

GUIDELINES AND PROCEDURES TO MUNICIPALITIES FOR PROJECT DEVELOPMENT UNDER 1991 ISTE STP URBAN FUNDS

The procedures set forth are for projects involving improvements to local roads which utilize Federal Surface Transportation Program (STP) Urban Funds.

When a project funded under this program is located exclusively on a State highway, the Department of Transportation (DOT) will undertake the engineering work with either in-house staff or engage a consultant.

If the Project should involve both a local and intersecting State highway, the DOT will evaluate the situation and determine if it or the municipality will have the lead role in the Preliminary Engineering (P.E.) phase. This will be determined first, by which of the roads has the greatest involvement and second, by the capabilities of the particular municipality to perform the work.

I. PLANNING/PROJECT DEVELOPMENT

A. IDENTIFICATION: The Municipality will identify the proposed local improvement together with an initial project justification, scope of work and cost estimate. *(The specific information required of the Municipality with each application is contained in "Exhibit A")*. This information is to be submitted to the Regional Planning Agency (RPA).

The proposed local improvement must as a minimum, have a total project cost of \$100,000 for attributable areas and \$50,000 for non-attributable areas.

The RPA will screen all projects sponsored by the Municipalities and forward the initial project information for selected priority projects to the Field Coordinator at the DOT.

B. SCOPING & COST ESTIMATING: The field Coordinator will notify the *Project Concept Unit (PCU)* of proposed new projects. The PCU will arrange a meeting with the Municipality and RPA to conduct a field review of the proposed project. The purpose of the field review is to obtain a clear understanding of the problem and need, identify all potential impacts, access alternative solutions and arrive at a realistic project scope, cost estimate and develop a project schedule for the engineering, right-of-way and construction phases. The scoping will consider such aspects as the character of the neighborhood, the potential presence of contaminated materials, rights-of-way requirements, social, economic and historic impacts and environmental permit requirements.

C. PUBLIC INFORMATION: Following the field review and scoping, the sponsor will conduct an informal meeting to ensure the public is aware of the proposal and has an opportunity to express its view. *Exhibit "B" contains (1) The Public Involvement Guidelines and (2) The Documentation Check List which is to be completed by the Municipality and submitted to the PCU.*

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D. TIP ENDORSEMENT: The next step in the project development phase will be the RPA action in establishing regional project priorities and the RPA and State TIP endorsement process. The Municipality is to commence design activities within six months of the TIP endorsements.

NOTE: Sponsors that fail to meet their responsibilities or to complete activities in a timely fashion may lose the priority assigned to their project. The RPA will be responsible for establishing and imposing penalties on sponsors for failing to commence design activities on time.

E. RECOMMENDED PROJECT MEMORANDUM (RPM): The PCU will prepare the RPM document for circulation and Department approval. The Project Initiation *will normally* occur within one month of State and Federal TIP approvals.

F. REGIONAL MONITORING: Each RPA is to establish a technical monitoring/status review committee. It is suggested that the committee convene every other month to discuss each TIP endorsed project within the annual element and upcoming fiscal year. Each municipality with a funded project is to attend the status review meeting. Sponsors will report on their progress relative to design development, permit requirements, right-of-way and the overall project schedule. The municipalities will be held accountable for maintaining schedule commitments. Sponsors who fail to meet their responsibilities and do not complete activities in a reasonable time may jeopardize the priority of the project. The RPA will be responsible for establishing and imposing for non-performance or lack of adherence to schedules by sponsors. Upon receipt of Federal authorization of the construction phase, RPA monitoring of the project will no longer be required.

II. PROJECT DESIGN

A. ENVIRONMENTAL DOCUMENTS: The Municipality will be responsible for the preparation of an environmental document when a project does not qualify for categorical exclusion. The sponsor can assign this item of work to a project consultant. The environmental document must receive FHWA approval.

B. PERMITS: The Municipality is to submit all required permit applications six months prior to completion of the design plans. This is to allow sufficient time to receive the permits prior to advertising. Permit requirements will be initially identified during the project development phase.

C. DESIGN AND CONSTRUCTION STANDARDS: Municipalities may perform the design with in-house staff or contract with a consultant to prepare the required plans, specifications and estimates for local road projects. Sponsors will be responsible for 100% of the design costs (see Section V-Program Financing). Geometric design standards for roadways will be in accordance with *AASHTO* minimum guidelines. With proper justification, the Municipality may request an exception when elements of the design do not meet minimum *AASHTO* standards. Local geometric design standards greater than *AASHTO* minimums will be allowed. When the Department is responsible for advertising, award and inspection of a local road contract, current State Standard Specification shall be used. If the sponsor has standardized roadway specification which are formatted after *State Standard Specification*, they may be used by the Municipality with the Department's prior approval. The Manual of Uniform Traffic Control Devices

(MUTCD) is to be followed in the design of signs, signals, markings and devices placed on, over or adjacent to a street. The scope of the project may impose the use of additional industry standards, i.e. bridge standards, etc.

