA and the Consultant thru the MDOT and LPA Engineer to assist the LPA in Compliance.

Gomdot.com

Business Center

Local Public Agency (LPA)

CSU LPA Documents

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Understanding the “Brooks Act”

- Foundation of all selection for consultant process, 23 CFR Part 172;
- Primary method of procurement for Engineering & Design Services utilizing Federal Funds (includes Special Match);
- Promotes qualifications based competition and selection for the Consultants (cost can not be discussed until selection is made); and
- LPA will advertise, rank, select the **most** qualified firm then negotiate the Contract at a fair and reasonable price.

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General Overview (in order)



Selection

- LPA uses appropriate selection method
- MDOT reviews and concurs with LPA Selection Package
- The LPA notifies the Consultant



Contract Negotiation

- LPA and Consultant begin contract negotiations
- MDOT reviews and concurs with the Contract and Fee Proposal Package
- LPA executes the contract at their discretion and issues the Notice to Proceed (NTP)



Invoicing

- Consultant/LPA submit invoicing

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MDOT CSU Must Concur with the Following Items:

Selection Procedures Concurrence Package

Professional Service Contract and Fee Proposal Package

Supplemental Agreements

Special Match Packages

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Selection Procedures Concurrence Package



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Methods for Selecting a Consultant

Advertisement

Small Purchase

MDOT Master Services List

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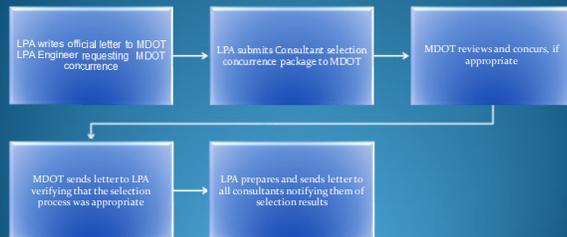
(Advertisement) Selection Concurrence Package

- ✓ Completed Consultant Selection Procedure Checklist;
- ✓ Proof of Advertisement (Legal Ad);
- ✓ Any addenda during advertisement;
- ✓ Meeting Minutes from selection committee; and
- ✓ Score sheets from selection committee members.

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(Advertisement) Selection Concurrence Package Process



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Selection "Reminders"

- ✓ Make sure advertised in paper at Seat of Government;
- ✓ The Legal Ad must contain all of the advertised requirements;
- ✓ Complete the Selection Committee Meeting Minutes properly;
- ✓ LPA must select the #1 ranked firm;
- ✓ Score Sheets must be provided;
- ✓ Criteria in Legal Ad must match Score Sheets;
- ✓ **Total** of all allowable non-qualification based criteria can not exceed 10% of score (location, DBE scores, ...); and
- ✓ Do NOT talk with any Consultants concerning the selection of this project prior to MDOT concurrence.

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Small Purchase

Utilizing a Small Purchase bypasses the standard competitive selection procedure for projects where professional services involving federal funds are valued under the Federal simplified acquisition threshold for A&E Services.

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Small Purchase Procedure (Services Less Than \$250,000)

LPA submits to MDOT a Small Purchase Letter per LPA SOP's (list the three (3) firms considered, the (1) firm selected and the services being provided).

*Professional Services for each Phase (PE or CE&I, ect.) utilizing federal funds cannot exceed \$250,000

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MDOT Master Services List Process

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graph TD
    A[LPA will request the MDOT Master Services List for the type work required from MDOT] --> B[LPA selects three (3) Consultants from the MDOT Master Services List]
    B --> C[MDOT will transmit the Statement of Qualifications (SOQ)s of the three (3) Consulting Firms Selected to the LPA]
    C --> D[LPA selects one (1) of the Consulting Firms to begin Contract negotiation]
    D --> E[LPA and Consultant begin contract and Fee Proposal Preparation]
  
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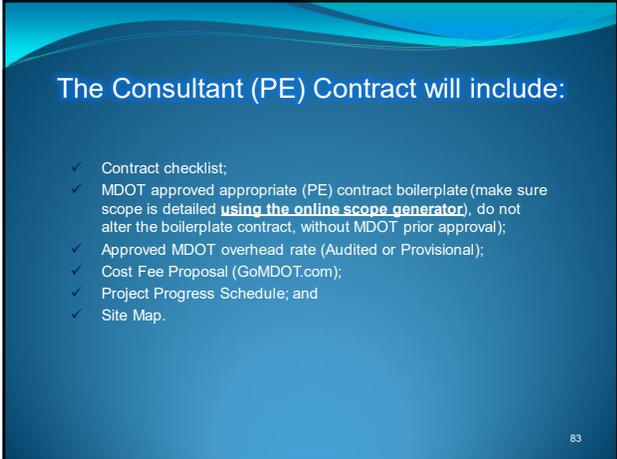
*Professional Services may not exceed \$500,000

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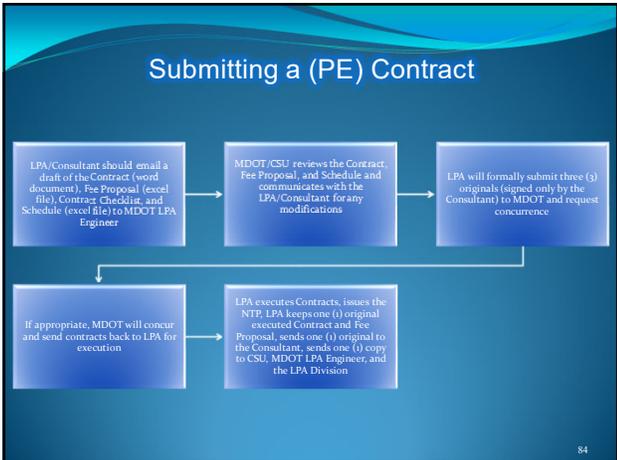
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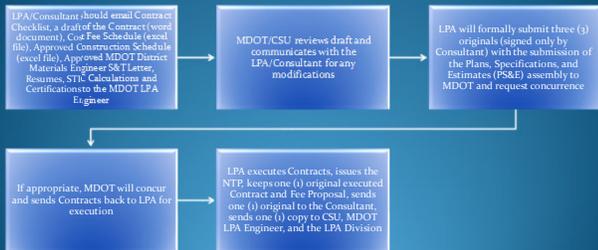
The Consultant (CE&I) Contract will include:

- ✓ Contract checklist;
- ✓ MDOT approved appropriate (CE&I) contract boilerplate (make sure Scope is Detailed, do not alter the boilerplate contract, without MDOT prior approval);
- ✓ Approved MDOT overhead rate (Audited or Provisional);
- ✓ Approved MDOT District Materials Engineer S&T Letter;
- ✓ Cost Fee Schedule;
- ✓ Approved MDOT Construction Schedule;
- ✓ Resumes (Engineers and Inspectors);
- ✓ Storm Water and Traffic Control Certifications; and
- ✓ Site Map.

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Submitting a CE&I Contract



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Something new this year are guidelines for implementing a risk-based approach for optimization of CE&I and material testing. These guidelines have been fully implemented within the existing framework MDOT uses for oversight of LPA projects. Full implementation required modification to existing specifications and revisions to material testing manuals.



