



NC Capital Area **Metropolitan Planning Organization**

CAPITAL AREA MPO

**Locally Administered Projects Program (LAPP) Project Management
Training**

March 21, 2024

9:00 AM – 3:00 PM

Link to Slide Deck: <https://www.campo-nc.us/funding/locally-administered-projects-program/training>

Today's Agenda

- **Introductions**
- **Locally Administered Projects Program Overview**
 - Program Overview
 - TIP/STIP
- **Project Development Process**
 - FHWA Considerations
 - Pre-Design
 - Design
 - Right of Way
 - Construction
- **LAPP Project Delivery Requirements**
- **Wrap Up**

Locally Administered Projects Program Overview

LAPP - Introduction

- Responsibility of the MPO
- In March 2010, the TAC directed staff to create the Locally Administered Projects Program.
 - Avoid future Federal rescissions to the maximum extent possible
 - Holistic approach to identify & prioritize highly effective projects
 - Efficient use of available funds
 - Annual modal investment mix
 - Project tracking system
 - Training program

LAPP - Eligibility

- **Locally- Administered**

- By applying, the local government or NCDOT Division is committing to sponsor the project.
- The sponsor will be responsible for all federal and state reporting requirements.
- There will also be reporting on a regular basis required by CAMPO.
- An inter-local agreement will be required between NCDOT and the project sponsor.
- Local sponsors will be required to front all project costs, invoice NCDOT, and get reimbursed for the agreed upon federal percentage.

- **Shovel Ready**

- Timely execution of agreement to proceed.
- Requested phase authorized within funding year.

TIP/STIP Considerations & Funding/Schedule Changes

Pre-Design

TIP Process

- Amendments require Executive Board (TAC) action (2-3 Months)
 - Add or delete a project
 - Change in design or scope, such as termini, number of lanes, etc.
 - Add or substantially modify a phase of work
 - Change in cost
 - Change in schedule
- Modifications that require administrative approval (No TAC action)
 - Minor change in funding amount
 - Use different source of funds
 - Small changes in project scope



STIP changes*

- Revisions require Board of Tr. (BOT) action + additional 2-3 Months
 - Change Fiscal Year in which \$\$ to be authorized
 - Add (or modify) a phase of work
- Cases NOT requiring BOT action
 - Minor change in funding amount
 - Use different source of funds

*If LAPP funds involved, MPO must review and concur



FHWA Transportation Conformity CMAQ/NEPA

Loretta Barren, FHWA, Air Quality, Loretta.barren@dot.gov

Joseph Geigle, FHWA, Congestion Management, Planning, Joseph.Geigle@dot.gov



Transportation Conformity



What is Transportation Conformity?

- It's how we ensure that Federal funding and approval goes to transportation activities that are consistent with air quality (AQ) goals



CAMPO

Conformity Impacted Counties

- Franklin
- Granville
- Johnston
- Wake

Pre-Design

What if conformity determination cannot be made?

- The use of Federal aid funds is stopped
 - Impacts design work, right-of-way acquisition, construction, permitting and approval of environmental documents



What are conformity triggers?

- Change of project scope
 - Change in number of lanes
 - Auxiliary lanes
 - Managed lanes (HOV/HOT)
 - Change in project length
 - Addition/deletion of an interchange
 - Replacing an intersection with an interchange



What initiates the need for a conformity determination?

- Adoption or amendment of a MTP
- Adoption or amendment of a local TIP or STIP (*project scope, horizon year or termini change during project development – NEPA*)

Pre-Design

Transportation Conformity Implications

Conformity Implications

- Projects in non-attainment or maintenance areas
- Amendments
- Non-regionally significant, but not exempt projects require a conformity determination, but not a conformity analysis (short form) (unless the project is exempt)

NO Conformity Implications

- Projects NOT in non-attainment or maintenance areas
- Administrative Modifications
- Exempt projects



Planning and Transportation Conformity Amendment Timelines

- Planning (no conformity)
 - 3 to 6 months to add a project to MTP/TIP/STIP
 - This is the current process we use for projects in CAMPO
- Planning (with transportation conformity)
 - 4 to 6 months conformity **without** a regional emissions analysis
 - 9 to 12 months conformity **with** a regional emissions analysis



CMAQ

Pre-Design

Congestion Mitigation & Air Quality Program (CMAQ)

- Federal program that provides funding for projects or programs in air quality concern areas to help achieve & maintain air quality standards
- Jointly administered by FHWA & FTA, in conjunction with EPA
- Funding available for areas that are (or were) non-attainment or maintenance
- Eligible projects / programs include those with air quality benefit that are likely to contribute to the attainment of the standards

Pre-Design

Eligible CMAQ Projects

- Congestion Reduction & Traffic Flow Improvements
- Transit & Public Transportation Improvements
- Bicycle & Pedestrian Facilities/Programs
- Transportation Control Measures (TCMs)
- Travel Demand Management
- Public Education & Outreach
- Idle Reduction
- Alternative Fuels & Vehicles
- Carpooling & Vanpooling
- Diesel Engine Retrofits & Other Advanced Truck Technologies
- Value/Congestion Pricing

Pre-Design

CMAQ

- **Project Submittal Process**

- Initial Discussion with Applicants to Pre-screen Projects
- CMAQ Application
- Submitter review
- MPO/RPO Endorsement and Approval



CMAQ

- **Interagency Review**

- FHWA, NC Division of AQ (NCDAQ), Environmental Protection Agency (EPA) and Federal Transit Administration (FTA) review applications for eligibility and provide review comments to NCDOT
- Projects are not approved until comments/questions are addressed



FHWA CMAQ Project Authorization

- CMAQ Application with Emissions Benefits
- Metropolitan Transportation Plan (MTP)/Transportation Improvement Program (TIP)/State TIP
- Right of Way Authorization
- Environmental Document
- Federal Share
- Project Completion Date



QUESTIONS???

Loretta W. Barren

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National Environmental Policy Act (NEPA)



NEPA



- NEPA of 1969 (signed January 1, 1970)
- Established Nat'l environmental policy & goals
- Required agency disclosure of impacts of proposed actions and possible mitigation
- Created basis for environmental impact statements (EIS) for major Federal actions
- Created Council on Environmental Quality (CEQ)-monitors Federal actions, provides overall guidance, tracks trends and resources.

When Does NEPA Apply?

- For FHWA, basically when a project is proposed for Federal-aid Highway Funding
- Action-highway or transit project proposed for FHWA funding, but...
- ...actions must also include activities such as multiple use permits or changes in access control that may or may not involve commitment of funds

What must be considered?



- Natural and “built” environments
- Agencies must take a “hard look” at consequences of actions and keep public informed
- NEPA goal: Promote efforts which will prevent or eliminate damage to the environment

What are Classes of Actions?

- **Categorical Exclusion (CE)**-actions which do not individually or cumulatively have a significant effect on the human environment
- **Environmental Assessment (EA)**-significance of environmental impact is not clearly established; to determine the appropriate environmental document required
- **Environmental Impact Statement (EIS)**-detailed written statement on major Federal actions significantly affecting the human environment

What will be needed to receive the Federal Funds?

- Completed/approved environmental document (PCE/CE/EA/EIS)



Additional NEPA Resources

- Federal Aid Essentials for Local Public Agencies
- <http://www.fhwa.dot.gov/federal-aidessentials/>
- NCDOT Local Projects Administration
 - <https://connect.ncdot.gov/municipalities/funding/Pages/default.aspx>
- Local Programs Management (LPM) Handbook Updates
 - <https://connect.ncdot.gov/municipalities/Funding/Pages/LPM%20Handbook.aspx>



Questions????

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Funding, Monitoring, & Reporting

Tammy Richards

Morgan Nelson, PE



Your Old Salem
adventure starts
when you cross our
Heritage Bridge.

—

We have done our best to give you the best of our bridge. We hope you will enjoy the view, the history, and the experience of crossing our bridge. Please do not drink or use alcohol on the bridge. Thank you for your support!



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Introduction

- Tammy
 - 39 years experience with FHWA
 - 14 years experience with LPA
- Morgan
 - 6 years experience with highway related work
 - 1 year experience with LPA



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FHWA's Role

- Provide Federal funding for your project
- Ensure Federal dollars are spent appropriately
- Ensure there is no fraud, waste, and/or abuse
- Ensure the recipients have a good project
- Ensure that recipients have every opportunity to keep every dollar of their Federal funds
- **We are not here to make the process hard for you, but there are regulations that you have agreed to uphold by asking for and receiving Federal money**
- **We are here from the government, but we ARE here to help you!**



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NCDOT's Role

- Although NCDOT usually has no funds in LPA projects, they have full oversight and responsibility of all LPA projects established by:
 - 23 CFR 635.105(a) & (b):
 - (a) NCDOT has responsibility for the construction of all Federal-aid projects and is not relieved of such responsibility by authorizing performance of the work by a local public agency or other Federal agency. NCDOT shall be responsible for insuring that such projects receive adequate supervision and inspection to ensure that projects are completed in conformance with approved plans and specifications.
 - (b) Although NCDOT may employ a consultant to provide construction engineering services, such as inspection or survey work on a project, the NCDOT shall provide a full-time employed State engineer to be in responsible charge of the project.
 - Stewardship and Oversight Agreement
- In the unlikely event that funds have to be re-paid or deemed non-participating, they are taken from NCDOT and then the municipality will be responsible for repaying NCDOT (or it will be taken from your Powell Bill).



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Common Terms

- Contract Authority, U.S. Congress
 - “You (NCDOT) might be able to obligate X dollars . . .”
- Obligation Ceiling (or Obligation Limitation)
 - “. . . but, based on overall budget conditions, you can only obligate Y dollars”
- Funds programmed (not yet guaranteed)
 - NCBOT adopts a new "Funding Program" (7-year STIP) every two years
- Funds obligated (safe from rescission axe)
 - Upon NCDOT request, FHWA agrees to reimburse for a specific project
- Rescission (“Houston, we have a problem”)
 - Congress decreases the State’s Contract Authority



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2 CFR 200 “The Supercircular”

- Period of Performance:
 - Imposes a period when project costs can be incurred
 - Start Date (Project Authorization Date) through the End Date (predetermined by NCDOT using a formula based on projects of similar scope accounting for delays)
 - Costs can **only** be incurred within start and end date
 - After project end date - no additional costs can be incurred
 - Requires that projects be closed out 15 months after the “End Date” established and documented on the FHWA Authorization
- Extension/modification of End Date is authorized by the awarding agency only when there is a project delay beyond the control of the recipient
 - Ex: utility delays, railroad delays, lawsuits, etc.



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Project/Funds Authorization

- FHWA commitment that Federal funds are available for the project
 - Preliminary Engineering (PE)
 - Right of Way acquisition (ROW)
 - Construction (CON)
- Authorization is required **prior to** incurring **any** expenses
- Work done before the date of FHWA Authorization is NOT eligible for reimbursement



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CEI Contracts/Advice

(We cannot tell you who to hire, but we can offer some things to consider)

- If you are hiring a CEI Firm to handle your project, hiring one that has NCDOT contract administration experience is important
 - You may want to consider putting something in your contract to reflect that
 - Does the specific Project Manager/Inspector that will be working on your job have NCDOT experience?
- Your Municipal officials signed a Municipal Agreement that states:
 - All projects are required to use:
 - NCDOT's Standard Specifications, NCDOT's Construction Manual, NCDOT's Minimum Sampling Guide, and all State and Federal regulations



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Inactive Projects

- A project will become inactive if it has not had an expenditure charged to it in FHWA's project tracking system for one year
- Once a project hits the 1-year report, FHWA's Finance Section is **REQUIRED** to deobligate the unexpended funding amount
- The Municipal Agreement states that a project must be invoiced at least once every 6 months to keep the project active and eligible for Federal funding.
- The Municipal Agreement also states:
 - *FINAL INVOICE*
 - *All invoices associated with the Project must be submitted within six (6) months of the completion and acceptance of the Project to be eligible for reimbursement by the Department. Any invoices submitted after this time will not be eligible for reimbursement.*



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Preliminary Project Reviews

- LPA Program Manager will be conducting three types of reviews:
 - Compliance Assessment Review (CAP) – Directed and selected by our Headquarters Office
 - Pre-Construction Conference Review – When you receive your Concurrence In Award letter from NCDOT, it will have on it that an invitation to the Pre-Construction Conference should be sent to your NCDOT contact, NCDOT M&T Contact, as well as FHWA Local Program Manager(s)
 - Records Reviews – Will consist of a review of all project records and documentation for a project that is 50%-75% complete
 - We will provide a copy of the checklist that will be used!



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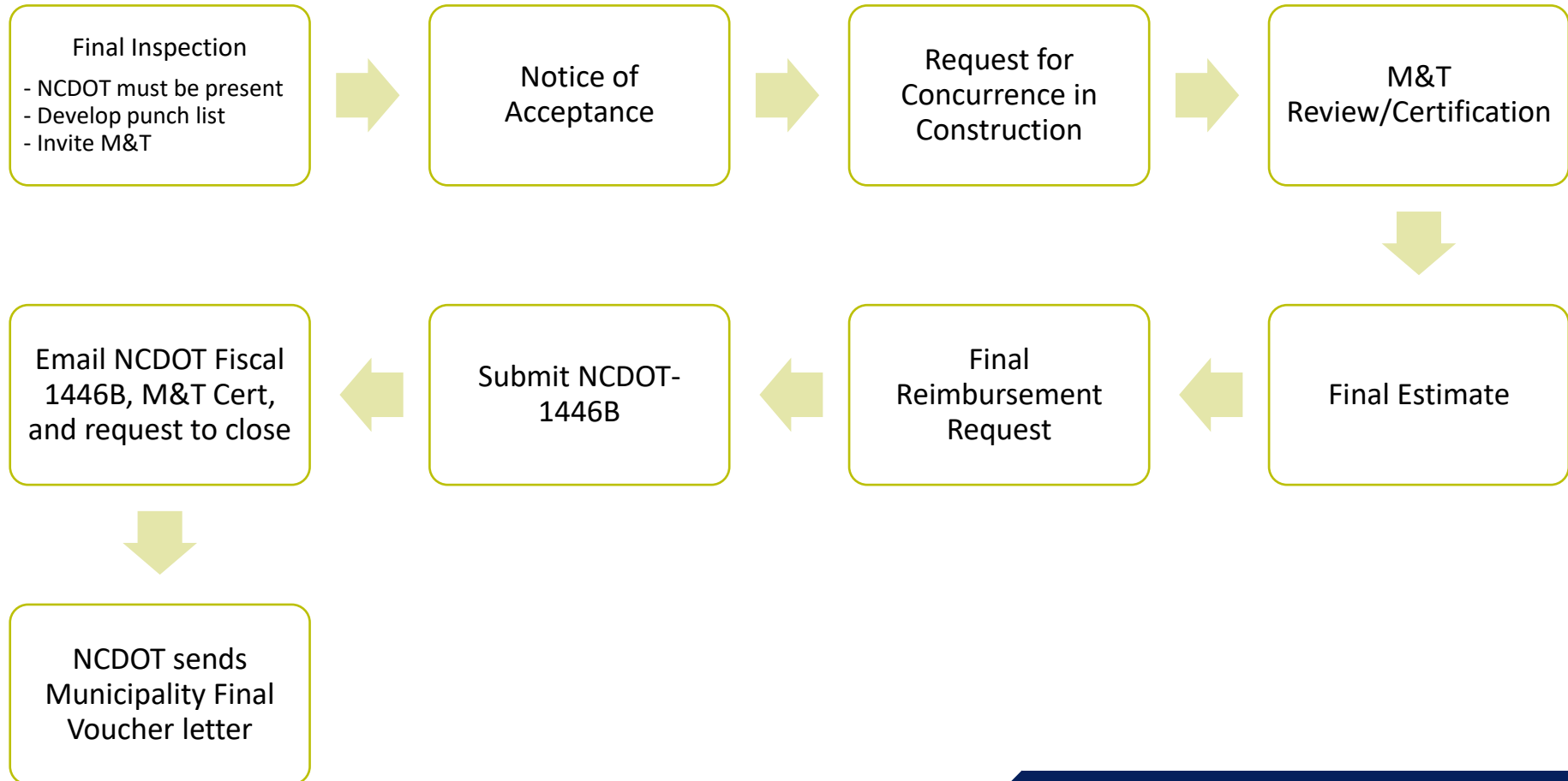
Buy America

- **All steel and iron products permanently incorporated into a Federal-aid project MUST be domestically produced**
- **Build America, Buy America extends coverage to construction materials**
- Applies to both highway and non-highway projects
- Regulations & Guidance on Buy America:
 - Buy America for LPA - <https://highways.dot.gov/fed-aid-essentials/videos/project-construction-and-contract-administration/contract-1>
 - 23 CFR 635.410 - <https://www.govinfo.gov/content/pkg/CFR-2013-title23-vol1/xml/CFR-2013-title23-vol1-sec635-410.xml>
 - Page 86 of CACC - <https://www.fhwa.dot.gov/programadmin/contracts/cacc.pdf>
 - Build America, Buy America -
https://www.fhwa.dot.gov/construction/contracts/buyam_qa_baba_pre10232023.cfm
https://www.fhwa.dot.gov/construction/contracts/buyam_qa_baba_post10232023.cfm



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Project Closeout





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Project Closeout

- 2 CFR 200 (aka: Supercircular) - Requires that projects be closed out 15 months after the “End Date” established and documented on the FHWA Authorization.
- If timeframes are not met, the Supercircular states that ALL project funds shall be taken back.
- Keep all project records for three years after the Final Voucher Date as they can be audited by FHWA until that time.
- Closeout guide and checklist:

<https://connect.ncdot.gov/municipalities/Funding/Pages/LPM%20Handbook.aspx>



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Examples of Items That Are Not Eligible

The rule of thumb is it has to be
“transportation related” items
– you should be able to walk on
it, ride on it, or drive on it.

(Just because it’s in the Master Plan, doesn’t
mean it’s eligible for Federal Funding)





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Don't Be Afraid To Ask For Help!

- Please contact your NCDOT partner if
 - You have questions
 - Run into a problem
 - Don't know how to handle something
- NCDOT is here to help you and to keep you out of trouble
- If anything needs to be elevated, NCDOT will contact FHWA



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Questions

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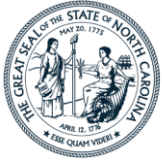
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NORTH CAROLINA

Department of Transportation

Local Project Delivery and Implementation

Marta Matthews and Raymond Hayes

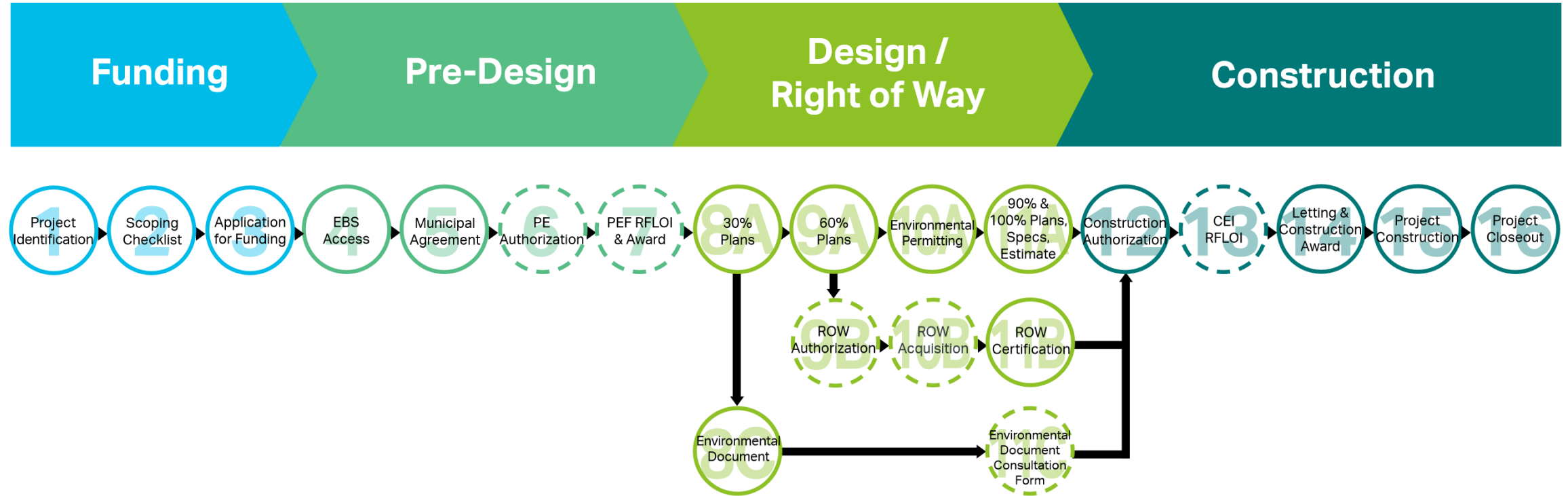
March 21, 2024

Connecting people, products and places safely and efficiently with customer focus, accountability and environmental sensitivity to enhance the economy and vitality of North Carolina

Overview of Presentation

- Resources
- Local Project Delivery
- How to Coordinate Delivery Steps with EBS
- Professional Services
- Reimbursement

Major Phases of Project Development



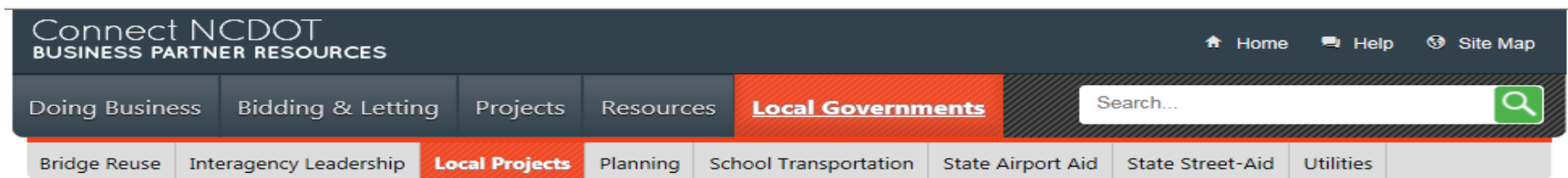
Link to Scoping Guidance Document:

<https://connect.ncdot.gov/projects/BikePed/Documents/BikePed%20Project%20Scoping%20Guidance%20for%20Local%20Governments.pdf>

LPMO Website

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

- The Department has a website for internal and external customers to utilize for information.
- For Local Projects, click on the “Local Governments” tab, then the “Local Projects” tab.
- The website provides resources and links to other funding areas, project guidance, templates and forms.





Local Projects Administration

Guidance to help municipalities implement and deliver locally-administered transportation projects.

[Home](#) ► [Connect NCDOT](#) ► [Local Governments](#) ► [Local Projects](#)

Introduction

The Local Programs Management Office (LPMO) provides guidance and oversight to Local Government Agencies (LGA) that receive federal or state funds to implement a project, program, or study. LPMO establishes standard operating procedures for those projects that are administered by an LGA.

WHAT IS A LOCALLY-ADMINISTERED PROJECT?

LGA programs and projects receive federal or state money based on the recommendations of Municipal or Rural Planning Organizations (MPOs and RPOs), NCDOT Program Areas, and Board of Transportation Members. LGAs are responsible for carrying out the design and construction of projects, or implementation of programs.

WHAT IS NCDOT'S ROLE?

