

2021

**ODOT CERTIFICATION
PROGRAM OFFICE**

LOCAL AGENCY GUIDELINES FOR CERTIFIED LOCAL PUBLIC AGENCIES

SECTION C:

**DELIVERING FEDERAL-AID PROJECTS AS A CERTIFIED LOCAL
PUBLIC AGENCY**

Effective November 3, 2021



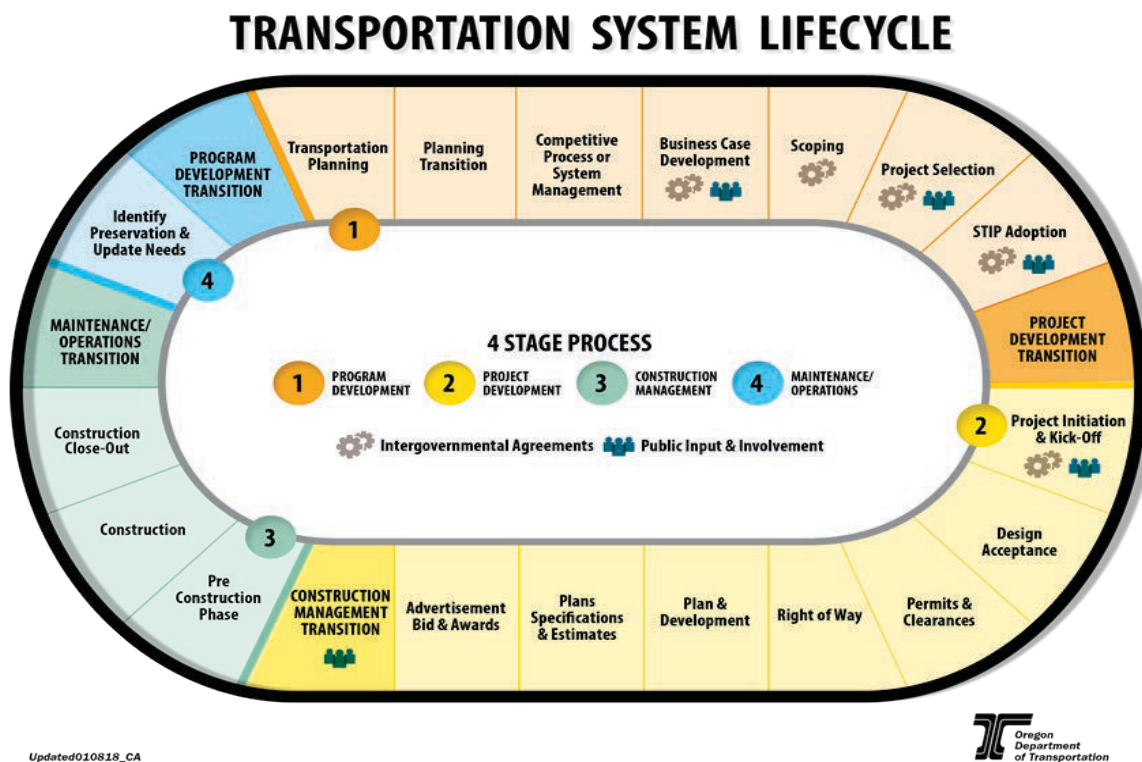
SECTION C: DELIVERING FEDERAL-AID PROJECTS AS A CERTIFIED LOCAL PUBLIC AGENCY

Chapter 1. Introduction

A. OVERVIEW

Section C of this Local Agency Guidelines (LAG) for Certified Local Public Agencies (LPAs) details information on how LPAs deliver a federal-aid project, including the roles and responsibilities of the various participants.

To provide an overview, ODOT’s project delivery lifecycle is shown below. LPAs may not complete every step shown, as some steps are specific to projects on the state system. Actual steps taken will vary depending on the complexity or type of project being delivered.



The chapters that follow focus on the primary project development phases:

- Planning and Program Development**- This is the planning phase for the proposed project. During this phase, projects may be accepted into the STIP.