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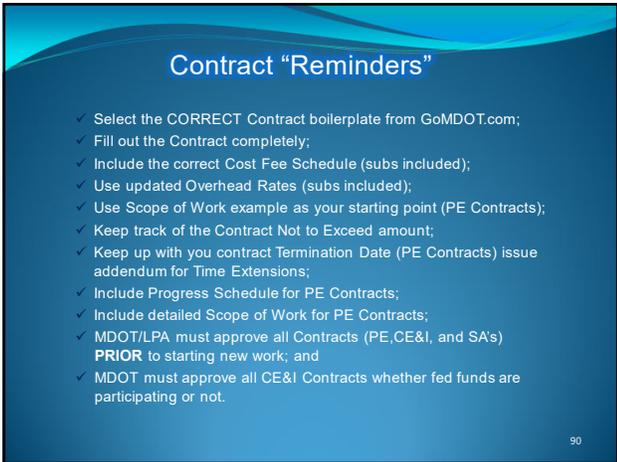
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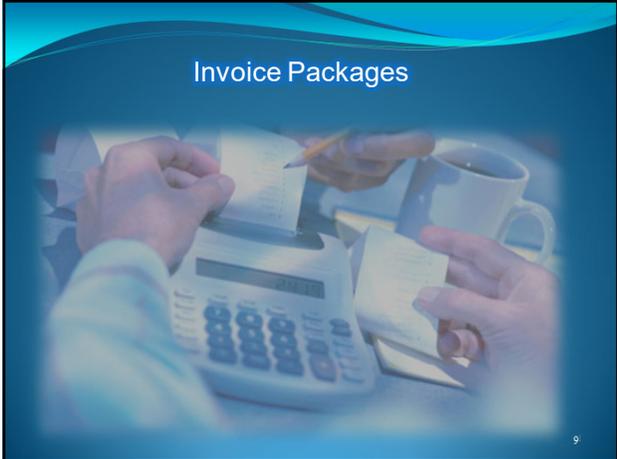
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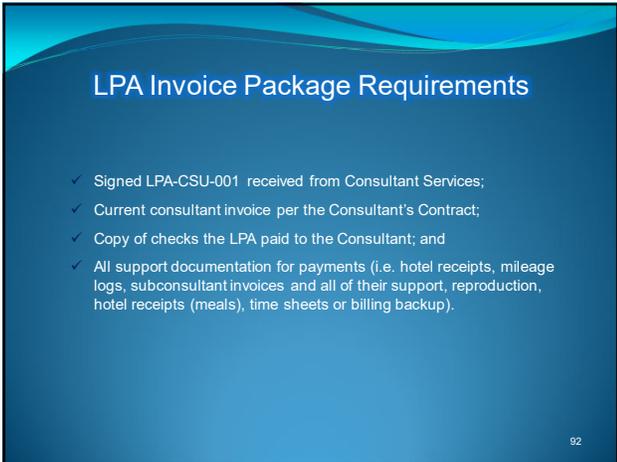
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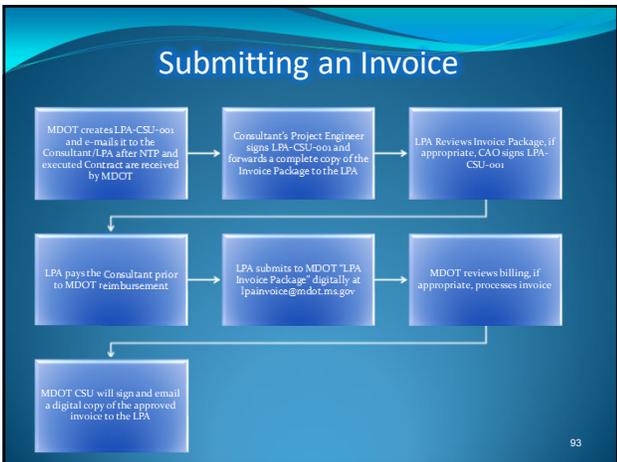
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Invoice “Reminders”

- ✓ MDOT will not process an invoice prior to receiving the fully executed Contract and NTP letter;
- ✓ Rates, Classifications and Names MUST match the Contract for Labor Hour Contracts;
- ✓ Provide billing backup and supporting documentation for all reimbursable expense (meals are not reimbursable unless there is an overnight stay);
- ✓ Do NOT alter the LPA-CSU-001 formulas or codes;
- ✓ Provide proof of prior payment to the Consultant; and
- ✓ LPAs should always submit their Invoice Package digitally at lpainvoice@mdot.ms.gov.

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LPA Preliminary Engineering Special Match Package Checklist

The following information shall be included in the Preliminary Engineering – Special Match Credit Package.

- A. LPA Special Match Process Checklist;
- B. MDOT Selection Concurrence Letter or Small Purchase Letter;
- C. Complete Statement of Expenditures for Special Match Credit;
- D. MDOT Consultant Contract concurrence Letter;
- E. Copy of **fully** executed Contract;
- F. Notice to Proceed letter for the Contract;
- G. Any Supplemental Agreements and/or Time Extension (including the NTP for each);
- H. All LPA Proof of payments to the Consultant (i.e. Cancelled Checks); and
- I. All Consultant Invoices including billing Backup and/or Time Sheets and Supporting Documentation for Direct Cost.

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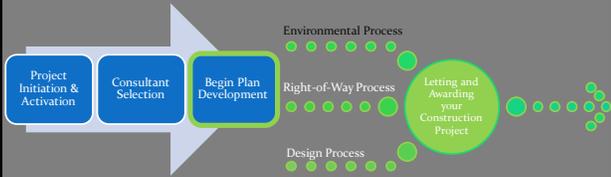
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<p>Stephen Rone Director of Consultant Services 601-359-7874 srone@mdot.ms.gov</p>	<p>Leland L. Hennington, P.E. CSU LPA Engineer 601-359-7083 lhennington@mdot.ms.gov</p>
<p>Stephanie Henley CSU LPA Coordinator 601-359-7536 shenley@mdot.ms.gov</p>	<p>Anitra Crouther CSU Payment Manager 601-359-7021 apcrouther@mdot.ms.gov</p>

96

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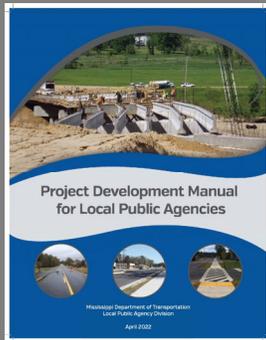
LPA Program Overview



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PDM Chapters

1. Program Overview
2. Project Activation & Oversight
3. Environmental Documentation
4. Right-of-Way Procedures
5. Preparation of PS&E
6. MDOT Authorization and LPA Selection of a Contractor
7. Construction Administration



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Ch. 3 Environmental Process

99

NEPA and LPA

How the two processes work together ...
... and what can happen when they don't!

Adam Johnson / Duane Burt
MDOT Environmental Division

100

Adam Johnson, P.E.

- Division Director of the Environmental Division
- 20 Years at MDOT in the Environmental Division
- BS/MS Degrees in Civil Engineering from Mississippi State University

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NEPA?

- The National Environmental Policy Act
 - 1970 - Signed into law
 - The purposes of this Act are:
 - "To declare a national policy which will encourage productive and enjoyable harmony between man and his environment; to promote efforts which will prevent or eliminate damage to the environment and biosphere and stimulate the health and welfare of man; to enrich the understanding of the ecological systems and natural resources important to the Nation; and to establish a Council on Environmental Quality."
- Sec. 2 42 USC § 4321

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NEPA?

National Environmental Policy Act

- It is a PROCEDURAL Law
- It requires all projects using federal funds, permits, or actions, to make every effort to identify environmentally friendly solutions

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What triggers NEPA?

- Federal Funds
 - FHWA, HUD, etc.?
- Federal Action / Permits
 - USACE Permits, Federal Land Transfers, etc.

104

So What's the Bottom Line?

If you use federal money,
a NEPA document is required

105

☑ FHWA Funds ☑ NEPA
What is the Next Step?

- Why is the project is needed?
 - Purpose & Need for the Project
- What are the project termini?
- What type of solutions/improvements would meet those needs?
 - Range of Alternatives for the Project
- How well do those solutions / improvements address the concerns and how do they affect the surrounding area?

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NEPA Document

- Documentation
- Approval by the lead federal agency
- There are different types of NEPA documents

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Classes of NEPA Documents

- Environmental Impact Statements (EIS)
 - ◊ Used when there are significant environmental impacts
- Categorical Exclusions (CE)
 - ◊ Used when project impacts are known to be minor
- Environmental Assessments (EA)
 - ◊ Used when the significance of environmental impacts are unknown.
 - ◊ Depending on the results of the assessment, the project will either be escalated to an EIS or concluded with a Finding of No Significant Impact (FONSI)

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What types of environmental impacts are you looking for?

