



ODOT District 1

LOCAL PROGRAMS NEWSLETTER

May 2015

ISSUE V

New District EEO/DBE Contract Officer

Due to the retirement of Robert Habern, we have a new EEO/DBE contract officer in the District.

Gary Kramer will now be handling these duties. From this point forward, we ask that Mr. Kramer be invited to any future pre-construction meetings for the Local Let projects in District One. Some of our local agencies with current projects have already been informed of this change.

Mr. Kramer's contact information is as follows:

Gary L. Kramer
EEO Contract/Program Officer
Ohio Department of Transportation
District One
Phone: 419-999-6809
Cell: 419-516-7684

Gary.kramer@dot.state.oh.us

IR/WA Chapter 13/Ohio International Right of Way Association

ODOT, Right of Way Personnel, recently attended IR/WA Chapter 13 / Ohio International Right of Way Association training. These training seminars sponsored by IR/WA have proved very successful over the years with bringing together both Right of Way Professionals from Ohio and our surrounding region. The advertised events are open to the public, consultants and career professionals.

For more information you can visit the IR/WA Chapter 13 website: <http://irwa13.org/site/> or call/email ODOT, Real Estate Administrator Shell Miller at 419.999.6876 or Shell.Miller@dot.state.oh.us or Realty Specialist Scott Recker at 419.999.6877 or Scott.Recker@dot.state.oh.us

SRTS Kids Receive Helmets to 'Put a Lid on It'

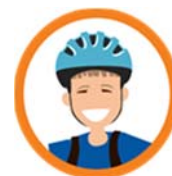
The Ohio Department of Transportation and the Ohio Chapter of the American Academy of Pediatrics teamed up to give more than 9,000 kids in Ohio a bike helmet.

The campaign called "Put a Lid on it" was aimed at keeping children safe when riding bikes. These helmets will be distributed to children all over the state during the month of May.

In District One, three organizations received a total of 286 helmets:

1. Blanchard Valley Health System-Trauma Services out of Hancock County
2. Lima Memorial Health System
3. Bath Local Schools in Allen County

If your organization is interested in the program for the Bike Helmet Safety Week next year, the application process is due in early March and may be found at <http://ohioaap.org/PutALidOnIt>.



SRTS Walk Day is October 7, 2015

Schools, parents and community members should be planning their events now. The site has many tips and resources to make your event successful. Additional information can be found at: www.walkbiketoschool.org.

The next Bike to School Day is May 4, 2016.

Safe Routes to School

The Ohio Department of Transportation will be selecting which SRTS applications will be funded this year. Over 60 Infrastructure and Non Infrastructure applications were turned in this year with District One having two communities applying for infrastructure funding. Those communities will be notified in early June if their applications are approved.

If your community is interested in the Safe Route to School Program, **NOW** is the time to get started on your 2016 application. The application process may be found at:

www.dot.state.oh.us/Divisions/Planning/ProgramManagement/HighwaySafety/ActiveTransportation/Pages/Develop_SRTS_Program.aspx

The SRTS Coordinator for District One is Beth Clark. Should you need guidance through the SRTS process please contact Beth at 419-999-6865 or beth.clark@dot.state.oh.us



Environmental Update

We are excited to announce that a new Programmatic Categorical Exclusion Agreement between the Federal Highway Administration (FHWA) and ODOT has been signed and executed effective February 23, 2015! The new agreement will formalize changes made in the Moving Ahead for Progress in the 21st Century Act signed into law on July 6, 2012. This new agreement will streamline the environmental process for complying with the National Environmental Policy Act, which will result in the ability to deliver projects more quickly and efficiently.

