Local Public Agency (LPA) Federal-aid Process
Purpose of LPA Guidance

**Purpose:** to provide instruction and information needed for managing or administering local Federal-aid transportation projects under the supervision and assistance of the Alabama Department of Transportation.

**Who needs it:** ALDOT Division and Central Office LPA administrative staff, and LPA administrative and project personnel.

**Why needed:** to familiarize all personnel with ALDOT guidelines set forth in applicable Federal and State laws, regulations, and policies, and standardized forms available on the ALDOT LPA Internet site.
Scope of LPA Guidance

- **Project Initiation**
  - Origin, Evaluation, Approval, Orientation.

- **Project Programming**
  - Funding, development of scope and agreement.

- **Project Development**
  - Plan development, environmental review, award of contract.

- **Construction Activity**
  - Construction, inspection, certification.

- **Project Closeout**
  - Evaluation, approvals, documentation.
Usefulness of LPA Guidance

**Introduces Requirements**
for projects funded by the Federal-aid LPA Program under State DOT supervision.

**Directs the Sequential Steps**
in the Federal-aid LPA process from application through award of contract.

**References Required Documents**
and provides detailed information on specific project topics.
LPA Certification

The LPA must:

1. Submit a request letter signed by the LPA Chief Executive.
2. Submit a Qualifications Evaluation Form.
3. Submit an organizational chart and financial history.
4. Submit a narrative addressing professional qualifications.
5. Submit the most recent financial audit.
6. Complete an ALDOT administrative checklist.
7. ALDOT Certification is issued in the form of a letter signed by the Division Engineer and the State Engineer.

Should it be determined at a future date that the Department of Transportation requires LPA recertification for any reason, the LPA will be notified in writing by the Office of the State Engineer.
Federal Aid Requirements

1. FHWA issues Authorization
2. Project Agreement is executed by parties
3. Project is Programmed in ALDOT system
4. Environmental Approval issued by ALDOT ETS
Federal Aid Requirements cont’d

- **ALDOT Oversight**
  - ALDOT will have oversight of all LPA projects.

- **Project Timeline**
  - The LPA will develop and maintain a project timeline and schedule.
  - The LPA must build milestones into their timeline to allow for ALDOT review, approvals, and FHWA Concurrence Points.

- **Local Match Funding**
  - ALDOT must have match funding prior to project startup or have written verification the local match funding is being covered by another federal agency or other local source.

- **Reimbursement**
  - Reimbursement requires *COMPLETE AND ACCURATE INVOICE DOCUMENTATION*. Failure to comply will only delay processing.

- **Nondiscrimination**
  - The local public agency must adopt a nondiscrimination policy and is subject to state and federal Title VI requirements and ADA, EEO, and DBE guidelines.
Environmental Requirements

1) ALDOT oversight

The ALDOT Environmental Technical Section (ETS) will review all LPA projects to determine if NEPA action is required and to what extent. [The exception to this is all Transportation Enhancement projects processed by Special Programs of Modal Programs Section. Modal Programs must consult with ETS if potential impacts exceed the scope of the Programmatic.]

a) Programmatic or new Categorical Exclusion

For projects with a record of Class of Action and if no acquisition in excess of one acre is expected, ETS will consult with FHWA to determine if a re-evaluation, the existing Programmatic CE, or new action is appropriate.

b) Environmental Assessment

If an EA or higher is required, ETS will advise the Division Engineer, LPA RC, and Central Office bureaus in writing prior to the acquisition of rights of way, development of final design plans, and/or prior advertisement of a project construction contract.

2) Permitting

The LPA must meet Federal NEPA and State requirements regarding all permitting. The state may require mitigation measures in addition to or above and beyond state and federal statute guidelines.
Right of Way Requirements

The LPA (local agency) must submit a written determination of the need for any Rights of Way (ROW) to the Division Engineer, ALDOT ETS, and ROW Bureau following field reviews, scope development, and environmental review phase.

The local agency must provide a ROW Certification Letter to the Division Engineer and ALDOT ETS prior to advertisement for a construction contract if no new additional ROW is required.

Possible ROW Actions

- Acquisition
- Easements
- Relocation
- Appraisals
Utilities and Railroads

Utilities Requirement

- Utility relocation or new installation
- Cost Estimates
- Engineering Services
- Contracts

Contact: Utilities Section, Design Bureau

Railroad Requirement

- Coordination with railroads
- Cost estimates
- Design and Construction
- Flaggers and other on-site safety measures

Contact: Rail Section, Modal Programs, Bureau of Transportation Planning and Modal Programs
Design Activities

1) The following participants will have input into the design of the project:
   - Local Public Agencies
   - Stakeholders and the general Public
   - ALDOT
   - State Agencies
   - Federal Agencies
   - Others

2) Plans and Specifications will be based on the project design and are subject to ALDOT review and approval.

   *ALDOT may require that certain design elements be done to Department specifications.*

3) Regulatory agencies will issue necessary permits.
“Alabama law and Department of Transportation regulations prohibit any individuals, companies or concerns from using the State right-of-way, without written permission for any unofficial purpose other than normal access to and from the State Highway System. The Department of Transportation has the right to remove any unauthorized signs, physical obstacles, roadside stands, paved parking areas or any other unauthorized encroachment.”

* Alabama Department of Transportation Maintenance Manual, Encroachments within State Right-of-Way, Section 3.3.5, page 3-7, August 1995
Construction Requirements

- Contract Administration and Inspection
- Construction and Specification Procedures
- ALDOT and FHWA Reviews
- Federal Participation in Construction by FHWA – Alabama Division
- LPA Forces
- Change Orders
- Completion of the Construction Contract
- Final Audit of the Construction Phase
- Closing the Construction Phase and Records Retention
In accordance with OMB Circular A-133, Subpart B, §.200 Audit requirements, any local government expending more than $500,000 in Federal funds of any kind during a Federal Fiscal Year must file a Single Audit Report.

See OMB Circular A-133 for other requirements and exemptions.

The USDOT Inspector General, ALDOT, FHWA, and the Alabama Examiner of Public Accounts have the authority to examine any record and interview any employee or officer of the LPA, its contractors, subcontractors, or firms working on a Federally funded project or project requiring Federal approval.
Contacts

For additional information regarding the Local Public Agency (LPA) Process, please contact:

- Bureau of Transportation Planning and Modal Programs
  - Metropolitan Planning Section
  - 1409 Coliseum Blvd Room C-119
  - Montgomery, AL 36110

- Victor Jordan or Bryan Fair
- 334-242-6830 or 334-242-6649
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