MDOT Local Agency Programs Update Webinar

July 22, 2020

Ryan Doyle, P.E.
MDOT LAP Safety & Urban Manager

Kelly Crannell, P.E.
MDOT Local Agency Construction Engineer

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Life on the Development Side - Topics

❖ Current Events at MDOT
  ❖ Website/Project Planning Guide
  ❖ Personnel Changes
  ❖ Covid19 Impact
  ❖ Funding Status
  ❖ NEPA/SHPO Updates

❖ On the Horizon
  ❖ Mutual Benefit ROW Changes
  ❖ Conflict of Interest Changes

❖ Bridge & Safety Program Updates

❖ Random Reminders/Suggestions

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# LAP FY 21 Planning Guide

## Local Agency Programs (LAP) FY 2021 Project Planning Guide

<table>
<thead>
<tr>
<th>FOR BRIDGE PROJECTS, SUBMIT TYPE, SIZE, AND LOCATION (TS&amp;L) DOCUMENTS TO LAP</th>
<th>SUBMIT PROGRAM APPLICATION AND NEPA DOCUMENTATION (MDOT FORM 3223) TO LAP</th>
<th>SUBMIT ACCEPTABLE GRADE INSPECTION PACKAGE TO LAP</th>
<th>APPROXIMATE GRADE INSPECTION MEETING DATE</th>
<th>SUBMIT FINAL ROW CERTIFICATION (ATTACHMENT B) TO LAP</th>
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### Local Agency Program (LAP) Project Planning Guide

The goal of this document is to discuss the project development process for local agency projects let by MDOT. The suggested time frames below can vary due to the differences in complexity of projects; however, the following project life cycle is recommended to meet the desired letting date. The schedule does not consider when the federal fund obligational authority may expire during a given fiscal year, which creates the potential for delays and potentially the loss of a project.

Note: This schedule does not apply to special funding programs such as the Emergency Response (ER) program, or to innovative delivery methods such as design-build and fixed-price-variable-scope (FPVS). For potential non-design-bid-build projects, please contact the MDOT LAP Supervisor or the MDOT Innovative Contracting Unit Supervisor.

22+ Weeks Before Desired Letting Date – Local Agency Begins Project Design

- Complete and submit National Environmental Policy Act (NEPA) Requirements Form #5323, available at [https://mdotboss.state.mi.us/webapps/FormDetail.htm?FormNumber=5323](https://mdotboss.state.mi.us/webapps/FormDetail.htm?FormNumber=5323). For projects that may require an Environmental Assessment (EA), submit the EA document to LAP at least one year before making the Grade Inspection (GI) submittal.
  - Form #5323 is required for all projects.
  - The timeframe for submittal will be dependent on the complexity of the project and is currently recommended at 2 to 6 months prior to the GI submittal. The additional time is needed so that MDOT can review and approve the NEPA classification for the project.
  - Submit the completed form #5323 to the appropriate LAP Project Development Engineer (PDE) listed on the form. The PDE will create a Projectwise (PWZ) folder for the project upon receipt. If additional permissions for folder access are needed, please request these permissions in your submittal.
- Complete Public Stakeholder Involvement - at a minimum, as required by NEPA and project type
- Complete Utility Notification and Coordination
- Begin Property Acquisition (if needed)
- Prepare an application for a Section 106 review and submit the application to the Michigan State Historic Preservation Office (SHPO). Reminder: The application must be completed by an individual/firm that meets the SHPO’s qualifications.
- Also contact representatives of the 12 recognized Tribal Governments if required, request their input in the project, and maintain records of the correspondence. Because each tribal government is a recognized sovereignty, contacts must be between governmental units. Therefore, the Act 51 Local Agency, which is a governmental unit, must make the tribal contact, and the local agency’s consultant or any other designated person or group, shall not make the contact.
- Complete soil investigation and geotechnical study (required for structures including bridges, boardwalks, and retaining walls; proposed signal poles; and watermain and sewer projects)
- Prepare and submit applications for necessary permits, and coordinate with other agencies and departments (U.S. Army Corps of Engineers, MDOT, other local agencies, etc.)