- **Project Development** - In this phase, projects are cleared for environmental impacts, necessary permits are obtained, and design plans, specifications, schedules and estimates are completed.
- **Right of Way Acquisition** - There may be some overlap between the Project Development phase and the Right of Way Acquisition phase. After NEPA determinations are satisfied, right of way acquisition may start.
- **Utilities** - Coordination regarding utilities begins in the Project Development phase and continues throughout the life of the project. A separate utility federal authorization phase occurs when the utility relocation is eligible for federal reimbursement.
- **Advertisement, Bid and Award** - During this phase, PS&E is approved and FHWA authorizes federal funds. At this point, the project can be advertised for bid.
- **Construction Contract Administration** - Upon completion of the prior phases, construction commences. Project closure occurs in this phase.

B. ORGANIZATION

Section C is organized into 17 chapters with each dedicated to a specific topic in the project delivery life-cycle.

Chapter	Title
1	Introduction
2	Planning & Program Development
3	Project Technical Scope Sheet
4	Agreements
5	Progress Billings (Reimbursement Costs)
6	NEPA and Environmental Processes
7	Right of Way Procedures
8	Civil Rights – Tracking LPA Projects (DBE, EEO & OJT)
9	General Design Requirements
10	Design Approval
11	Plans, Specifications and Estimate (PS&E)
12	Consultant Selection and Contract Administration
13	Utility and Railroad Programs
14	Bridge Selection, Scoping and Design
15	Advertising, Bid and Award Procedures
16	Construction and Contract Administration
17	Project Closeout

C. ROLES AND RESPONSIBILITIES

C.1. ODOT Certification Program Office

The Certification Program Office is responsible for development and management of the Certification Program's policies, processes, and procedures. Key program areas managed by this office are:

- Program policy
- Pre-certification and post-certification processes.
- Program reporting and performance measurement.
- Foundational document approval
- LPA program and project compliance
- Certification User Group (CUG) steering committee and subcommittee participation
- Training

Certification Program staff are typically not involved at the project delivery level, but play an active role assisting LPAs and ODOT staff with project delivery issues and questions related to the program. The Certification Program Office serves as the clearinghouse for programmatic inquiries and issue resolution, is the primary conduit to FHWA for certification program matters and may also facilitate resolution of project delivery matters as needed.

C.2. ODOT Statewide Investments Management Section

The Statewide Investments Management Section is a grouping of similar programs that, by combining funding and strategic management, maximizes the value of transportation investments locally, regionally and statewide. The Statewide Investments Management Section brings together local, statewide and federal funding programs to create the Statewide Programs Unit (which houses the Certification Program Office) and Program and Funding Services Unit.

The Program and Funding Services Unit is responsible for processing all funding authorization requests and authorization increase requests for LPA projects.

C.3. ODOT Regional Staff

The staff listed below are the primary individuals that LPAs will coordinate with during project delivery. Other individuals not listed include ODOT regional Technical Center staff who provide technical guidance and project document reviews as needed and staff from the ODOT Local Bridge Program.

- **Local Agency Liaisons** are located in each ODOT region and serve as the subject matter

experts in the federal aid project delivery process. Local Agency Liaisons work with the LPAs throughout the project delivery lifecycle and function as ODOT's main point of contact for LPAs. Local Agency Liaisons may also be referred to as Transportation Project Managers (the formal job title), but are called Local Agency Liaisons throughout this manual to reflect the support and partnering role they provide for certified LPAs.

- **Region Environmental Coordinator** is the person responsible for all NEPA document reviews and processing with FHWA. This person is also the LPA's primary resource for environmental related guidance.
- **Region Right of Way Agent** becomes involved when right of way acquisition is needed for a project. This person's primary function is to coordinate and review the acquisition files for conformance with the Uniform Act and to recommend that the Region Right of Way Manager co-sign the Right of Way Certification. The Right of Way Agent is also available as a resource to LPAs to provide project guidance and assistance.
- **ODOT Office of Civil Rights assigns regional Civil Rights Field Coordinators** to monitor and assist LPAs and regional ODOT staff with carrying out the requirements of the following federal programs: Disadvantaged Business Enterprise (DBE), Equal Employment Opportunity (EEO), On-Site Workforce Affirmative Action (OSWAA), and Reimbursable Federal OJT Apprenticeship Training (OJT). LPAs with questions should contact the assigned Field Coordinator.
- **Regional Assurance Specialist** is attached to the Contract Administration Unit of ODOT's Construction Section and serves as a project auditor that provides risk-based project document (quality and quantity) reviews and closeout mentoring to assist the LPA in establishing and maintaining appropriate FHWA documentation procedures for project construction records.

