

CHAPTER 12

Federal/State Procedures

PURPOSE

This chapter identifies the steps to be followed for Federal fund programming, and for gaining the authorizations required for federally funded work.

DEFINITIONS / ABBREVIATIONS

DLAE	District Local Assistance Engineer
FHWA	Federal Highway Administration
FONSI	Finding of No Significant Impact
GFM	Grant Funding Manager
LAPG	Local Assistance Program Guidelines
LAPM	Local Assistance Procedures Manual
MTIP	Metropolitan Transportation Improvement Program
NEPA	National Environmental Policy Act
NHS	National Highway System
PE	Preliminary Engineering
PES	Preliminary Environment Study
PS&E	Plans, Specifications & Estimates

SE	Senior Engineer
SACOG	Sacramento Area Council of Governments
STIP	State Transportation Improvement Program

For additional abbreviations, please see the Abbreviations section at the end of this Manual.

POLICY

All projects receiving Federal funding are to be developed and administered per the requirements of the LAPM and this chapter. No deviations are to be made from Federal and State requirements.

Projects receiving special Federal or State funding such as Community Design funds administered by SACOG are to follow the procedures outlined by the GFM and this Section.

No project work is to be started for any phase until an Authorization to Proceed with that particular phase of work has been issued by Caltrans/FHWA.

All projects are to be delivered per the programmed schedule to ensure compliance with the FHWA and CTC's timely use of funds policy and air quality conformance requirements.

AUTHORITY

The Engineering Services Manager has delegated authority to the GFM to make all submissions in accordance with the LAPM to

Caltrans. The GFM is the key point of contact and has the authority to conduct all communications on the administrative and process requirements of projects with FHWA, SACOG, the CTC, and Caltrans.

Authority to submit grant fund applications rests with the City Council.

Authority to approve Program Supplements rests with the City Council.

Authority to sign the PS&E Certification rests with the PM.

Authority to sign Right-of-Way Certification rests with the Engineering Services Manager.

RESPONSIBILITIES

Project Manager

- Maintains a thorough understanding of the provisions of Caltrans LAPM and develops and processes all phases of a project in compliance with all State, Federal and local regulations and requirements.
- Establishes a Critical Path Method (CPM) Schedule showing all Request for Authorization(s) and approval timelines for federal-aid projects.
- Prepares the Request for Authorization to Proceed packages for Preliminary Engineering and Environmental, Right-of-Way/Utility Relocation, Construction, and Award; and, the federal closeout package for the GFM to submit to Caltrans/FHWA for approval.

Senior Engineer

- Reviews all submittals prepared by the Project Manager for accuracy and quality and forwards to the GFM for processing.

Grant Fund Manager

- Prepares Council Reports for approval of Program Supplements, fund

appropriations, and for programming of funds with SACOG.

- Develops strategy in consultation with the F&PD Manager on the application and management of State and Federal funds, and develops recommendations for the Engineering Services Manager's and Council approval.
- Communicates, clarifies and negotiates all aspects of the programming, administration, and processing of federally funded projects with SACOG, Caltrans, FHWA, and the CTC.
- Reviews and approves Request for Authorization and Closeout packages prior to submission to Caltrans/FHWA.

PROCESSING A FEDERAL AID PROJECTS

Programming

Programming of projects is obtained through listing in the MTIP approved by the SACOG Board of Directors and the FHWA. For most of the simple non-capacity enhancing projects, SACOG can program the projects in the MTIP as a lump sum amount rather than project by project. Most of the City's projects are programmed as individual projects to ensure appropriate tracking of the projects.

Changes to funding or to the delivery timeframe of a project can be amended into the MTIP depending on whether it is capacity enhancing and whether the amendment will trigger an air quality conformity analysis. If the project does not trigger an air quality conformity analysis, an amendment may take anywhere from three-weeks to six-months to complete.

Request for Authorization to Proceed with PE

Prior to beginning any work on a project funded with State or Federal funds, the City must receive an Authorization to Proceed from Caltrans. Once programmed, the first authorization to begin reimbursable work on a project is the Authorization to Proceed with Preliminary Engineering and Environmental

work. For a project with any level of State or Federal funding, no work can begin, whether funded with local dollars or not, until the Authorization to Proceed with PE has been issued by FHWA. Failure to obtain the required authorization may result in the loss of Federal funds on the project and possible restrictions on future Federal funding.