- A. LAND USE
- B. FARMLAND
- C. SOCIAL
- D. RELOCATIONS
- E. ECONOMIC
- F. JOINT DEVELOPMENT
- G. CONSIDERATIONS TO PEDESTRIANS & BICYCLISTS
- H. AIR QUALITY
- I. NOISE
- J. WATER QUALITY
- K. PERMITS
- L. WETLANDS / STREAM
- M. WATER BODY MODIFICATION & WILDLIFE
- N. FLOODPLAINS
- O. WILD & SCENIC RIVERS
- P. COASTAL BARRIERS
- Q. COASTAL ZONE
- R. THREATENED OR ENDANGERED SPECIES
- S. HISTORICAL & ARCHAEOLOGICAL PRESERVATION / 4(F) PROPERTIES
- T. HAZARDOUS WASTE SITES
- U. VISUAL
- V. ENERGY
- W. CONSTRUCTION
- X. ENVIRONMENTAL JUSTICE

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NEPA Studies

- Wetlands and Other Waters Study
- Biological Assessment
- Social and Economic Impacts Assessment
- Phase I/II Environmental Site Assessment
- Cultural Resources Survey
- Noise Study

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Categorical Exclusions aka 'CE' or 'CatEx'

- Most projects fall under this type of document
- If there are any doubts or to be sure, call us
- Documentation can still be quite extensive – especially if new right-of-way is needed.

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ENV-160 – Signature

7. SUBMITTED BY:

MAYOR CONSULTING ENGINEER

CITY OR COUNTY ENGINEER

SUBMITTED AND APPROVED BY: **DATE**

Please check, sign and date

115

ENV-160 – Impacts

Significant really means you should be doing an EIS!

2. ENVIRONMENTAL CONSEQUENCES EVALUATION (CHECK ONE)	SIGN	MIN	NONE	COMMENTS IDENTIFYING ISSUES WHICH MAKE IMPACT SIGNIFICANT OR MINIMAL
A. LAND USE IMPACTS				
B. FARMLAND IMPACTS				
C. SOCIAL IMPACTS				
D. RELOCATION IMPACTS				
E. ECONOMIC IMPACTS				
F. JOINT DEVELOPMENT				
G. CONSIDERATIONS RELATING TO PEDESTRIANS & BICYCLISTS				
H. AIR QUALITY IMPACTS				
I. NOISE IMPACTS				
J. WATER QUALITY IMPACTS				
K. PERMITS				
L. WETLAND/STREAM IMPACTS				
M. WATER BODY MODIFICATION & WILDLIFE IMPACTS				
N. FLOODPLAIN IMPACTS				
O. WIND & SCENE BLIND				
P. COASTAL BARRIERS				
Q. COASTAL ZONE IMPACTS				
R. THREATENED OR ENDANGERED SPECIES				
S. HISTORIC & ARCHAEOLOGICAL PRESERVATION / AIT LANDS				
T. HAZARDOUS WASTE SITES				
U. VISUAL IMPACTS				
V. ENERGY				
W. CONSTRUCTION IMPACTS				
X. ENVIRONMENTAL JUSTICE IMPACTS				

If it were, MDOT would have to do the document.

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Environmental Assessment aka 'EA'

- Projects where the "significance" of the Environmental Impact is not clearly established
- Usually associated with projects that are adding "through" capacity for traffic
- Prior to beginning an EA, LPA will need to meet with the Federal Agency (typically FHWA) and MDOT (LPA & Environmental)

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Environmental Impact Statements aka 'EIS'

- Due to the level of documentation that is required for these types of documents, MDOT is typically required to oversee them directly.

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Resource Agencies

- Federal Resource Agencies
 - USFWS – U.S. Fish & Wildlife Service*
 - USACE – U.S. Army Corps of Engineers*
 - EPA – Environmental Protection Agency*
 - NPS – National Park Service
 - USFS – U.S. Forest Service
 - USCG – U.S. Coast Guard
 - NRCS – Natural Resources Conservation Service
- State Resource Agencies
 - MDAH – Department of Archives & History**
 - MDEQ – Department of Environmental Quality
 - MDMR – Department of Marine Resources
 - MDWFP – Department of Wildlife, Fisheries, & Parks

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Section 106 and Tribal Consultation

- Section 106 of the National Historic Preservation Act (NHPA)
- National Register of Historic Places (NRHP)
- Coordination with the MS Department of Archives and History
- Federal Consultation with Native American Tribes
- Historic Districts

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Permits

- 404 Permit (Clean Water Act)
 - U.S. Army Corps of Engineers (USACE)
 - MDOT will facilitate coordination with USACE Liaison at Vicksburg District who represents the 5 districts that have jurisdiction in the state
 - Addresses "fill" activities of wetlands and 'other waters' (streams, creeks, rivers, etc.)
 - Coastal impacts require a joint application with Mississippi Department of Marine Resources

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Permits

- 401 Water Quality Certification (Clean Water Act)
 - Mississippi Department of Environmental Quality (MDEQ)
 - Automatically issued with the 404 Permit from USACE when Nationwide or general permits are authorized
 - For Individual 404 Permits, an Individual 401 Water Quality Certification must be issued by MDEQ.
 - Should an Individual 401 Water Quality Certification be necessary from MDEQ, MDOT will assist the LPA as needed.

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Permits

- 402 Construction Permit (Clean Water Act)
 - MDEQ
 - LPA applies for Large Construction General Permit or provides documentation for the Small Construction General Permit
 - LPA's contractor will provide a Project Specific Stormwater Pollution Prevention Plan (SWPPP) to MDEQ unless the SWPPP was provided to them as part of the contract.
 - MDOT will confirm that the information within the Erosion Control Plans (ECPs) are representative of the SWPPP narrative and that the necessary Best Management Practices (BMPs) are depicted.

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Permits

- Section 10 Permit (Rivers and Harbors Act)
 - USACE
 - MDOT will facilitate coordination with USACE Liaison.
 - Necessary of certain navigable water crossings depending on the type of project being done
- Section 9 Permit (Rivers and Harbors Act)
 - U.S. Coast Guard
 - MDOT and Federal Lead Agency (FHWA, FRA, etc.) will facilitate
 - Necessary for certain navigable water crossings depending on the type of project being done

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Permits

- 408 Permits
 - Required on projects that touch USACE property or facilities. A 408 review is required before the USACE will provide a permit or easement.
- ARPA Permits
 - Required to conduct cultural resource surveys on any Federal Lands
- Railroad Permits
 - May be required for projects encroaching on or crossing Railroads
- FAA Permits
 - May be required for projects in close proximity to Airports

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Other Regulatory Requirements

- Regulatory Floodplain Impacts
 - Letter of Map Revision (LOMR) required if a No Net Rise cannot be achieved in design
 - Coordination with Local Floodplain Administrator and Federal Emergency Management Agency
 - State Regulations also apply
- Relocation of T&E Species
 - Endangered Species Act (ESA) Section 7 and/or Section 10 with USFWS
 - Administrative Collection/Possession Permit required from MDWFP

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Public Involvement

- **Public Meetings**
 - May be necessary for a CE or EA or EIS
 - In a CE, it is usually to inform the community about the project coming, the potential properties that may be required, and the type of traffic issues that may be surrounding it, and to bring in any necessary input that may make the project work better in the area. Relocations and access are usually involved here.
 - In a EA, it is usually part of the decision making process to get public input about the location and the needs involved, especially those of people who are directly impacted
- **Public Hearings**
 - Necessary for an EA or EIS
 - Primary opportunity for viewing the compiled document for public comment.

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The *Do's*

- Get MDOT & Federal Agency Concurrence on the Class of Environmental Action Early
- Acquire Services from a Consultant with NEPA Experience
- Ask MDOT what Environmental Studies will be needed for the Project
- Submit Cultural Resource Survey to MDOT not MDAH
- Submit 404 Permit Application to MDOT rather than USACE

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Questions?



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- Stormwater Compliance Administrator, Environmental Division, MDOT
- B.S. – Marine Biology/Chemistry, University of Southern Mississippi
- M.S. – Chemical Ecology/Natural Products Chemistry, University of Mississippi
- Nationwide Experience in Environmental Permitting and Compliance for Telecommunications/Electric Power Projects (AT&T; Verizon; PF.Net, Entergy, etc.)

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Stormwater – Why it matters!



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Stormwater / SWPPP & Erosion Control Plans



- The LPA initiates the permit process with DEQ.
- As the permit holder, the LPA holds the ultimate responsibility if the 402 permit is violated.
- READ YOUR PERMIT.
- At a minimum, your SWPPP (aka 'Narrative') and ECP (Erosion Control Plan) are submitted to MDOT for review and determination of whether a SCNOI or LCNOI are necessary.