C.4. Certified Local Public Agency

LPAs are responsible for utilizing federal-aid funding for specific projects in accordance with state and federal laws and program requirements. LPAs shall ensure that their staff members, consultants and contractors comply with the applicable state and federal laws, regulations and procedures in developing and constructing their projects. Refer to Section B of this LAG for Certified LPAs for additional information.

FHWA expects on-time delivery of each LPA project. Therefore, the LPA must be able to manage, schedule and adequately staff their portfolio of STIP projects to ensure that federal fund obligation deadlines are met for each programmed phase of a project.

LPAs must also assign a “person in responsible charge” for every federally funded project. This person must be a full-time employee of the LPA, but does not need to be a registered professional engineer (23 CFR 635.105).

C.5. Other Organizations

Section B(2) of this LAG for Certified LPAs discusses other organizations such as FHWA, the Oregon Transportation Commission (OTC), Metropolitan Planning Organizations (MPOs) and Transportation Management Areas (TMAs) that are involved with project selection, programming and delivery.

C.6. Approval Authorities

To better understand the relationship between FHWA, ODOT and LPAs, refer to the Approval Authority Matrix (Form #734-5191) in Section D of this LAG for Certified LPAs and review the ODOT/FHWA Stewardship and Oversight Agreement.

D. COMMUNICATION

Effective, open and honest communication is the foundation for a successful project. Listening, asking questions for clarification and obtaining feedback is critically important. When working through project development or construction issues, always try to resolve those issues at the lowest level possible with the following in mind:

- Treat all individuals with respect
- Communicate both good and bad news expeditiously
- Approach controversial issues directly and timely
- Information provided to one person should also be provided to all others involved
- Clearly document all decisions made

D.1. Communication Types

Communication is the effective exchange of meaning and understanding and includes various written, spoken, and electronic interaction between individuals. Examples include:

- Face-to-face
- Telephone
- In-person presentations
- Meetings
- Video and teleconference

- Written correspondence and submittals* (letters, bulletins, meeting minutes, plans, specifications, project checklists, etc.)
- Email and voice mail

Keep in mind that information sharing is not necessarily communication. The desired message should be supplemented by face-to-face or telephone communication as necessary.

***Note on submittals:** To conserve resources and enable electronic filing, all documents are to be submitted in electronic format unless otherwise noted or agreed to.

D.2. Communication Plan

For a project to be successful, an effective communication plan should be developed as part of the initial project setup. It should discuss the appropriate communication channels, a list of individuals to be included, the preferred method(s) to be used, how issue resolution will take place and how important matters will be escalated.

The communication plan need not be a stand-alone document, but should be included as part of an overall project management plan developed for the specific project.

ODOT has developed a Project Charter template that is one of many communication tools available. It provides a variety of information about the project such as constraints, assumptions, risks, schedule, funding, stakeholders, resourcing, and communication protocols. ODOT has also developed a *Project Management Plan* template that touches on topics such as management of scope, schedule, budget, and risk as well as issue resolution, change management and quality. LPAs should consider adapting these templates or using their own templates as part of their overall management plan.

Resources:

- [Project Charter \(734-2948A\)](#)
- [Project Management Plan \(734-2948C\)](#)

D.3. Certification Program Office Bulletins

The Certification Program Office utilizes bulletins as part of the overall communication system to provide information regarding program policies, process changes, technical information and general information. These bulletins are sent out to communicate a variety of topics to local public agencies, external stakeholders and its internal customers.

The consistent use of bulletins assures timely and comprehensive communication of decisions, policies and other guidance information specific to the Certification Program. They also serve as interim updates to the LAG for Certified LPAs. Historical bulletins can be referenced on ODOT's Local Government website.

D.4. Certification User Group (CUG)

Meetings of the Certification User Group serve as the primary forum for face-to-face interaction of LPA and ODOT staff. The CUG’s mission is to “streamline and improve the delivery of certified local public agency federal aid transportation projects for Oregon” through activities such as training, best-practice sharing, inter-agency communication, and process improvement. The CUG operates under the following principles:

- Partner for success
- Efficient delivery of projects
- Effective oversight

Resources:
- [Certification User Group](#)

Please refer to Section A of this Manual for more information or contact the Certification Program Office.