Processing and Documentation

ODOT's Office of Environmental Services has made the new agreement available on their website at the following path: http://www.dot.state.oh.us/Divisions/Planning/Environment/NEPA_policy_issues/CategoricalExclusions/Documents/CE_PA.pdf

The agreement details five new levels of Categorical Exclusions (CE). The new levels, along with the equivalent CE levels from the previous agreement (2010), are as follows:

- C1 (previously processed as Exempt)
example: Resurfacing, sidewalk improvements, and other roadway improvements not requiring additional right-of-way
- C2 (previously processed as CE1)
example: Roadway improvements or bridge replacements requiring minor amounts of new right-of-way
- D1 (previously processed as CE1 or CE2)
example: Roadway improvements requiring new right-of-way with up to two relocations. Typically these project have higher levels of environmental impacts.
- D2 (previously processed as CE2 or CE3)
example: Roadway improvements or realignments requiring new right-of-way with up to eight relocations. These projects typically have high levels of environmental impacts and usually occur in urban areas.
- D3 (previously processed as CE4)
example: Major rehabilitation or realignment of roadways in urban areas. The impacts associated with these projects exceed the thresholds of the other project types.

It is important to note this new agreement supersedes all earlier agreements, therefore all CEs that have not yet been approved have to be completed in accordance with this new agreement.

How will this impact your project?

The primary purpose of this new agreement is to increase flexibility, streamline the environmental process, and reduce paperwork. In many cases, these new changes may result in decreased timelines and costs for your projects.

Under this new agreement, ODOT District 1 Environmental Staff has established new guidelines for assisting Local Partnering Agencies (LPA). The new guidelines are detailed below. **Please note these guidelines are applicable to ODOT District 1 only, and are subject to staff availability. When working with other Districts, please contact their District LPA Coordinator.**

New Environmental Assistance for Locally Sponsored Projects Guidelines

Project Type: C1 and C2

ODOT District 1 Environmental Staff will complete all aspects of C1 and C2 projects on behalf of the LPA, except:

1. Environmental Site Assessment (ESA) Screenings containing 26 or more parcels. A) If 25 or fewer parcels need to be screened, ODOT District 1 Environmental Staff will do the ESA Screening in-house.
2. Phase I ESA Report.
3. Phase II ESA Report.
4. Cultural Resource Phase I Report.
5. Cultural Resource Phase II Report.
6. Mussel Survey/Relocation.
7. If the project is Local Let, the LPA is responsible for obtaining the necessary Waterway Permits.

It is expected the LPA will hire an ODOT pre-qualified consultant to help complete these seven (7) tasks if they are needed for C1 and C2 projects.

Project Type: D1, D2, and D3

The LPA is responsible for completing all aspects of D1, D2, and D3 projects. It is expected the LPA will hire an ODOT pre-qualified consultant to help complete these types of projects. ODOT Environmental Staff will provide reviews of reports, coordinate with resource agencies as necessary, and provide approval of the completed CE document.

Questions, comments, and concerns can be directed to Nate Tessler, ODOT District 1 Environmental Coordinator, at Nate.Tessler@dot.state.oh.us or (419)999-6886.

Super Circular Guidance/LPA Requirements Form

The new Super Circular was designed to streamline guidance on Administrative Requirements, Cost Principles, and Audit Requirements for Federal awards. The Super Circular is now effective as of **December 26, 2014** and will apply to all LPA agreements executed on or after the effective date.

The most notable visual difference now shows the form as an Excel spreadsheet with separate tabs. The other change is the frequency in which the form should be completed. To access the guidance and the participation forms be sure to check out the link below:

<http://www.dot.state.oh.us/Divisions/Planning/LocalPrograms/Pages/default.aspx>

Fact Sheets for LPA Projects

As a result of the LPA Advisory Group recommendations, the Office of Local Programs has worked in cooperation with the Office of Environmental Services and the Office of Real Estate to develop the following.

- **LPA Advisory Group Fact Sheet**
- **Potential Construction Constraint Timeframes**
- **Potential Ecological Sampling Timeframes**

Hopefully you will find this information useful as LPA's develop projects and set milestones on local-let projects.