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Stormwater / SWPPP & Erosion Control Plans (cont'd)

> Small Construction Notice of Intent (SCNOI)

- ◊ Project ground disturbance is between 1 and under 5 acres.
- ◊ The permit application is filled out but NOT submitted to MDEQ ... instead, it is kept on site by the contractor in case MDEQ were to visit the construction site.

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Stormwater / SWPPP & Erosion Control Plans (cont'd)

> Small Construction Notice of Intent (SCNOI)



- ◊ The project is 5 acres or more.
- ◊ The permit application is submitted to MDEQ.
- ◊ The Prime Contractor Certification, SWPPP, and ECP should be sent to MDOT for review.
- ◊ The ECP is compared with the SWPPP that was approved by DEQ to confirm that the SWPPP and the ECP remain in concurrence.

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Stormwater / SWPPP & Erosion Control Plans (cont'd)

> SWPPPs and ECPs should discuss and identify:

- ◊ What BMP's will be used and where (and how they will change due to phasing if known),
- ◊ ECP needs a Key/Legend to the BMP's being placed,
- ◊ Where crucial areas are to be located (construction entrances, storage areas, washout areas, etc.), and
- ◊ Any sensitive areas (wetlands, 303(d) listed streams with a sediment or D.O. TMDL)

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Stormwater / SWPPP & Erosion Control Plans (cont'd)

- LPA or LPA Contractor initiates permit process with DEQ (Submits Plans to DEQ to get a permit #)
- Those plans are then reviewed by MDOT and/or MDOT's independent consultant
- If ready to initiate ...
 - SCNOI – We let you know & you get started
 - LCNOI – DEQ will need to review them again for final approval

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Stormwater / SWPPP & Erosion Control Plans (cont'd)

- If they are not ready - you will need to have them revised and resubmitted (back to MDOT Environmental Division) so that we can try again.
- This is only for the INITIATION of construction ... it doesn't mean they never have to be changed ... more than likely issues will come up and they will need to be modified.



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Stormwater / SWPPP & Erosion Control Plans (cont'd)

- For LCNOI, revisions to SWPPPs or ECPs should be submitted to MDOT if there are significant additions to the BMP's or if you are backing off of previously included BMP's.
- Any additional phases other than originally submitted at the beginning of the project should be submitted.

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Closing out a Permit

- For the Small, we want to be in agreement that the project has reached final stabilization. A Final inspection Form and written correspondence from the LPA and/or their representative overseeing the project may be required.
- For the Large, Request for Termination (RFT) has to be requested from MDEQ, and they send a notice of termination.



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Environmental Division,
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LPA Program Overview



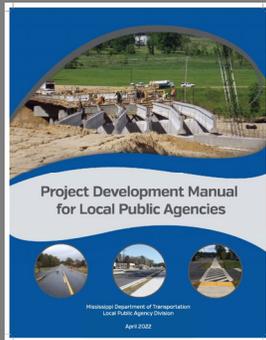
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PDM Chapters

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5. Preparation of PS&E
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7. Construction Administration



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Ch. 4

Right-of-Way Procedures

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Right-of-Way Process

Chapter 4 of the PDM Manual may be found at gomdot.com, on Divisions, MDOT LPA, Manuals, PDM Manual pdf.



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INTRODUCTION

MDOT and FHWA Stewardship Agreement (federal funds in any project phase)

MDOT provides oversight to ensure:

- LPA has adequate staffing,
- LPA has adequate project delivery systems,
- LPA has sufficient accounting controls, and
- LPA complies with federal requirements and MDOT operating procedures
(hyperlinks in Chapter 4 PDM)

Applicable ROW Related Federal Regulations

- "Uniform Act" (49 CFR Part 24) and,
- Highways Act (Title 23, Part 710) Right of Way and Real Estate

Operating Procedures related to ROW

- MDOT ROW Operations Manual (ROM), Excerpt Sections for LPAs

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PROJECT KICKOFF MEETING

- Meeting scheduled by MDOT District LPA Engineer
- To discuss the preconstruction aspects of the LPA project
- Potential ROW issues are also discussed, including contracting requirements
- Discuss MDOT ROW oversight responsibilities

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Local Public Agency Division

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Prior to Beginning the ROW ACQUISITION

Before the LPA begins the ROW acquisition on the project, the LPA must complete the following:

- ✓ Receive approval of the NEPA environmental document,
- ✓ Complete ROW Acquisition Maps and Deeds,
- ✓ Receive notification of ROW Full Funding Authorization for reimbursable projects
- ✓ Receive notification from the MDOT ROW LPA Coordinator to begin the ROW acquisition phase, and schedule for the ROW Kickoff meeting

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ROW KICKOFF MEETING

- The required participants are MDOT ROW and the LPA
- Items to be discussed:
 - ✓ Uniform Act Requirements
 - ✓ ROW Project Funding
 - ✓ ROW Contracts and Scope of Work
 - ✓ ROW Project Scheduling
 - ✓ ROW Record Keeping
 - ✓ ROW Certification
 - ✓ Other ROW project issues

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SELECTING AND CONTRACTING FOR RIGHT OF WAY REAL ESTATE SERVICES

The LPA may need to contract for right of way services

These services may include:

- Project Management
- Appraisal
- Appraisal Review
- Acquisition of Real Property
- Relocation Assistance for displacees
- Asbestos Consulting, Abatement and Demolition
- Final Title Update and Closing Attorney

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CONTRACTING REQUIREMENTS FOR REIMBURSABLE LPA PROJECTS

- Where Eligible Right of Way costs will be reimbursed with Federal funds, ***and***
- Where project will require Acquisition of more than five (5) parcels ***or***
- Relocation of any Property Owners

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CONTRACTING REQUIREMENTS, cont.

- The LPA shall be required to contract for services with right of way consultants listed on the appropriate & current MDOT ROW Division Master Contract lists. (*Links of current lists in Chapter 4*)
- For LPA projects where Right of Way Phase is not using federal funds, those LPAs are encouraged to utilize the current MDOT Right of Way Division Master Contract lists. (*Links in Chapter 4*)

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CONTRACTING REQUIREMENTS, cont.

- Reduces need for correction of Right of Way processes at time of ROW File Review
- Increases timeliness of ROW Phase completion to expedite the project
- LPA required to discuss this information at the Project’s initial Kickoff Meeting in detail and also at the Right of Way Kickoff Meeting

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**ROW ACQUISITION-
49 CFR 24 “Uniform Act”**

- Subpart B – Real Property Acquisitions
 - Basic Acquisition Policies 24.102
 - Criteria for Appraisals 24.103
 - Review of Appraisals 24.104
 - Donations 24.108
- Subpart C - F – Relocation Requirements
- Subpart G – Certifications

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ROW ACQUISITION – Cont.

Waiver Valuation (24.102(c)(2))

- The Agency (LPA) must make the determination to use the waiver valuation process
- The use of a waiver valuation does not require property owner approval
- Waiver Valuations may only be used on non-complicated valuations of \$10,000 or less

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EJC & ADMINISTRATIVE ADJUSTMENT

- The LPA must make the FMVO established by the EJC that is based on either the Appraisal and Review Appraisal or the Waiver Valuation
- If the LPA follows the process described in the Uniform Act and provides written justification, both found in 49 CFR 24.102(i) and (Appendix A), an administrative adjustment offer may be made
- The LPA makes request to the MDOT ROW LPA Coordinator to review all administrative adjustment offers, prior to the offer being made, when the LPA is seeking Reimbursement or Special Match Credit

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ROW PROJECT REVIEW

- All parcel information shall be maintained in a parcel-specific filing system
- Parcel File Checklist shall be provided at ROW Kickoff Meeting
- MDOT ROW LPA Coordinator may request a project file review at any time
- After project file review, the LPA will be notified if any documentation needs to be corrected or added
- LPA will be notified of completion and compliance with federal regulations

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RIGHT OF WAY CERTIFICATION

MDOT ROW Division will issue a Right of Way Certification for all LPA projects

The LPA shall submit to the MDOT District LPA Engineer the LPA ROW-EZ Form and applicable Status Reports below, using the LPA ROW-EZ Form and standard report templates found in Chapter 5 – PS&E Assembly. The LPA ROW-EZ Form and each attached report must be signed by the LPA Project Director.