The PM is responsible for completing and submitting the Request for Authorization to Proceed with PE package to the GFM. The package is to include:

- Request for Authorization to Proceed with PE: LAPM Exhibit 3-A
- Project Prefix Checklist: LAPM Exhibit 3-L
- Finance Letter: LAPM Exhibit 3-O (work with GFM)
- Request for Authorization – Data Sheets: LAPM Exhibit 3-E (Caltrans is not requiring this form at this time.)
- Copy of MTIP sheet listing the project
- Field Review Form: LAPM Exhibit 7-B
- Local Agency Agreement Checklist: LAPM Exhibit 4-A

The GFM is to review and submit the Authorization package to Caltrans. The GFM will notify the PM when the City receives Authorization to start work (the E-76). The approval process may take from 30 to 90 days.

If a consultant is to be used to perform any part of preliminary engineering, the PM should reference Chapter 10 of the LAPM for information concerning consultant selection and pre-award audits.

Preliminary Engineering consists of all work required to define the project for environmental analysis as well as final design. While final design is funded with the Authorization to Proceed with PE, final design may not be started prior to Federal approval of the NEPA document. Typically, final design is defined as any design work which goes beyond the level of

work necessary to define the project for purposes of the environmental analysis.

Field Review and PES Form

A field review is required on all federally funded projects with the exception of street resurfacing projects. The field review provides an opportunity for the City and Caltrans Local Assistance staff to discuss the critical elements of the project and coordinate the involvement of Caltrans District and Headquarters staffs as well as that of Federal regulatory agencies.

At the request of the City, the DLAE may participate and assist in the coordination of the Field Review. The following documents are to be completed and sent to the DLAE after the Field Review takes place:

- Field Review Form: LAPM Exhibit 7-B
- Roadway Data: LAPM Exhibit 7-C
- Field Review Attendance Roster: LAPM Exhibit 7-G
- PES Form: LAPM Exhibit 6-A

See Chapter 7 of the LAPM for other forms which may also be required.

The PES form is an environmental screening checklist to determine the level of analysis and the appropriate environmental clearance required for a project. Depending on the nature of the project, completion of the PES form may require the completion of Technical Studies to assess the likelihood of environmental impacts. If the technical studies indicate that there are significant impacts associated with the project, consultation is required with FHWA to determine the scope of the environmental analysis.

FHWA and/or Caltrans will review and sign the PES form and return a copy to the local agency.

Execution of Program Supplemental Agreement

A Program Supplemental Agreement is an amendment to the Master Agreement between

Caltrans and the City of Sacramento on the terms of Federal reimbursement for federal aid projects. The Program Supplemental Agreement provides specific conditions applicable to individual projects and is prepared by Caltrans staff at the time of the City's request for an Authorization to Proceed with a particular phase.

Once prepared by Caltrans, the Program Supplemental Agreement is sent to the City for execution. The GFM will get the Agreement executed and return it to the Division of Local Assistance, Office of Project Implementation in Sacramento along with the City Council's resolution authorizing the City Manager to sign the agreement. Progress invoices for PE may be submitted anytime after the execution of this agreement.

NEPA Clearance

Prior to beginning final design, FHWA must issue one of the following findings:

- Programmatic Categorical Exclusion or Categorical Exclusion Determination Form: LAPM Exhibit 6-J
- Finding of No Significant Impact (FONSI)
- EIS and Record of Decision

Request for Authorization to Proceed with Right of Way and/or Utility Relocation

After the environmental document has been approved by Caltrans and/or FHWA, the City may request Authorization to Proceed with Right of Way and/or Utility Relocation from Caltrans. The PM is responsible for completing the package and submitting it to the GFM.

Note: Preliminary acquisition activities including title search and preliminary property map preparation necessary for the completion of the NEPA document can be advanced under preliminary engineering prior to NEPA compliance. Contact with property owners must be deferred until NEPA approval and the

City receives Authorization to Proceed with Right of Way (E-76) from Caltrans. Federal funds are at risk if this requirement is violated.

The package is to include:

- Request for Authorization to Proceed with Right of Way: LAPM Exhibit 3-B
- Request for Authorization to Proceed with Utility Relocation: LAPM Exhibit 3-C (if utility relocation is needed)

and:

- Copy of MTIP
- Local Federal-Aid Project Finance Letter: LAPM Exhibit O
- Request for Authorization to Proceed with Data Sheets: LAPM Exhibit E
- Field Review Form: LAPM Exhibit 7-B (if not previously submitted)
- Local Assistance Project Prefixes: LAPM Exhibit 3-L (if not previously submitted)
- Request for Authorization – data sheets: Exhibit E (Caltrans is not requiring this form at this time.)

