NORTH CAROLINA
Department of Transportation

Federal-Aid Project Delivery:
General Overview for Locally Administered Projects

March 2022

Locally Administered Projects Overview
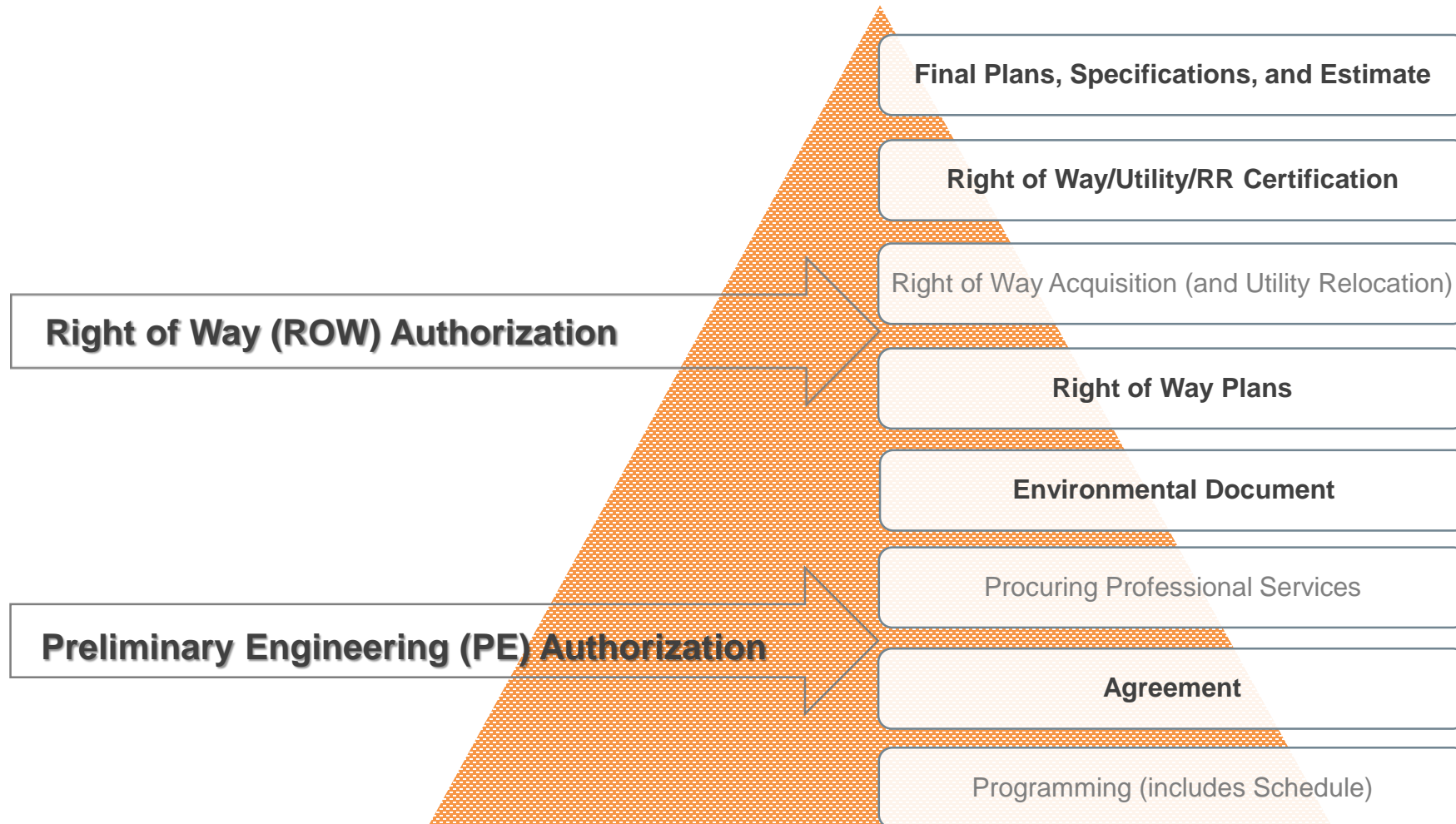
What you will learn from this Presentation:

- Major Steps of administering a federal-aid project by a local government agency