NCDOT's role is to advise, approve and oversee the proper expenditure of funds by an LGA on an eligible project or program. NCDOT is committed to establishing appropriate oversight in

FORMS & TEMPLATES

[Letter Requesting Concurrence with PEF Selection](#)



[Letter from LGA Requesting NCDOT Concurrence with Construction Contractor](#)



[Project Information Data Sheet](#)



[Contract Provision for Non-Federal Entities](#)



[DBE-IS Subcontractor Payment Report](#)



[Utility/RR Certification Form for LGAs](#)




[Letter from LGA Requesting](#)



WHAT IS NCDOT'S ROLE?

NCDOT's role is to advise, approve and oversee the proper expenditure of funds by an LGA on an eligible project or program. NCDOT is committed to establishing appropriate oversight in order to ensure the best use of public funds and compliance with all applicable state and federal regulations.

View an overview of Federal-aid Project Delivery and use of EBS Portal here:  [General Overview of Federal-Aid Project Delivery.pptx](#)

ENTERPRISE BUSINESS PORTAL (EBS)

The New Local Project Management Tool is now LIVE! Please use the Security Form (look to the right under "Forms and Templates") to request a user id and password.

ACCESS to the Project Management Tool: [Enterprise Business Services](#)


QUICK GUIDES to navigating the EBS Portal:


- [REQUESTING NEW AGREEMENT.pdf](#)
- [REQUESTING A SUPPLEMENTAL AGREEMENT.pdf](#)
- [SUBMITTING DOCUMENTS FOR REVIEW.pdf](#)
- [REQUESTING AUTHORIZATION OF FUNDING.pdf](#)
- [REQUESTING REIMBURSEMENT.pdf](#)

[DBE-IS Subcontractor Payment Report](#) 

[Utility/RR Certification Form for LGAs](#) 

[Letter from LGA Requesting Reimbursement](#) 

[Letter from LGA Accepting Project from Contractor](#) 

[Letter from LGA Requesting Concurrence - Construction](#) 

[LPMO Security Form for EBS Access](#) 

[FFATA Subrecipient Form](#) 

[RFLOI Form for LGA](#) 

PROGRAM LINKS

[Municipal Bridge](#)

[Congestion Mitigation & Air Quality \(CMAQ\)](#)

[Bicycle & Pedestrian](#)

RESOURCES

Local Programs Management (LPM) Handbook and Updates

Understand the Requirements of NCDOT and the Federal Highway Administration for federally-funded Projects

[Read More](#) →

[Materials and Tests](#)

[Environmental resource information](#)

[Right of Way Support Information](#)

[Bicycle/Pedestrian Design Guidance](#)

[Professional Services Firms](#)

[Bid Proposals](#)

[NCDOT Construction Manual](#)

Updates to the 2009 Handbook

• Instructions

• Webinar

* Updates (in red)

- Introduction (Including Contacts)
- State Transportation Improvement Program
- **Funding, Eligible Costs, and Match Requirements**
- **Schedule**
- Project Agreement
 - Project Information Data Sheet (see Forms & Templates)
- **Funding Authorization Overview**
- **Preliminary Engineering Authorization**
- **Professional Services**
 - **Project Specific Solicitation vs On-Call Contract (Overview)**
 -  **GUIDELINES for COMPLETING RFLOI.pdf**
 - Template Request for Letters of Interest (see Forms & Templates)
 - Letter from LGA Requesting Review of Proposal (see Forms & Templates)
- **Environmental Documentation**
 -  **LAP Guidance_1.25.2022.pdf**
- **Project Types**
- **Design**
- Right of Way Utility Authorization
- **RIGHT OF WAY - ACQUISITION and CERTIFICATION**
- Utility Relocation
- **Contract Proposal**
- **Engineer's Estimate**
- Construction Authorization
-  **Construction Procurement.pdf**

FORMS & TEMPLATES

Letter Requesting Concurrence with PEF Selection



Letter from LGA Requesting NCDOT Concurrence with Construction Contractor



Project Information Data Sheet



Contract Provision for Non-Federal Entities



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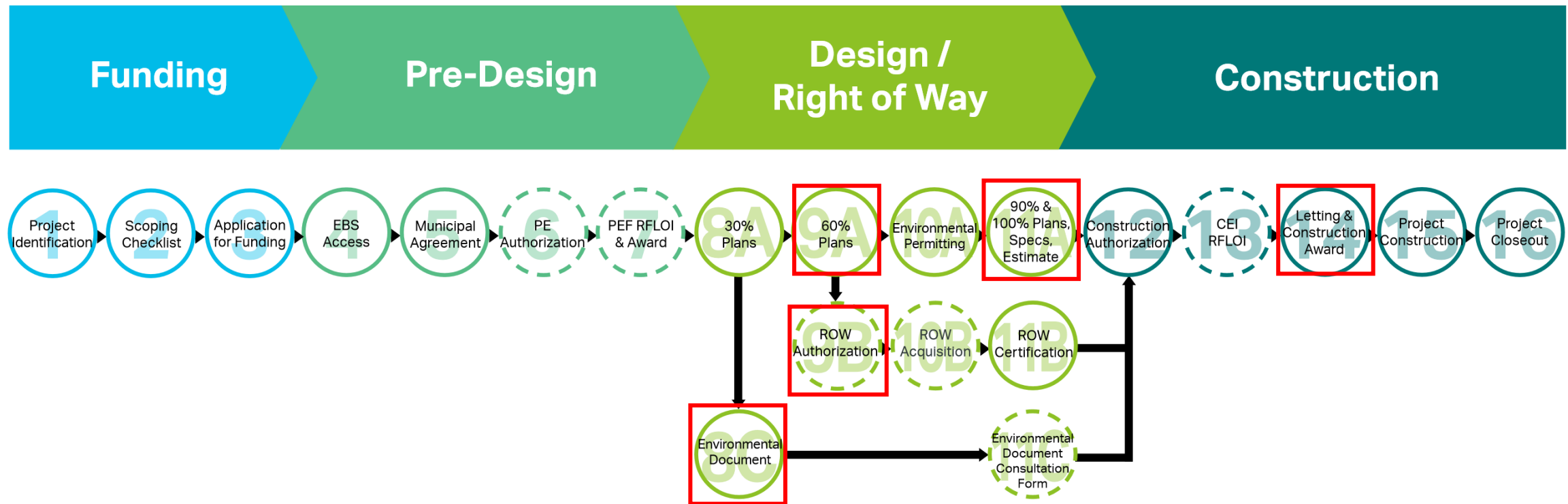
LOCAL PROJECT DELIVERY



Basic Requirements for Federal-aid Projects

- Federal-aid funding is cost-reimbursement
- Funding Authorization (from FHWA) 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

Design Coordination and Schedules



Typical Project Delivery Steps

Agreement



-----Preliminary Engineering Authorization-----

- *Procuring Professional Services*

Environmental Document (required)

Plans (required)



-----Right of Way Authorization-----

- *Right of Way Acquisition*
- *Utility Relocation*

Right of Way Certification (required)

Utility / RR Certification (required)

Contract Proposal and Estimate (PS&E) (required)



-----Construction Authorization-----

- *Advertise and Let Construction Contract*
- *Construction & Administration*

Final Inspection (required)

- *Final Reimbursement*

Funding Authorization

For every phase that is eligible for reimbursement, the LGA must request funding authorization through the [Local Project System \(EBS\)](#).

- 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.

SUBMIT CHANGE REQUEST FOR FUNDING AUTHORIZATION



Funding Authorization

- Refer to the chart to show when funding authorization may be requested for each phase.
- Note deliverables that are needed prior to requesting funding authorization.
- Funding authorization starts the clock with FHWA.



NCDOT will use your funding

- Even if the LGA is not receiving funding for a certain phase of work, the funding is still available for NCDOT to authorize and utilize for the review of plans, appraisals, certification package, proposal, etc.
- The LGA is responsible for the non-federal match on any DOT charges.
- The LGA is responsible for any costs that *exceed* the available funding.





Enterprise Business Systems (EBS)

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)

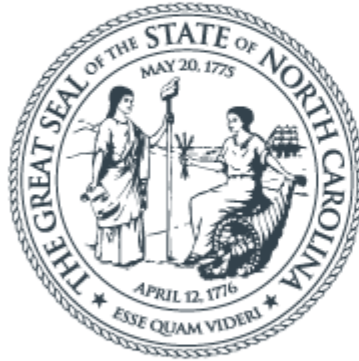
☐ Create/Submit Reimbursement Request/Claims (this may be a finance officer role only)

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

☐ Display/View Application, Agreement, Documents, Reimbursement Claims & Change who do not need to submit documents and only want to review information available allow any workflow activities)

**Enterprise
Business
System (EBS)
Access**

Enterprise Business Services (EBS) Local Projects Management Tool



Enterprise Business Services

User *

Password *

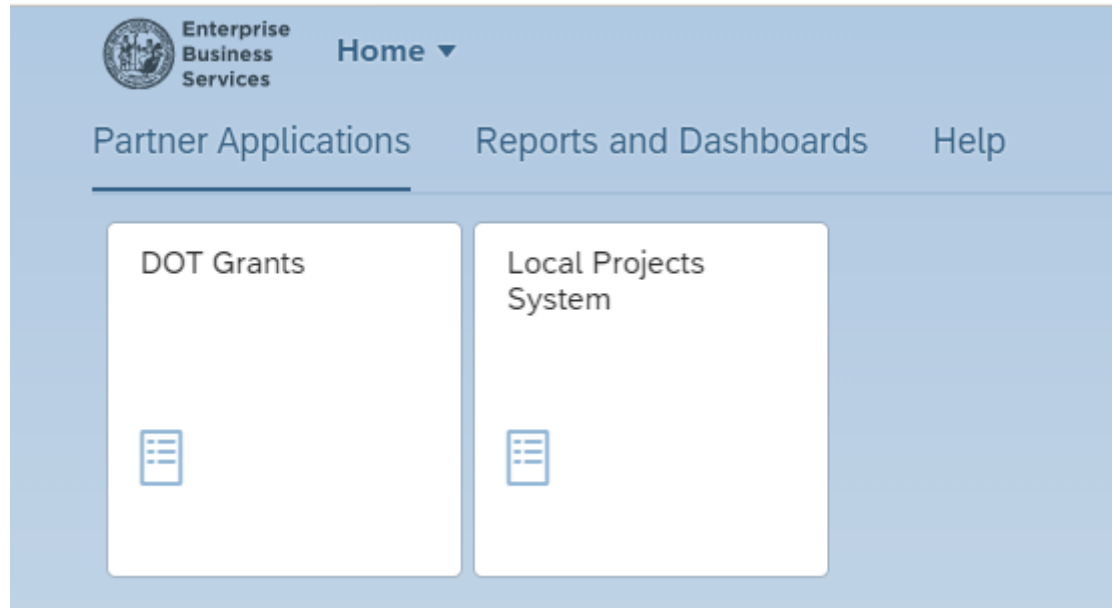
Passwords are case sensitive

Log On

[Login Help](#) * [Browser Support](#)

Enterprise
Business
System (EBS)
Access

Local Project Management Tool



EBS PORTAL OVERVIEW

NCDOT
NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

LOCAL PROJECTS

Welcome Agustin Rodriguez

Saved Searches Go Advanced

Home

Home

Help - LPMO

FAQ's

Recent Items

- 2000004525 Interse...
- 3267 Environmental...
- 4000014941 Interse...
- 3000086289 Interse...
- 1000003271 Interse...
- 20759 Environment...
- 20757 PEF Tasks a...
- Allison Brickey 100...
- 20763 ROW Apprai...
- 2000023058 ITS: H...

MENU

- New Agreement Application
Edit Agreement Application
View Agreement Application
Use to request or modify an application for an agreement.
- Submit Document/View Agreement
Display Documents
Use to submit documents or view funding status
- New Change Request
Edit Change Request
Use to request a Supplemental Agreement OR request funding authorization
- New Reimbursement Claim
Edit Reimbursement Claims
View Reimbursement Claims
Use to request reimbursement
- View Program/Grants

Enterprise Business System (EBS) Access

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.		
PS: CEI EXEMPTION	Request for CEI Exemption for PEF to perform Design and CEI services	PRE-CON: OTHER DOCUMENTS	Any PRE-CON documents that need review but do not match listed PRE-CON categories
PS: CEI RFLOI	Advertisement to solicit for engineering firms for Construction Engineering Inspection (CEI) Services.	CON: CONSTRUCTION CONTRACT	Executed Construction Contract (with Contractor)
PS: CEI – PEF SELECTION PROCESS	<i>Coming soon...</i>	CON: SUBCONTRACTOR AGREEMENT FORMS	Subcontractor Agreements b/w Contractor and Sub
PS: CEI COST SPREADSHEET	Cost estimate spreadsheet for PEF	CON: SUPPLEMENTAL AGREEMENTS (WITH CONTRACTOR)	Executed Supplemental Contracts (with Contractor)
PS: PEF CONTRACT – CEI	Draft contract with PEF for CEI	CON: WORKING/SHOP DRAWINGS	Any Drawings done by contractor for retaining walls bridges, culverts, signal equipment, etc.
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	CON: FINAL ESTIMATE CHECKLIST	Final Estimate Checklist
PRE-CON: CONCEPT/PRELIMINARY PLANS	No more than 25% plans	CON: REQUEST FOR PROJECT CLOSEOUT	Letter requesting close out
PRE-CON: ROW PLANS	65% - 75% plans	CON: OTHER DOCUMENTS	Any CON documents that need review but do not match listed CON categories
PRE-CON: FINAL PLANS & SPECIFICATIONS	80% - 100% plans		
PRE-CON: UTILITY RELOCATION COSTS/AGREEMENTS	Cost estimates for Utilities/Relocation		





Municipal Agreement

Agreement

- Cannot be initiated until funding is programmed in the STIP in correct year.
- 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.



Application Process

- When project has been programmed in the STIP by CAMPO and approved by the BOT, you can request an agreement.
- Submit an APPLICATION in the [Local Project System \(EBS Portal\)](#).

NEW AGREEMENT APPLICATION IN EBS



Actions for Application

Your Application will be Returned, Rejected or Approved:

Returned: If the application needs to be corrected, or needs additional information

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

Approved: An Agreement is started by the LPMO



Agreement Preparation and Execution

- LPMO will create the agreement and send via DocuSign
- LGA will review and has three options for execution:
 1. Use the received DocuSign envelope to sign the Agreement
 2. Use the LGA's own DocuSign account to obtain LGA signatures only
 3. Print out agreement, sign in ink and mail one original to LPMO.
- NCDOT will DocuSign the agreement and send an electronic copy to the LGA and upload to EBS Portal.
- If ink signature, NCDOT will keep the LGA's original signature page in our files.



Typical Project Delivery Steps



✓ Agreement

-----Preliminary Engineering Authorization-----

- *Procuring Professional Services*

Environmental Document (required)

Plans (required)

-----Right of Way Authorization-----

- *Right of Way Acquisition*
- *Utility Relocation*

Right of Way Certification (required)

Utility / RR Certification (required)

Contract Proposal and Estimate (PS&E) (required)

-----Construction Authorization-----

- *Advertise and Let Construction Contract*
- *Construction & Administration*

Final Inspection (required)

- *Final Reimbursement*

PE Authorization & RFLOI



Funding Authorization

- Allows the LGA to proceed with the *authorized* phase of work
- No costs may be reimbursed if they occur prior to authorization
 - PE Funding Authorization allows the LGA to advertise/solicit for Professional engineering services.
 - ROW Funding will allow the LGA to initiate property acquisition or utility relocation.
 - Construction Funding will allow the LGA to bid out the construction project.

SUBMIT CHANGE REQUEST IN EBS



PE Funding Authorization

- Change Request will be approved and a letter will be attached that lays out next steps.
- PE Authorization allows the LGA to move forward with solicitation of engineering firms

NOTE

- Some solicitation may occur in advance of authorization
- If PE is not an eligible phase, then no authorization will occur



Typical Project Delivery Steps



✓ Agreement

✓ -----Preliminary Engineering Authorization-----

- *Procuring Professional Services*

Environmental Document (required)

Plans (required)

-----Right of Way Authorization-----

- *Right of Way Acquisition*
- *Utility Relocation*

Right of Way Certification (required)

Utility / RR Certification (required)

100% Plans, Contract Proposal and Estimate (PS&E) (required)

-----Construction Authorization-----

- *Advertise and Let Construction Contract*
- *Construction & Administration*

Final Inspection (required)

- *Final Reimbursement*

Professional Services

- All professional services procurement must be in accordance with 23 CFR 172.
- LGA must have their own written procedures, approved by NCDOT, or they can comply with NCDOT's *Policies and Procedures for Procurement and Administration of Major Professional or Specialized Services Contracts*
- Resources
 - Read 23 CFR 172
 - Review **Professional Services** section of Agreement and Handbook
 - Refer to NCDOT's *Policies and Procedures*
 - Utilize DOT's template for a Request for Letters of Interest (RFLOI)



Request for Letters of Interest (RFLOI)

- LGAs must complete an RFLOI for engineering services; either for design or for construction engineering and inspection (CEI).
- Use the template on the NCDOT Connect site
- Submit draft RFLOI through EBS Portal.
 - PS: PE RFLOI
 - PS: ROW RFLOI
 - PS: CON RFLOI

SUBMIT DOCUMENTS IN EBS



[Doing Business](#)[Bidding & Letting](#)[Projects](#)[Resources](#)[Local Governments](#)

Search...

[Bridge Reuse](#)[Interagency Leadership](#)[Local Projects](#)[Planning](#)[School Transportation](#)[State Airport Aid](#)[State Street-Aid \(Powell Bill\)](#)[Utilities](#)

Local Projects Administration

Guidance to help municipalities implement and deliver locally-administered transportation projects.

[Home](#) ▶ [Connect NCDOT](#) ▶ [Local Governments](#) ▶ [Local Projects](#)

Introduction

The Local Programs Management Office (LPMO) provides guidance and oversight to Local Government Agencies (LGA) that receive federal or state funds to implement a project, program, or study. LPMO establishes standard operating procedures for those projects that are administered by an LGA.

WHAT IS A LOCALLY-ADMINISTERED PROJECT?

LGA programs and projects receive federal or state money based on the recommendations of Municipal or Rural Planning Organizations (MPOs and RPOs), NCDOT Program Areas, and Board of Transportation Members. LGAs are responsible for carrying out the design and construction of projects, or implementation of programs.

WHAT IS NCDOT'S ROLE?

NCDOT's role is to advise, approve and oversee the proper expenditure of funds by an LGA on an eligible project or program. NCDOT is committed to establishing appropriate oversight in order to ensure the best use of public funds and compliance with all applicable state and federal regulations.

FORMS & TEMPLATES

[Letter from LGA Requesting
Concurrence with PEF Selection](#)[Letter from LGA Requesting NCDOT
Concurrence with Construction
Contractor](#)[Project Information Data Sheet](#)[Contract Provisions for Non-Federal
Entities.pdf](#)[DBE-IS Subcontractor Payment Report](#)[RFLOI Form for LGAs](#)[Utility Certification Form for LGAs](#)[Letter from LGA requesting
reimbursement](#)


PEF RFLOI
& Award

Updates to the 2009 Handbook

- * **Instructions**

- * **Webinar**

- * Updates (in red)

- Introduction (Including Contacts)
- State Transportation Improvement Program
- **Funding, Eligible Costs, and Match Requirements**
- **Schedule**
- Project Agreement
 - Project Information Data Sheet (see Forms & Templates)
- **Funding Authorization Overview**
- **Preliminary Engineering Authorization**
- **Professional Services**
 - **Project Specific Solicitation vs On-Call Contract (Overview)**
 -  **GUIDELINES for COMPLETING RFLOI.pdf**
 - Template Request for Letters of Interest (see Forms & Templates)
 - Letter from LGA Requesting Review of Proposal (see Forms & Templates)



RFLOI – Important Notes

- PE RFLOI can be drafted and sent to LPMO for review prior to authorization.
 - Submit under “PS: PE RFLOI”
 - In some instances, approval to advertise prior to funding authorization may be allowed.
- CEI RFLOI can be drafted, sent to LPMO for review and advertised prior to authorization.
 - Submit under “PS: CEI RFLOI”
- **DO NOT sign a consultant contract prior to funding authorization.**



Solicitation & Selection of PEF

- Advertise, announce, or otherwise publicly notify all requirements for services.
- Select most qualified firm to undertake the work. Ensure all consultants are pre-qualified by NCDOT in the work codes advertised.
- LGA will submit a letter requesting review of the PEF selection with documentation of a scoring process.
 - “PS: PE – PEF Selection Process”
 - “PS: CEI – PEF Selection Process”



Selection of PEF

- LGA will submit these documents in the EBS Portal.
- Select either:
 - “PE – PEF Selection Process”
 - “CEI – PEF Selection Process”to submit your following documents:
- Letter on your letterhead to name the selected firm and why you selected this firm.
- Rating sheets
- Proposal from selected firm
- RS-2 forms



Approval of PEF

- You will receive back a concurrence letter for your selection.
- LGA will schedule a scoping meeting, if needed.



Negotiate a Contract

Request Cost Proposal from PEF

When the consultant develops their costs proposal, they should use the applicable spreadsheets found under Forms at this website:

<https://connect.ncdot.gov/business/consultants/Pages/default.aspx>

Planning & Design

NCDOT Scope and Manday Estimate Form

Construction Engineering & Inspection

CEI Technicians' Scope and Estimate Form



Review of Cost Proposal

- Upload completed Cost Proposal Spreadsheet in the EBS Portal.
 - PS: PEF TASKS AND MANDAYS WITH RATES
 - PS: CEI COST SPREADSHEET
- Division will review the scope of work, tasks, and man-hours to ensure effort is consistent with the work needed.
- External Audit will review employee salary rates, overhead rates to ensure all documentation is consistent with the firm's approved audit.
- If revisions are needed, negotiate or modify as allowed and finalize the cost estimate.
- Submit for final review and approval letter.



Review of Consultant Contract

- Once cost estimate is finalized, submit a draft copy of the PEF contract.
 - PS: PEF CONTRACT – DESIGN OR ROW
 - PS: PEF CONTRACT – CEI
- Refer to *Contract Provisions for Non-Federal Entities* on the Connect website to include in your contract.
- Payment terms for Design/Planning are generally Lump sum and CEI are Cost Plus.



Consultant Contract

- The Department will review contract to ensure appropriate payment terms and costs are the same as approved in the Audit Report.
- The LGA will receive an approval letter then submit the executed Consultant Contract in EBS for the Project file before requesting any reimbursement.



Resubmitting Returned Workflows

If an activity/transaction is returned, you will receive an e-mail with an attached letter explaining the changes needed, along with directions for resubmitting:

From your Home Screen, click on **View Agreement/Submit Document**

1. Search for your Project by TIP or Agreement No.
2. Select from ID #
3. Scroll down to TRANSACTION HISTORY
4. Either sort by Created Date into most recent, or search for workflow activity under Transaction ID
5. Open up activity
6. Attach any changes or modification/additional documentation
7. Click SUBMIT at the top




Reimbursement Procedures

Reimbursement

- All reimbursement requests will be submitted through the EBS Portal
- Submit new Reimbursement Claim
- Only one claim can be submitted at a time
- A reimbursement claim must go through final approval before submitting a second claim.