- D. DESIGN SUBMISSION:** The sponsor will be required to make several technical submissions to the State for review and comment; the preliminary design submission (30% stage), the semi-final submission (70% stage) and the final submission (90% stage). Each submission will have different requirements. *Exhibit "C" contains Section 300 of the Department's Consulting Engineers Manual, which details submission requirements for all State and Federal projects. In general the municipalities will be requested to follow the intent of Section 300, while specific requirements will be tailored to the needs of the specific project.* The Local Roads Section will inform the Municipality of what is required for each project. A general review, as to form and content, will be performed by the Department. Their comments will be offered to the town for consideration.
- E. PUBLIC INFORMATION/PUBLIC PROCESS:** State and Federal policy requires the sponsor to provide the public with the opportunity to comment on the proposed design. The Local Roads Section will advise the Municipality of the type of public involvement the project will require and what steps must be taken by the sponsor to fulfill the legal intent.

III. RIGHT-OF-WAY

- A. RIGHT-OF-WAY ACQUISITION:** The Municipality may be responsible for acquiring the right-of-way. The State will make this determination based on the Municipalities' ability and current Department obligations. If the local road project involves relocation of owners or tenants, the Department will administer all right-of-way activities for that project. An Informational Package prepared by the Department's Office of Right-of-Way will be presented to the Municipality. This package fully explains procedures which must be followed to satisfy all legal requirements.

The Right-of-Way process must begin early in the project schedule, i.e., preliminary design, to allow sufficient time to acquire the necessary property by the advertising date.

Close coordination with the Office of Rights-of-Way is expected.

IV. PROJECT ADVERTISEMENT AND CONSTRUCTION

- A. ADVERTISING:** In general, the State will be responsible for processing and advertising all STP Urban projects. A Municipality may perform construction advertising and inspection on a local road project subject to review and approval by the Department. The Municipality must provide a written request to the Department no later than the semi-final design submission. The Department, through the Office of Construction, will meet with the sponsor to determine its capabilities, experience and staff qualifications for advertising and inspecting the proposed project. If the request is approved, a final submission of plans, estimates and specifications will be submitted to the Department's Contract Development Section, which will ensure that the proper "boiler plate" information is contained in the PS&E package. The Municipality will be required to advertise and conduct the bidding process in such a way as to assure an opportunity for free,

open and competitive bid proposals. *Exhibit "D"* entitled "Advertising Procedures for Construction Contracts Administered by Municipalities" is to be followed. *The Department will formally authorize the Municipality to advertise for construction. The actual advertising date shall occur within 90 days of the authorization date. If the Municipality is unable to advertise with the 90 days, they are to immediately inform the Department in writing of the requested ate and reason for the extension.*

B. AWARD: All projects advertised for construction by the Department will normally be awarded within 60 days of the bid opening. The Department or its consultant will inspect these projects. The Municipality will have no official responsibility on their projects, but will be kept informed and invited to attend the preconstruction meeting.

C. CONSTRUCTION MANAGEMENT: Municipalities approved for inspection work will be required to follow established construction management and record keeping practices. On a monthly basis, State personnel from District Construction will visit the project to review the operation, construction practices and job records.

Municipalities that wish to hire a consultant to perform the inspection services will be required to follow *Exhibit "E"* the procedures for Consultant Selection, Negotiation and Contract Monitoring for Town administered projects. The procedures developed by the State and Federal Highway Administration are to ensure that the selection is made based on qualifications through an equitable selection process. Municipalities that have a written process (which follows the general intent of Federal Guidelines 23 CFR Part 172) may request a substitution. The official local process must have local Council approval. The Department will review such written requests. Municipalities found to have an acceptable program will be placed on a pre-approved list and will be required to resubmit an annual verification. The State must be informed immediately of any changes made to a previously approved local process.

NOTE: If a Municipality hires a consultant during the P.E. phase for design services and as a part of their scope of services or Agreement with the consultant indicates inspection work as part of their future assignment, the municipality will be required to follow the aforementioned selection procedures for P.E. This is required to satisfy Federal authorization of funds for construction.

D. PROJECT ACCEPTANCE AND CLOSEOUT: All projects will require a semi-final and final inspection prior to acceptance of the project by the State. Post-construction audits will also be required in accordance with the State/Municipal Construction Agreement to ensure that final expenditures both participating and non-participating are properly documented.

V. PROGRAM FINANCING:

A. The Municipality will be responsible for funding 100% of the P.E. phase without Federal or State reimbursement. The P.E. phase is construed to include all engineering and environmental activities prior to the construction phase and exclusive of Right-of-Way activities.

The Right-of-Way phase will be shared at an 80% Federal, 10% State and 10% local funding ratio.

The Construction phase will be shared at an 80% Federal and 20% State funding ratio. Construction of the project would not utilize local funds, unless the contract included certain non-participating items of work requested by the Municipality. It should be noted that for any of the three phases identified above, Federal-aid reimbursement can only be approved for those activities which occur *after* FHWA authorization is given.

B. PROJECTS LOCATED ON A STATE FACILITY: The P.E. phase will be performed by the Department. Federal and State funds will be utilized at an 80/20% ratio.

The Right-of-Way phase will be shared at an 80% Federal and 20% State funding ratio.

The Construction phase will be shared at an 80% Federal and 20% State funding ratio. Again, project construction would not utilize local funds unless there were non-participating items of work included in the contract by the municipality.