- Resources available for local government agencies

- EBS Portal – managing your project online

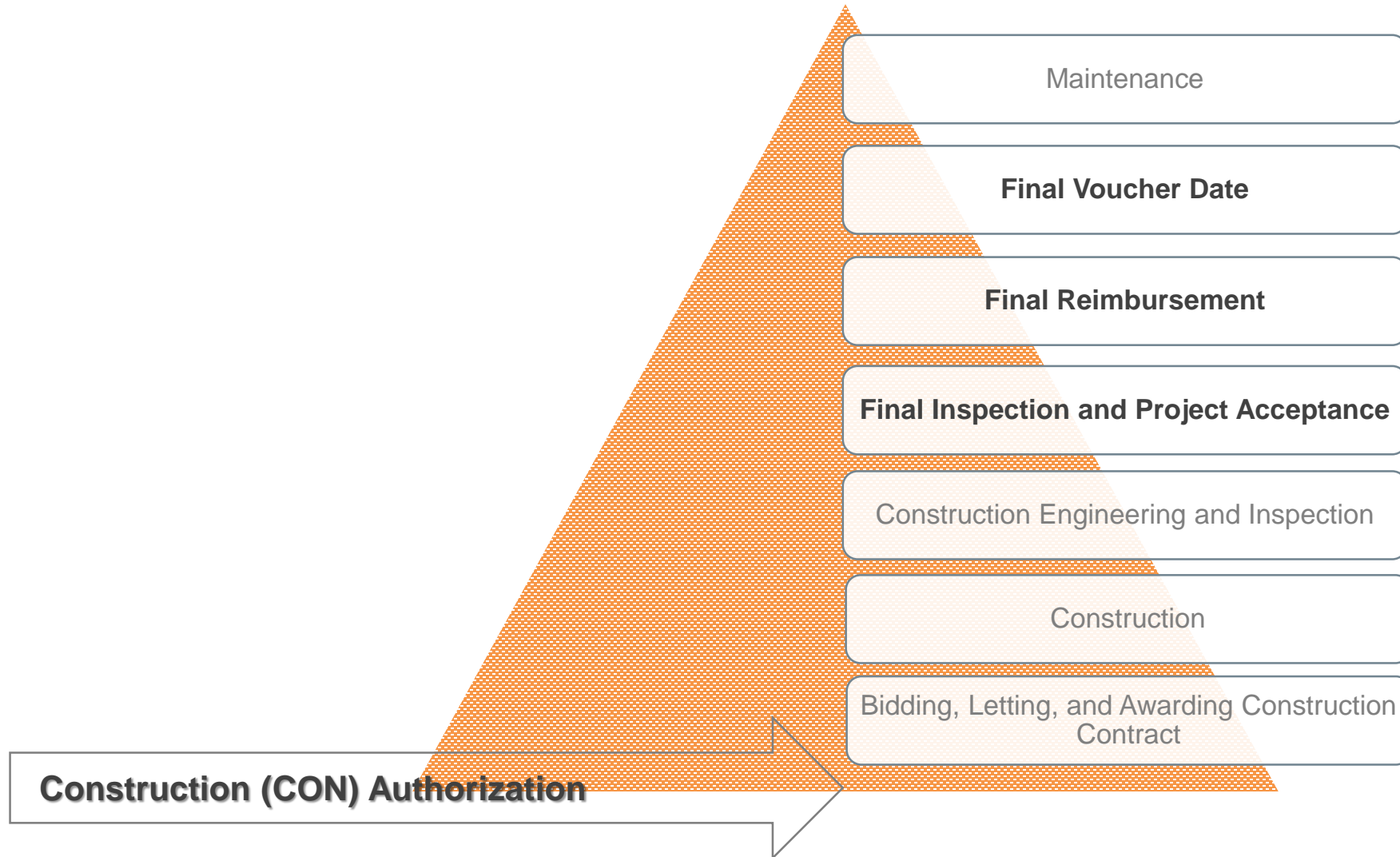# Basic Requirements for Federal-aid Projects

- Federal-aid funding is cost-reimbursement

- Funding Authorization is required prior to each phase of work

- Local Government Agency (LGA) has the responsibility to deliver the project

- NCDOT has the responsibility to provide oversight to LGAs and ensure appropriate use of funds

PROJECT DELIVERY – MAJOR STEPS

Pre-Construction "Mountain"

Right of Way (ROW) Authorization

Preliminary Engineering (PE) Authorization

- Final Plans, Specifications, and Estimate
- Right of Way/Utility/RR Certification
- Right of Way Acquisition (and Utility Relocation)
- Right of Way Plans
- Environmental Document
- Procuring Professional Services
- Agreement
- Programming (includes Schedule)

