INTRODUCTION & PROCESS OVERVIEW

INTRODUCTION

As permitted by the Federal Highway Administration (FHWA), the Ohio Department of Transportation (ODOT) may allow a Local Public Agency (LPA) to administer work on a Federal-aid project if applicable Federal laws and requirements \(^1\) and ODOT established conditions are met. These conditions include the following:

1. All Federal contracting requirements must be met.
2. The LPA must be adequately staffed, suitably equipped, and have demonstrated the ability to undertake and satisfactorily complete the work.
3. The LPA must successfully complete all eLearning training modules.
4. The LPA must provide a full-time employee to be in responsible charge of the project; and
5. The LPA must complete and submit the LPA Local-Let Participation Requirement Review Form to their respective ODOT district office for review and incorporate any recommendations the ODOT district office deems necessary for compliance.

This manual has been developed to aid the LPA in project development and administration and provide an operating procedure for statewide consistency by both ODOT and the LPA. Where applicable, manual chapters include process flow charts and a list of ODOT and LPA Primary Roles & Responsibilities. Please note, the processes described in this manual are meant to cover the majority of LPA Local-Let projects. While the manual attempts to address the most common issues for administering a Local-Let project, not every circumstance is addressed within the manual, and some issues will require interaction with the District LPA Manager. This is a ‘living’ document as it will be revised on a continuing basis from the feedback received from both ODOT personnel and LPAs, as well as any policy changes that may occur. Please refer to the ODOT website at www.dot.state.oh.us/Divisions/Planning/LocalPrograms/pages/default.aspx for the most recent version of this material and other information pertinent to the LPA Local-Let process.

PROCESS OVERVIEW

\(^1\) 23 CFR 635.105, available at:

This section provides a broad overview of the entire LPA Local-Let process from project inception to completion. The concurrent chapters provide greater detail for the individual parts of the process.

**Project Initiation**

Typically, a project is identified through planning studies conducted by ODOT, the LPA or the Metropolitan Planning Organization (MPO). Through working with stakeholders, a problem is identified and defined, and clarification is made on what is to be improved. In the long-range planning process, individual projects are identified and prioritized for funding within established financial constraints. For local projects within MPO boundaries this would be the MPO Transportation Improvement Plan (TIP) which becomes part of the State Transportation Improvement Plan (STIP). Once a project is programmed, it is included in the STIP.

The ODOT District and the LPA receive a funding approval letter/e-mail from the Program Manager. (Project Development & Design Chapter)

**Programming Package**

The ODOT District LPA Manager supplies the LPA with a programming package which the LPA then completes. This is necessary to get the project entered into ELLIS, ODOT’s project management system. (Project Development & Design Chapter)

**Field Review & Scope Dev.**

When the LPA Manager receives the completed programming package and proposed Project Scope form, a field review is scheduled which includes district and LPA multidisciplinary personnel (Planning, Right of Way, Environmental, Construction, etc.) (Project Development & Design Chapter)
LPA Qualification Review
Each district is responsible for evaluating the LPA’s credentials in accordance with the LPA Participation Requirements chapter.

LPA Agreement
After the project has been entered into ODOT’s Ellis System and assigned a PID number, the LPA Manager prepares and sends the LPA Agreement to the LPA. After signatures are obtained from the LPA’s legal signing authority, all copies are returned to the LPA Manager. It is the LPA Manager’s responsibility to fully execute the Agreement and distribute it accordingly. (Project Development & Design Chapter)

NOTE: the sequence of the field review and scope development, submission and review of the LPA participation requirements, and the LPA Local-let agreement may not necessarily follow this order.

Consultants
The LPA may engage a consultant to perform architectural, engineering, environmental, right-of-way, and related services needed to develop and deliver a Federal-aid project. The LPA’s selected consultant must be ODOT prequalified, and selected according to a Quality Based Selection (QBS) process. ODOT’s Office of Consultant Services provides oversight in the announcement of available contracts on ODOT’s website, fee analysis and negotiation, and preparation of the LPA / Consultant agreement (Consultant Contract Administration Chapter)

Environmental
The LPA conducts any required public involvement activities, and prepares all required documents, reports and other necessary supporting materials for adherence to the National Environmental Policy Act (NEPA) and related Federal, State and Local regulations. Documents

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must be prepared by ODOT pre-qualified professionals who are selected through a QBS process. ODOT is responsible for the review of all such documents and coordination of these documents with Federal and State regulatory agencies. The NEPA document must be completed and approved prior to the submission of the Plans, Specifications & Estimate package (PS&E). At that time, final plans will be reviewed for conformity with the previously approved environmental document(s). The LPA is responsible for obtaining all permits necessary for the project, including any local government construction permits. (Environmental Chapter)