NEW REIMBURSEMENT CLAIM IN EBS

New Reimbursement Claim

**LOCAL
PROJECTS**

Welcome Craig McKinney

Saved Searches

Search: Claim Form

Home
Help - LPMO
FAQ's
Recent Items

- 2000006231 SAP-2...
- Erica Jefferies 1000...
- 2000006230 Side W...
- 1000002517 Sidewa...
- LPMO_PY2014

Search Criteria [Hide Search Fields](#)

TIP number is

Maximum Number of Results:

Save Search As:

Result List

Agreement ID	Description	TIP number	Claim Form
2000006230	Side Walk	SHP2001	LPMO - Reimbursement Claim
2000006231	SAP-2010	TIP-01	LPMO - Reimbursement Claim
2000006232	Sidewalk	TIP-01	LPMO - Reimbursement Claim

Submit Reimbursement Request

New Claim Form - [SAP] - Work - Microsoft Edge
https://qcr.ebs.nc.gov/grants(bD1lbiZjPTYwMCZkPW1pbG==)/default.htm

Welcome Agustin Rodriguez

NCDOT
NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

LOCAL PROJECTS

Saved Searches Go Advanced

New Claim Form

Home
Help - LPMO
FAQ's

Recent Items

- 2000004525 Interse...
- 3267 Environmental...
- 4000014941 Interse...
- 3000086289 Interse...
- 1000003271 Interse...
- 20759 Environment...
- 20757 PEF Tasks a...
- Allison Brickley 100...
- 20763 ROW Apprai...
- 2000023058 ITS: H...

Enterprise Business Services

Local Program Management Office

Request for Reimbursement

Project Sponsor:	CITY OF CHARLOTTE	Mailing Address:	PO Box 31032 CHARLOTTE, NC 28231-1032
Program:	LOCAL PROJECTS - LPMO - Projects Managed Through LPMO	TIP:	C-5538
Grantee ID:	1000000153	Federal Aid #:	CMS-1003(144)
Division :	10	Agreement Number:	2000004525
Agreement From:	01/19/2016	Agreement To:	09/26/2022
Invoice Number:*		Date Prepared:*	11/15/2021
Invoice Period From:*		Invoice Period To:*	
Remittance Address:	PO Box 31032 CHARLOTTE, NC 28231-1032	Comments:	

DBE/MBE/WBE sub-contractor vendor payments made during this invoice period? ☐ Yes ☒ No

Final Invoice: ☐ Yes ☒ No

Submit Reimbursement Request

DBE/MBE/WBE sub-contractor vendor payments made during this invoice period?*

☐ Yes ☒ No

Final Invoice: * ☐ Yes ☒ No

Code	WBS	Description	Start Date	Authorized To Date (\$)	Reimbursements To Date (\$)	Total Expenses This Period (\$)	Ineligible Expenses This Period (\$)	Eligible Expenses This Period (\$)	Reimbursable This Period (\$)	Remaining Budget (\$)
L002	51008.2.1	ROW – Right of Way	09/26/2017	\$529,600.00	\$392,987.20			\$0.00		\$136,612.
L003	51008.3.1	CON – Construction	10/21/2019	\$2,620,400.	\$0.00			\$0.00		\$2,620,40
Total				\$3,150,000.	\$392,987.20	\$0.00	\$0.00	\$0.00	\$0.00	\$2,757,01:

AUTHORIZING SUB-RECIPIENT SIGNATURE

☐ The information supplied in this claim is true to the best of my knowledge, and conforms with the terms and conditions of this agreement.

Name: * **Agustin Rodriguez**

Date: (mm/dd/yyyy) * **11/15/2021**

Check

Save

Submit

PE Reimbursement Package

What is needed when I submit my PE claim in EBS?

- Cover Letter (on LGA letterhead) that shows
 - Project TIP # and WBS Elements
 - Invoice #
 - Total costs paid, with cost share calculation (per agreement)
 - List of invoices and firms paid with amounts
 - Materials test results
- Actual invoices from consultants, pay applications from contractors, etc., referencing the work done for the project
- Subcontractor Payment Report (DBE-IS)
- Evidence of Payment
 - Copy of cancelled check, or
 - Copy of bank statement showing where checks have cleared, or
 - A certified EFT / ACH statement

PE Reimbursement Package

CLAIM FORM IN EBS

- Make sure remittance address on Claim Form matches address on Cover Letter
- Invoice # on Claim Form must either be unique and also appear on Cover Letter; or,
- Invoice # on Claim Form must be date of Cover Letter in YYYYMMDD format
 - Example: 20230321
 - Example: 20230321C599901 (no hyphens, slashes, or other special characters)
- Calculate the reimbursement amount based on the approved reimbursement rate in your agreement.

NCDOT Review & Administrative Fees

- Varies by Division, but several units of DOT may charge time to the project if they review items.
- These charges accumulate at 100% against the federal money, which is set up at 80%, therefore NCDOT must bill the other 20% from the LGA.
- In addition to direct staff time, NCDOT also applies indirect charges to all open projects per an agreement with FHWA.
- These charges are eligible for federal funds for 80% of their costs, but the Department will still bill the LGA for 20%.

NCDOT Review & Administrative Fees

- If all the federal funds have been used on reimbursement to the LGA or Departmental charges, and there are still costs remaining, then the LGA will be billed 100% of those remaining costs.
- Language has been added to the Agreement to account for NCDOT charges up front.
- This should be calculated into any initial budgets developed for the project.

Questions or Comments?



NORTH CAROLINA
Department of Transportation

PUBLIC TRANSPORTATION STIP PROCESS

LATOYA CALDWELL
PROGRAM CONSULTANT
INTEGRATED MOBILITY DIVISION

Connecting people, products and places safely and efficiently with customer focus, accountability and environmental sensitivity to enhance the economy and vitality of North Carolina

The screenshot shows the 'STIP Amendment Request Form' on the Smartsheet platform. The form includes the following fields and instructions:

- STIP Request Number ***: A text input field.
- Is this a new or existing request? ***: A dropdown menu with a 'Logic' button.
- If it is an existing request, does it already have a different STIP Request Number? ***: A dropdown menu with a 'Logic' button.
- What is the Existing STIP Request Number? ***: A text input field.
- MPO/RPO ***: A dropdown menu with a 'Logic' button.
- If Multiple MPOs/RPOs, Percentage Breakdown**: A text area with the instruction 'If project involves multiple counties, please list the percentage of funding per county.'
- County/Counties ***: A dropdown menu with a 'Logic' button.

Small text at the top of the form states: 'All fields in the online request form must be complete before IMD will approve the Program Development Unit to process the request and add the project to the NC DOT Board of Transportation (BOT) meeting agenda. Incomplete request forms will be returned for completion and may not be included on the BOT meeting agenda until the following month if not received by the submission deadline. *STIP Amendment Requests must be received by the first of the month to be included on the next month's BOT Handout.'

STEP 1:**SUBMIT YOUR REQUEST VIA SMARTSHEETS
ONCE
YOU HAVE YOUR STIP#**

<https://app.smartsheet.com/b/form/614c4fcc95fc4e739efbf264d2fb87df>

**ONCE YOUR REQUEST IS SUBMITTED, IMD
REPRESENTATIVE, LATOYA CALDWELL WILL
SUBMIT TO THE STIP UNIT FOR NC BOARD OF
TRANSPORTATION AGENDA.**

STIP Smartsheets

- Requirements
 - 1st of the month is the cut off date for project to be submitted for the following month handout.

STEP 2:

FTA ENDORSEMENT LETTER

You are now at Step 2; this means your project was approved and now a Federal Transit Administration(FTA)letter is composed.

The items that are included in this letter are listed in the legend for the tables section of this slides.

Once the letter is approved by the administration, IMD representative will receive a copy and will notify the project request submitter.

The approved letter authorizes IMD representative, LaToya Caldwell to move to Step 3: Flex Funding Request Process.

LEGEND FOR THE TABLES:

- **STIP#:** identifying unique number for the project in the STIP
- **FUND:** Type of federal, state, and local fund source used to pay for the project. The federal types include 5307 (FUZ), 5316 (JARC), FNF (5317 New Freedom), Congestion Mitigation and Air Quality (CMAQ), FNU (5311), FEDP (5310 Elderly and Persons with Disabilities, and 5339 (FBUS).
- **MATCH:** Indicates the funding breakdown between federal (US), state (S), and local (L) funds
- **FY 20-FY 29:** This table shows the amount of funding to be programmed for each fiscal year. All funding amounts shown are in thousands (000's).

STEP 3:

Flex Funding Letter


You are now at Step 3; at this step IMD representative, LaToya Caldwell will submit a flex funding letter to request the source funds to be transferred from FHWA to the source Federal Transit Administration recipient funding.

This step doesn't go in transition until it is requested by the submitter.

Once the flex funding letter is submitted to Financial Management Division, the FHWA – 1575 C form is created and submitted to Raleigh FHWA Division office.

Raleigh FHWA Division office submits the 1575C form to Washington for approval.

Note: The Financial Management Division will email the approved signed 1575C to the IMD Representative.



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION
PUBLIC TRANSPORTATION DIVISION
FLEX Request Form

Date: _____
MPO: _____
Contact Name: _____
Contact Email: _____ Contact Phone: _____

INSTRUCTIONS

- Please complete this form and save as a pdf with this name
(FLEXTypeMPOAcronymTransitSystemAcronymYYYYMMDD of request), email to
DOTPTDSTIP@ncdot.gov, copy LaToya Caldwell, lcaldwell7@ncdot.gov, 919-707-2609.

Copy the information and repeat as needed for each request.

Source of funding to be flexed (click on the appropriate box and change default value to checked)

☐ CMAQ (Congestion Mitigation and Air Quality)
☐ STPDA - Surface Transportation Program Direct Attributable
☐ STBGDA - Surface Transportation Block Grant Direct Attributable

_____ Federal Fiscal Year Funds were apportioned.

Source of FTA recipient funding (click on the appropriate box and change default value to checked)

☐ 5307 (Urbanized Area Formula Grant)
☐ 5311 (Rural Area Formula Grant)

MTIP Approval Date: (if in next two months, note) _____

STIP#	Transit Partner	Description	TRANS Temporary FAIN	FFY of funds	Federal \$ Amount	Local \$ Amount	Total \$ Amount

If STIP Amendment is needed, please attach STIP Amendment Form. Otherwise, please copy and paste the MTIP information.

STIP Amendment Form Attached:

☐ Yes
☐ No

Signed: _____ Date: _____

5/13/2017

ADDITIONAL INFORMATION

If you do not have an existing STIP, you must request a STIP# from IMD Representative, LaToya Caldwell.

The STIP# will begin with one of the following legend codes:

Legend Code

- **Prioritization**
 - TP – 000L
- **Locally Selected (Locals)**
 - TL - 000L
- **Operations & Maintenance (a lot of the Counties)**
 - TM 5311, 5310, operating State Grant
- **Capital and Routine Maintenance**
 - TG
- **Planning & NPO**
 - TU



Contact Us

LaToya Caldwell

lcaldwell7@gmail.com

919-618-9325



@NCDOT



NCDOT



NCDOTcommunications



@NCDOT



ncdotcom



ncdot_comm

Thank you!



Environmental Document

Chris Murray, NCDOT Division 5 Environmental Studies, camurray@ncdot.gov





NORTH CAROLINA Department of Transportation



2019 Categorical Exclusion Update

Division 5

CAMPO LAPP Project Manager Training



Documentation Requirements and Approval Procedures
for Federal-Aid Projects Classified as Categorical Exclusions

US Department of Transportation
Federal Highway Administration
North Carolina Division Office

And

North Carolina Department of Transportation

Approved:

10/21/2019
Date

Christopher M. Werner
Christopher M. Werner, PE,
Director of Technical Services
NCDOT, Division of Highways

10/21/2019
Date

John F. Sullivan, III
John F. Sullivan, III, PE, Division Administrator
Federal Highway Administration

CE Agreement between FHWA and NCDOT

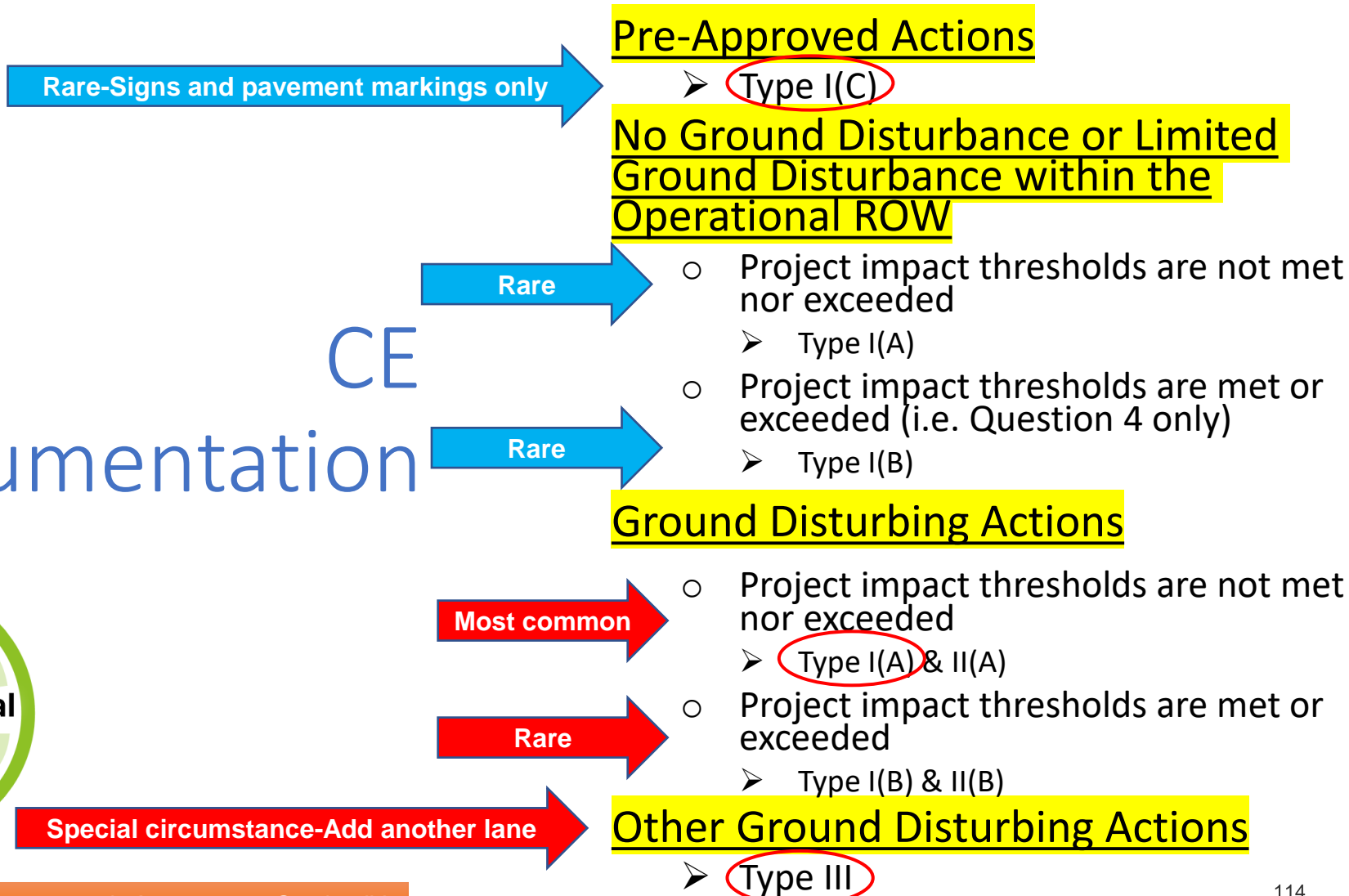


Current CE Format. This supersedes the previous January 2017 agreement.

- Continues NCDOT responsibility for verifying project is a CE.
- NCDOT will continue to sign most CE's for Type I and Type II projects.
- FHWA signature still required for Type III CE Projects
- Defines threshold criteria when FHWA signature is required for Type I and Type II projects.
- Actions described in previous agreement remain unchanged; however, there are significant revisions to the specific CE type and associated description.
- Provides clarification or revisions to several issues including the following:
 - Threatened and Endangered Species issues
 - Geo Environmental issues

Actions are now documented in 1 of 4 types with specific descriptions:

CE Documentation



Programmatic Agreement – Section IV

Type I (A), Type I (B), Type II (A) and Type II (B) Ground Disturbing Actions

F2. Ground Disturbing Actions – Type I (Appendix A) & Type II (Appendix B)

Proposed improvement(s) that fit Type I Actions (NCDOT-FHWA CE Programmatic Agreement, Appendix A) including 2, 3, 6, 7, 9, 12, 18, 21, 22 (ground disturbing), 23, 24, 25, 26, 27, 28, &/or 30; &/or Type II Actions (NCDOT-FHWA CE Programmatic Agreement, Appendix B) answer the project impact threshold questions (below) and questions 8 – 31.

- If any question 1-7 is checked "Yes" then NCDOT certification for FHWA approval is required.
- If any question 8-31 is checked "Yes" then additional information will be required for those questions in Section G.

PROJECT IMPACT THRESHOLDS

(FHWA signature required if any of the questions 1-7 are marked "Yes".)

		Yes	No
1	Does the project require formal consultation with U.S. Fish and Wildlife Service (USFWS) or National Marine Fisheries Service (NMFS)?	<input type="checkbox"/>	<input type="checkbox"/>
2	Does the project result in impacts subject to the conditions of the Bald and Golden Eagle Protection Act (BGEPA)?	<input type="checkbox"/>	<input type="checkbox"/>
3	Does the project generate substantial controversy or public opposition, for any reason, following appropriate public involvement?	<input type="checkbox"/>	<input type="checkbox"/>
4	Does the project cause disproportionately high and adverse impacts relative to low-income and/or minority populations?	<input type="checkbox"/>	<input type="checkbox"/>
5	Does the project involve a residential or commercial displacement, or a substantial amount of right of way acquisition?	<input type="checkbox"/>	<input type="checkbox"/>
6	Does the project require an Individual Section 4(f) approval?	<input type="checkbox"/>	<input type="checkbox"/>
7	Does the project include adverse effects that cannot be resolved with a Memorandum of Agreement (MOA) under Section 106 of the National Historic Preservation Act (NHPA) or have an adverse effect on a National Historic Landmark (NHL)?	<input type="checkbox"/>	<input type="checkbox"/>





If any question 8-31 is checked "Yes" then additional information will be required for those questions in Section G.

Other Considerations		Yes	No
8	Is an Endangered Species Act (ESA) determination unresolved or is the project covered by a Programmatic Agreement under Section 7?	<input type="checkbox"/>	<input type="checkbox"/>
9	Is the project located in anadromous fish spawning waters?	<input type="checkbox"/>	<input type="checkbox"/>
10	Does the project impact waters classified as Outstanding Resource Water (ORW), High Quality Water (HQW), Water Supply Watershed Critical Areas, 303(d) listed impaired water bodies, buffer rules, or Submerged Aquatic Vegetation (SAV)?	<input type="checkbox"/>	<input type="checkbox"/>
11	Does the project impact waters of the United States in any of the designated mountain trout streams?	<input type="checkbox"/>	<input type="checkbox"/>
12	Does the project require a U.S. Army Corps of Engineers (USACE) Individual Section 404 Permit?	<input type="checkbox"/>	<input type="checkbox"/>
13	Will the project require an easement from a Federal Energy Regulatory Commission (FERC) licensed facility?	<input type="checkbox"/>	<input type="checkbox"/>

14	Does the project include a Section 106 of the National Historic Preservation Act (NHPA) effects determination other than a No Effect, including archaeological remains?	<input type="checkbox"/>	<input type="checkbox"/>
15	Does the project involve GeoEnvironmental Sites of Concerns such as gas stations, dry cleaners, landfills, etc.?	<input type="checkbox"/>	<input type="checkbox"/>
16	Does the project require work encroaching and adversely affecting a regulatory floodway or work affecting the base floodplain (100-year flood) elevations of a water course or lake, pursuant to Executive Order 11988 and 23 CFR 650 subpart A?	<input type="checkbox"/>	<input type="checkbox"/>
17	Is the project in a Coastal Area Management Act (CAMA) county and substantially affects the coastal zone and/or any Area of Environmental Concern (AEC)?	<input type="checkbox"/>	<input type="checkbox"/>
18	Does the project require a U.S. Coast Guard (USCG) permit?	<input type="checkbox"/>	<input type="checkbox"/>
19	Does the project involve construction activities in, across, or adjacent to a designated Wild and Scenic River present within the project area?	<input type="checkbox"/>	<input type="checkbox"/>
20	Does the project involve Coastal Barrier Resources Act (CBRA) resources?	<input type="checkbox"/>	<input type="checkbox"/>
21	Does the project impact federal lands (e.g. U.S. Forest Service (USFS), USFWS, etc.) or Tribal Lands?	<input type="checkbox"/>	<input type="checkbox"/>
22	Does the project involve any changes in access control or the modification or construction of an interchange on an interstate?	<input type="checkbox"/>	<input type="checkbox"/>
23	Does the project have a permanent adverse effect on local traffic patterns or community cohesiveness?	<input type="checkbox"/>	<input type="checkbox"/>
24	Will maintenance of traffic cause substantial disruption?	<input type="checkbox"/>	<input type="checkbox"/>
25	Is the project inconsistent with the STIP, and where applicable, the Metropolitan Planning Organization's (MPO's) Transportation Improvement Program (TIP)?	<input type="checkbox"/>	<input type="checkbox"/>
26	Does the project require the acquisition of lands under the protection of Section 6(f) of the Land and Water Conservation Act, the Federal Aid in Fish Restoration Act, the Federal Aid in Wildlife Restoration Act, Tennessee Valley Authority (TVA), Tribal Lands, or other unique areas or special lands that were acquired in fee or easement with public-use money and have deed restrictions or covenants on the property?	<input type="checkbox"/>	<input type="checkbox"/>
27	Does the project involve Federal Emergency Management Agency (FEMA) buyout properties under the Hazard Mitigation Grant Program (HMGP)?	<input type="checkbox"/>	<input type="checkbox"/>
28	Does the project include a <i>de minimis</i> or programmatic Section 4(f)?	<input type="checkbox"/>	<input type="checkbox"/>
29	Is the project considered a Type I under the NCDOT Noise Policy?	<input type="checkbox"/>	<input type="checkbox"/>
30	Is there prime or important farmland soil impacted by this project as defined by the Farmland Protection Policy Act (FPPA)?	<input type="checkbox"/>	<input type="checkbox"/>
31	Are there other issues that arose during the project development process that affected the project decision?	<input type="checkbox"/>	<input type="checkbox"/>

Locally Administered Project examples

- Bike and pedestrian lanes, paths and facilities
- Noise barriers
- Landscaping
- Deployment of electronics/communications used in a fully integrated system to enhance security or passenger convenience.
- Projects which take place entirely within existing operational ROW (ROW that has been disturbed for an existing transportation facility or is managed for a transportation purpose) and includes the following:
 - roadway
 - bridges
 - interchanges
 - culverts
 - drainage
 - clear zone
 - traffic control signage
 - **NOTE: PORTIONS OF ROW THAT HAVE NOT BEEN DISTURBED OR THAT ARE NOT MAINTAINED FOR TRANSPORTATION PURPOSES ARE NOT IN THE EXISTING OPERATIONAL ROW.**