Construction "Mountain"

Maintenance

Final Voucher Date

Final Reimbursement

Final Inspection and Project Acceptance

Construction Engineering and Inspection

Construction

Bidding, Letting, and Awarding Construction Contract

Construction (CON) Authorization

Program in the STIP/MTIP

- Occurs once funding is awarded by MPO, or selected through prioritization

- Agreement cannot be requested prior to programming

- Will include proposed schedule of authorization of funds by Federal fiscal year

- FHWA must review to ensure consistency between STIP and MTIP

  Any changes to schedule or funding results in STIP Amendment

Agreement

- Requested by the LGA through the EBS Portal

- Executed between NCDOT and the Local Governmental Agency

- Includes provisions that LGA must comply with in order to receive reimbursement

- Includes funding, time frames, scope of work, and responsibilities

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

Agreement

Federal Funding Accountability and Transparency Act (FFATA)

– FFATA Subrecipient Form – is required to be completed once each state fiscal year or each time contact or officer information changes, until the project is completed

– The NCDOT requires that Subrecipient data be provided by each Local Agency Subrecipient working on federally funded projects of $30,000 or greater.

– It is only required for Subrecipients that use Federal funds for locally administered Transportation and Infrastructure projects.

– Requires the LGA to have a Unique Entity Identifier (U-E-I; formerly a DUNS number)

– The form can be found in the Forms & Templates column at https://connect.ncdot.gov/municipalities/Funding/Pages/default.aspx

– Form needs to be submitted to the NCDOT Fiscal Management Division(ffata@ncdot.gov).

Funding Authorizations

For every phase that is eligible for reimbursement, the LGA must request funding authorization through the EBS by submitting a Change Request.

- – PE: Preliminary Engineering – pays for professional engineering services, and other pre-construction activities

- – ROW: Right of Way and Utility Relocation – pays for costs of acquiring ROW, relocating utilities, appraisals and other ROW associated costs

- – CON: Construction – pays for the construction contract, construction engineering and inspection (CEI), and contract administration.

Funding Authorizations

- Note deliverables (from the steps) that are needed prior to requesting funding authorization

- Funding authorization starts the clock with FHWA

- Funding authorization still requires reviews of proposed costs with NCDOT prior to LGA incurring costs

- NCDOT will use your funding

Professional Services

- LGA is responsible for soliciting and selecting consultants in accordance with federal regulations, state statutes, and NCDOT policy

- NCDOT provides a standard template that can adapted for either Design or CEI work as needed

- LGA must follow a qualifications-based selection process; NCDOT will review and concur with the selection of a consultant and the negotiated amount of the contract

Environmental Documentation

- Must be in conformance with NEPA – National Environmental Policy Act

- Must also comply with other Federal environmental laws

- Most projects qualify as a Categorical Exclusion (CE) Document

To authorize either ROW funds or Construction funds, we must have a completed environmental document not more than one year old.

Design

- Follow NCDOT Design Standards for Roadways and Structures

- Use NCDOT details, for example wheelchair ramps, curb and gutter, etc.

- Work with Division on when plans should be submitted for review; complex projects may need an earlier review than simpler projects

- Review may occur solely at the Division or certain reviews may occur in Raleigh

Right of Way

- Any kind of ROW, whether it's acquisition in fee simple, or you're entering into an easement (temporary or permanent), or an encroachment, must be properly documented and then certified

- All acquisition must be in conformance with the "Uniform Act," whether ROW Acquisition is being reimbursed with Federal funds or not

- Appraisals must be reviewed by NCDOT, even if ROW is not an eligible expense; NCDOT will provide a concurrence in "just compensation"

If ROW is an eligible phase, ROW Funding must be authorized prior to acquiring ROW

Utility Relocation

- All utilities should be cleared from the Project Area, prior to moving into construction, unless utility relocation is a part of the construction contract.

- Costs for third-party utility providers to relocate utilities must be reviewed by NCDOT before LGA enters into contract.

- Be aware of the length of time for utility relocation and potential costs.