The Fact Sheets listed above can be found on our Local Programs website at:

<http://www.dot.state.oh.us/districts/Do1/PlanningPrograms/local/Pages/default.aspx>

COST RECOVERY METHOD AND LPA LOCAL LET PARTICIPATION REQUIREMENT REVIEW FORM

Some of you administering your Local Let projects have chosen to carry out construction engineering and/or construction inspection internally with your own qualified forces. Furthermore, some of you have chosen to get reimbursed for these labor costs. When doing so, there is a section in the LPA agreement requiring you to select the method of cost recovery that you are going to use. 2 CFR Part 200 is now in place. Referred to as the Super Circular it is meant to standardize financial reporting and auditing requirements. The Super Circular has eliminated the ability for the Local Agency to use the safe harbor rate. Any LPA Agreements fully executed prior to December 26th, 2014, can utilize the previous selection (including the safe harbor rate). Agreements after 12-26-14 will need a selection based on the Super Circular choices that are now available. The choices are:

-Direct Labor only

-Direct Labor plus indirect costs determined using the Federal De Minimis Indirect Cost Rate

-Direct Labor plus Approved Fringe Benefit Costs

-Direct Labor plus indirect costs determined using the approved applicable Cost Allocation Plan rate

-No cost recovery of any LPA direct labor, fringe benefits or overhead costs.

To help better understand these choices an implementation letter, frequently asked questions, and guidance document has been created and are available at: <http://www.dot.state.oh.us/Divisions/Planning/LocalPrograms/Pages/default.aspx>. Look for the Super Circular box on the right side. Additionally in this same box is a link to cost recovery forms that can help you determine if your agency has the accounting system to support the cost recovery method you intend on selecting.

Please note that if you intend on hiring a consultant to perform construction engineering activities, you would select not seeking reimbursement.

Also, if you do chose some form of reimbursement you must maintain federally compliant time tracking.

The Super Circular is also now being considered when you apply to administer your projects as Local Let. The new application process requires you to fill out the revised LPA Participation Requirement Review Form. The Finance and Cost tab of the participation form will be forwarded to ODOT's Office of External Audits for review. The Office of External Audits will make recommendations to ensure compliance with Federal Super Circular requirements.

DRAINAGE ITEMS 603, 604, and 811

In the January 2015 district newsletter, we stated that Item 811 was no longer available for use. We are **re-scinding** that statement. It is true that ODOT has retired Supplemental Specification 811. But, for Local Let projects, you can still use SS 811 provided you place the specification verbiage in your Local Let bid proposal document. Construction has the specification available on their website at: http://www.dot.state.oh.us/Divisions/ConstructionMgt/Admin/General%20Files/LPA/811_01182013_for_2013.pdf.

PROJECT BILL OF MATERIALS (PBOM)

One of the challenges with administering a Local Let project is ensuring that you are getting the materials that were specified. In previous District Newsletters, we have introduced you to the spreadsheet that Chase Wells developed. Using the Item Number with ODOT's item extension number, you can create a Project Bill of Materials that identifies for various items what the material acceptance method is. Should you be administering a Local Let project, please take the opportunity to familiarize yourself with the PBOM at: <http://www.dot.state.oh.us/Divisions/ConstructionMgt/LPAConstructionContractAdministration/Pages/LPAConstructionContractAdministration.aspx>.

The file is located in the right hand column under the heading, 'Materials'.

VALUE ENGINEERING CHANGE ORDER PROPOSALS (VECP)

Local Let projects can incorporate VECPs. Please note that the ability to do so must be included in the proposal documents. This would require changing ODOT's Bid Document Template so that Section 105.19 is no longer excluded. An edited version of Supplemental Specification 1113 must also be included. Should you be interested, please contact Lori Brinkman at Lori.Brinkman@dot.state.oh.us.

District One LPA Staff Contact Information

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Project Development Process Website: <http://www.dot.state.oh.us/projects/pdp>