- Federally-funded projects that receive less than \$5,000,000 of federal funds or with a total estimated cost not more than \$30,000,000 and federal funds comprising less than 15% of the total estimated project cost
- Modernization of a highway by resurfacing, restoration, rehabilitation, reconstruction, adding shoulders, or adding auxiliary lanes (including parking, weaving, turning and climbing lanes)
- Highway safety/traffic operation improvement projects (ramp metering devices and lighting)
- Bridge rehabilitation, reconstruction, replacement or construction grade separation to replace exist RR crossings
- Approvals for changes in access control
- Construction of new bus storage facilities



Type III Other Ground Disturbing Actions

F3. Type III Actions			
Proposed improvement(s) that fit Type III Actions (NCDOT-FHWA CE Programmatic Agreement, Appendix C) answer questions below.			
<ul style="list-style-type: none"> NCDOT will certify the Categorical Exclusion for FHWA approval. If any questions are marked "Yes" then additional information will be required for those question in Section G. 			
		Yes	No
1	Does the project involve potential effects to Threatened or Endangered species listed by the US Fish and Wildlife Service (USFWS) or National Marine Fisheries Service (NMFS)?	<input type="checkbox"/>	<input type="checkbox"/>
2	Does the project result in impacts subject to the conditions of the Bald and Golden Eagle Protection Act (BGEPA)?	<input type="checkbox"/>	<input type="checkbox"/>
3	Does the project generate substantial controversy or public opposition, for any reason, following appropriate public involvement?	<input type="checkbox"/>	<input type="checkbox"/>
4	Does the project cause disproportionately high and adverse impacts relative to low-income and/or minority populations?	<input type="checkbox"/>	<input type="checkbox"/>
5	Does the project involve substantial residential or commercial displacements or right of way acquisition?	<input type="checkbox"/>	<input type="checkbox"/>
6	Does the project include a determination under Section 4(f)?	<input type="checkbox"/>	<input type="checkbox"/>
7	Is a project-level analysis for direct, indirect, or cumulative effects required based on the NCDOT community studies screening tool?	<input type="checkbox"/>	<input type="checkbox"/>
8	Does the project impact anadromous fish spawning waters?	<input type="checkbox"/>	<input type="checkbox"/>
9	Does the project impact waters classified as Outstanding Resource Waters (ORW), High Quality Waters (HQW), Water Supply Watershed Critical Areas, 303(d)-listed impaired water bodies, buffer rules, or submerged aquatic vegetation (SAV)?	<input type="checkbox"/>	<input type="checkbox"/>
10	Does the project impact waters of the United States in any of the designated mountain trout streams?	<input type="checkbox"/>	<input type="checkbox"/>
11	Does the project require a US Army Corp of Engineers (USACE) Individual Section 404 Permit?	<input type="checkbox"/>	<input type="checkbox"/>
12	Will the project require an easement from a Federal Energy Regulatory Commission (FERC) licensed facility?	<input type="checkbox"/>	<input type="checkbox"/>
13	Does the project include Section 106 of the National Historic Preservation Act (NHPA) effects determination other than a No Effect, including archaeological remains?	<input type="checkbox"/>	<input type="checkbox"/>
14	Does the project involve GeoEnvironmental Sites of Concerns such as gas stations, dry cleaners, landfills, etc.	<input type="checkbox"/>	<input type="checkbox"/>
15	Does the project require work encroaching and adversely affecting a regulatory floodway or work affecting the base floodplain (100-year flood) elevations of a water course or lake, pursuant to Executive Order 11988 and 23 CFR 650 subpart A?	<input type="checkbox"/>	<input type="checkbox"/>
16	Is the project in a Coastal Area Management Act (CAMA) county and substantially affects the coastal zone and/or any Areas of Environmental Concern (AEC)?	<input type="checkbox"/>	<input type="checkbox"/>
17	Does the project require a US Coast Guard (USCG) permit?	<input type="checkbox"/>	<input type="checkbox"/>

Type III Actions (continued)		Yes	No
18	Does the project involve construction activities in, across, or adjacent to a designated Wild and Scenic River present within the project area?	<input type="checkbox"/>	<input type="checkbox"/>
19	Does the project involve Coastal Barrier Resource Act (CBRA) resources?	<input type="checkbox"/>	<input type="checkbox"/>
20	Does the project impact federal lands (e.g. US Forest Service (USFS), US Fish and Wildlife Service (USFWS), etc.) or Tribal Lands?	<input type="checkbox"/>	<input type="checkbox"/>
21	Does the project involve any changes in access control or the modification or construction of an interchange on an interstate?	<input type="checkbox"/>	<input type="checkbox"/>
22	Does the project have a permanent adverse effect on local traffic patterns or community cohesiveness?	<input type="checkbox"/>	<input type="checkbox"/>
23	Will maintenance of traffic cause substantial disruption?	<input type="checkbox"/>	<input type="checkbox"/>
24	Is the project inconsistent with the STIP, and where applicable, the Metropolitan Planning Organization's (MPO's) Transportation Improvement Program (TIP)?	<input type="checkbox"/>	<input type="checkbox"/>
25	Does the project require the acquisition of lands under the protection of Section 6(f) of the Land and Water Conservation Act, the Federal Aid in Fish Restoration Act, the Federal Aid in Wildlife Restoration Act, TVA, Tribal Lands, or other unique areas or special lands that were acquired in fee or assessment with public-use money and have deed restrictions or covenants on the property?	<input type="checkbox"/>	<input type="checkbox"/>
26	Does the project involve Federal Emergency Management Act (FEMA) buyout properties under the Hazard Mitigation Grant Program (HMGP)?	<input type="checkbox"/>	<input type="checkbox"/>
27	Is the project considered a Type I under the NCDOT's Noise Policy?	<input type="checkbox"/>	<input type="checkbox"/>
28	Is there prime or important farmland soil impacted by this project as defined by the Farmland Protection Policy Act (FPPA)?	<input type="checkbox"/>	<input type="checkbox"/>
29	Is the project in an Air Quality non-attainment or maintenance area for a National Ambient Air Quality Standard (NAAQS)?	<input type="checkbox"/>	<input type="checkbox"/>
30	Are there other issues that arose during the project development process that affected the project decision?	<input type="checkbox"/>	<input type="checkbox"/>



Locally Administered Project examples

- These are activities not identified as Type I or Type II and do not individually or cumulatively have a significant affect on the human or natural environments.
- Including:
 - Highway widening projects that add an additional lane (automobile capacity increases) and require ROW acquisition
 - Projects that add or modify an interchange while changing capacity (projects that require an Interchange Access Report)



CE Checklists - Section I for All Types except I(C)

I. Categorical Exclusion Approval:

STIP Project No.	Project Number (e.g. R-1234)
WBS Element	WBS Element Number (e.g. 12345.1.1)
Federal Project No.	Federal Aid Number

Prepared By:

Date	Name of Preparer, Title of Preparer Preparer's Organization/Division
------	---

Prepared For: PM's Name, PM's Organization (typically NCDOT)

Reviewed By:

Date	Reviewer's Name, Reviewer's Title Reviewer's Organization (typically NCDOT)
------	--

☐ **Approved**

- If NO grey boxes are checked in Section F (pages 2 and 3), NCDOT approves the Type I or Type II Categorical Exclusion.

☐ **Certified**

- If ANY grey boxes are checked in Section F (pages 2 and 3), NCDOT certifies the Type I or Type II Categorical Exclusion for FHWA approval.
- If classified as Type III Categorical Exclusion.

Date Approver/Certifier's Name, Approver/Certifier's Title
North Carolina Department of Transportation

FHWA Approved: For Projects Certified by NCDOT (above), FHWA signature required.

Yolanda K. Jordan, Division Administrator

Date for John F. Sullivan, III, PE, Division Administrator
Federal Highway Administration

Only NCDOT signature required for Type IA and Type IIA CEs (not FHWA)

Municipal project manager or designated municipal employee signature required for Type IA, Type IB, Type IIA, Type IIB and Type III CE documents

NCDOT and FHWA signatures required for Type IB, Type IIB, and Type III CEs

FHWA signature required for all Type IB, Type IIB and Type III CEs



CE Guidance

- Consult with FHWA on unusual circumstances to determine appropriate NEPA Class of Action
- Meet applicable documentation requirements (See Division 5-General Content and Format Requirements for CE documents)
- Perform Consultations
 - Required if more than one year has elapsed between approval of CE and ROW authorization and/or construction authorization
- OR
 - When the approved action is less than one year and substantial changes have occurred (i.e. project limits and/or footprint, changes to number of lanes, threshold criteria being met).
 - NOTE: This includes updates to Endangered/Threatened species per USFWS county list AND include review list of environmental commitments
- Ensure only qualified NCDOT staff sign CE approvals and certifications (cannot delegate responsibility to third parties)
- Construction/roadway plans (and sometimes erosion control plans) are required for Division staff to review CE and supporting documents (DIST, Shot-form CIA, NRTR, etc.)
- Absence of certain documents may not allow for review of the CE or CE Consultation



Division 5 - General Content and Format Requirements for Environmental Documentation

To establish consistency in the administrative record for Categorical Exclusion (CE) and Minimum Criteria Determination Checklist (MCDC) environmental documentation, the following minimum information shall be completed and uploaded according to the following content and format requirements:

- **CE/MCDC** - The appropriate document shall be complete with summary narratives for all applicable sections and appropriate signatures. The CE document should include direct references (letter/memo title and date) to appropriate supporting documentation as noted below. The CE/MCDC and supporting documentation should be saved as separate files on Sharepoint unless otherwise indicated below.
- **Project Commitment / Green Sheet** - Project Commitments shall document items to be evaluated further through the project development and design process, and/or specific requirements associated with project construction. Project development commitments should remain part of the Green Sheet with information on resolution/completion noted in italics. A Green Sheet is required even if there are no project commitments for the project. The Green Sheet may be combined with the CE/MCDC document.
- **Environmental Features Map with Study Area boundary** – Can be combined with the CE/MCDC document. Separate Environmental Features and Study Area Maps are acceptable; a Vicinity Map is also beneficial. An electronic version of the study area in either GIS format (SHP or GDB) or MicroStation (DGN) should be upload to Sharepoint when possible.
- **Natural Resource Technical Report/Memo or similar environmental report** – A summary of jurisdictional resources and T&E biological conclusions should be included in the CE/MCDC narrative with direct reference (title/date) to the supporting NRTR/NRTM. Upload the NRTR/NRTM as a separate document on Sharepoint.
- **Cultural Resource documents** – A summary of cultural resource effects should be included in the CE/MCDC narrative with direct reference (title/date) to supporting archaeology and historic architecture documentation. Supporting documentation should be uploaded separately on Sharepoint.
- **Community Studies documentation** - As a minimum, a Direct and Indirect Screening Tool should be completed and uploaded to document human environment and community studies evaluations and considerations. The screening tool should include short responses to each question to document the evaluation/consideration given relative to the scope of the project. A Community Impact Assessment (CIA) can be uploaded in lieu of the Direct and Indirect Screening Tool.
- **Preliminary/conceptual plans.**

Other documentation may be required for the project based on the specific project scope, surrounding context, environmental features, and potential resource/community impacts. Supporting documentation for the following should be uploaded to Sharepoint if applicable to the project or generated as part of the environmental documentation effort:

- Start of Study input from regulatory agencies, emergency services, etc.
- Public Involvement documentation
- Section 4(f) – documentation of affected properties and de minimis determinations
- Section 6(f) – documentation of property acquired through LWCF
- Section 106 – documentation and coordination
- Geoenvironmental assessment of known hazardous waste sites/properties
- Section 7 Consultation
- Hydraulic Analysis and FEMA compliance
- Other – CAMA, Coast Guard, FERC, etc.

2/14/19



CE Checklists Templates

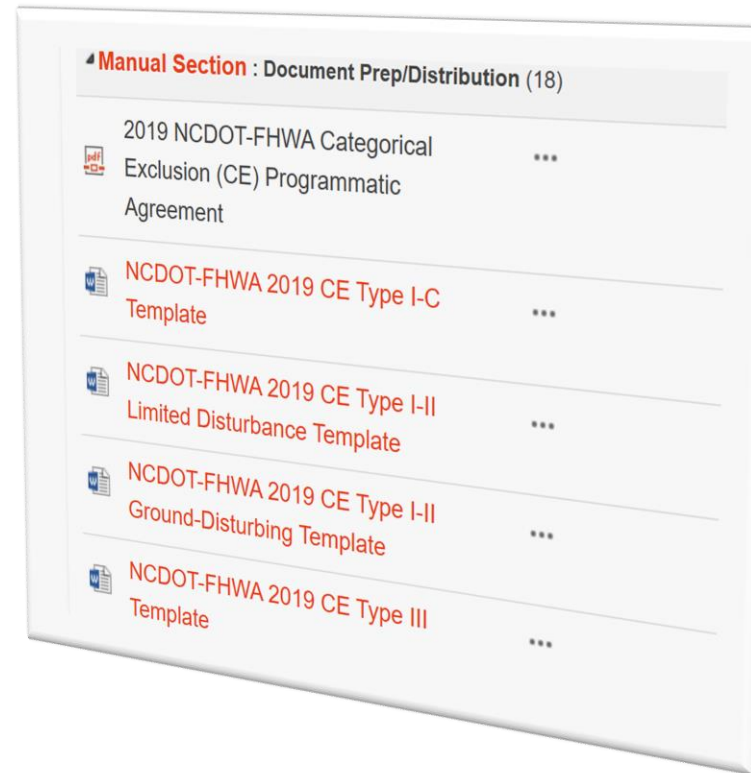
Links to the NCDOT-FHWA 2019 CE Checklist Templates located on the Connect NCDOT site are provided below:

[NCDOT-FHWA 2019 CE Type I\(C\)](#) – Pre-Approved

[NCDOT-FHWA 2019 CE Type I](#) – No/Limited Ground Disturbance

[NCDOT-FHWA 2019 CE Type I & II](#) – Ground Disturbance

[NCDOT-FHWA 2019 CE Type III](#)



Plan Review



Engineering

Major Projects: Central Preconstruction, Raleigh

Roadway Design Unit - Tatia White, PE

(Either Roadway Design or the Division will engage other Technical Units as needed)

Minor Projects: Division Office

Raymond Hayes, PE, ext-rjhayes@ncdot.gov



Project Design

- What's "minor"? Simple design, no complicating issues.
- What's major? – Closed Drainage systems, culverts, other structures – things a design unit in Raleigh must review.
- All projects to use the NCDOT 2024 Standard Specifications and Standard Drawings.
- Project Plan Consistency - Title Sheet of project plans to have WBS Element numbers and STIP number. All other plan sheets to have STIP number.



Project Review Time

- Is it a complete set of plans and specifications?

MINOR

- Email or Paper Submittal
- Short Review Time – usually within 2 to 3 weeks
- But.....there are dozens of projects (not just LAPP projects), and typically 1 to 2 weeks reviewer!

MAJOR

- Electronic plans, pdf's and Microstation files sent to Roadway Design
 - 3 to 4 weeks due to multiple reviewing units and internal coordination
- Check with the Division Office or Roadway Design on the submission of electronic and hard copy plans. Email is the easiest way to transmit electronic plans.
 - September is the big “due” month, so everything takes longer due to shear volume.



Major Projects

- Scoping Meeting – **Recommended** with NCDOT, Municipality & Consultant prior to execution of Consultant Contract
- Corridor Modeling/OpenRoads Designer (ORD)
- 25%, 75% (R/W), 90% & 100% Plan Reviews
- U & R type designated STIP projects to be submitted to NCDOT Plan Checking at 100% final review
- Final Contract Documents to be reviewed by NCDOT Proposals & Contracts office.
- Project Plan Submittals – Roadway; Geotechnical; Structures – Retaining Walls, Bridges, Culverts; Pavement Design; Hydraulics; Utilities; TMP's; Signing & Delineation; Signals; with Design, Safety, Maintenance and Future Expandability in mind.
- Municipal Project Design & Review Criteria

NCDOT - Roadway Design Consultant Coordination Guidelines

<https://connect.ncdot.gov/projects/Roadway/RoadwayDesignAdministrativeDocuments/Roadway%20Design%20Consultant%20Coordination%20Guidelines.pdf>

NCDOT – Municipal/Developer Guidelines Submittals for Plan Reviews

Call Special Studies Section of Roadway Design Unit (919)707-6275

<https://connect.ncdot.gov/projects/Roadway/RoadwayDesignAdministrativeDocuments/Municipal-Developer%20Submittals%20Guideline.pdf>

Ben Upshaw, PE/ Raymond Hayes, P.E.

- Planning Document (PCE, CE, EA, etc.) progresses concurrently with design plans. Some projects go through the Merger Process.



LUNCH BREAK

MEET BACK at 1:00pm

Right of Way Authorization



Funding Authorization

Once approved by NCDOT and FHWA the LGA will be notified in the EBS Portal by email with a letter attached for the next steps to follow.

- PE Funding Authorization allows the LGA to advertise/solicit for Professional engineering services.
- ROW Funding will allow the LGA to initiate property acquisition or utility relocation.
- Construction Funding will allow the LGA to bid out the construction project.



Typical Project Delivery Steps

✓ Agreement

✓ -----Preliminary Engineering Authorization-----

- *Procuring Professional Services*

Environmental Document (required)

Plans (required)



✓ -----Right of Way Authorization-----

- *Right of Way Acquisition*
- *Utility Relocation*

Right of Way Certification (required)

Utility / RR Certification (required)

100% Plans, Contract Proposal and Estimate (PS&E) (required)

-----Construction Authorization-----

- *Advertise and Let Construction Contract*
- *Construction & Administration*

Final Inspection (required)

- *Final Reimbursement*

Right of Way Acquisition & Certification



Essential Requirements of the Uniform Act for Local Public Agencies

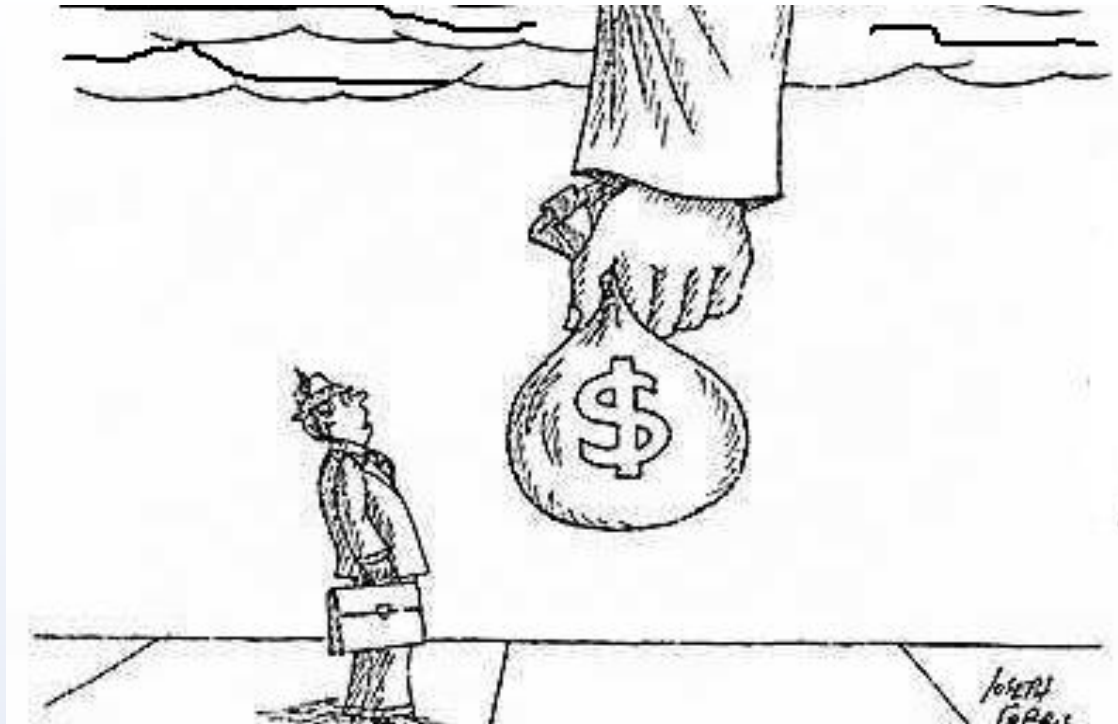


Learning Outcomes

At the end of this lesson, you will be able to:

- Identify the rights conveyed in the 5th and 14th amendments to the U. S. Constitution
- State the purposes of the Uniform Act.
- Explain who must follow the Uniform Act
- Understand when URA Requirements must be followed

When Using Federal-aid funds,
there are Strings Attached.....



So, what's the catch?



**Non-compliance
with the law
means NO
Federal dollars**



EMINENT DOMAIN

The power of any sovereign government
to take private property without
the consent of the owner.

U. S. Constitutional Limitations on Power of Eminent Domain

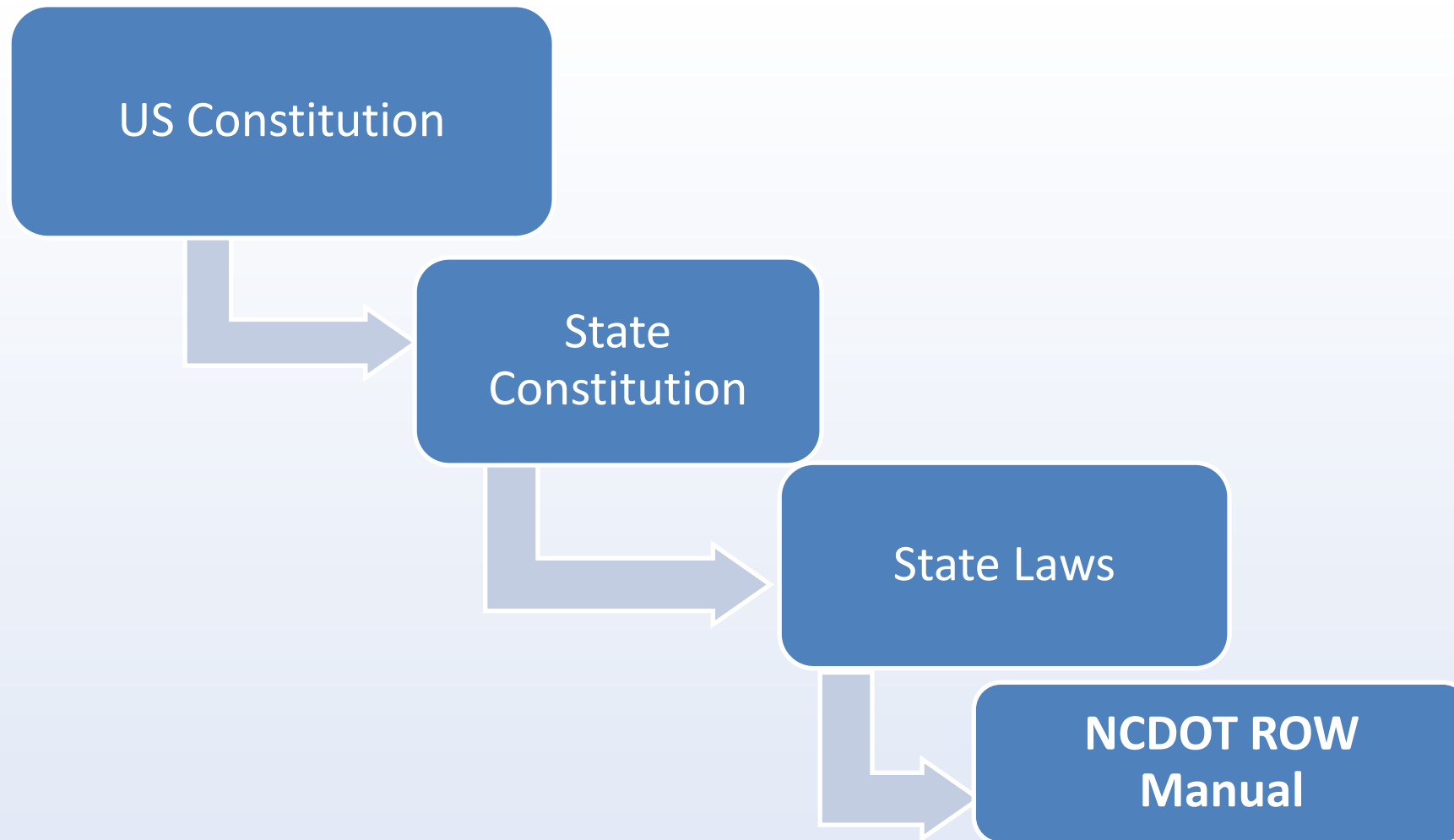
5th Amendment

“...nor shall private property be taken for public use without just compensation.”