Right of Way / Utility / RR Certification

- Certification ensures that LGA has control of all ROW needed for project and the ROW is clear from all obstructions

- Either the LGA owns outright or has a lease, easement, or other legal document to control ROW

- Certification should also address any utility or railroad conflicts:

  - Utilities should be relocated out of the project area; or,

  - Utility relocation should be included in the construction contract; and,

  - Any RR conflicts must be documented with agreements/approval from RR to encroach on their property

Contract Proposal and Estimate

- Contract Proposal is prepared in accordance with the 2018 *North Carolina Standard Specifications for Roads and Structures*

- Proposal will include federal provisions that will be part of the contract

- The engineer's estimate is a line-item estimate that references the Spec Book or special provisions

- The engineer's estimate is also used to set a goal for Disadvantaged Business Enterprise firms

Construction Procurement

- Advertising and Letting a Construction Contract can only occur after Construction funds are authorized

- NCDOT must review and concur in the LGA's proposal to award a construction contract

- We have template letters and forms to use when requesting concurrence

Construction

- Contract Administration and Construction Engineering & Inspection (CEI) is accomplished by the LGA in accordance with the NCDOT Construction Manual

- LGA should hire a professional engineering firm to provide these services – follow Professional Services guidance

- NCDOT will provide oversight through the Division Office or the Resident Engineer's Office

- NCDOT must concur with the LGA's acceptance of the project before final reimbursement can be made

Reimbursement

- Can occur throughout the project as costs are incurred

- LGA pays full invoice; NCDOT reimburses 80% of eligible costs up to amount in agreement

- Final Reimbursement will not occur until project is complete, accepted by NCDOT, and all reporting and other requirements have been accomplished

Close-Out and Final Voucher Date

- Department will process several items related to closing out the LGA project:

  – Ensuring that LGA has all appropriate records
  – Calculating any costs that the LGA owes the Department
  – Certifying materials permanently incorporated in the Project

- Once these items are accomplished, NCDOT will request FHWA close the project and issue a Final Voucher Date

- Final Voucher date will start retention of records period

RESOURCES

https://connect.ncdot.gov/municipalities/Funding/Pages/default.aspx

RESOURCES

RESOURCES

Local Project Management Tool

The Project Management Tool on the EBS Portal will be used to:

- Request New Agreements and Supplemental Agreements

- Submit Documents for review by the Department

- Request Funding Authorizations for each phase of work

- Submit Reimbursement Requests for work performed

LPMO Security Form

- Must have a user id and password to access the EBS portal and Local Projects.

- Form is on the Connect website.

- If you already have access to EBS portal, then indicate that in Section 2 of the form.

Local Programs Management System Access Authorization Form

The new Local Programs Management System requires a User ID and Password for access in the system. Complete Sections 1 -3 for a User ID and password, if you are going to perform work within the System (i.e. submit a PID application, submit a Reimbursement claim, request changes to an agreement, or view documentation). Scan, attach and email the form to the LPMO Security Coordinator at LPMO@ncdot.gov.

Section 1 – User ID Information

First: _____ Last: _____

Agency Name: (LGA/MPO/RPO): _____

Agency Address: _____

Title: _____ Email: _____

Telephone: (_____) _____ Fax: (_____) _____

Remittance Address: _____

Note: Remittance address is the official location for payment. Invoices and backup documentation will need to match the remittance address. Error in identifying the correct location will result in delayed payments.

Section 2 – Username or Secure 8-Digit Number

Username: _____. If you are a Current User of the NCDOT GRANTS System (Powell Bill, GHSP, PTD, etc.) enter your username. There is no need to create a Secure 8-digit number below.

Secure 8-digit number: _____. If you are a New User, you must create an 8-digit #. We recommend using the last 4 digits of your SSN & birthday (MMDD). If you forget your password, you will need this 8-digit # to retrieve your information. Once cleared, you will receive an email with your personal User ID and a temporary password. You must create a new password prior to logging into the Grants System for the first time.

Section 3 – Access Request Information

☐ Submit PID Application (*allows you to request an agreement*)

☐ View Agreement & Submit Documentation (ex: Plans & Specifications, Cost Proposals)

☐ Create/Submit Reimbursement Request/Claims (*this may be a finance officer role only*)

☐ Create/Submit Change Request (Amendment/Revision) (*used to request funding authorizations or a supplemental agreement*)

☐ Display/View Application, Agreement, Documents, Reimbursement Claims & Change Requests (*for staff who do not need to submit documents and only want to review information available. This role will not allow any workflow activities*)

Local Project Management Tool

Local Project Management Tool

Application Process – Agreement Request

Application Process – Agreement Request

Application Process – Agreement Request

Actions for Application

Your Application will be Returned, Rejected or Approved:

<u>Returned</u>: If the application needs to be corrected, or needs additional information

<u>Rejected</u>: If the Project is not programmed in the STIP, you can't start agreement process.