The GFM is to review and submit the Authorization package to Caltrans. The GFM will notify the PM when the City receives Authorization to start work (the E-76). The approval process may take from 30 to 90 days.

Request for Authorization to Proceed with Construction

Prior to advertising the project, the City must receive an Authorization to Proceed with Construction. The PM is responsible for completing and submitting a Request for Authorization to Proceed with Construction package to the GFM. The package is to include:

- Project Prefix Checklist: LAPM Exhibit 3-L (if not submitted previously.)

- Finance Letter: LAPM Exhibit 3-O
- Request for Authorization – data sheets: LAPM Exhibit 3-E (Caltrans is not requiring this form at this time)
- Completed PS&E Package
- PS&E Certification: LAPM Exhibit 12-C
- PS&E Checklist: LAPM Exhibit 12-D
- Local Agency Agreement Checklist: LAPM Exhibit 4-A (If not previously submitted.)
- Request for Authorization to Proceed with Construction: LAPM Exhibit 3-D
- Copy of MTIP sheet showing the project.
- No Right of Way Certification Local Assistance Project (off State Highway System), LAPM Exhibit 13-A or Right of Way Certification Local Assistance Project (off State Highway System), LAPM Exhibit 13-B.

The GFM is to review and submit the Authorization package to Caltrans. The GFM is to notify the PM when the City receives Authorization to start work (the E-76). The approval process may take from 30 to 90 days.

Submission of Award Information

Immediately following the project award, the PM is to complete the following documents and submit them to the GFM. The GFM will review the documents and submit them to the DLAE. Progress invoices for the construction phase will be rejected if this step is not completed.

- Local Agency Contract Award Checklist: LAPM Exhibit 15-L with attachments
- Detail Estimate: LAPM Exhibit 15-M (the Detail Estimate must be broken down into participating and Non-Participating items.)
- Finance Letter: LAPM Exhibit 15-N
- Resident Engineer’s Construction Contract Administration Checklist: LAPM Exhibit 15-B

- Local Agency Bidder-DBE-Information: LAPM Exhibit 15-G
- Local Agency Project Advertising Checklist: LAPM Exhibit 15-C

Invoicing for Reimbursement

The PM is responsible for notifying the F&PD Senior Account Auditor and GFM of any non-participating items in the project to ensure that the City only invoices FHWA for eligible work. The Senior Account Auditor is responsible for preparing progress invoices no less than semi-annually. The GFM is responsible for reviewing and approving the invoices. Invoices are to be prepared in the format shown in LAPM Exhibit 5-A. All invoices are to be submitted to:

Department of Transportation
 Division of Accounting
 Local Program Accounting Branch
 Mail Stop 33
 P.O. Box 942874
 Sacramento, CA 94274-0001

A second copy of the award package is to be submitted with the first progress invoice for the Construction Phase.

Final Invoice (Report of Expenditures)

Within 150 days of filing the Notice of Completion, the PM is to submit the Report of Expenditures (Closeout Package) to the GFM. The PM is responsible for coordinating with the Senior Account Auditor prior to submitting the package to the GFM to ensure that all project costs are correctly segregated by phase and by participating and non-participating costs. The Final Detail Estimate (LAPM Exhibit 15-M) and the Final Invoice are to match exactly.

The GFM is to review and approve the Closeout Package and submit to the DLAE. The following documents are to be completed:

- Cover Letter: LAPM Exhibit 17-A
- Report of Expenditures Checklist: LAPM Exhibit 17-A

- Local Agency Final Inspection Form:
LAPM Exhibit 17-C
- Final Invoice: LAPM Exhibit 17-D
- Change Order Summary:
LAPM Exhibit 17-E
- Final Report – Utilization of DBE:
LAPM Exhibit 17-F
- Materials Certificate:
LAPM Exhibit 17-G
- DBE Certification Status Change:
LAPM Exhibit 17-O (if needed)
- Final Detail Estimate:
LAPM Exhibit 15-M

Note: Additional documents for structures, Right of Way, and force account work may be needed depending upon the project type. (See LAPM Chapter 17.)