Right-of-Way

All right-of-way acquisition and relocation assistance activities shall be performed by ODOT pre-qualified real estate professionals and in accordance with the requirements of the Uniform Relocation Assistance and Real Property Acquisition Act of 1970 and Amendments (The Uniform Act), any related Federal regulations issued by FHWA, and State policies and procedures issued by ODOT. The LPA provides ODOT with a right-of-way certification letter. ODOT makes use of the LPA’s right-of-way certification, as well as evaluates the LPA’s performance of right-of-way activities under Titles II and III of the Uniform Act and certifies compliance to FHWA. (Right-of-Way Chapter)

Utilities

The LPA performs utility relocation activities in compliance with 23 CFR Part 645 and the ODOT Utilities Manual and provides certification that utility facilities have been appropriately relocated or accounted for so as not to interfere with construction activities. (Utilities Chapter)
Railroads Coordination

The LPA provides information to the LPA Manager concerning coordination with any railroad within the project limits and is responsible for preparing the railroad agreement. (Railroad Coordination Chapter)

Design

Projects must be designed in accordance with formally adopted and ODOT approved local design standards; otherwise the LPA must use standards as provided in the ODOT Location and Design Manual (L&D) or standards contained in the appropriate American Association of State Highway and Transportation Officials’ (AASHTO) publication. (Project Development & Design Chapter)

PS&E Package

The PS&E package includes all items necessary to obtain Federal Authorization to advertise for bids. The district reviews the package and makes sure it is complete before submitting it to ODOT’s Central Office (Office of Local Programs). Once it is received in Central Office, Federal Authorization is issued in approximately ten (10) days. Upon receipt of Federal Authorization, provided to the LPA by the District LPA Manager, the LPA can begin advertising the project. Advertising prior to receiving Federal Authorization will result in the loss of Federal funds. (Advertising, Sale & Award Chapter)

Advertisement

Once the LPA receives the Federal Authorization, the LPA may begin advertising activities. Federal-aid projects are required to be advertised for a minimum of twenty-one (21) consecutive days between the first legal advertising date and the bid opening. Advertisements must be in accordance with Federal and local requirements, but should they differ, the
Federal requirements prevail. Any addendum issued during the advertisement period must first be approved by ODOT for project eligibility. (Advertising, Sale & Award Chapter)

Pre-Award Meeting

This meeting is held by the LPA and ODOT any time after the submission of the PS&E package and preferably before advertising. The purpose of this meeting is to confirm construction contract administration roles, responsibilities, and processes. This meeting is optional but is encouraged for more complex projects. (Construction Contract Administration)

Contract Award

After project bids are opened, the LPA prepares a bid tab to include a summary of all bidders and bid amounts. The bids are then analyzed for responsiveness and errors. The analysis must result in a contract award to the lowest and best bidder who is also prequalified by ODOT. (Advertising, Sale & Award Chapter)

Award

The LPA awards the project construction contract in accordance with laws and policies governing the LPA by either resolution or ordinance and enters into a contract with the awarded contractor. The LPA must notify the LPA Manager of the project award within thirty (30) days and include all necessary documentation. (See Advertising, Sale & Award Chapter.)

Preconstruction Meeting

This meeting, attended by district, LPA personnel, and the contractor, is for discussing the details of constructing the project, bid proposal, specifications, plans, method of payment, and the contractor’s progress schedule. The LPA Manager or representative will explain nondiscrimination issues as they pertain to
the project, reinforce Federal Contract provisions, and discuss ODOT’s role in the periodic inspection process. The funds reimbursement procedure and invoicing process will be explained as well. (Finance Chapter)

**Final Inspection**

Upon the completion of construction activities, the LPA notifies the district construction office to schedule its participation in final inspection and acceptance of the project from the contractor. **This inspection must be performed prior to ODOT releasing the final payment.** ODOT Construction personnel will perform a final inspection to ensure the project has been completed in conformity with the approved plans and scope of the project. (Construction Contract Administration)

**LPA, Consultant & Project Evaluation**

The district office will conduct a Final Project Administration Project Evaluation Review of the LPA and its consultant(s), which shall be used to determine an LPA’s ability to administer future Local-let projects. (LPA Participation Requirements & Consultant Contract Administration chapters)

**Quality Assurance Reviews**

ODOT’s Central Office will conduct Quality Assurance Reviews (QARs) of all districts every three years to ensure that all required processes have been followed. These QARs will include a review of the districts’ processes and documentation of individual projects. In addition, QARs may be conducted randomly of LPAs in conjunction with the appropriate district office. (LPA Participation Requirements chapter)