<u>Approved</u>: An Agreement is started by the LPMO

View Agreement / Submit Documents

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Documents you will Submit

ITEMS YOU WILL SUBMIT for REVIEW

ACTIVITY	DESCRIPTION	ACTIVITY	DESCRIPTION
PS: PE RFLOI	Advertisement to solicit for engineering firms for design, environmental doc, etc.	PRE-CON: ROW APPRAISAL DOCUMENTS	Documents related to appraisal of ROW
PS: PE – PEF SELECTION PROCESS	Letter requesting concurrence on how LGA selected PEF for design or CEI Services	PRE-CON: ROW CERTIFICATION DOCUMENTS	Documents related to acquisition of ROW
PS: PEF TASKS AND MANDAYS W RATES	Cost Estimate spreadsheet for PEF	PRE-CON: UTILITY/RAILROAD CERTIFICATION	Certification documents for Utilities/Railroad
PS: PEF CONTRACT – DESIGN OR ROW	Draft contract with PEF/other service provider	PRE-CON: CONTRACT PROPOSAL W ESTIMATE	Contract Proposal/Bid Proposal Document and Engineering estimate/bid estimate
PS: ROW RFLOI	Advertisement to solicit for engineering firms for ROW Professional Service.	PRE-CON: CONCURRENCE REQUEST – CONSTRUCTION AWARD	Letter requesting concurrence in LGA award to low bidder and supporting documents
PS: ROW – CONSULTANT SELECTION AND COST PROPOSAL	Cost Estimate spreadsheet for ROW Professional Service.	PRE-CON: OTHER DOCUMENTS	Any PRE-CON documents that need review but do not match listed PRE-CON categories
PS: CEI EXEMPTION	Request for CEI Exemption for PEF to perform Design and CEI services	CON: CONSTRUCTION CONTRACT	Executed Construction Contract (with Contractor)
PS: CEI RFLOI	Advertisement to solicit for engineering firms for Construction Engineering Inspection (CEI) Services.	CON: SUBCONTRACTOR AGREEMENT FORMS	Subcontractor Agreements b/w Contractor and Sub
PS: CEI – PEF SELECTION PROCESS	Coming soon…	CON: SUPPLEMENTAL AGREEMENTS (WITH CONTRACTOR)	Executed Supplemental Contracts (with Contractor)
PS: CEI COST SPREADSHEET	Cost estimate spreadsheet for PEF	CON: WORKING/SHOP DRAWINGS	Any Drawings done by contractor for retaining walls bridges, culverts, signal equipment, etc.
PS: PEF CONTRACT – CEI	Draft contract with PEF for CEI		
PS: OTHER DOCUMENTS	Any PS documents that need review but do not match listed PS categories	CON: CONCURRENCE REQUEST – CONSTRUCTION COMPLETE	Letter from LGA to DOT requesting concurrence; includes letter from LGA to Contractor
PRE-CON: ENVIRONMENTAL DOCUMENT	CE Checklist and supporting documentation		
PRE-CON: CONCEPT/PRELIMINARY PLANS	No more than 25% plans		
PRE-CON: ROW PLANS	65% - 75% plans	CON: FINAL ESTIMATE CHECKLIST	Final Estimate Checklist
PRE-CON: FINAL PLANS & SPECIFICATIONS	80% - 100% plans	CON: REQUEST FOR PROJECT CLOSEOUT	Letter requesting close out
PRE-CON: UTILITY RELOCATION COSTS/AGREEMENTS	Cost estimates for Utilities/Relocation	CON: OTHER DOCUMENTS	Any CON documents that need review but do not match listed CON categories

Submit Change Request

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Change Request Form

Submit Change Request

Submit Reimbursement Request

Submit Reimbursement Request

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Submit Reimbursement Request

Helpful Hints for Using EBS Portal

- Use browsers other than Internet Explorer (e.g. Edge or Chrome)

- If you forget your password, notify the SAP Help Desk – link is on EBS login page.

- System times out quickly – plan your work accordingly

- Check your SPAM or JUNK Folder for system e-mails

- All notification e-mails should include TIP number

- Use the "wrench" symbol to personalize each section for viewing

Thank you!

Local Programs Management Office
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