14th Amendment

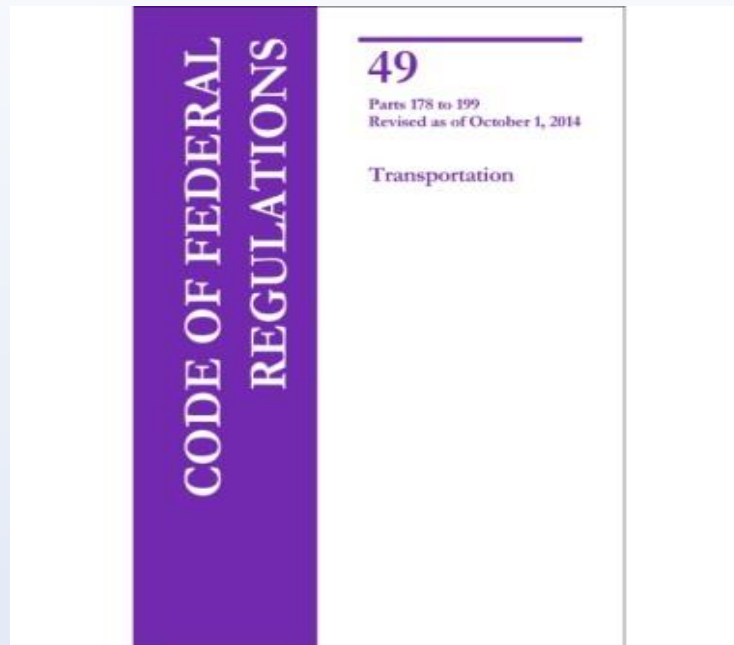
“...nor shall any State deprive any person of life, liberty, or property, without due process of law...”

The Legal Authority to Acquire Property



Uniform Act

Uniform Relocation Assistance and Real Property
Acquisition Policies Act of 1970, as amended
(Public Law 91-646)



Where can you find the law and the rules to carry out the law?

- The law is codified in [42 U.S.C. 4601](#)
- The regulation governing the law is found in [49 CFR 24](#)
- <http://www.ecfr.gov>

Uniform Act

Twofold Purpose

- Establish uniform and equitable land acquisition policies for Federal and federally-assisted programs.
- Ensure the uniform and equitable treatment of persons displaced from their homes, businesses or farms by Federal and federally-assisted programs.

Who Must Follow the URA?

- Any Federal department or agency in the executive branch
- Any department or Agency of a State or a political subdivision of a State
- Any entity with the authority to acquire property by eminent domain under Federal or State law

When Must an Agency Follow The Uniform Act?

- ✓ When any phase of a project is federally-funded
- ✓ When real property is acquired
- ✓ When property owners and/or tenants are acquired and/or displaced as a direct result of a Federal Aid project

Basic Requirements of 49 CFR Part 24 (URA)

- Appraise FMV of property to be acquired
- Agency Review and approval of appraisals
- Agency Determination of Just Compensation
- Offer no less than FMV, in writing
- Strict Adherence to required Notifications

Basic Requirements of 49 CFR Part 24 (URA)

- **Negotiate in Good Faith**
- **Avoid litigation if possible**
- **Administration of Relocation Benefits**
- **Determine Relocation Eligibility**
- **Relocate residences, businesses, others**
- **Provide relocation Advisory Services**



Federal/State Partnership

FHWA Provides:

- Funding
- Compliance Oversight
- Training
- Technical Assistance
- Technical Research



Federal/State Partnership

NCDOT Provides:

- Matching Funds
- Project Development
- Project Design
- Project Delivery
- Program Oversight

A Quick Review

- What rights do the 5th & 14th amendments convey?
- What is the two-fold purpose of the Uniform Act?
- Who must follow the Uniform Act?
- When must an Agency must follow the URA Act?
- What do you risk if there is non-compliance?



Contact Information:

Michael Dawson

Realty Officer

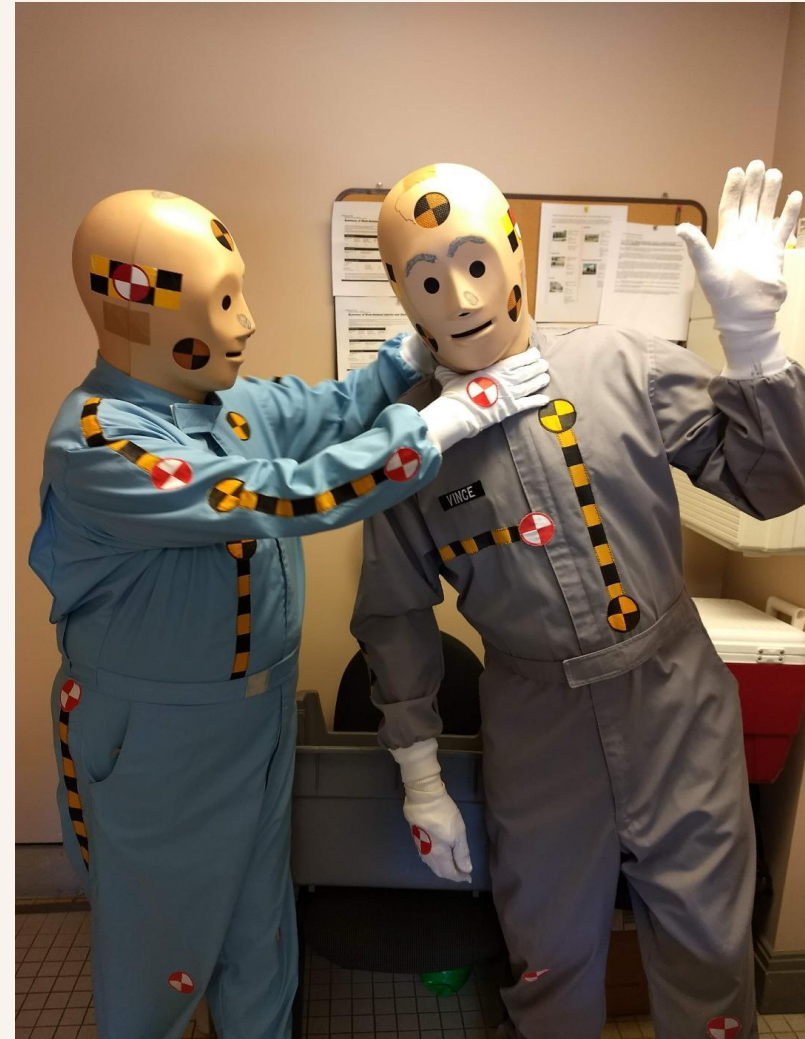
FHWA NC Division

310 New Bern Ave, Suite 424

Raleigh, NC 27601

919-747-7009

michael.dawson@dot.gov



Right of Way
Division Office:
Authorization & Certification
Raleigh Office:
Appraisal Review



Right of Way Acquisition

GETTING STARTED

- **AUTHORIZATION AND FUNDS APPROVED**

- NCDOT WILL CHARGE TO YOUR WBS ELEMENT FOR REVIEWS

- **MUNICIPAL AGREEMENT**

- MUST BE SIGNED
- READ RIGHT OF WAY SECTIONS FOR ADHERENCE
- MUST BE SUBMITTED WITH VALUATIONS/APPRAISALS

- **CONSTRUCTION PLANS**

- IDENTIFY THE EXISTING RIGHT OF WAY LIMITS
- PREFER A PARCEL NUMBER, OWNERS NAME, DEED REFERENCE, AND PIN
- MUST BE APPROVED AND SUBMITTED WITH VALUATIONS/APPRAISALS



Right of Way Acquisition

APPRAISALS/ WAIVER VALUATIONS

- ALL APPRAISALS AND VALUATIONS MUST BE APPROVED BY NCDOT PRIOR TO OFFERS
- WAIVER VALUATIONS CAN BE USED FOR VALUES \$10,000.00 OR LESS
- VALUATIONS \$10,000.00 OR LESS MUST BE REVIEWED AND APPROVED BY THE DIVISION RIGHT OF WAY OFFICE PRIOR TO OFFERS BEING MADE
- VALUES IN EXCESS OF \$10,000 MUST BE APPRAISED BY A NCDOT APPROVED APPRAISER AND REVIEWED BY NCDOT AREA 2 APPRAISAL DEPARTMENT OR ITS REPRESENTATIVE
- OWNERS MUST KNOW THEY HAVE A RIGHT TO ACCOMPANY THE APPRAISER
- APPRAISALS MUST BE DONE FOR ALL CONDEMNATION CASES



Right of Way Acquisition

NEXT STEPS

- **FOLLOW THE UNIFORM ACT OF 1970**
 - REQUIRED ADHERENCE IF ONE DOLLAR OF FEDERAL FUNDS IS INVOLVED IN THE PROJECT
- **MAKE OFFERS**
 - ALL OFFERS MUST BE MADE IN WRITING
 - REVISED OFFERS MUST BE MADE IF AN APPRAISAL IS DONE FOR CONDEMNATION
- **WAIVER FORMS**
 - MUST BE SIGNED BY PROPERTY OWNERS FOR ALL DONATIONS
 - MUST ALWAYS BE SIGNED BY THE LPA
- **CLEAR TITLE**
 - IT IS THE RESPONSIBILITY OF THE LPA TO SECURE CLEAR TITLE OF ACQUIRED RIGHT OF WAY PRIOR TO CERTIFICATION AND CONSTRUCTION
- **CONDEMNATIONS**
 - PROPERTY OWNER RIGHTS MUST BE APPLIED
- **ACCESS RIGHTS**
 - RECORDED AGREEMENT OF CONVEYANCE SIGNED BY ALL OWNERS & INTERESTED HOLDERS AND CONDEMNATION MEMORANDUM OF ACTION WITH OFFER DEPOSITED IN THE COURTHOUSE PROVIDES EVIDENCE OF LEGAL ACCESS



Right of Way Certification

- **CERTIFICATION REQUEST SUBMISSION PACKAGES**
- **CHECKLIST WILL BE AVAILABLE ON THE NCDOT WEBSITE**
- **PROJECT SUBMISSION MAY TAKE 2-8 WEEKS TO BE REVIEWED**



Right of Way Certification

- All acquisition must be in conformance with the “Uniform Act,” whether ROW Acquisition is being reimbursed with Federal funds or not
- Certification is done by the Division ROW Agent:
 - Div 4 Lloyd Johnston
 - Div 5 TBD
 - Div 6 Raphael A. Marshall
- Certification is provided to the LPA but the LPA is responsible for all access rights for project.



Environmental Issues and Permitting





NORTH CAROLINA Department of Transportation



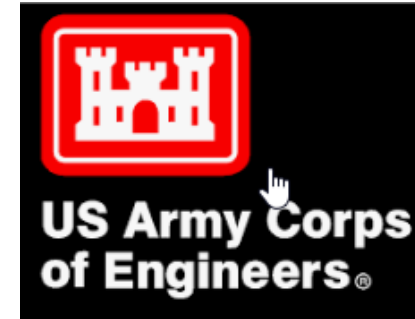
Environmental Issues and Permitting

Division 5



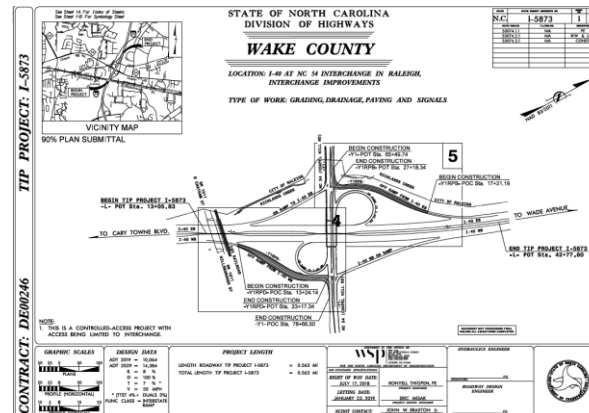
When is a permit or certification required?

- A Sec. 404 permit or Sec. 401 water quality certification is required when there is a discharge of fill material or excavation in Waters of the U.S./State (streams, ponds, lakes and wetlands).
- Buffer Authorization is required for activities in the regulated riparian buffers.
- This includes activities such as placement of dirt fill in wetlands, pipes in streams, clearing in buffers, etc.



Development of permit drawings and plans

- Complete wetland delineation, stream determination and riparian buffer determination. Submit PJD to USACE and buffer determination to NCDEQ.
- Determine project scope and complete plans.
- Jurisdictional features must be properly identified on roadway and erosion control plans.



Jurisdictional Determination Request



This form is intended for use by anyone requesting a jurisdictional determination (JD) from the U.S. Army Corps of Engineers, Wilmington District (Corps). Please include all supporting information, as described within each category, with your request. You may submit your request via mail, electronic mail, or facsimile. Requests should be sent to the appropriate project manager of the county in which the property is located. A current list of project managers by assigned counties can be found on-line at: <http://www.saw.usace.army.mil/Missions/RegulatoryPermitProgram/Contact/CountyLocator.aspx>, by calling 910-251-4633, or by contacting any of the field offices listed below. Once your request is received you will be contacted by a Corps project manager.



- Submit e-PCN via website (possibly FTRO)



- Wait on permits from regulatory agencies

U.S. ARMY CORPS OF ENGINEERS WILMINGTON DISTRICT

Action Id. SAW-2016-02260 County: Warren County U.S.G.S. Quad: Gold Sand

GENERAL PERMIT (REGIONAL AND NATIONWIDE) VERIFICATION



Permittee: NCDOT, Division of Highways
ATTN: Mr. J. R. Hopkins, P.E., Division Engineer
Address: 2612 North Duke Street
Durham, North Carolina 27704
Telephone: (252) 598-5106 (Heather Montague)

Size (acres) 1.3 Nearest Town Warrenton
Nearest Waterway Little Shocco Creek River Basin Pamlico
USGS HUC 03020102 Coordinates Latitude 36.24801; Longitude -78.16215
Location description: Bridge No. 140 over Little Shocco Creek, on SR 1488 (Rod Alton Road)/SR 1647 (Major Rob Alton Road), south of Warrenton

Description of projects area and activity: Project No. 17BP.5.R.78: Bridge replacement impacting 0.01 acre of wetlands

Applicable Law: ☒ Section 404 (Clean Water Act, 33 USC 1344); ☐ Section 10 (Rivers and Harbors Act, 33 USC 403)

Authorization: Nationwide Permit Number: NWP 3 Maintenance.
SEE ATTACHED NWP GENERAL, REGIONAL AND/OR SPECIAL CONDITIONS

Your work is authorized by the above referenced permit provided it is accomplished in strict accordance with the attached condition: and your submitted application and attached information dated August 22, 2018. Any violation of the attached conditions or deviation from your submitted plans may subject the permittee to a stop work order, a restoration order, a Class I administrative penalty, and/or appropriate legal action. Note: mitigation is required to replace mitigation impacted by removal of buffer from an existing NCDMS in-lieu-fee stream mitigation site.

SPECIAL CONDITIONS

- In order to compensate for impacts associated with this permit, mitigation shall be provided in accordance with the provisions outlined on the most recent version of the attached Compensatory Mitigation Responsibility Transfer Form. The requirements of this form, including any special conditions listed on this form, are hereby incorporated as special conditions of this permit authorization.
- The U.S. Fish and Wildlife Service's (USFWS's) Programmatic Biological Opinion (BO) titled 'Bridge and Culvert Replacements/Repairs/Rehabilitations in Eastern North Carolina, NCDOT Divisions 1-8', dated June 13, 2018, contains mandatory terms and conditions to implement the reasonable and prudent measures that are associated with 'incidental take' that are specified in the BO. As such, this permit verification contains a special condition requiring compliance with all the mandatory terms and conditions (incorporated by reference into this permit verification) associated with incidental take of the BO. These terms and conditions might include an in-lieu fee payment, and if so, must be completed as soon as possible after all internal coordination allowing for this payment is complete. The Corps Project Manager must be notified by email when this in-lieu fee payment is satisfied. Reasonable and prudent measures are actions necessary to minimize the impacts of incidental take that is anticipated to result from implementing the project that the Service regarded as not likely to jeopardize the species or adversely modify designated critical habitat.
- This USACE permit does not authorize you to take a threatened or endangered species, in particular, the Northern Long-eared Bat (NLEB) (*Myotis septentrionalis*). In order to legally take a listed species, you must have separate authorization under the Endangered Species Act (ESA) (e.g., a Biological Opinion (BO) under the ESA, Section 7, with 'incidental take' provisions with which you must comply). The U.S. Fish and Wildlife Service's (USFWS's) Programmatic BO titled 'Northern Long-eared Bat (NLEB) Programmatic Biological Opinion for North Carolina Department of Transportation (NCDOT) Activities in Eastern North Carolina (Divisions 1-8)', dated March 25, 2015, and adopted on May 4, 2015, contains mandatory terms and conditions to implement the reasonable and prudent measures that are associated with 'incidental take' that are specified in the BO. Your authorization under this USACE permit is conditioned upon your compliance with all the mandatory terms and conditions (incorporated by reference into this permit) associated with incidental take of the BO. Failure to comply with the terms and conditions associated with incidental take of the BO, where a take of the listed species occurs, would constitute an unauthorized take, and would also constitute non-compliance with your USACE permit. The USFWS is the appropriate authority to determine compliance with the terms and conditions of its BO and with the ESA.



NORTH CAROLINA
Environmental Quality

ROY COOPER
Governor
MICHAEL S. REGAN
Secretary
LINDA CULPEPPER
Interim Director

Pre-Construction Notification (PCN) Form

For Nationwide Permits and Regional General Permits
(along with corresponding Water Quality Certifications)

September 29, 2018 Ver 3

August 29, 2018
Franklin Warren County
NCDWR Project No. 20181172
Bridge 140 on SR 1488/1647
State Project No. 17BP.5.R.78

APPROVAL of 401 WATER QUALITY CERTIFICATION and TAR-PAMLICO BUFFER AUTHORIZATION, with ADDITIONAL CONDITIONS

Mr. Joey Hopkins, P.E., Division Engineer
NCDOT, Division 5
2612 North Duke Street
Durham, NC 27704

Dear Mr. Hopkins:

You have our approval, in accordance with the conditions listed below, for the following impacts for the purpose of replacing Bridge 140 in Franklin & Warren Counties:

Wetland Impacts in the Tar-Pamlico River Basin		
Site	Mechanized Clearing (ac)	Total Wetland Impact (ac)
Total	0.01	0.01

Total Wetland Impact for Project: 0.01 acres.

Tar-Pamlico Riparian Buffer Impacts				
Site	Zone 1 Impact (sq ft)	Zone 1 Buffer Mitigation Required (using 3:1 ratio)	Zone 2 Impact (sq ft)	Zone 2 Buffer Mitigation Required (using 1.5:1 ratio)
Totals	3054	N/A	1382	N/A

* n/a = Total for Site is less than 1/3 acre and 150 linear feet of impact, no mitigation required
Total Buffer Impact for Project: 4436 square feet.

The project shall be constructed in accordance with your application received August 22, 2018. After reviewing your application, we have decided that these impacts are covered by General Water Quality Certification Number 4132. This certification corresponds to the Nationwide Permit 3 issued by the Corps of Engineers. This approval is also valid for the Tar-Pamlico Riparian Buffer Rules (15A NCAC 2B.0259). In addition, you should acquire any other federal, state or local permits before you proceed with your project including (but not limited to) Sediment and Erosion Control, Non-Discharge and Water Supply Watershed regulations. This approval will expire with the accompanying 404 permit.



North Carolina Department of Environmental Quality | Division of Water Resources
512 North Salisbury Street | 1617 Mail Service Center | Raleigh, North Carolina 27699-1617
919.707.9000



Green Sheet Commitments

- An appropriate Green Sheet is required for each project.
- The Green Sheet identifies project-specific commitments and can include tasks associated with: 1) planning; 2) design; 3) construction; and 4) post-construction.
- The NCDOT should not be identified as a responsible party for any of the commitments.
- Updates to commitments are in italics in CE Consultations (Right of Way or construction). Commitments to be deleted (due to change in policy, etc.) are struck through.

H. Project Commitments (as of December 2023)

TIP No. HL-0029
Construct third southbound lane on NC 55 from SR 1115 (Avent Ferry Road) to South Main Street.
Wake County
Federal Aid Project No. 0055071
WBS No. 49614.1.1, 49614.2.2, 49614.3.1

- *There are no project commitments associated with the proposed project.*

H. Project Commitments:

NCDOT PROJECT COMMITMENTS

STIP Project No. **BL-0036**
The Town of Cary proposes to extend Crabtree Creek Greenway from Fred G. Bond Metro Park (Bond Park) to High House Road.
Wake County
Federal Aid Project No. 49876.1.1
WBS Element 0503036

FEMA Floodplains and Floodways (Town of Cary)

This project involves construction activities on or adjacent to FEMA-regulated stream(s). Therefore, the Town of Cary shall submit sealed as-built construction plans to the NCDOT Hydraulics Unit upon completion of project construction, certifying that the drainage structure(s) and roadway embankment that are located within the 100-year floodplain were built as shown in the construction plans, both horizontally and vertically.

Floodplain Mapping Coordination (Town of Cary, NCDOT Hydraulic Design Unit)

The Town of Cary and/or NCDOT Hydraulic Design Unit will coordinate with the NC Floodplain Mapping Program (FMP), to determine status of project with regard to applicability of NCDOT'S Memorandum of Agreement, or approval of a Conditional Letter of Map Revision (CLOMR) and subsequent final Letter of Map Revision (LOMR).



Direct and Indirect Screening Tool or Short-form CIA

- These community studies documents must be completed by competent, trained PEF, or municipal staff.
- The documents must be sent to NCDOT PICSViz for review. Email contact is Herman Huang at hfhuang@ncdot.gov

50379 ◊ Franklin County ◊ DIST ◊ December 2023 ◊ page 1

Direct and Indirect Screening Tool

WBS 50379

Close W Johnson Street at S Main Street (SR 1229)

Franklin County, North Carolina

Document Type: ☐ NEPA ☒ SEPA

Prepared by: Joanna Salvucci, Three Oaks Engineering

NCDOT Project Manager: Chris Murray

CS Reviewer: Herman Huang

Project Description

This project proposes to close W Johnson Street at S Main Street (SR 1229) in Louisburg, North Carolina. This is being done at the request of the Town of Louisburg to convert the portion of Johnson Street west of Main Street to additional parking for the Louisburg downtown area. The project would not require additional right of way.