1. **Right of Way Report**– Certifies that all necessary rights-of-way and legal rights of entry have been acquired and that all relocations have been completed.
2. **Encroachment Report**- Certifies the status of all encroachments. If it is determined that an encroachment will be in conflict with construction or is a public safety hazard, the report will list station location and when the encroachment will be removed.
3. **Improvement Status Report**– Certifies that the project does not contain improvements that remain within the project right of way limits.

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RIGHT OF WAY CERTIFICATION

4. **Potentially Contaminated Sites Report**– Certifies that the project has been inspected and all potentially contaminated sites identified are addressed.
5. **Asbestos Abatement Report**– Certifies that the project does not contain structures within the right of way that require asbestos abatement.
6. **Utility Status Report**– Certifies that there are no known utilities in conflict with the project with the concurrence from the MDOT District Utility Coordinator
7. **Affected Railroad Facilities Report**– Certifies that if any railroad facilities are affected by the project, all necessary documentation has been received from the railroad.

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ROW CONTACT

The MDOT ROW LPA Coordinator is Sharen Willis Foster, who may either be contacted by telephone at (601) 946-7411, or by email at sfoster@mdot.ms.gov

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CONCLUDING REMARKS / QUESTIONS

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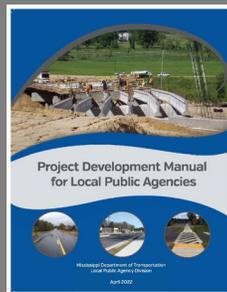
LPA Program Overview



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LPA's Guide
to
Roadway Design

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Review

LPA 700
Design Variance Requests
SQS Generator
Publications

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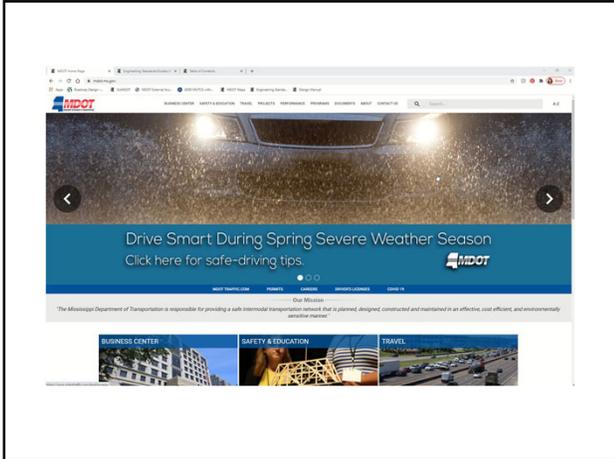
LPA 700

Your go-to pre-design form for every* project.

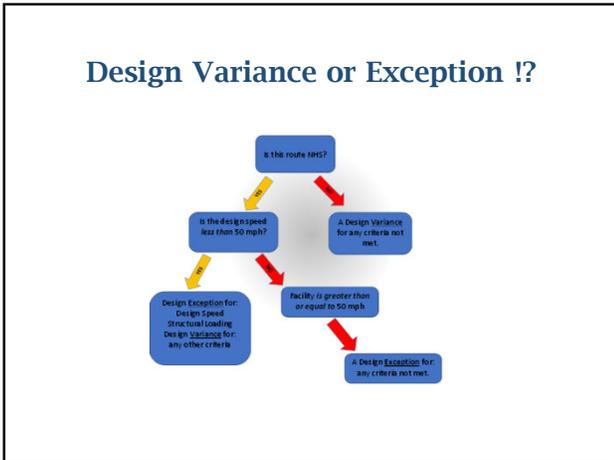
- **Completed online**
- **Auto populates from the Design Manual**
- **Combines roadway & pedestrian into one form**
- **Links to other design resources within the form**
- **Email notifications sent to user & coordinator**



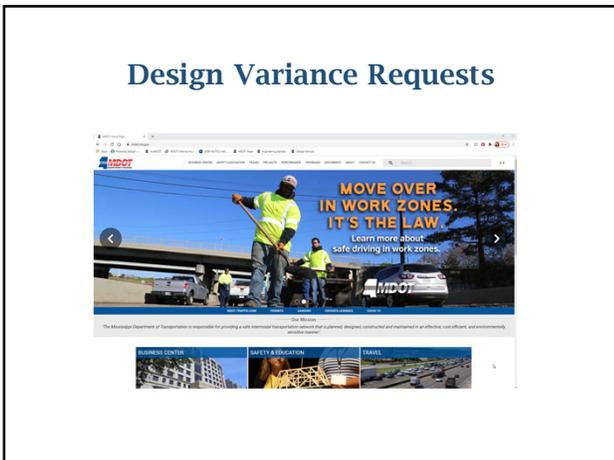
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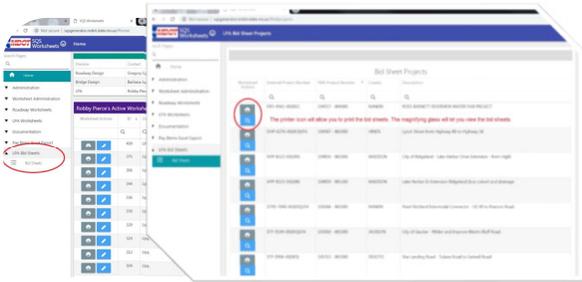


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SQS Generator - Bid Sheets



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New Publications

- **2020 Roadway Design Manual**
https://mdot.ms.gov/portal/engineering_standards_guides_manuals
- **Urban Street Design Guide, NACTO**
<https://nacto.org/publication/urban-street-design-guide/>
- **NCHRP Research Report 948**



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Design Reminders

- **Typical Sections**
- **Shared Use Paths**
- **Clear Zones / Obstructions**
- **ADA Compliance**

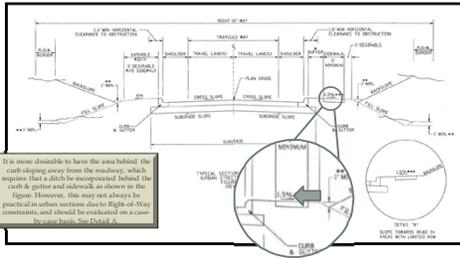
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Typical Sections

- Clearly describe limits of each typical section.
- Differentiate between proposed and existing.
- Required even on signal, roundabout, or overlay projects that have no design criteria from the Manual.
- Try to minimize using "VARIABLE" in typical sections.

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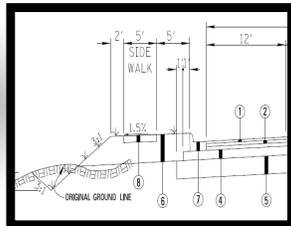
Typical Sections



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SIDEWALKS

- **Buffer Width:**
 - 3-ft min. with curb – if this cannot be obtained use a 5-ft wide sidewalk.
 - 5-ft min. without curb – if this cannot be obtained, a physical barrier should be provided.
- **Path Width:**
 - 5-ft min. – 4-ft allowed with variance but must provide a minimum 5'x5' passing area every 200 feet.
- **Cross slope:**
 - 1.5%
- **Safety Ledge:**
 - 1-ft min. between sidewalk and side slope or a safety rail may be warranted.



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SHARED USE PATHS

- **Buffer Width:**
 - 5-ft min. – if this cannot be obtained, a physical barrier should be provided.
- **Path Width:**
 - 10-ft min, however 8-ft is allowed for short distances to avoid conflicts
- **Cross slope:**
 - 1.5%
- **Safety Ledge:**
 - 2-ft min, graded with 6:1 max slope and clear of lateral obstructions.

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SIDEWALK

SHARED USE PATH

REMINDER:
Reconstructed driveway profiles must meet ADA criteria to the maximum extent feasible
i.e. cross-slope at 1.5%.
New construction must meet all ADA criteria.

