

KYTC's Critical Path for Federally Funded Projects

OKI ICC Meeting

November 12, 2019



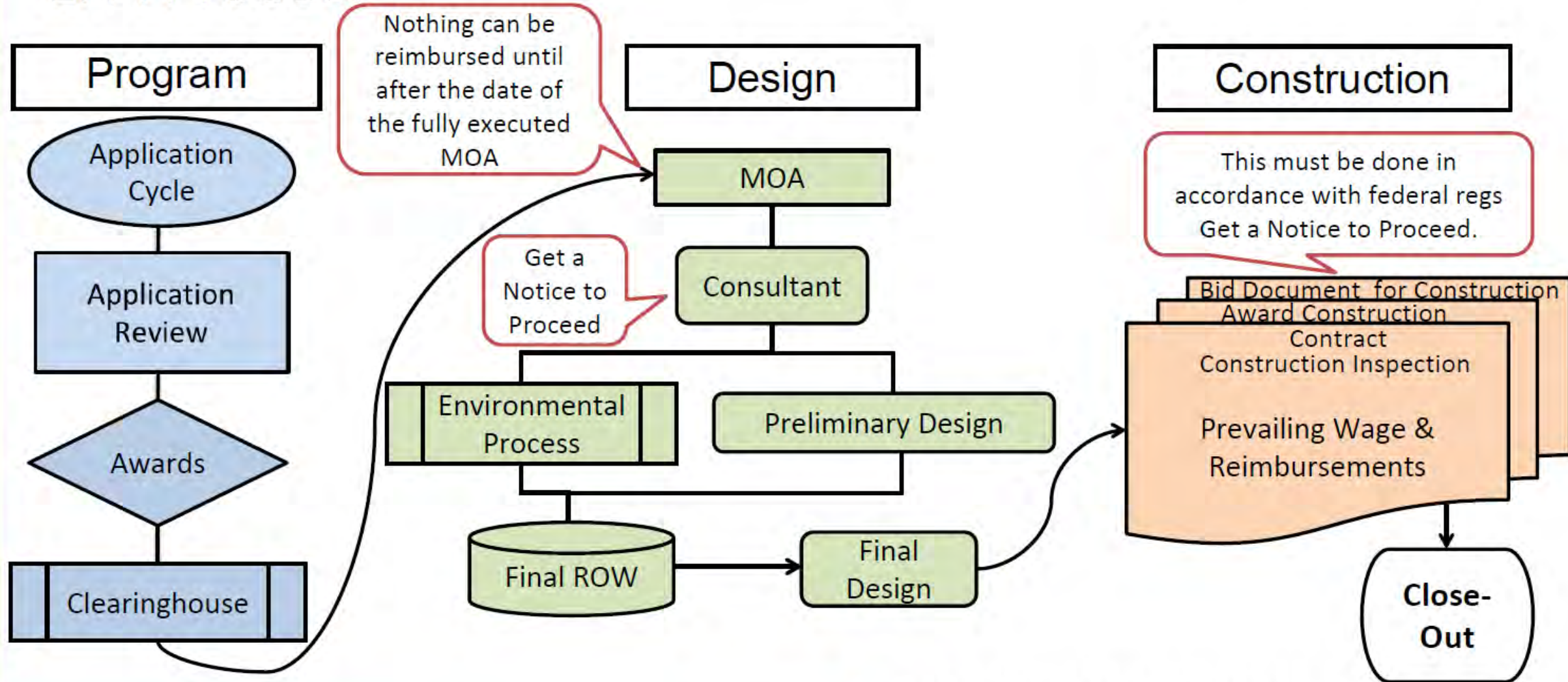
Federal Funding Opportunities

- Surface Transportation Funds (SNK)
- Transportation Alternatives (TA)
- Congestion Mitigation & Air Quality (CMAQ)

- These programs are not grants, they are reimbursement programs
 - 80% Federal Funds
 - 20% Local Match



LPA Process



Funding Authorization and Memorandum of Agreement

- Once a project is awarded, it is then entered into the OKI TIP
- The LPA Coordinator is able to request funds when the project's phase's Fiscal Year is reached
- An MOA is written and signed by both the LPA and KYTC
- An MOA is required for every funded phase (Design, Right-Of-Way, Utilities, and Construction)
- Nothing can be reimbursed until after the date of the fully executed MOA



Project Development Checklist

Kentucky Transportation Cabinet (KYTC) / Federal Highway Administration (FHWA)
Local Public Agency Project Development Checklist (LPA-PDC)
Revised April 3, 2019