Existing Conditions

W Johnson Street currently accommodates two-way traffic between S. Church Street and Main Street in Louisburg. Parallel parking spaces and curb and gutter line both sides of the roadway, and there is existing sidewalk on the north side of W Johnson Street within the project limits. W Johnson Street is classified as a local roadway with a posted speed limit of 35 miles per hour. S Main Street is classified as a minor collector and has a speed limit of 25 miles per hour. There are sidewalks on both sides of Main Street.

Proposed Conditions

W Johnson Street would be closed at the intersection with Main Street to block vehicular traffic from using W Johnson Street. While W Johnson Street would still be accessible from S Church Street, motorists would no longer be able to utilize the W Johnston Street at Main Street intersection as an outlet. Concrete islands at the eastern terminus of W Johnson Street would be installed and a high visibility crosswalk would be added across S Main Street, south of the intersection. Pavement markings on W Johnson Street approaching Main Street would be removed, and pavement markings on E Johnson Street approaching Main Street would be modified to remove the through movement.

Land Use

Land use within the project vicinity is primarily urban-commercial and residential. Development near the project includes the Franklin County Register of Deeds (northwestern quadrant of project intersection), The Law Office of Attorney Matt Craven (northeast quadrant), Bunns Heating & Air Conditioning Inc (southeastern quadrant), Nino's Professional Barber shop (southwestern quadrant). There are several restaurants, services, and churches within 0.5 mile of the project. River Bend Park is located in the southwestern quadrant of the project intersection. The only vehicular access point to the park is from S Church Street.



Specialized aquatic surveys may be required for specific projects

- Aquatic surveys can only be completed by staff from environmental PEFs that are trained and permitted to conduct the survey.
- This work is only completed by specialty environmental firms. Division staff can provide a list of these firms. Contact Chris Murray at camurray@ncdot.gov
- In two recent instances, the “environmental PEF” did not have the necessary qualifications and the municipality had to engage with the specialty environmental firms to complete the survey and draft the Informal Concurrence request.
- The streams crossed by the projects were Crabtree Creek above Lassiter Mill Dam, Crabtree Creek near House Creek, and House Creek.
- Surveys are seasonal: Neuse River waterdog in January-March and Carolina madtom/freshwater mussels from April-October.

Aquatic Species Survey Report

Improvements to SR 1670 (Blue Ridge Road)
From Homewood Banks Drive to Crabtree Valley Avenue over
House Creek, with a survey reach extending into Crabtree Creek
TIP# HL-0052
Wake County, North Carolina



Crabtree Creek in survey reach during mussel survey efforts

Prepared For:



Prepared by:



324 Blackwell Street, Suite 1200
Durham, NC 27701

February 19, 2024

Northern long-eared and Tricolored Bat

- Updated Division 5-only Biological Conclusions for NLEB and TCB.
- PEF environmental firms must follow the NCDOT Bat Habitat Assessment Standard Operating Procedure (SOP) by completing the bat survey and completing the Bat Habitat Assessment Forms for **LAP projects** that affect bridges and culverts.
- SOP and a video are available on Connect.
- Minimum dimensions for conducting a culvert survey are 5 feet in height and 60 feet in length. Bridge and structure assessments are valid for two years. *Note: Updated survey could be required for a CE Consultation.*
- These forms will be submitted to the NCDOT Biological Surveys Group (BSG) using the Survey 123 application or emailed to clknepp@ncdot.gov or BSG@ncdot.gov

Standard Operating Procedures (SOP)
NCDOT Preliminary Bat Habitat Assessments (Structures, Caves & Mines)



Environmental Analysis Unit – Biological Surveys Group
1598 Mail Service Center, Raleigh, NC 27699-1598



Northern long-eared and Tricolored Bat

- The NCDOT Biological Surveys Group is holding a one-day training for Bat Habitat Assessments on April 23, 2024 (rain date on April 24, 2024).
- This class will familiarize PEF environmental staff with following: 1) SOP guidelines and 2) utilization and completion of Bat Habitat Assessment Forms and/or Survey 123 forms.
- Information on this event can be requested from Chris Murray at: camurray@ncdot.gov



NCDOT Bat Culvert Habitat Assessment Form
Updated 5/2/23

Bat Habitat Assessment Form

Observers: A. E. F. V. L. TIP or DOT project number: HL-0029
Date: 2-2-2024 Road Name above culvert: NC 55
County: Wake Structure #: NA
Name of the feature culvert is carrying (stream): Unimproved Tributary

% Surrounding habitat w/in 1 mi. of project footprint (approx)

Urban/commercial	<u>40</u>	Suburban/residential	<u>15</u>
Herb/Shrub/Grassland	<u>15</u>	Agricultural	<u>2</u>
Deciduous/Evergreen/Mixed Forest	<u>20</u>		
Woody Wetland/Herb Wetland/Open Water	<u>8</u>		

Any trees ≥3" DBH within project footprint? N/A yes ☒ no ☐

Complete this section for Indiana bat counties (Cherokee, Clay, Graham, Haywood, Jackson, Macon, Swain, Rutherford; Bat Cave/Lake Lure area only)

Any trees or snags ≥5" DBH with exfoliating (shag) bark or crevices? N/A yes ☐ no ☐

If yes to shag/snag, how much sunlight do they receive during the day? N/A 1-3 hours 4-6 hours 7+ hours

If yes to shag/snag, list spp of habitat trees ≥5" dbh

If large hollow trees or snags ≥5" DBH are present in sunlit areas, provide photos and location.

Presence of:

caves	In project footprint	In vicinity (0.5 mi)
abandoned mines	yes <input type="radio"/> no <input checked="" type="radio"/>	yes <input type="radio"/> no <input checked="" type="radio"/>

If 'yes' to any of the above, provide description and location.

Major water source in project footprint: N/A river ☐ stream/creek ☒ pond ☐ lake ☐ swamp ☐

Suitable drinking habitat in the form of non stagnant, smooth or slack water areas? yes ☒ no ☐ N/A

Structure specific questions:

Guard rails	<u>none</u>	concrete	timber	metal	
Culvert material	<u>concrete</u>	timber	<u>metal</u>	plastic	
Number of barrels:	<u>1</u>	(double, triple, etc.)			
Culvert height:	<u>60 in.</u>	Culvert width:	<u>60 in.</u>	Culvert length:	<u>200 ft</u>
If culvert is buried/crushed/sedimentation, observed narrowest opening height: <u>NA</u>					
Culvert type	<u>pipe</u>	<u>box</u>	arch	other	
Openings protected from high winds	yes <input type="radio"/> no <input checked="" type="radio"/>	yes <input type="radio"/> no <input checked="" type="radio"/>			
Crevices present:	yes <input type="radio"/> no <input checked="" type="radio"/>	yes <input type="radio"/> no <input checked="" type="radio"/>			
Rough surfaces, imperfections, bird nests	yes <input type="radio"/> no <input checked="" type="radio"/>	yes <input type="radio"/> no <input checked="" type="radio"/>			
Human disturbance in culvert	high	med	low	<u>none</u>	
Depth of water in culvert (if applicable)	<u>1 inch</u>				

Below section completed only if bats/evidence of bats observed:

Emergence count performed? (If yes, complete form)

Evidence of bats using bird nests, if present?

Type of evidence

Roost material

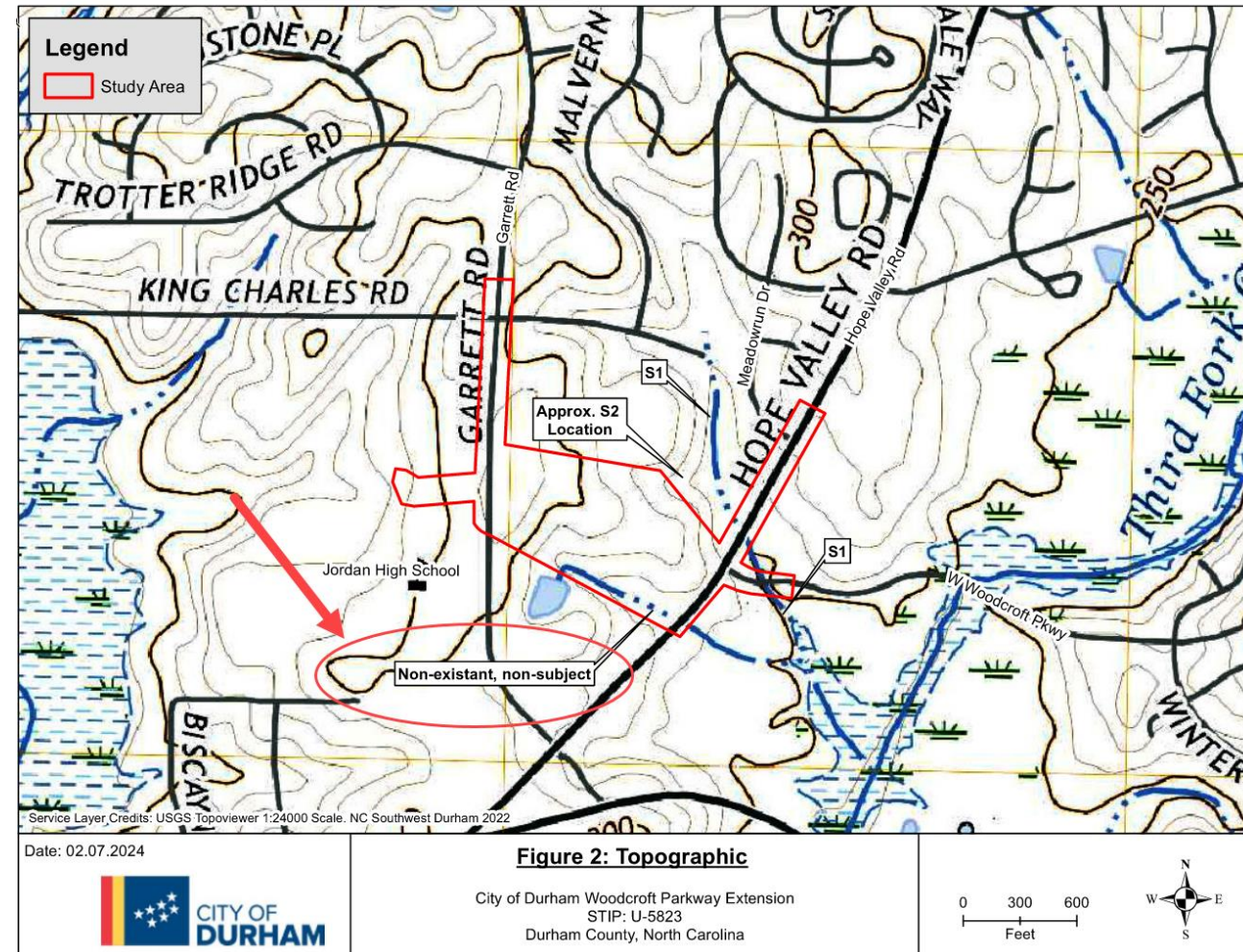
Bat species present:

Evidence of bats using?	yes <input type="radio"/> no <input checked="" type="radio"/>
guano	staining
concrete	metal
other:	

Notes (include description of bat location within culvert, sedimentation buildup, drainage inlets inside culvert, etc.)

Regulated Riparian Buffers

- Projects located in the Neuse River basin, Tar River basin and the Jordan Watershed of the Cape Fear River basin are subject to the NCDEQ DWR Riparian Buffer Rule.
- Generally, a channel that is depicted on either the Soil Survey or USGS Topo Map is automatically subject to the Riparian Buffer Rule.
- An On-Site Determination can be requested by the municipality or a PEF working on their behalf believes that the soil survey or topo map have incorrectly depicted surface waters or if the origin of a stream is in question or unclear.
- Several PEF environmental firms do not understand these regulations.



Contract Proposal









- ✦ Website for Local Governments **<http://connect.ncdot.gov/municipalities/Pages/Bid-Proposals-for-LGA.aspx>**
- ✦ ***Step by step process for developing bid proposals***
- ✦ ***Checklists***
- ✦ ***FAQ's***
- ✦ ***Links to other resources***
- ✦ ***First time users guide***



Contract Proposal

- Contract Proposal
 - Use appropriate Checklist from LGA website
 - Check effective dates for Specs when updating proposals

2018 Standard Provisions

Name	No.	Provision	Let Date ↓
 SP01 G066	...	SP01G MINORITY AND WOMEN BUSINESSES (Central Let)	2018-05
 SP01 G067	...	SP01G MINORITY AND WOMEN BUSINESSES (Division)	2018-05
 SP01 G068	...	SP01G MINORITY AND WOMEN BUSINESSES (Local Government Agency)	2018-05
 SP06 R065	...	SP06R ASPHALT CONCRETE PLANT MIX PAVEMENTS	2018-02
 SP06 R066	...	SP06R PAVEMENT DESIGN MIX TYPE MODIFICATIONS	2018-02
 SP01 G061	...	SP01G DISADVANTAGED BUSINESS ENTERPRISE (Central Let)	2018-01
 SP01 G062	...	SP01G DISADVANTAGED BUSINESS ENTERPRISE (Division)	2018-01
 SP01 G063	...	SP01G DISADVANTAGED BUSINESS ENTERPRISE (Local Government Agency)	2018-01

CHECKLIST	Federally Funded Projects
REQUIRED - provisions for ALL federally funded projects	Link to Provision
NCDOT STANDARD NOTES	Link
ALLOWABLE CHANGES	Link
DISADVANTAGED BUSINESS ENTERPRISES	SP1 G63
LETTER OF INTENT FORM	Link
CERTIFICATION FOR FEDERAL AID CONTRACTS	SP1 G85
U.S. DEPT. OF TRANSPORTATION & CARGO ACT	SP1 G100
LOCATING EXISTING UNDERGROUND UTILITIES	SP1 G115
DOMESTIC STEEL	SP1 G120

- Use Project Specific Bid Form
 - Include TIP
 - Every reference to SP items, include Provision (DOT or LGA) in Proposal. Should define work, unit of measure, payment.

North Carolina Department of Transportation
ENGINEER'S BID ESTIMATE

WBS: 44915.3.3
Description: R-5765B, New Ramps for Locations Over 5,000 Population in Division 5
County: Franklin, Granville, Person, Vance, Wake and Warren

9/21/2016

ENGINEERING AND CONTINGENCIES (PERCENT): TOTAL 213,150.00 0.00

CONSTRUCTION ESTIMATE FOR PROJECT: \$213,150.00

ITEM	SECT	DESCRIPTION	QTY	UNIT	UNIT PRICE (\$)	AMOUNT BID (\$)
1	SP	MOBILIZATION	1	LS	\$10,150.00	\$10,150.00
2		CONCRETE CURB RAMP	89	EA	\$2,000.00	\$178,000.00
3	T105	TEMPORARY TRAFFIC CONTROL	1	LS	\$25,000.00	\$25,000.00



Contract Proposal



- Contract Proposal
 - Do NOT use AIA, EJCDC or SCO Specs – often causes conflicts or procedures not allowed by NCDOT.
 - Can submit with blanks for letting dates and DBE goals, but must be filled in before advertising
 - Division or Contract Standards will review and approve proposal depending on Engineer's Estimate (\$2.5 million)
 - Proposal review/approval is good for 6 months so need to time review close to proposed letting to prevent proposal from needing multiple re-reviews.
 - Contractor prequalifications

Specialty or Proprietary Items

- Avoid if at all possible.
- If using name brand items, must list 3 brands and also “or equivalent”.
- Specialty Items **MUST** be approved well in advance of letting. For example, specific walls types or trash cans on a project where matching existing is desired. Approval could take several weeks!



DBE Goal

- Federal Money requires a project specific Disadvantage Business Enterprise (DBE) goal to be set by NCDOT.
- Municipalities may have their own programs with goals in place for their projects but DBE is the required program for Federally funded projects. City specs referencing other programs should be removed from bid documents.
- At bid opening, low bidder's package should be checked to see if goal has been reached. If not, a Good Faith Effort (GFE) will be required to be performed by the Municipality.



Engineer's Estimate

- Care should be taken to prepare a thorough and accurate engineer's estimate prior to bid opening. Use NCDOT bid averages and bid tabs from previous projects as a starting point. Consideration should be given for construction schedule (compressed), night work, small quantities/production, etc.
- If low bid is over 10% above engineer's estimate, justification and/or engineer's estimate correction will be required. Rebidding may be necessary (coordinate with NCDOT).



Construction Authorization & CEI RFLOI



Funding Authorization

Once approved by NCDOT and FHWA the LGA will be notified in the EBS Portal by email with a letter attached for the next steps to follow.

- PE Funding Authorization allows the LGA to advertise/solicit for Professional engineering services.
- ROW Funding will allow the LGA to initiate property acquisition or utility relocation.
- Construction Funding will allow the LGA to bid out the construction project.



Typical Project Delivery Steps

✓ Agreement

✓ -----Preliminary Engineering Authorization-----

- *Procuring Professional Services*

Environmental Document (required)

Plans (required)

✓ -----Right of Way Authorization-----

- *Right of Way Acquisition*
- *Utility Relocation*

Right of Way Certification (required)

Utility / RR Certification (required)

100% Plans, Contract Proposal and Estimate (PS&E) (required)



✓ -----Construction Authorization-----

- *Advertise and Let Construction Contract*
- *Construction & Administration*

Final Inspection (required)

- *Final Reimbursement*

RFLOI - PE & CEI

Example of RFLOI

Version: 2018.11.19.RJS

Advertised: 'MMMM dd, YYYY'

LOCAL GOV'T AGENCY (LGA) NAME

REQUEST for LETTERS of INTEREST (RFLOI)

CONTRACT NAME

TITLE: CONTRACT NAME

ISSUE DATE: 'MMMM dd, YYYY'

SUBMITTAL DEADLINE: 'MMMM dd, YYYY'

ISSUING AGENCY: LGA NAME

SYNOPSIS

SUBCONSULTANTS ARE / ARE NOT PERMITTED UNDER THIS CONTRACT.

This contract shall be partially reimbursed with Federal-aid funding through the North Carolina Department of Transportation (hereinafter referred to as the Department). The solicitation, selection, and negotiation of a contract shall be conducted in accordance with all Department requirements and guidelines.

The primary and/or subconsultant firm(s) (if Subconsultants are allowed under this RFLOI) shall be pre-qualified by the Department to perform ALL / ANY COMBINATION of the work codes listed below for the LGA NAME. Work Codes required are:

- Work Code Number – Work Code Description

WORK CODES for each primary and/or subconsultant firm(s) (if Subconsultants are allowed under this RFLOI) SHALL be listed on the respective RS-2 FORMS (see section SUBMISSION ORGANIZATION AND INFORMATION REQUIREMENTS).

This RFLOI is to solicit responses (LETTERS of INTEREST, or LOIs) from qualified firms to provide professional consulting services to:

Version: 2018.11.19.RJS

PROPOSED CONTRACT SCOPE

PROPOSED CONTRACT TIME: PROPOSED CONTRACT TIME -- YEAR(S); and EXTENSION(S).

PROPOSED CONTRACT PAYMENT TYPE: PROPOSED CONTRACT PAYMENT TYPE -- i.e. LUMP SUM and/or COST-PLUS, etc.

SUBMITTAL REQUIREMENTS

All LOIs are limited to NUMBER OF PAGES in WORDS (NUMBER OF PAGES in NUMBERS) pages (RS-2 forms are not included in the page count) inclusive of the cover sheet, and shall be typed on 8-1/2" x 11" sheets, single-spaced, one-sided.

Fold out pages are not allowed. In order to reduce costs and to facilitate recycling; binders, dividers, tabs, etc. are prohibited. One staple in the upper left-hand corner is preferred.

LOIs containing more than NUMBER OF PAGES in WORDS (NUMBER OF PAGES in NUMBERS) pages will not be considered.

NUMBER of COPIES of LOI in WORDS (NUMBER of COPIES of LOI in NUMBERS) total copies of the LOI should be submitted.

Firms submitting LOIs are encouraged to carefully check them for conformance to the requirements stated above. If LOIs do not meet ALL of these requirements they will be disqualified. No exception will be granted.

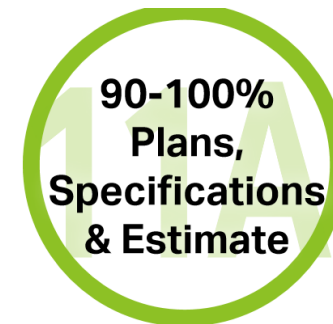
SELECTION PROCESS

Following is a general description of the selection process:

- The LGA's Selection Committee will review all qualifying LOI submittals.
- For Limited Services Contracts (On-Call type contracts), the LGA's Selection Committee MAY, at the LGA's discretion, choose any number of firms to provide the services being solicited.
- For Project-Specific Contracts (non On-Call type contracts), the LGA's Selection Committee MAY, at the LGA's discretion, shortlist a minimum of three (3) firms to be interviewed. IF APPLICABLE, dates of shortlisting and dates for interviews are shown in the section SUBMISSION SCHEDULE AND KEY DATES at the end of this RFLOI.



Bidding, Letting & Award



Construction Procurement

- Advertising and Letting a Construction Contract can only occur after Construction funds are authorized.
- Construction Advertisement should occur as soon as possible after Authorization is received. The clock starts ticking upon authorization.
- CEI RFLOI should be advertised quickly after construction authorization (generally professional services contracts take longer to procure) or on-call CEI services should be set up in advance. Holding up NTP on construction for CEI services is undesirable.
- Consider seasonal restrictions/workload when setting letting schedule and contract dates. Lettings late in the season generally receive less bids and less competitive bid prices.



Concurrence in Award

Items Needed:

- Bid tabs
- All forms filled out by bidders
- Letters of Intent from listed DBE subs
- Resolution from Council OR proof of delegation to Manager, etc.
- Letter from Town requesting Concurrence
 - If Delegation of award to manager etc., the letter should be signed by that position, and include a sentence stating they intend to award.

IF YOU HAVE QUESTIONS OR CONCERNS ABOUT YOUR
BID RESULTS PLEASE DON'T WAIT UNTIL YOU SUBMIT
CONCURRENCE PACKAGE TO DISCUSS WITH NCDOT.



Concurrence in Award

Please be sure to return complete electronic plans and executed construction contract to NCDOT for our records and to assist with construction oversight.

Make sure to invite proper staff to Pre-Construction Conference per the letter.

The Award Concurrence turns project over to Construction staff at this time.



Reimbursement Procedures



Construction Reimbursement

- All reimbursement requests will be submitted through the EBS Portal
- Submit new Reimbursement Claim
- Only one claim can be submitted at a time
- A reimbursement claim must go through final approval before submitting a second claim.