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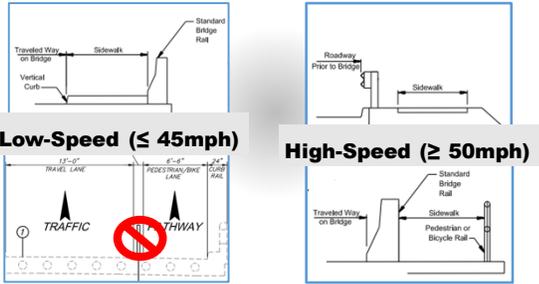
Shared Use Paths

Recent Problems:

- Inadequate buffer widths
- Absence of path shoulders
- Lack of safety rails when needed
- Minimum horizontal radius unmet
- Insufficient separation across bridges

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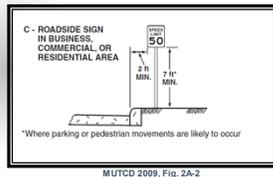
Shared Use Paths Across Bridges



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Sign Placement Adjacent to Curbs

- Keep MUTCD requirements in mind when placing signs
- 2 feet clear from face of curb



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ADA Compliance

Transition Plans

What?

A living and flexible document consisting of an assessment of your Public Rights of Way documenting ADA deficiencies along with a proposed date, timeline, and budget to correct issues.

Why?

1. A condition to receiving federal funds.
2. First line of defense in case you're ever sued
3. Ensures your citizens enjoy all the benefits your city or county has to offer.



Transition Plan Help: Jim Rigby, MDOT Title VI Coord. 601-359-7970

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ADA Compliance

- Strive to meet all ADA criteria to the maximum extent feasible.
- Undue burden is justification for design variance request.
 - Historical properties, buildings, utilities are examples that could be considered as undue burdens.
 - Must be thoroughly documented.
 - Reasonable access must still be provided.
- Brick Sidewalks – Allowable, but strongly discouraged
- Parking – provide accessible spaces per ADAAG

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Contact Information

Division Communication

Roadway Design LPA
Engineer
Inga Lehman
lehman@mdot.ms.gov

Roadway Design Division Engineer
Chris Nail
cnail@mdot.ms.gov

4th Floor of the Billy McCoy MDOT Building
401 N. West Street
PO Box 1850
Jackson, MS 39215-1850
601-359-7250

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Questions?

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Ch. 5 Preparation of Plans, Specifications and Estimate (PS&E) Assembly

- Field Review**
 - Once plans are at least 30-50% complete
 - ROW process begins after field review and environmental clearance
- Office Review**
 - Design should be roughly 90%
 - ROW Completed
 - Includes contract documents, estimate, & calculations for construction time
- PS&E Submittal**
 - Step 1: 14 days Prior to submittal...**
 - Right-of-Way Certificates (6 Letters)
 - CE&I contract of PS&E package.
 - Step 2: All checklist items**

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MONTHLY PROJECT STATUS REPORT

Reporting Period: _____
 IPR: _____
 Department: _____
 Project No.: _____
 Project Description: _____

I. Work completed (Brief summary of work completed during reporting period)

II. Work Planned (Brief summary of work planned for next reporting period)

III. Request for MDOT Response (Information required from MDOT to continue project development)

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Request Tracker Log

Item	Request Number	Request Date	Request Status	Request Description	Requester	Request Date	Request Status	Request Description	Requester
1									
2									
3									
4									
5									
6									
7									
8									
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25									
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27									
28									
29									
30									

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5.4 PDM:
Project plan sheets shall be arranged in the following order:

	Field Review	Office Review	PS&E Assembly
Title Sheet	X	X	X
Typical Sections Sheets	X	X	X
Pay Items (Blank SOQ Sheets)	X		
Summary of Quantities Sheets		X	X
Estimated Quantities Sheets		X	X
Plan Profile Sheets	X	X	X
Special Design Sheets	X	X	X
Standard Drawing Sheets		X	X
Bridge Drawing Sheets		X	X
Cross Section Sheets		X	X
Cost Estimate (Not part of actual plans, but must be submitted along with plans)		X	X

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Ch. 5 Preparation of PS&E Assembly

- Field Review (30-50% Complete):
 - Plans marked “Field Review” in **Red**
 - Up to 10 sets to District LPA Engineer
 - confirm quantity
 - Up to 21 days review time

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Ch. 5 Preparation of PS&E Assembly

- Field Review (30-50% Complete):
 - LPA initiates date of Field Review
 - LPA must be present ★
 - LPA responsible for Field Review Minutes
 - due in 14 days

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Ch. 5 Preparation of PS&E Assembly

- Office Review (90% Complete):
 - Includes Pay Items Quantities
 - Final cost estimate
 - Contract Documents
 - Construction Schedule (3 copies)
 - With time calculations

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Ch. 5 Preparation of PS&E Assembly

- Office Review-Discussion Items:
 - DBE Goal (must use MDOT goal)
 - Specialty Items
 - Stormwater Permit
 - Next Steps
 - Construction Inspection (Selection/Contract)
 - Approved Overhead Rate
 - Proper Certifications per section 618.01.2
 - ROW Certification
 - Sample and Testing Proposal

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Ch. 5 Preparation of PS&E Assembly

- Construction Schedules/Time
 - Examples in Manual (handouts)
 - Calculations help checking contract time
 - Necessary for checking CE&I

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Ch. 5 Preparation of PS&E Assembly

- Risk Based CE&I and S&T
 - (3) Risk levels to assess per each phase of work to right size CE&I expectation per phase of work. High (loss of life), Moderate (inconvenience to traveling public), Low (monetary adjustment to owner)
 - ★ Sampling and Testing will be assessed based off of risk of the material properties, and how the material properties will ultimately affect the final product.

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Ch. 5 Preparation of PS&E Assembly

- Risk Based CE&I tables

Project Phases and Inspection Levels based on Project Components				
PHASE of WORK	PAY ITEM NUMBER	INSPECTION LEVEL		
		HIGH RISK	MODERATE RISK	LOW RISK
Miscellaneous	201-202, 210-249, 607, 611-614, 617-622, 699	P	I	I
Excavation and Drainage	203-209, 601-605, 623	F	P	P
Base and Pavement	300, 400, 500, 614	F	P	P
Pedestrian Facilities	200, 304, 403, 407, 608, 614	F	P	I
Traffic Safety	606, 409-610, 615-616, 629-695, 699-696	F	P	I
Pavement Markings	625-628	P	I	I
Bridges/Retaining Walls	800	F	F	P

TABLE 2

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Ch. 5 Preparation of PS&E Assembly

- Material Sampling and Testing Guidelines set forth in the Risk Based Inspection and Sampling and Testing Manual

Property Importance	Material Risk Level			Example Properties
	High Risk	Moderate Risk	Low Risk	
Primary	Use standard DOT test frequencies Reduce testing to 75% of standard DOT test frequencies after process is under control	Use 90% of standard DOT test frequencies Waive acceptance testing after process is under control	Use 50% of standard DOT test frequencies Waive acceptance testing at engineer's discretion	Concrete Strength Concrete air content HMA in-place air voids HMA field compaction
Secondary	Use 90% of standard DOT test frequencies after process is under control	Use 50% of standard DOT test frequencies	Observe QC tests with random verification tests	Slump Gradation Aggregate properties
Observational	Observe QC tests with random QA verification tests	Observe QC tests	Review QC records for compliance with specifications	Segregation Temperature Workmanship Indicators

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Contract Documents

- Sections:
 - 901 - Advertisement for Bids
 - 904 - Notice to Bidders
 - 906 – Federal Contract Provisions - FHWA 1273
 - 907 - Special Provisions – overrides Red Book
 - 905 – Proposal, Bidsheets, Non-Collusion Affidavit
 - 902 – LPA Contract
 - 903 – LPA Contract Bonds
- Proposal Checklist – Updated the **1st and 15th** of each month

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Add Option Bidding

- Allows flexibility in bidding
- LPA Chooses
 - Base Only
 - Base + All Options
 - Base + Certain Options
- Options Stand Alone
 - Separate bid sheets/summary of quantities
- Total of all options <= 25% of base bid

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Ch. 5 Preparation of PS&E Assembly

14 Days Prior...
PS&E
Submittal

- Submittal of **7** ROW Letters
- Submittal of draft CE&I contracts (electronic)
- Check the STIP/TIP
- Submit APPROVED Sampling and Testing Proposal

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Ch. 5 Preparation of PS&E Assembly

PS&E
Submittal

- Checklist Signed by the LPA Project Director
- PS&E Assembly (3 Sets)
 - Unexecuted CE&I Contracts
 - All other items on list