Please Note:
See the attached guidance use document, “Local Agency Program (LAP) Project Planning Guide”

All bridge projects (bridge replacement and major rehabilitation regardless of funding) require a TS&L submittal. For projects which may require an Environmental Assessment (EA), submit the EA document to LAP at least one year prior to submitting the Program Application.

For projects which FHWA has identified as Projects of Divisional Interest (PODI), submit Plans, Proposal, and Estimate to LAP at least two weeks prior to the dates shown in this guide.
LISTSERV Registration

Bottom left area of the website

Sign up for email from MDOT!
Personnel Transitions

LAP NEPA Coordinator
• Lane Masoud starts July 27th!

LAP Real Estate Coordinator - Vacant
• Work with Sharon Simon

Mark Harrison Retirement – July 31, 2020
Doing Business in 2020

- All of the MDOT LAP Unit is now Telecommuting
- Temporary Layoff Days: 1 day/week
  - Currently ends July 31.
- All meetings are now virtual
  - MDOT uses Microsoft Teams
- No Overtime/Restricted Travel & Expenses
  - Increase in Consultant Work
- Future is Unknown

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Funding Update

- No Obligational Authority (OA) remains for FY20 Non-RTF Projects
- Some FY20 RTF OA may still be available
- Submitted projects are put in line for any funding that becomes available (i.e., August Redistribution)

The Local Non-Rural Task Force Obligational Authority (Non-RTF OA) available for Fiscal Year 2020 MDOT Local Agency Program (LAP) projects has nearly been expended. LAP does not anticipate an ‘OA loan’ from the Michigan Department of Transportation (MDOT) trunkline program this fiscal year due to budget concerns.

At this time RTF OA remains available.

Previous fiscal years have resulted a considerable amount of additional OA for the local program when August Redistribution was received. A list of projects is still being generated in the event August Redistribution is received.

What This Means for FY 2020 Projects NOT yet Funded

Projects are submitted for obligation in the order they are received, provided each project is a complete biddable package. To be considered complete, the local agency project’s final package must include final plans, approved NEPA documents, all permits, right of way certifications, and final engineer’s estimate.

As projects already obligated go through the letting process, OA may become available. Projects waiting in line will be advanced when OA becomes available. This includes any August Redistribution Michigan may receive.

We understand that construction schedules are critical – an agency may want to work with their planning entity to determine if a project can utilize Advance Construct (AC) methods or another option.
NEPA - SHPO Update

State Historic Preservation Office

Changes went into effect July 1 for the Section 106 Review application process in Michigan.

The Michigan State Historic Preservation Office (SHPO), in an effort to better follow the federal regulations laid out in 36 CFR Part 800.11, will be making changes to the procedures for initiating Section 106 consultation in Michigan in 2020.

Effective July 1, 2020 is the requirement that the identification of all historic properties, both archaeological and architectural, must be completed by individuals meeting the applicable federal qualifications. Effective January 1, 2021, a series of revised mandatory application forms will be required for Section 106 consultation in Michigan. These forms will be made available below in advance so applicants can begin to use them and become familiar with their requirements. Consultation requests which do not meet the new requirements by the specified effective dates will be returned to the applicant, unreadied, for resubmittal.

The guidance and documents below describe the changes in more detail. The Michigan SHPO will roll out educational initiatives to assist applicants with these changes in the second half of 2020.

Section 106 Guidance and Documents
- Announcement: 2020 Changes to Section 106 Application in Michigan
- Section 106 Changes FAQ
- New Section 106 Application forms, which will be required for all submissions starting January 1, 2021, will be linked here soon

Resources
- Archaeology and Historic Preservation Professional Qualification Standards (36CFR Part 61)
- Consultants List for Archaeology, History, and Architectural History

https://www.miplace.org/historic-preservation/

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On the Horizon...