TOWN of
WAKE FOREST

301 S. Brooks Street
Wake Forest, NC 27587
t 919.435.9400

www.wakeforestnc.gov

February 22, 2019

Raymond J Hayes, P.E.
Local Projects Manager
Highway Division 5
2612 North Duke Street
Courier #17-27-03
Durham, NC 27704

RE: Reimbursement Request for 10.1.18 to 1.31.19
Stadium Drive Complete Streets - TIP# U-5515
WBS Element: PE - 55056.1.1; ROW - 55056.2.F1; CON - 55056.3.F1 CFDA#20.205
Federal-Aid No.: STPDA-0527(14)

Dear Mr. Hayes:

Wake Forest is requesting reimbursements for payments made to Kimley-Horn for design services for of Stadium Drive (final invoice) and for the current design services for the Rock Springs intersection traffic signal, Mott MacDonald and Stewart Engineering for CEI and Fred Smith Company for construction services in the amount of **\$991,589.48** for the Stadium Drive Complete Streets project, a lump sum project.

Payments to Prime

Invoice #	Contractor Invoice Date	Check No.	Check Date	Check Amt.	Check Cleared	Sales Tax
01131 5025-0917	09/20/2017	165554	11/02/2017	1,837.24	11/02/2017	-
01131 1048-1018	10/31/2018	172191	11/16/2018	1,503.63	11/23/2018	-
01131 1048-1118	11/30/2018	172568	12/28/2018	7,991.13	01/07/2019	-
01131 1048-1218	12/31/2018	172779	01/23/2019	3,181.79	01/31/2019	-
276400	10/30/2018	172198	11/16/2018	3,227.70	11/26/2018	-
274773	09/28/2018	172464	12/14/2018	1,621.86	12/21/2018	-
272863B	09/24/2018	172464	12/14/2018	7,862.30	12/21/2018	-
65540	09/30/2018	Credit Card	-	40,987.63	-	-
66116	10/31/2018	172218	11/16/2018	45,526.20	11/30/2018	-
6663	11/30/2018	172495	12/14/2018	41,243.57	12/21/2018	-
Pay Application	Contractor Invoice Date	Check No.	Check Date	Check Amt.	Check Cleared	Sales Tax
Pay App #6	09/19/2018	171907	10/19/2018	227,323.42	10/24/2018	2,488.48
Pay App #7	11/29/2018	172445	12/14/2018	180,248.15	12/14/2018	317.47
Pay App #8	12/10/2018	172657	01/11/2019	330,442.90	01/11/2019	335.82
Pay App #9	12/19/2018	172656	01/11/2019	275,368.87	01/11/2019	280.06
Pay App #10	1/16/2019	172761	01/25/2019	74,859.63	01/31/2019	316.96
				Total Paid 10.1.18 to 1.31.19	1,243,225.64	Total Sales Tax 3,738.79
				Less Sales Tax	3,738.79	
				Subtotal	1,239,486.85	
				80% Reimbursement Requested	991,589.48	

Wake Forest made payments to the contractors as noted on the table above and shown on the attached invoices, pay applications, cancelled checks and SunTrust wire transfers. Please let us know if you need additional information or if you have any questions.

Sincerely,

Suzette Morales, P.E.
Transportation Planning Manager

Enclosures

Kimley»Horn

Invoice for Professional Services

CEI Firm Invoice and Supporting Information

Total Invoice: \$1,837.24

If you have questions or concerns, please call Leta Ward at (919) 678-4120 or Leta.Ward@kimley-horn.com

1210W



Image Details

Proof of Payment

- Image of Canceled Check or Screen Shot of ACH Transaction

<https://sunview.suntrust.com/s1gcb/bank/common/image/user/retrieveImage?postedDate=VHVlIE5vdiAwNyAwMDowMDow...> 2/22/2019

APPLICATION AND CERTIFICATION FOR PAYMENT

AIA DOCUMENT G702

PAGE ONE OF 2 PAGES

TO OWNER:

PROJECT: U-5515

APPLICATION NO: 6

Distribution to:

Town of Wake Forest

Stadium Drive

☐ OWNER

301 S. Brooks Street

VIA ARCHITECT: Kimley-Horn

☒ ARCHITECT

Wake Forest, NC 27587

PERIOD TO: 08/31/18

☐ CONTRACTOR

FROM CONTRACTOR:

PURCHASE ORDER:

FSC II, LLC/dba Fred Smith Company

CONTRACT DATE: 1/18/2018

6405 Chapel Hill Road

Raleigh, NC 27607

CONTRACT FOR:

CONTRACTOR'S APPLICATION FOR PAYMENT

Application is made for payment, as shown below, in connection with the Contract. Continuation Sheet, AIA Document G703, is attached.

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents and that current payment shown herein is now due.

1. ORIGINAL CONTRACT SUM	\$	6,789,876.00
2. Net change by Change Orders	\$	14,757.44
3. CONTRACT SUM TO DATE (Line 1 + 2)	\$	6,804,633.44
4. TOTAL COMPLETED & STORED TO DATE (Column G on G703)	\$	1,363,882.12
5. RETAINAGE:		
a. 0 % of Completed Work (Column D + E on G703)	\$	
b. 0 % of Stored Material (Column F on G703)	\$	
Total Retainage (Lines 5a + 5b or Total in Column I of G703)	\$	0.00
6. TOTAL EARNED LESS RETAINAGE (Line 4 Less Line 5 Total)	\$	1,363,882.12
7. LESS PREVIOUS CERTIFICATES FOR PAYMENT (Line 6 from prior Certificate)	\$	1,136,558.70
8. CURRENT PAYMENT DUE	\$	227,323.42
9. BALANCE TO FINISH, INCLUDING RETAINAGE (Line 3 less Line 6)	\$	5,400,751.52

CONTRACTOR: FSC II, LLC/dba Fred Smith Company

By: *[Signature]* Date: 9-17-18

State of: NC County of: WAKE

Subscribed and sworn to before me this 17th day of September, 2018.

Notary Public: *[Signature]* My Commission Expires: 9-31-2021

AMANDA L BYRD
Notary Public
North Carolina
Johnston County

ARCHITECT'S CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on on-site observations and the data comprising the application, the Architect certifies to the Owner that to the best of the Architect's knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED: 227,323.42

(Attach explanation if amount certified differs from the amount applied. Initial all figures on this Application and on the Continuation Sheet that are changed to conform with the amount certified.)

By: *[Signature]* Date: 9/19/18

This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, payment and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.

AIA DOCUMENT G702 - APPLICATION AND CERTIFICATION FOR PAYMENT 1992 EDITION - AIA® © 1992

Users may obtain validation of this document by requesting a completed AIA Document D401 - Certification of Document's Authenticity from the Licensee.

THE AMERICAN INSTITUTE OF ARCHITECTS, 1735 NEW YORK AVE., N.W., WASHINGTON, DC 20005-0202

Project
Construction

A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q
Line Item	NCDOT TIP: U-5515 Stadium Drive (SR 1930) From Glancee Drive to North Main Street/US 1A	UNIT PRICE	Unit of Measure	Bid Quantity	Extension	WORK COMPLETED									PERCENT COMPLETE (O/F)	DOLLAR AMOUNT TO COMPLETE (P-O)
						JOB TO PREVIOUS BILLING			THIS PERIOD			JOB TO CURRENT BILLING				
						QUANTITY	STORED MATERIALS	AMOUNT	QUANTITY	STORED MATERIALS	AMOUNT	QUANTITY	STORED MATERIALS	AMOUNT	%	
SITE PREPARATIONS																
1	MOBILIZATION	\$339,000.00	LS	1.00	\$339,000.00	1.00	-	\$ 339,000.00	-	-	\$ -	1.00	-	\$ 339,000.00	100.00%	\$ -
2	CONSTRUCTION SURVEYING	\$60,503.00	LS	1.00	\$60,503.00	0.35	-	\$ 21,176.06	0.15	-	\$ 9,075.45	0.50	-	\$ 30,251.50	50.00%	\$ 30,251.50
3	UNDERCUT EXCAVATION	\$70.00	CY	200.00	\$14,000.00	-	-	\$ -	-	-	\$ -	-	-	\$ -	0.00%	\$ 14,000.00
4	GRADING	\$1,661,000.00	LS	1.00	\$1,661,000.00	0.15	-	\$ 249,150.00	0.03	-	\$ 49,830.00	0.18	-	\$ 298,980.00	18.00%	\$ 1,362,020.00
5	DRAINAGE DITCH EXCAVATION	\$15.00	CY	20.00	\$300.00	-	-	\$ -	-	-	\$ -	-	-	\$ -	0.00%	\$ 300.00
6	FOUND COND MATL. MINOR STRUCTURES	\$37.00	TN	470.00	\$17,390.00	18.67	-	\$ 690.79	-	-	\$ -	18.67	-	\$ 690.79	3.97%	\$ 16,699.21
7	FOUND COND MATL. MINOR STRUCTURES (W/S)	\$60.00	TN	90.00	\$5,400.00	-	-	\$ -	20.47	-	\$ 1,228.20	20.47	-	\$ 1,228.20	22.74%	\$ 4,171.80
8	FOUNDATION CONDITIONING GEOTEXTILES	\$2.00	SY	1,450.00	\$2,900.00	-	-	\$ -	-	-	\$ -	-	-	\$ -	0.00%	\$ 2,900.00
9	12" RC PIPE CULVERTS, CLASS III	\$60.00	LF	68.00	\$4,080.00	-	-	\$ -	-	-	\$ -	-	-	\$ -	0.00%	\$ 4,080.00
10	15" RC PIPE CULVERTS, CLASS III	\$42.00	LF	324.00	\$13,608.00	24.00	-	\$ 1,008.00	110.50	-	\$ 4,641.00	134.50	-	\$ 5,649.00	41.51%	\$ 7,959.00
11	15" RC PIPE CULVERTS, CLASS IV	\$50.00	LF	1,140.00	\$57,000.00	449.60	-	\$ 22,480.00	82.40	-	\$ 4,120.00	532.00	-	\$ 26,600.00	46.67%	\$ 30,400.00
12	18" RC PIPE CULVERTS, CLASS III	\$50.00	LF	276.00	\$13,800.00	165.60	-	\$ 8,275.00	24.00	-	\$ 1,200.00	189.60	-	\$ 9,475.00	68.68%	\$ 4,325.00
13	18" RC PIPE CULVERTS, CLASS IV	\$55.00	LF	2,036.00	\$111,980.00	411.00	-	\$ 22,605.00	10.00	-	\$ 550.00	421.00	-	\$ 23,155.00	20.68%	\$ 88,825.00
14	24" RC PIPE CULVERTS, CLASS III	\$65.00	LF	120.00	\$7,800.00	-	-	\$ -	-	-	\$ -	-	-	\$ -	0.00%	\$ 7,800.00
15	24" RC PIPE CULVERTS, CLASS IV	\$75.00	LF	576.00	\$43,200.00	-	-	\$ -	197.50	-	\$ 14,812.50	197.50	-	\$ 14,812.50	34.29%	\$ 28,387.50
16	6" DRAINAGE PIPE - PVC	\$35.00	LF	100.00	\$3,500.00	-	-	\$ -	-	-	\$ -	-	-	\$ -	0.00%	\$ 3,500.00
17	PIPE REMOVAL	\$17.00	LF	317.00	\$5,389.00	78.00	-	\$ 1,326.00	98.00	-	\$ 1,666.00	176.00	-	\$ 2,992.00	55.62%	\$ 2,397.00
18	PIPE CLEAN-OUT	\$1,000.00	EA	1.00	\$1,000.00	-	-	\$ -	-	-	\$ -	-	-	\$ -	0.00%	\$ 1,000.00
19	AGGREGATE BASE COURSE	\$30.00	TN	2,025.00	\$60,750.00	353.47	-	\$ 10,604.10	344.27	-	\$ 10,328.10	697.74	-	\$ 20,932.20	34.46%	\$ 39,817.80
20	INCIDENTAL STONE BANK	\$30.00	TN	500.00	\$15,000.00	91.18	-	\$ 2,735.40	-	-	\$ -	91.18	-	\$ 2,735.40	18.24%	\$ 12,264.60
21	INCIDENTAL MILLING	\$12.00	SY	1,500.00	\$18,000.00	-	-	\$ -	-	-	\$ -	-	-	\$ -	0.00%	\$ 18,000.00
22	B2S OS	\$85.00	TN	1,850.00	\$157,250.00	-	-	\$ -	-	-	\$ -	-	-	\$ -	0.00%	\$ 157,250.00
23	I19 OS	\$80.00	TN	1,000.00	\$80,000.00	-	-	\$ -	-	-	\$ -	-	-	\$ -	0.00%	\$ 80,000.00
24	S8 SB	\$80.00	TN	3,300.00	\$264,000.00	-	-	\$ -	-	-	\$ -	-	-	\$ -	0.00%	\$ 264,000.00
25	ASPHALT BINDER FOR PLANT MIX	\$400.00	TN	340.00	\$136,000.00	-	-	\$ -	-	-	\$ -	-	-	\$ -	0.00%	\$ 136,000.00
26	ASPHALT PLANT MIX, PAVT REPAIR	\$140.00	TN	825.00	\$115,500.00	23.16	-	\$ 3,242.40	-	-	\$ -	23.16	-	\$ 3,242.40	2.81%	\$ 112,257.60
27	ASPHALT PLANT MIX, PAVT REPAIR (W / S)	\$140.00	TN	750.00	\$105,000.00	36.95	-	\$ 5,173.00	12.18	-	\$ 1,705.20	48.13	-	\$ 6,878.20	6.55%	\$ 98,121.80
28	SUPL. FIELD SURVEY	\$155.00	HR	32.00	\$4,960.00	-	-	\$ -	5.50	-	\$ 852.50	5.50	-	\$ 852.50	17.19%	\$ 4,107.50
29	SUPL. SURVEYING OFFICE CALCS	\$90.00	HR	16.00	\$1,440.00	-	-	\$ -	-	-	\$ -	-	-	\$ -	0.00%	\$ 1,440.00
30	EXPLORATORY EXCAVATION - STND	\$340.00	HR	60.00	\$20,400.00	13.00	-	\$ 4,420.00	2.00	-	\$ 680.00	15.00	-	\$ 5,100.00	25.00%	\$ 15,300.00
31	COLORLED CONCRETE VEHICULAR APRON	\$190.00	SY	285.00	\$54,150.00	-	-	\$ -	-	-	\$ -	-	-	\$ -	0.00%	\$ 54,150.00
32	R.O.W / PERM EASEMENT MARKERS	\$150.00	EA	141.00	\$21,150.00	-	-	\$ -	-	-	\$ -	-	-	\$ -	0.00%	\$ 21,150.00
33	SUBDRAIN EXCAVATION	\$15.00	CY	75.00	\$1,125.00	-	-	\$ -	-	-	\$ -	-	-	\$ -	0.00%	\$ 1,125.00
34	SUBDRAIN FINE AGGR	\$25.00	CY	75.00	\$1,875.00	-	-	\$ -	-	-	\$ -	-	-	\$ -	0.00%	\$ 1,875.00
35	6" PERF SUBDRAIN PIPE	\$10.00	LF	420.00	\$4,200.00	-	-	\$ -	-	-	\$ -	-	-	\$ -	0.00%	\$ 4,200.00
36	8" OUTLET PIPE	\$25.00	LF	190.00	\$4,750.00	-	-	\$ -	-	-	\$ -	-	-	\$ -	0.00%	\$ 4,750.00
37	MASONRY DRAINAGE STRUCTURES	\$2,100.00	EA	65.00	\$136,500.00	9.00	-	\$ 18,900.00	-	-	\$ -	9.00	-	\$ 18,900.00	13.85%	\$ 117,600.00
38	MASONRY DRAINAGE STRUCTURES	\$200.00	LF	31.00	\$6,200.00	-	-	\$ -	-	-	\$ -	-	-	\$ -	0.00%	\$ 6,200.00
39	F W/ GRATE 840.03, TYPE E	\$900.00	EA	5.00	\$4,500.00	-	-	\$ -	-	-	\$ -	-	-	\$ -	0.00%	\$ 4,500.00
40	F W/ GRATE 840.03, TYPE F	\$900.00	EA	22.00	\$19,800.00	-	-	\$ -	-	-	\$ -	-	-	\$ -	0.00%	\$ 19,800.00
41	F W/ GRATE 840.03, TYPE G	\$900.00	EA	27.00	\$24,300.00	-	-	\$ -	-	-	\$ -	-	-	\$ -	0.00%	\$ 24,300.00
42	DI F&G 840.16	\$900.00	EA	1.00	\$900.00	-	-	\$ -	-	-	\$ -	-	-	\$ -	0.00%	\$ 900.00
43	GDI NS SAG F W/ 2 G 840.24	\$900.00	EA	3.00	\$2,700.00	-	-	\$ -	-	-	\$ -	-	-	\$ -	0.00%	\$ 2,700.00
44	MH F&C 840.54	\$900.00	EA	12.00	\$10,800.00	-	-	\$ -	-	-	\$ -	-	-	\$ -	0.00%	\$ 10,800.00
45	PIPE PLUG	\$1,200.00	CY	1.00	\$1,200.00	0.07	-	\$ 78.00	-	-	\$ -	0.07	-	\$ 78.00	6.50%	\$ 1,122.00
46	FLOWABLE FILL	\$400.00	CY	9.00	\$3,600.00	4.00	-	\$ 1,600.00	-	-	\$ -	4.00	-	\$ 1,600.00	44.44%	\$ 2,000.00
47	8" X 18" CONC CURB	\$18.50	LF	115.00	\$2,127.50	-	-	\$ -	-	-	\$ -	-	-	\$ -	0.00%	\$ 2,127.50
48	1'-6" CONC CURB & GUTTER	\$12.00	LF	1,110.00	\$13,320.00	-	-	\$ -	-	-	\$ -	-	-	\$ -	0.00%	\$ 13,320.00
49	2'-6" CONC CURB & GUTTER	\$14.00	LF	9,500.00	\$133,000.00	-	-	\$ -	583.00	-	\$ 8,162.00	583.00	-	\$ 8,162.00	6.14%	\$ 124,838.00
50	CONC CURB RAMP (NCDOT)	\$1,500.00	EA	42.00	\$63,000.00	-	-	\$ -	-	-	\$ -	-	-	\$ -	0.00%	\$ 63,000.00
51	CONC CURB RAMP (MUP)	\$2,800.00	EA	10.00	\$28,000.00	-	-	\$ -	-	-	\$ -	-	-	\$ -	0.00%	\$ 28,000.00
52	4" CONC SIDEWALK	\$30.00	SY	4,635.00	\$139,050.00	-	-	\$ -	-	-	\$ -	-	-	\$ -	0.00%	\$ 139,050.00
53	4" REINF CONC SIDEWALK	\$37.00	SY	385.00	\$14,245.00	-	-	\$ -	-	-	\$ -	-	-	\$ -	0.00%	\$ 14,245.00
54	6" CONC DRIVEWAY (HIGH EARLY)	\$56.00	SY	556.00	\$30,800.00	-	-	\$ -	-	-	\$ -	-	-	\$ -	0.00%	\$ 30,800.00
55	CONC SIDEWALK (ON BRIDGE)	\$48.00	SY	100.00	\$4,800.00	-	-	\$ -	-	-	\$ -	-	-	\$ -	0.00%	\$ 4,800.00



Firm Invoice No. Reference	U-5515 Stadium Drive
NCDOT PO / Contract Number	
WBS No. (State Project No.)	
Date of invoice	8.31.18
Signed	

Invoice Line Item	Payer Name	Payer Federal Tax Id	Subcontractor / Subconsultant Material Supplier Name	Subcontractor / Subconsultant / Material Supplier Federal Tax Id	Amount Paid To Subcontractor / This Invoice	Date Paid To Subcontractor / Material Supplier This Invoice
FSCII LLC dba Fred Smith Company		56-2106089	Narmon Contracting	56-2145738	100,752.49	8.31.18
Total Amount Paid to Subcontractor Firms					\$100,752.49	

I certify that this information accurately reflects actual payments made and the dates the payments were made to Subcontractors/ Subconsultants/Material Suppliers on the above referenced project.

SUBCONTRACTOR'S SALES TAX REPORT

Project: U-5515 STADIUM DRIVE

Subcontractor: FSCII LLC, dba Fred Smith Company

Address: 6105 Chapel Hill Rd
Raleigh, NC 27607

Pay Application # _____

For Period THRU 8.31.18

SUPPLIERS	Total Invoice	Invoice Before Tax	Tax Amount	NC Tax Amount	County Tax	5% Wake Co Transit Tax	County
Angus	408.00	\$379.00	\$ 27.48	\$ 18.00	\$ 7.58	\$1.90	WA
Perigous Enterprises Inc	82,389.39	\$30,106.63	\$ 2,182.76	\$ 1,430.08	\$ 602.15	\$150.53	WAKE
Perigous Enterprises Inc	2,231.22	\$1,138.66	\$ 82.56	\$ 54.09	\$ 22.77	\$5.70	WAKE
Perigous Enterprises Inc	1,438.49	\$1,341.24	\$ 97.24	\$ 63.71	\$ 26.82	\$8.71	WAKE
Perigous Enterprises Inc	584.73	\$545.20	\$ 39.53	\$ 25.90	\$ 10.90	\$2.73	WAKE
Perigous Enterprises Inc	3,099.92	\$2,653.63	\$ 206.89	\$ 135.55	\$ 57.07	\$14.27	WAKE
Perigous Enterprises Inc	47.46	\$81.68	\$ 5.83	\$ 3.89	\$ 1.63	\$0.41	WAKE
Perigous Enterprises Inc	152.80	\$151.85	\$ 11.01	\$ 7.21	\$ 3.04	\$0.76	WAKE
Perigous Enterprises Inc	147.94	\$147.27	\$ 10.67	\$ 7.00	\$ 2.94	\$0.73	WAKE
Perigous Enterprises Inc	123.45	\$117.00	\$ 8.48	\$ 5.56	\$ 2.34	\$0.58	WAKE
Perigous Enterprises Inc	4.02	\$3.75	\$ 0.27	\$ 0.17	\$ 0.08	\$0.02	WAKE
Subtotals	\$39,538.73	\$36,865.91	\$2,672.82	\$1,751.16	\$737.32	\$184.34	WAKE
INVENTORY	Total Inventory	Inventory Before Tax	Tax Amount	NC Tax Amount	County Tax	5% Wake Co Transit Tax	County
Subtotals							
Grand Totals	\$39,538.73	\$36,865.91	\$2,672.82	\$1,751.16	\$737.32	\$184.34	Grand Totals

"MATERIALS" MATERIALS SHALL INCLUDE ONLY THOSE ITEMS THAT WILL BECOME A PERMANENT PART OF OR BE ANNEXED TO THE BUILDING OR STRUCTURE BEING ERECTED, ALTERED OR REPAIRED. NO RENTALS, TOOLS, AND/OR EQUIPMENT HAS BEEN INCLUDED.