Project Information

KYTC Item No.:		
Federal Project No.:	<input type="checkbox"/> Project of Division Interest (PODI)	<input type="checkbox"/> Project of Corporate Interest (POCI)
Local Public Agency:	Person in Responsible Charge:	
KYTC Administering Office:	<input type="checkbox"/> District-Administered	<input type="checkbox"/> OLP-Administered
County:	KYTC Project Manager:	
Route:		
Description:		
KYTC/LPA Project Agreement No.:		
Planned Advertisement for Bids Date:		
Planned Letting Date:		

Introduction

The Local Public Agency Project Development Checklist LPA-PDC must be completed by the LPA (assistance from project consultants is acceptable), signed by an authorized agent of the LPA (should be the 'person in responsible charge' of the project), and submitted to the appropriate KYTC Administering Office with the complete Plans, Specifications, and Estimate (PS&E) package for review and concurrence prior to advertisement for construction bids. The completed LPA-PDC will indicate the design and contract documents for this project have been prepared in accordance with the current version of KYTC LPA Guide and the KYTC/LPA Project Agreement (which requires compliance with all applicable state and federal laws, and regulations. Concurrence with the PS&E package and LPA-PDC Section I by the KYTC and authorization of Federal funds is required prior to advertisement for construction bids. The LPA must not advertise for construction before written notice to proceed from KYTC. Concurrence with LPA-PDC Section II by the KYTC is required prior to award of the project. The LPA must not award the project to a contractor without written notice to proceed from KYTC.

The LPA-PDC is composed of a series of yes/no questions in categories including Planning, Environmental, Right-of-Way & Utilities, Plans & Specifications, Proposal, and Estimate. Answer all questions by checking 'Yes', 'No', or 'N/A' and provide support information. If additional documentation or comments are needed to adequately address a question, please add notes in the 'Comments' column and provide attachments as necessary.

Please review the current version of the KYTC/FHWA Stewardship Plan (<https://www.fhwa.dot.gov/federalaid/stewardship/agreements/ky.pdf>) for authority, role, and responsibility delegations of program and project activities in implementing the Federal-aid Highway Program.

The LPA-PDC is not an all-inclusive list as it does not address all Federal-aid requirements and regulations. However, the LPA-PDC does account for several major Federal-aid requirements and provides references to source documents for further review.



Environmental Document

- All federally funded projects require an Environmental Document that demonstrates that the project adhered to the National Environmental Policy Act (NEPA)
- All environmental commitments must be kept and applicable permits must be obtained
- The Right-Of-Way, Utility, and Construction phases cannot start until project has received Environmental Clearance
- An Environmental Reevaluation is required by FHWA for any phases started after 2 months of the initial approval document
- The Environmental Coordinator for District 6 is Sharon James. She can be contacted at 859-426-6935 or by email at Sharon.James@ky.gov with questions or for more information.



A project may require an Environmental Consultant when...

- Project is in a National Register District or a historic neighborhood.
- There are stone walls or older homes (> 50 years) in project area.
- Project has an adjacent gas station or any indications of a previous gas station or other potential UST or hazmat sites.
- Project is in a low-income neighborhood.
- Project may impact a cemetery.
- Project has potential to impact streams and/or wetlands.
- Project will add capacity (i.e. additional travel lanes).
- Project has potential to go off current alignment.
- There is a park or other recreational area potentially impacted.
- **Feel free to contact the District with questions!**



Right-Of-Way

- If funded in the OKI TIP, the Right-Of-Way phase requires funding authorization and an MOA
- An Official Order is required for all LPA projects with a Right-Of-Way phase (regardless if it is funded in the OKI TIP)
- A Pre-Qualified Right-Of-Way Consultant is required to perform appraisals, acquisitions, and relocations
- Payment Packets are the final submittal to KYTC that demonstrates that the project adhered to the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (“Uniform Act”)
- Right-Of-Way Certification issued to the LPA once the Payment Packets have been reviewed



District Review

- The District is responsible for reviewing plans as well as the following documents:
 - Traffic Management Plan
 - Utility Impact Note
 - Construction Inspection Plan
- Projects are required to be ADA compliant
- Encroachment Permits for LPA projects in District 6 should be submitted to the LPA Coordinator



Bid Proposal & Construction Documents

- Federal Requirements
 - 21 Day Advertisement
 - Prevailing Wage
 - Daily Inspection Reports
 - Disadvantaged Business Enterprise (DBE)
- Contractors CANNOT charge Retainage, it is covered by Mobilization and Demobilization
- KYTC has a bid proposal template that incorporates all necessary documents available on the LPA Guide Website



Reimbursement

- Reimbursement requests require the following:
 - KYTC's Standard Reimbursement Form
 - Applicable Invoices
 - Applicable Checks
- Projects that go 6 months without a reimbursement request risk going on the FHWA Inactive List
- Monthly reimbursement submittals are encouraged!



Questions?

LPA Guide:

<https://transportation.ky.gov/Program-Management/Pages/LPAGuide.aspx>

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