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Ch. 5 Preparation of PS&E Assembly

“Street Ready”
Version

- After PS&E approved
- Advertisement and bid opening date
- 3 copies

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PDM Chapters

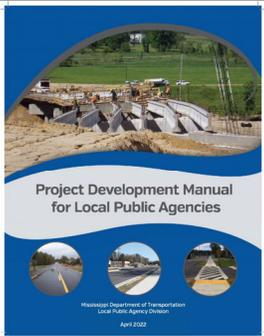
1. Program Overview
2. Project Activation & Oversight
3. Environmental Documentation
4. Right-of-Way Procedures
5. Preparation of PS&E
6. MDOT Authorization and LPA Selection of a Contractor
7. Construction Administration

Mdot.ms.gov

BUSINESS CENTER

LPA

Manuals & Forms



Mississippi Department of Transportation
Local Public Agency Division
April 2022

Mississippi Department of Transportation -- Local Public Agency Division 204

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Ch. 6 MDOT Authorization and LPA Selection of a Contractor

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Ch. 6 Advertisement

- Advertisement: Must/Shall
 - Received Ad Authority Letter from MDOT
 - Follow federal guidelines over state guidelines
 - State-wide min of 21 days
 - Make no changes to contracts documents
 - Except through MDOT approved addendum

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Ch. 6 Advertisement

- Addenda
 - Approved method to change contract documents ★
 - Shall be within 2 business days of bid opening
 - unless also moves the bid opening day
 - Shall be a minimum of 5 business days after the date of addendum

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Ch. 6 Letting

- Letting Day
 - Must be able to accept electronic bids
 - Electronic bidding will follow the same guidelines a MDOT electronic bidding regarding items required to be submitted
 - Bid Opening
 - No “stripped bids” for paper submittals
 - Do not open these bids
 - Return to the Bidder

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Ch. 6 Awarding of Contract

- **The LPA shall...**
 - Verify OCR-481 received within 3 days
 - Approve/Reject bids
 - Must also approve contract execution
 - Request MDOT Concurrence
 - Within 30 days of opening bids
 - Submit appropriate checklist
 - With all listed items

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Ch. 6 Awarding of Contract

- **Transportation Commission Concurrence**
 - Meet the 2nd and 4th Tuesday each month
 - Must have all items listed on checklist
 - Review OCR-481
 - After Commission approval, send Concurrence Letter

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Ch. 6 Executing of Contract

- **The LPA shall...**
 - Send the Notice of Award Letter
 - Confirm Add Options if applicable
 - Attach necessary documents and forms for execution
- **The Contractor shall...**
 - Sign all documents and forms
 - Return to the LPA within 10 days

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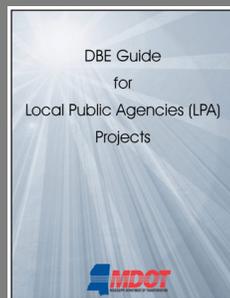
Ch. 6 Executing of Contract

- **The LPA shall...**
 - Execute Contracts
 - Send Notice of Execution/Notice to Proceed
 - 15 days-receipt of documents from contactor
 - Send Executed Documents to MDOT
 - 10 copies-One stamped "True and Correct"

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Ch. 6 DBE Participation for LPAs

- MDOT Office of Civil Rights
 - Carolyn Bell & Stacy Slay
 - DBE Guide for Local Public Agency Projects can be found at the following URL:
<https://mdot.ms.gov/portal/LPA>
 - Under the heading "PDM Training Documents"
- Disadvantage Business Enterprise (DBE) requirements and steps.
 - OCR forms



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Ch. 7 Construction Administration

- **Preconstruction Conference (“Precon”)**
 - Held after Notice of Execution and before Notice to Proceed (MDOT LPA must have executed contracts)
 - Meeting between the LPA, CE&I Consultant, Contractor, and MDOT
 - Discuss important topics for this project
 - Establish estimate and material testing procedures

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Ch. 7 Construction Administration

- **Project Engineer Responsibilities**
 - Aware of day to day operations
 - Erosion control
 - Quality and acceptance of work
 - Traffic control and safety
 - Project diary
 - Prepares monthly estimates and SAs

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Ch. 7 Construction Administration

- **Project Engineer Responsibilities – Day to day**
 - Erosion Control - NTB #6, #1878, and 107.22.1
 - The Engineer will have the authority to suspend all work and/or withhold payments for failure of the Contractor to carry out provisions of MDEQ’s Storm Water Construction General Permit, the erosion control plan, updates to the erosion control plan, and /or proper maintenance of the BMPs.

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Ch. 7 Construction Administration

- **Project Engineer Responsibilities – Day to day**
 - Erosion Control
 - Development of Erosion Control Plan (ECP) by the contractor should begin after receiving the Award letter.
 - Erosion Control Plan (ECP) maintained throughout the project.
 - Monthly “Unannounced” Inspections are performed by MDOT & Thompson Engineering

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Ch. 7 Construction Administration

- **Project Engineer Responsibilities – Day to day**
 - Erosion Control

Observation	Deficiencies	Major Deficiencies	Critical Deficiencies
• Minor Best Management Practice (BMP) device maintenance	• Widespread BMP failure/maintenance	• Loss in Sediment from the project limits	• Loss in Sediment into a Waters of the US which includes streams and wetlands

- Follow up inspections required w/in 10 business days of major or critical deficiency
- Major and/or critical deficiencies could lead to withholding of Federal reimbursement

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Ch. 7 Construction Administration

- **Project Engineer Responsibilities – Day to day**
 - Quality of Work – Section 105.01
 - The Engineer has the authority to make decisions on questions which may arise as to the quality and acceptability of materials, the work and the progress of the work; all questions which may arise as to the interpretation of the plans and specifications; and all questions as to the fulfillment of the contract.

Mississippi Department of Transportation Local Public Agency Division

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Ch. 7 Construction Administration

- **Project Engineer Responsibilities - Day to day**
 - Acceptance of Work – 105.12
 - Unacceptable work, whether the result of poor workmanship, defective materials, damage through carelessness or any other cause, found prior to final acceptance of the work shall be removed and replaced in an acceptable manner, without any additional cost to the Commission.

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Public Agency Division

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Ch. 7 Construction Administration

- **Project Engineer Responsibilities – Day to day**
 - Traffic Control and Safety – Section 105.01
 - The Engineer has the right to suspend the work wholly or in part and to withhold payments because of the Contractor's failure to correct conditions unsafe for workmen or the general public, for failure to carry out provisions of the contract, or for failure to carry out orders.

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Public Agency Division

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Ch. 7 Construction Administration

- **Project Engineer Responsibilities – Day to day**
 - Traffic Control and Safety
 - CE&I staff and contractor staff must be certified
 - CE&I provides traffic control inspections (CSD-761) a minimum of every two weeks
 - Contractor provides daily daytime inspections and weekly nighttime inspections

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Ch. 7 Construction Administration

- **Project Engineer Responsibilities - Diaries**
 - Covers each day
 - Notice to Proceed to Full Release of Maintenance
 - Records all...
 - Personnel, equipment, activity, weather, soil conditions
 - Issues – discovery, discussion, resolution
 - “If it’s not in the diary, it didn’t happen”

Mississippi Department of Transportation – Local Public Agency Division

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Ch. 7 Construction Administration

- **Project Engineer Responsibilities - Diaries**
 - Working Days Assessment (CSD-765-LPA)
 - Based on weather and soil conditions
 - Verified with contractor monthly
 - Automatic charges through the winter months
 - Calendar Day Projects

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Public Agency Division

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Ch. 7 Construction Administration

- **Project Engineer Responsibilities - Estimates**
 - Generated monthly using SiteManager
 - State law requires contractor payment within 45 days. LPA is a reimbursement program.
 - Emailed directly to the MDOT LPA Division (lpainvoice@mdot.ms.gov)
 - Contractors must pay subcontractors within 15 days of being paid. Failure to comply could result in suspension of work or withholding of further payments.