AMANDA L BYRD
Notary Public
North Carolina
Johnston County





INVOICE



RETURN SERVICE REQUESTED

BILL TO:
FRED SMITH COMPANY LLC
701 CORPORATE CENTER DR SUITE 101
RALEIGH NC 27607-5111

SHIP TO:
U-5515 STADIUM DR WIDENING
U-5515 STADIUM DR
WAKE FOREST NC 27587-2558

Invoice Date	07/16/2018			Sales Rep:	DONNAS TIMOTHY
ORDER #	CUSTOMER #	CUSTOMER PO #	PROJECT #	PROJECT DESCRIPTION	INVOICE NUMBER
580005	4305	PSCP85-1811218-03	78038	U-5515 STADIUM DR WIDENING	91146245

INVOICE DATE	TICKET #	QTY	UOM	ITEM #	DESCRIPTION	UNIT PRICE	EXTENDED TOTAL	TAXABLE
07/16/2018	18504370	4.000	YDS	0004F44	CONCRETE PUMPING	94.00	376.00	X
07/16/2018	18504370	1	EA	8100380	ENVIRONMENTAL FEE PER LOAD	3.00	3.00	X
07/16/2018	18504370	1	EA	8100382	FUEL SURCHARGE PER LOAD	0.00	0.00	X
INVOICE TOTAL		4.000	YDS	0004F44	CONCRETE PUMPING		376.00	
		1	EA	8100380	ENVIRONMENTAL FEE PER LOAD		3.00	
		1	EA	8100382	FUEL SURCHARGE PER LOAD		0.00	

Payment Terms: Net due day 10 next month
DUE DATE: 08/10/2018

SUBTOTAL: 379.00
WAKE NC 7.25 %: 27.48
TOTAL: 406.48

Argos USA LLC
3015 Windward Plaza Suite 300
Alpharetta GA 30005

CUSTOMER NAME: FRED SMITH COMPANY LLC
CUSTOMER NUMBER: 4305
INVOICE NUMBER: 91146245
INVOICE DATE: 07/16/2018
AMOUNT DUE: 406.48

Invoice Inquiries: 678-368-4300



FRED SMITH COMPANY LLC
701 CORPORATE CENTER DR SUITE 101
RALEIGH NC 27607-5111

REMIT TO:
Argos USA LLC
P.O. Box 733134
Dallas TX 75373-3134

OVERDUE INVOICES SUBJECT TO INTEREST AT 1.5% PER MONTH ON ALL INVOICES NOT PAID BY THE 25TH OF MONTH DUE.
If you wish to pay via EFT (Electronic Funds Transfer), please use the following instructions:
Wire Transfer: JPMorgan Chase Banking # 021 000 021, SWIFT: CHASUS33, Account # 790 183 253 Argos USA LLC
ACH: JPMorgan Chase Banking # 021 000 021, Account # 790 183 253 Argos USA LLC
Please send payment remittance information to: cashapp@argosusa.com

0000004305

- ORIGINAL -

Page 1 of 1

0507



Construction Oversight



Construction

- Mark Craig, PE- Division Construction Engineer
- Chad Hinnant, PE- Deputy Division Construction Engineer
- Resident Engineer
- Raymond Hayes, PE (Benesch)- Local Projects Manager
 - Main Point of Contact During Construction
 - Email- ext-rjhayes@ncdot.gov
 - Phone 919-628-8999
- Daniel Keel - Division 5
Final Estimates Technicians
 - Checking all Final Estimates



Construction

- Project Reviews
 - Conducted by Raymond Hayes
 - New Project Review Form
- Materials and Test
 - New Guide for Material Certifications
 - Receive Materials as they Arrive on Site
- Supplemental Agreements
 - Involve NCDOT Early in Process
 - Thorough Vetting of Contractor Pricing
 - Breakdown of Costs(Labor, Equip, Materials, Subcontractors)
 - Use Force Account Documentation as Guide



Construction

- Supplemental Agreements- Cont'd
 - Description of Work
 - Justification
 - Referencing Specs or Provision
- Continue Good Pay Record Documentation
 - Contact NCDOT with Questions
- Project Closeout
 - Timely Submission of Final Estimate



PROJECT REVIEW - LOCALLY ADMINISTERED PROJECTS

TIP / Proj #	WBS Number	Date of Visit/Review	
Municipality	Project Description		
Contractor	CEI Representative		Division
Date of Availability (NTP)	Date Work Started	Contract Completion Date	Percent Complete

PROJECT SCHEDULE	Yes	No	N/A	Comments
What is the expected completion date?				
Have there been any delays to date?				
Are there any foreseeable delays?				

PROJECT DIARIES	Yes	No	N/A	Comments
Are diaries kept for this project?				
Do diaries indicate Contractor's activities daily?				
Do they indicate equipment/personnel on site?				
Do they indicate weather conditions each day?				
Are Engineer's Weekly Summary complete?				

JOB-SITE POSTERS	Yes	No	N/A	Comments
Are all job site posters in place on the project?				

DBE / SUBCONTRACTORS	Yes	No	N/A	Comments
Are the DBE goal in the Contract? If yes, what %?				
Has the DBE participation goal been met?				
Have SAF's been submitted?				
Have SAF's been signed / returned?				
Did the DBE do the work listed?				
Verification that DBE's were paid, DBE-IS.				
Subcontr agr have fed-aid provision (i.e. 1273).				
Is Form FHWA-1391 complete (FHWA-1273, II (11)(b))?				

CERTIFIED PAYROLLS	Yes	No	N/A	Comments
Have payrolls been submitted?				
Are the submitted payrolls current?				
Have payrolls been checked against Minimum Wages General Decision?				
Have any wage discrepancies been found? (if "Yes", has correction been done?)				
Have wage rate interviews been done (1 / sub / Qrt)?				

TIP / Proj #	WBS Number	Date of Visit/Review
Municipality	Project Description	

SUPPLEMENTAL AGGREMENTS	Yes	No	N/A	Comments
Are there copies of all Supplemental Agmts?				
Is there justification for SA's?				
Were quantities verified?				
Is there justification for price of new items?				
Are there updated project quantities for all SA's?				
Was FHWA concur. obtained (if over \$50K or 30 days)?				

PAY ESTIMATES	Yes	No	N/A	Comments
Are pay estimates being withheld?				
Are any line items being withheld from pay est?				
Are there copies of all pay estimates?				
Are there quantity calcs shown for each pay item?				
Do quantities match work (See Line Code Test)?				
Do quantities reflect all SA's?				

PAY RECORD BOOKS	Yes	No	N/A	Comments
Are PRB's kept for this project?				
Inspector name and initials in front of book.				
Are the PRB's format and entries satisfactory?				
(Pay items will be selected from the last estimate and quantities will be tracked from the source document to the monthly estimate and, when appropriate, to the Weight Ticket Books. This will be shown in the Line Code Testing section below.)				

WEIGHT TICKETS	Yes	No	N/A	Comments
Are there Ticket Books for this project?				
Are there separate books by day/material?				
Are Weight Master's signature/initials on tickets?				
Do Inspector's signature/initials appear on tickets?				
Do station numbers/ locations appear on tickets?				

MATERIAL RECEIPTS	Yes	No	N/A	Comments
Is there a notarized Buy America Certification?				
Are there mat'l receipt / certs for required items?				
Was payment made without mat'l receipts?				
Tickets for tack coat				
Apprv'd supplier / mat'l verification of tack coat.				
See Material Receipt Review for specific MRR				

GRADING	Yes	No	N/A	Comments
AASHTO T99 test results for compaction %				
Rdwy Embnkmnt - Compotn results - 95%				
Rdwy Subgr - Compotn results - 100% within 8"				
Trail Embnkmnt - Compotn results - 90%				1 minimum
Trail Subgr - Compotn results - 92% within 8"				1 minimum
Testing frequency per specifications				



TIP / Proj #	WBS Number	Date of Visit/Review
Municipality	Project Description	

AGGREGATE BASE COURSE	Yes	No	N/A	Comments
Producer QC reports				
Contractor's QC compaction test results				Rdwy - 98%, Trail - 92%
Contractor's QA compaction test results				
Testing frequency per specifications				
Corrective action taken for tests out of compliance				

ASPHALT	Yes	No	N/A	Comments
M&T FORM 605 complete for each day of paving				
Contractor's QC results for all tests				
State's QA results for all tests are within limits				
Documentation for tests on mix				
Documentation for tests on percent compaction				
Documentation of thickness results				
Random numbers used for test locations				
Testing frequency per specifications				
Corrective action taken for tests out of compliance				
Tickets for all trucks				
Tickets calculated for each day				
Asphalt placed during adequate weather				
Tickets for prime coat				
Materials verification of prime coat				

CONCRETE	Yes	No	N/A	Comments
Tickets for all trucks				
Documentation of slump tests				
Documentation of air content tests				
Documentation of all compressive strength tests				
Concrete poured during adequate weather				
Testing frequency per specifications				
Corrective action taken for tests out of compliance				

EROSION CONTROL	Yes	No	N/A	Comments
Daily reports current?				
Is erosion control installed per plans?				
Are EC plans up-to-date?				
Is erosion control maintained adequately?				

TRAFFIC CONTROL	Yes	No	N/A	Comments
Are advanced warning signs in place?				
Are lane tapers installed per plans?				
Are detours in place per plans and plans?				
Is time of work in compliance with contract?				

SIGNS	Yes	No	N/A	Comments
Are signs installed per plans?				
Documentation that sign fabrication meets specs				
Does that retroreflective sheeting meets specs				

TIP / Proj #	WBS Number	Date of Visit/Review
Municipality	Project Description	

MATERIAL RECEIPT REVIEW	Required Items					
Mat'l Receipt Items	In Project Yes / No	MRR Yes / No	Bill of Lading	Cert / Stamp / Tag / Alt ID	Pre Appr / QPL	Comments
Traffic Control						Cert-3,4,7
Erosion Control						
Timber - Sec 1082-4						3rd Party Insp. AWPA U1 T1
Pipe-Conc/Met'l/Plst'c						
Precast						
Iron Castings-Drainage						
Utility - Water / Sewer						Cert-3,6
Brick/Block/Seg Wall						
Steel / Prestress Str						Stl Cert-1,3,4,7
Guard/Guiderail, Fence						Fence Cert-6
Signal / ITS						
Truncated Domes						Cert-3
Pav't Marking						
Landscaping						Cert-6, NCDA Cert-???


LINE CODE TESTING	Line No.	Description	Quantity Paid	Pay Record Quantity	Difference	Comments
					-	
					-	
					-	
					-	
					-	
					-	
					-	
					-	
					-	
					-	
					-	

ADDITIONAL COMMENTS

Reviewed by: _____



Construction Completion Concurrence Letter


STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

ROY COOPER
GOVERNOR

JAMES H. TROGDON, III
SECRETARY

November 18, 2019

WBS: 501488.3.1
TIP NO.: B-5556
COUNTY: Wake
DESCRIPTION: Lake Dam Road Bridge Replacement – Bridge No. 910490 over Walnut Creek

Mr. Gilles Bellot, PE
Project Manager
City of Raleigh
PO Box 590
Raleigh, NC 27602-0590

SUBJECT: Project Concurrence

Dear Mr. Bellot:

This is to advise that the Department concurs that work on the Lake Dam Road Bridge Replacement Project, also known as TIP Project B-5556, was satisfactorily completed as of July 31, 2019.

To fully complete the project in accordance with the municipal agreement (and applicable supplement agreements), the following administrative tasks and project documentation must be completed within six (6) month as stipulated in the agreement(s):

- **NCDOT Materials & Test Unit Project Certification** – All final quantities must be confirmed and reconciled with corresponding test reports and/or material certification documentation.
- **Final Estimate** – Final quantities, contract time and intermediate contract times, and all final claims must be compiled, reconciled with the Contractor, and approved by NCDOT. The Final Estimate package must be submitted to NCDOT for checking with a DBE utilization/compliance summary.
- **Final Payment to the Contractor** – Payment should be made in strict accordance with the approved Final Estimate and any approved claims.
- **Final Payment for CEI Services (if applicable)** – Per the terms of the municipal agreement, reimbursement for construction contract administration is limited to no more than fifteen (15%) percent of the actual construction contract.
- **Final Reimbursement Request** – The municipality shall submit a final request for reimbursement, clearly marked as FINAL, in accordance with the project funding outlined in the municipal agreement and applicable supplemental agreements. Upon approval and reimbursement, NCDOT will issue Form 1446B.

Mailing Address: NC DEPARTMENT OF TRANSPORTATION
DIVISION FIVE OFFICE
2612 NORTH DUKE STREET
DURHAM, NORTH CAROLINA 27704
CS 17-27-03

Telephone: (919) 220-4600
Fax: (919) 560-3371
Customer Service: 1-877-368-4968

Location: 2612 NORTH DUKE STREET
DURHAM, NORTH CAROLINA 27704

Website: www.ncdot.gov



Project Closeout Checklist

Project Closeout Checklist

TIP / Proj #:	WBS #:	Federal Aid #:
Municipality:	Project Description:	
Contractor:	CEI Representative:	Division:
NTP:	Date Work Started:	
Contract Completion Date:	Actual Completion Date:	

ALL INVOICES ASSOCIATED WITH THE PROJECT MUST BE SUBMITTED WITHIN SIX (6) MONTHS OF THE COMPLETION OF CONSTRUCTION AND ACCEPTANCE OF THE PROJECT TO BE ELIGIBLE FOR REIMBURSEMENT BY THE DEPARTMENT. ANY INVOICES SUBMITTED AFTER THIS TIME WILL NOT BE ELIGIBLE FOR REIMBURSEMENT.

	Date (MM/DD/YYYY)	Punchlist Complete? (Y/N)	Date Punchlist Complete
Final Inspection with NCDOT Present			

	Date Written	Date Submitted to NCDOT	Date Received from NCDOT
Project Acceptance Letter from Municipality to Contractor			
Request for Concurrence in Construction from Municipality to NCDOT (including date of Acceptance)			
Concurrence in Construction Letter from NCDOT (send to Raymond Hayes - Div 5 LAP Oversight)			

	Date reviewed by NCDOT	Materials Certification Date
Materials and Test Review (NCDOT)		

	Totaled (Y/N)	Comp'd (Y/N)	Checked (Y/N)	Received from Testing firm? (Y/N)
As-built drawings				
Pay Record Books for Final estimate				
Ticket Books				
Materials Receipts				
Concrete Reports (903, 250)				
Asphalt Reports (605)				
Test Results Received for:				
Density/Test Results				
Asphalt (Core or Nuclear? Circle Appropriate)				
Concrete				
ABC (For Pavement, not Class IV)				
Roadway Subgrade				
Roadway Embankment				
Samples				
Roadway Embankment				
Roadway Subgrade				
Roadway ABC				

TIP / Proj #:	WBS #:	Federal Aid #:
Municipality:	Project Description:	
Contractor:	CEI Representative:	Division:
NTP:	Date Work Started:	
Contract Completion Date:	Actual Completion Date:	

	Fully Executed (Reviewed and signed by NCDOT) (Y/N)	Reviewed and verified against the FHWA 1273 (Y/N)	Completed & Signed by CEI/RE (Y/N)	Completed/Signed/ Notarized by Contractor/Employee (Y/N)
Pay Applications				
DBE-IS Form (Can be included in pay app)				
Certified Payrolls				
Sales Tax Reports				
SAFs (to include prime and subcontract agreement, FHWA 1273)				
Daily Reports				
Weekly Summaries				
Wage Rate Interviews				
DBE-IS Contract Goal & Commitment Payment Summary Form				

	Written/Drafted?	Approved/Executed?	Total Additional Time &/OR Money
Claims (time, money, final)			
Claim 1 - Description			
Insert additional lines as necessary			
Force Account (Form 480 w/ Supporting Documentation) to be paid as a SA			
FA 1 - Description			
Insert additional lines as necessary			
Supplemental Agreement(s)			
SA 1 - Description			
Insert additional lines as necessary			

	Approved & Executed (Y/N)	Written (Y/N)	Submitted to Contractor
Final Pay Application/Estimate (Include with other pay applications)			
Pay Adjustments or 105-3 Acceptance Letters			
Ex. Asphalt Letter			
Ex. Asphalt Letter			
Ex. Asphalt Letter			

	Created/Drafted (Y/N)	Date Records Delivered to NCDOT Facility For Review	Completed and Signed off by NCDOT Checker
Final Estimate Transmittal			
See attached Transmittal example of items to be included in submission to NCDOT for Final Review (Kelly Adams)			



Questions?



FHWA Review & Audit



Review Findings



1. Expenditures occurred before FHWA Authorization was signed
2. Projects not competitively bid
3. No pay records/diaries
4. No weigh tickets
5. No certified payrolls
6. No wage rate interviews
7. No material received reports
8. No Buy America Certification
9. No testing/test reports
10. No DBE documentation
11. No NCDOT oversight
12. NCDOT personnel were not verifying pay quantities before approving invoices
13. Force Account by local agency
14. Municipality destroyed records before the end of the records retention date



Items Typically Reviewed



- Advertisement/Bid documents
- Consultant Selection process
- Project Diaries
- Pay Record Books
- Concrete/Asphalt/ABC test results/frequencies
- Weight tickets
- Pay Estimates
- Supplemental Agreements
- Wage Rates/Interviews
- DBE/Subcontractors
- Grading
- Traffic Control
- Erosion Control
- Signs
- Material Certifications
- Job-site Posters
- LPA/NCDOT Oversight
- Project Final Acceptance Process



Preliminary Project Reviews



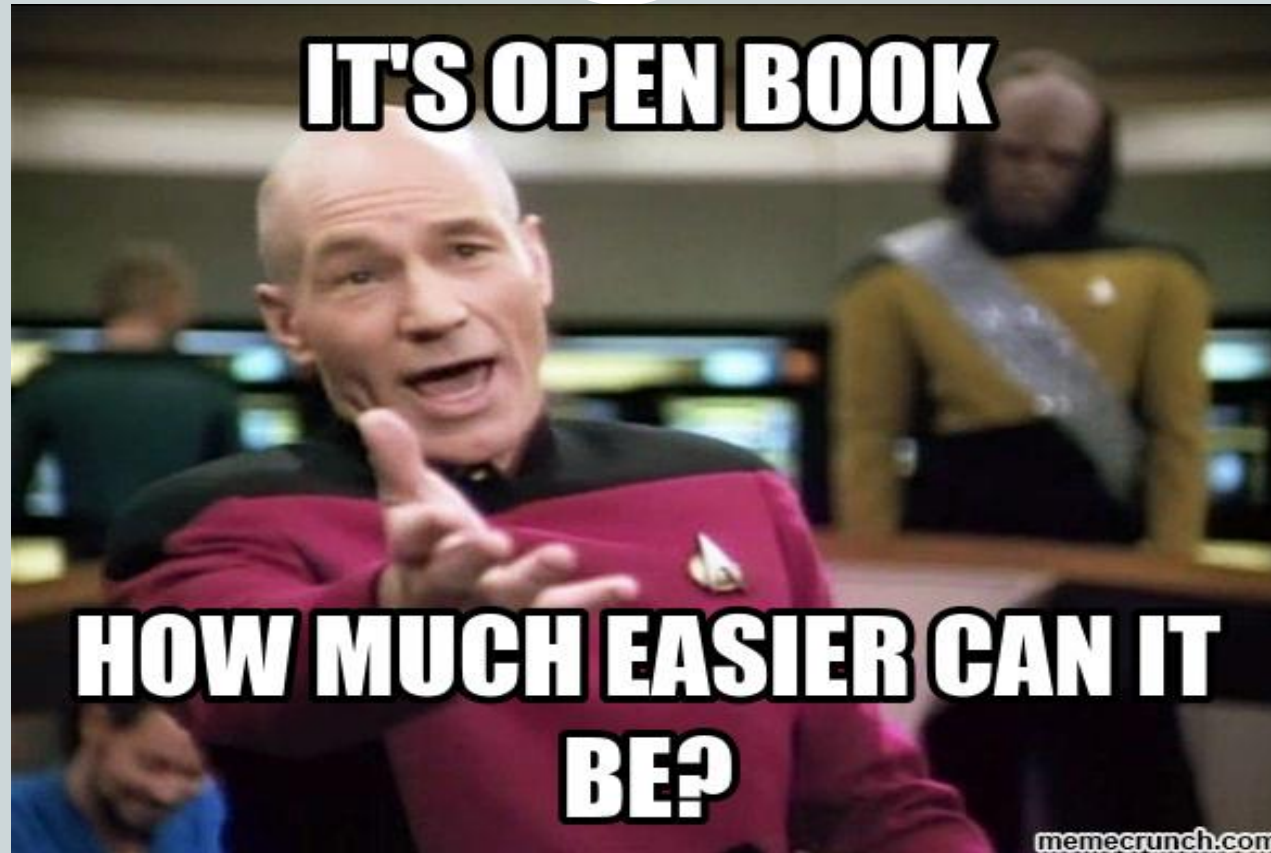
LPA Program Manager will be conducting two types of reviews:

Pre-Construction Meetings/Reviews – Please don't forget to invite me, the DOT and DOT-Materials and Test Unit. (It's stated on your Concurrence In Award letter.)

I want to be included in these meetings to ensure everyone is on the same page as far as expectations and requirements.



Records Reviews



Records Review Checklist

Material Certification & Project Closeout



In order to achieve project final acceptance, the NCDOT (Materials & Test Unit) will need to certify your project (requested by an NCDOT-1446B form by NCDOT). Please make sure all records are available for their review.

2 CFR 200 (aka: Supercircular) - Requires that projects be closed out 15 months after the “End Date” established and documented on the FHWA Authorization.

Note to NCDOT & Municipalities: Please schedule M&T’s review, the punch list walk through, final invoice, etc. as soon as you can in the final acceptance process to ensure proper (and timely) project closeout.

If timeframes are not met, the Supercircular states that ALL project funds shall be taken back.



LAPP Project Delivery Requirements

Project Reporting Requirements

- In addition to the requirements associated with receiving federal funding, the MPO will also require regular reporting on projects funded through the LAPP.
- Applicants are required to provide updates to the MPO outlining where the project is in the timeline toward funding obligation of all phases awarded for the project. This includes NEPA, plan and right-of-way submittals.
- More frequent communications are required if project location, schedule or funding changes are likely to occur.
- Applicant are also required to include CAMPO on key date communications toward implementation of the project, such as bidding, ground-breaking and opening ceremonies.
- References to funding in communications should include: “Federal funds were provided for this project by the Capital Area Metropolitan Planning Organization through the Federal Highway Administration.”

LAPP Project Adjustments:

What: Projects in the LAPP Program are permitted to submit requests to CAMPO for additional funding. If approved, this additional funding is provided at a 50/50 match with the jurisdiction.

When: Jurisdictions are encouraged to only request additional funding for their LAPP project ONE TIME throughout project delivery. Make sure that you have **STRONG** cost estimates at time of additional funding request.

How: Additional funding requests are submitted to CAMPO and should provide an explanation of the cost overage, current plans, and an updated budget. Minor project adjustments can be approved administratively by the CAMPO Executive Director, larger adjustments need approval by the CAMPO Executive Board.

*Due to the limited nature of LAPP funding, additional funding can never be guaranteed.

LAPP - FFY 25 Deadlines

- January – May 2024
 - Public Involvement
 - Executive Board adopts project list
 - CMAQ Applications
 - **Training for LAPP selected project managers**
 - TIP & STIP Amendment Process
- May – September 2024
 - Municipal Agreements signed by local gov.
 - Municipal Agreements signed by NCDOT
 - FTA Request for Draft Grant # for Transit Flex Projects
 - **SEPTEMBER 15, 2024: ALL AGREEMENTS MUST BE SIGNED OR FUNDS MAY BE PROGRAMMED TO ANOTHER SHOVEL READY PROJECT – THIS IS A CRITICAL DEADLINE**
- October 1, 2024 – September 30, 2025
 - FFY 25 LAPP Funds Obligated

Questions?

Contact:

Chandler Hagen

984-542-3611

Chandler.Hagen@campo-nc.us

www.campo-nc.us/funding/locally-administered-projects-program

ADJOURN