- Process used to acquire Right-of-Way
  - Typically temporary grading easements

- Deemed Non-Compliant with Uniform Rel. Act
  - MDOT and local agencies must cease use

- Waiver Valuation (under $10,000) or Appraisal Required
  - Property Owner may donate after reviewing
  - Cannot gap out work

- Additional Time will be needed
  - Property Owners can take 30 days to review

...Effective Oct. 1, 2020 (GI submittals)

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Conflict of Interest Guidelines/Form
... effective October 1, 2020 (GI Submittals)

- Required when using FAHP funds for consultant services
  - Conflict of Interest Self-Certification Form (MDOT #2660)

- Guidelines Updated! No More Matrix!
  - 4 Prohibited Scenarios
  - Utilizing consultants in multiple phases addressed

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Safety Program Update

- FY22 Call for Projects is Complete
  - The list of submitted projects is posted – please verify!
  - 7 Systemic, 25 HRRR, 74 HSIP applications submitted
  - Goal = Late October Awards
    - Covid19 Issues may delay
Bridge Program

- Bridge Bundling Update
  - Pilot - 19 Local Bridge Projects Selected
  - Funding – 2019 Highway Infrastructure Program (HIP) funds - $23 million
  - Scheduled from letting in fall/winter 2020
  - Construction spring 2021

- FY 23 Call for Projects
  - June 1st Deadline – Extended due to COVID 19
  - 421 Applications received - $305 million
    - Check website to verify applications were received!
  - Approx. $48 million of funding – 15% approval
  - Selection Meetings – End of September and October

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Bridge Program

- Funding impacts due to COVID-19
  - Additional FY 2020 Highway Infrastructure Program (HIP) funding offsetting lost revenue from pandemic, for now
  - Approximately the same funding as last year.
  - Funding for future years are only estimates and a subject to change

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2020 MDOT Standard Specifications for Construction

- Implementation - August 2021 Letting
- Electronic Version Release – July 2020
- Hard Copy Release – Year End 2020
July 2020 – Construction Manual Updates

The tables below list all Major and Minor changes to the MDOT Construction Manual in the past several months. This quarterly update contains numerous major changes and program updates that affect many construction processes.

All changes for the past 12 months can be found in the table of Recent Major Changes and the table of Recent Minor Changes or can also be found in the Construction Manual on the Main Page.
MDOT Construction Manual – recent changes to note

- Project Closeout Process/File Review
  - time frames/escalation of accountability
  - selection of review items

- Expanding Certified Engineer Program
  - Expanded to include Consultants

- Local Agency Program Section – located in Division 1/supplemental
  - Definitions – Responsible Charge
  - ‘LAP Project Consideration’ index

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Responsible Charge – defined per Title 23 Code of Federal Regulations

Local Public Agency Responsible Charge (LRC):
The LRC must be a full-time employee of the local agency however they do not have to be an engineer, and do not have to be dedicated full time to the project. They are the official local agency contact and are responsible to represent the local agency interests during the project.

MDOT LAP Responsible Charge (MRC):
The MRC is the MDOT licensed professional engineer in responsible charge to oversee the LAP project. The MRC may designate other MDOT staff or a consultant to carry out the oversight duties of the MRC, however by doing so, the MRC is not relieved of being the responsible charge as required by the CFR. The MRC may only delegate project signatory responsibilities to MDOT staff of an equivalent level or higher.

Designated Representative (DR):
The DR is the designee of the MRC for the purposes of project oversight of local agency projects. The DR is responsible for conferring with the MRC regarding project progress and/or challenges relating to construction engineering, contract administration, and/or program compliance, so the MRC maintains overall project oversight as required by the CFR.

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LAP Construction Web Site – www.michigan.gov/mdotlocalconstruction

MDOT’s Local Agency Program (LAP) vision is to assist local agencies with preserving state and federal aid in a fair and consistent manner and to serve as an information resource. For Title 23 of the Code of Federal Regulations (CFR) part 635.105(a), MDOT is responsible for all federal aid highway projects developed and delivered in Michigan. To achieve this, MDOT assigns LAP Designated Representatives from the Transportation Service Centers to every LAP project. MDOT’s Local Agency Construction Engineer provides program guidance, promotes statewide alignment, and develops training for designated representatives and local agencies to achieve compliance requirements and preserve aid.