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Ch. 7 Construction Administration

- **Project Engineer Responsibilities - Estimates**
 - Monthly estimates must include the following
 - LPA-001 & LPA-002 (generated in SiteManager)
 - OCR-484 – Payments to subcontractors
 - CSD-765 – Working Day Assessment
 - LPA-724 – Liquidated Damages Statement (if necessary)
 - Must have material testing and certification on file (not submitted with estimate)

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Ch. 7 Construction Administration

- **Project Engineer Responsibilities - Supplemental Agreements**

Draft SA to District LPA Engineer	Email to MDOT Construction Division for comments and price analysis
Returned with comments to LPA	Prices are verified. If prices are out of range, a breakdown will be required.
Contractor and Surety Sign the agreement	SA is returned to MDOT for approval
< \$100,000 and additional time is associated with work	The SA will be Signed by the District Engineer
> \$100,000 OR no cost time extension	The SA will need Mississippi Transportation Commission approval (longer process)
Supplemental Agreement is executed	ONLY when signed by LPA Official is the SA executed 3 signed copies are then distributed

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Ch. 7 Construction Administration

- **Project Engineer Responsibilities - Quantity Adjustments**
 - Required for all SAs unless no-cost time extension.
 - District LPA Engineer can help you
 - Example in the PDM

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Ch. 7 Construction Administration

- Final Closeout - Timeline

95 days from final inspection to non-compliance

20 days to issue Release of Maintenance

50 days to submit all close out documentation (data & materials binders)

45 days for MDOT review of final data

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Ch. 7 Construction Administration

- Final Closeout - Release of Maintenance

- Release should be issued within 20 calendar days of final inspection

LPA requests Authority to release the project of maintenance in writing

MDOT issues a letter granting authority to release the project

LPA issues a release of maintenance to the contractor

- Full Release vs. Partial Release

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Ch. 7 Construction Administration

- Final Closeout - Data Binders

- Submitted within 50 calendar days of the final inspection
- Compiled throughout the project, not after the final inspection
- Organized with supporting documentation
- Commonly forgotten items
 - Copies of tickets
 - Truck measurements for LVM pay items
 - As-built plans

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- Project Engineer Responsibilities
 - Daily acceptance sampling
 - Timeliness of sampling and testing of all materials. Emulsions have a 15 day window from sample point according to AASHTO T59. Storage stability test will fail if held too long.
 - Testing and sampling meets the required frequency
 - Obtain all certifications and other documentation before materials are incorporated into work (including approved mix designs)
 - All materials must meet requirements of contract and MDOT specs

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- Project Engineer Responsibilities (cont.)
 - Mix Designs – Approval request letter must be from engineer, DME, or District LPA Engineer.
 - MDOT must be notified of failing material immediately
 - Testing must be performed by laboratories and technicians certified by MDOT
 - QC testing for structural concrete and asphalt by contractor
 - QA testing for structural concrete and asphalt by MDOT

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- NOTE:
 - A “set” of concrete cylinders is comprised of 3 cylinders tested on the same day.
 - 28 day compressive strength data is required for 3 cylinders.
 - Concrete cylinder compressive strength test reports must indicate initial and final cure temperatures of field cured samples.

Mississippi Department of Transportation -- Local Public Agency Division 240

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Materials Testing

- MDOT Pretested Program
 - Request Form (Accurately complete and submit to Central Lab)
- Carl "Pete" Craig
Branch Director-Field Inspections
Office: 601-359-1783; Email: ccraig@mdot.ms.gov

Or

- April Huntley
Office: 601-359-1783; Email: ahuntley@mdot.ms.gov

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Materials Testing

- List of Materials that are pretested:
 - Precast concrete –ROW, posts, pipe, box culverts, curb inlets, junction boxes, manholes, etc.
 - Liquid membrane
 - Bituminous plastic sealer
 - Wood and bituminous joint material

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Materials Testing

- List of Materials that are pretested (cont.):
 - Reinforcing steel and wire mesh
 - Gray iron castings and bar grates
 - Metal pipe
 - Rip rap
 - Wood products: fence and guardrail posts, treated timber and lumber, pilings, poles
 - Glass beads and traffic paint
 - Bituminous adhesive
 - PG asphalt and emulsions

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Materials Testing

- Independent Assurance Sampling (IAS)
 - Contact IAS District Sampler to coordinate testing.

IAS Branch Director---Dexter Strange (769)226-6583 dstrange@mdot.ms.gov

Districts IA Samplers

District 1----	Chris Kimes (662)871-8517	ckimes@mdot.ms.gov
District 2----	Kevin Harmon (601)946-6120	kharmon@mdot.ms.gov
District 3----	Dexter Strange (769)226-6583	dstrange@mdot.ms.gov
District 5----	Becky Frink (601)-946-6129	Bfrink@mdot.ms.gov
District 6----	Larry Daughdrill (601)543-7034	ldaughdrill@mdot.ms.gov
District 7----	Corey Michaels (601)946-6126	cmichaels@mdot.ms.gov

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- District Materials Engineer
 - Communication!
 - LPA Section 5.7 – LPA/Consultant may request testing by MDOT. Be specific.
 - Testing charges are applied to project.
 - Notify MDOT personnel ahead of time to schedule testing personnel at job site. (especially HMA)

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Project Materials Close-out Process:

- All Materials Close-out information should be submitted directly to MDOT LPA Division
- MDOT LPA Division will distribute to divisions for review
- Certifications-in binders according to below categories
 - Signals (Traffic Engineering Division)
 - Buildings/pavilion type structures (Architectural Services)
 - All other certificates (Materials Division)

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Project Materials Close-out Process:

- For traffic signal certifications, contact:
 - District 1&2: Edward Raymond
 - eraymond@mdot.ms.gov 601-359-1454
 - District 3&5: Amrik Singh
 - asingh@mdot.ms.gov 601-359-1832
 - District 6&7: Jacob Renick
 - jrenick@mdot.ms.gov 601-359-1654

Mississippi Department of Transportation Local Public Agency Division 247

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Project Materials Close-out Process:

- S&T Proposal must be updated with installed quantities and # of samples taken
- Statement of Materials and Tests
- All testing not done by MDOT must be submitted to Materials Division at closing time
- Save paper – we do not need copies of lab reports issued by MDOT
- Submit documentation in a well organized 3-ringed binder, tabbed with each pay item labeled

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Project Materials Close-out Process:

- Variations in testing, either due to failing material incorporated into project, material not tested, etc., will require a written explanation. Variations could result in being considered non-participating and payment will be the responsibility of the LPA.
- Materials Division will review closing documentation, notify of anything lacking
- When documentation is satisfied, State Materials Engineer will issue a Certification of Materials

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Common Close-out Issues:

- Incomplete Sampling and Testing Proposal – Quantities
- Missing pay items on S&T proposal
- No supporting test reports for testing done by private labs
- Missing manufacturer certifications, shipping tickets, etc. for materials (how is material conformance verified prior to installation without documentation?)
- Materials incorporated either failed or not tested at the correct frequency

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Manuals and Forms:

- Go to mdot.ms.gov, click on Divisions, then Materials
 - Forms
 - Pretested Materials Shipment Report Request
 - Manuals
 - Inspectors Handbook
 - Concrete Field Manual
 - Hot Mix Asphalt Field Manual
 - Inspection, Testing, and Certification Manual

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MDOT Materials Division

- LPA Materials Close Out Contact Information:
 - Pedro Tristeza ptristeza@mdot.ms.gov 601-359-1777
 - Latrice Harris lharris@mdot.ms.gov 601-359-1771
 - Kevin McCaskill kmccaskill@mdot.ms.gov 601-359-1749

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Final Estimate and Project Close-out

- Follow LPA Final Estimate Package checklist in 7.9
 - Documentation for each pay item is to be submitted to MDOT LPA with the close out documents. This should follow the procedures set out in Chapter 9 of the MDOT Construction Manual
- 95 Days for closeout (**From Final Inspection**)
 - A “reminder” letter is sent after 45 days
 - LPA goes on “Non-Compliance” at 95 days
- Begin submission process immediately
 - Don't wait until checklist is complete to submit
 - Materials Clearance started ASAP

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Final Estimate and Project Close-out

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graph TD
    A[Once final estimate package is acceptable, MDOT sends Full and Final Settlement Letter and LPA signs and returned to MDOT ASAP] --> B[MDOT issues Final Acceptance Letter to LPA]
    B --> C[LPA issues Final Acceptance to Contractor]
  
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Thank you!!

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