Survey Results: MDOT Construction Oversight Consistency & Alignment

Contact Us:
Kelly Chalmers, P.E.
Local Agency Construction Engineer
517-250-9500

We love where you live.
MDOT LAP Designated Representative Contacts

Bay – (Counties: Arenac, Bay, Clare, Genesee, Gladwin, Gratiot, Huron, Isabella, Lapeer, Midland, Saginaw, Sanilac, Shiawassee, St. Clair, Tuscola)

Grand – (Counties: Allegan, Barry, Ionia, Kent, Lake, Mason, Mecosta, Montcalm, Muskegon, Newaygo, Oceana, Osceola, and Otsego)

Metro – (Counties: Macomb, Oakland, Wayne County and City of Detroit)

North – (Counties: Manistee, Muskegon, Missaukee, Roscommon, Ogemaw, Iosco, Benzie, Grand Traverse, Kalkaska, Crawford, Oscoda, Alcona, Leelanau, Antrim, Otsego, Montmorency, Alpena, Charlevoix, Emmet, Cheboygan, and Presque Isle)

Superior – (Counties: Alger, Schoolcraft, Luce, Chippewa, Mackinaw, Delta, Menominee, Dickinson, Iron, Gogebic, Ontonagon, Houghton, Keweenaw, Baraga, and Marquette)

Southwest – (Counties: Berrien, Branch, Calhoun, Cass, Kalamazoo, St. Joseph, and Van Buren)

University – (Counties: Clinton, Eaton, Hillsdale, Ingham, Jackson, Lenawee, Livingston, Monroe, and Washtenaw)

MDOT Region / Transportation Service Center Offices

MDOT Regional Service Area Map

ProjectWise Contacts:

MDOT-ProjectWise-LocalAgency@Michigan.gov
Mike McKenney, 517-335-2997
Stu Laakso, 517-373-0541

Co-sign Information:

MDOT-eSign@Michigan.gov
www.Michigan.gov/MDOT-eSign

Documents
Select One

Cost Estimates
Select One

Resources
Select One

Webinars/Training
Select One

We love where you live.
‘Webinars/Training’ drop-down

Documents

Cost Estimates

Resources

Webinars/Training

Select One

Technical Training Schedule
Fabrication Inspection for the Local Agency Program - 2020
Construction Inspection: Federal Aid 101 for LAP Projects - 2020
Construction Inspection: Federal Aid 101 for LAP Projects - IDR Template Example
2019-FHWA/MDOT Construction Update
FHWA Federal Aid Essentials - Videos for Local Public Agencies
Local Agency Program - Development Related Webinars
Office Tech Information for LAP Projects - Federal Aid 101 - 2020 Webinar
Office Tech Information for LAP Projects - Desktop Shortcuts for ProjectWise
Office Tech Information for LAP Projects - ProjectWise Personal Tool Bar
Office Tech Information for LAP Projects - ProjectWise Shortcuts

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MDOT transition timetable
* restarted limited pilots late 2020
* roll-out to TSC’s 2021?
* Limited LAP pilots 2021?
* trunkline conversion 2022?
* LAP conversion 2023?
COVID specific guidance

- COVID-19 Field Operations Guidance – March 25, 2020
- COVID-10 Construction Contract Administration Guidance – April 6, 2020
- Construction Training & Certification Memo – March 3, 2020
- Michigan Concrete Association Training & Certifications
  
  https://www.miconcrete.org/certification

- Material ticket handling
- MDOT-TechTraining@michigan.gov for training needs

We love where you live.
Questions?
Thank you

Ryan Doyle, P.E.
MDOT LAP Safety & Urban Manager
doyler3@michigan.gov

Kelly Crannell, P.E.
MDOT Local Agency Construction Engineer
crannellk@michigan.gov