E. ISSUE RESOLUTION AND ESCALATION

A key premise of the issue resolution and escalation model is to avoid the “siloiing” of issues. Siloiing occurs when an individual or organization involved with a particular issue develops its own version or interpretation of the issue at the project level, and this version then gets “escalated” to the management level of the respective organization without any of the other participants having the opportunity to discuss the issue or present clarifying information. This creates an inequitable escalation.

An equitable issue resolution and escalation process is intended to level the playing field and ensure all issues are first dealt with at the project level, and then, if no resolution is reached, are escalated equitably upward as a team to the next level of management.

E.1. Issues Log

Issues need to be recorded when they happen. The LPA should create and maintain an issues log as a tool for reporting and communicating what’s happening with the project. This makes sure that issues are raised, investigated and resolved quickly and effectively.

An issues log allows you to do the following:

- Have a safe and reliable method for the team to raise issues
- Track and assign responsibility to specific people for each issue
- Analyze and prioritize issues more easily
- Record issue resolution for future reference and project learning
- Monitor overall project health and status

The log should contain enough information to track an issue through to resolution. Information should include items such as issue description, date of identification, priority, the person responsible for resolving the issue, target resolution date, status and final resolution.

E.2. Issues Management Framework

The LPA should supplement the issues log with a framework, or process, for dealing with those issues. This framework helps the project team understand what to do with issues once they have been identified and logged. Developing the framework answers questions like these:

- How will you assign responsibility for resolving the issue?
- How will you know when to escalate an issue to management or a committee?
- Which criteria will determine an issue's priority status?
- Who will set the target resolution date?
- How will issues be communicated within the team?
- How will you identify different issues if several occur during one project?
- If change orders are needed, how will those be handled?
- When the resolution affects the budget or schedule, what will the update process be, and who will be responsible?

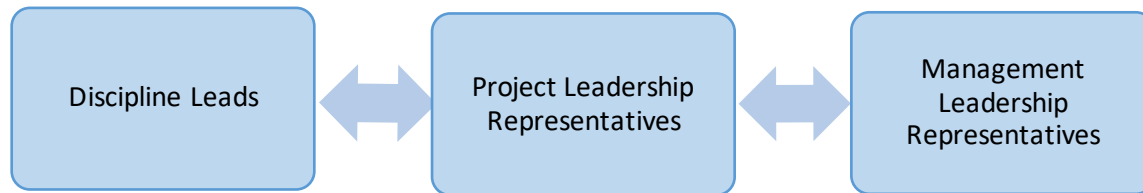
An issues management process gives the LPA a robust way of identifying and documenting issues and problems that occur during a project. The process also makes it easier to evaluate these issues, assess their impact, and decide on a plan for resolution.

E.3. Collaborative Organizational Chart

A key step in issue resolution that is frequently missed by the project team is the development of the collaborative organizational chart. This differs from day-to-day project organization charts because it attempts to identify discipline-specific, cross-organizational teams with co-leads who will be held accountable for issue resolution pertinent to their discipline area.

The image below depicts a base team structure at three distinct levels of management. This serves to eliminate the silo effect by focusing on team escalation of issues. From this structure, any project can evolve to a structure that best suits the project team's needs. This structure will vary depending on the size and complexity of the project, and may actually involve a fourth or fifth level in larger applications.

Collaborative Lines of Communication



Not everyone in the project organization appears on this chart. Only those who have clear counterparts from the other organization(s) and clear decision-making authority qualify to be on this chart. The format of these ladders is also a departure from the traditional format where positions are placed in organizational columns. Organizing by discipline follows the natural breakdown of the project and allows easier identification of where an issue should reside.

E.4. Partnering

Once the path for issue resolution has been defined, the next step to effective issue resolution is for the LPA to establish a culture of accountability within the partnering process. The process must drive accountability, not by individual organizations, but by team organizations. The process should be ongoing and should include the following elements.

- **Ongoing management level involvement:** Managers should be meeting on a proactive basis to assess project progress, relationships and the culture of the organization. The effectiveness of the relationships developed at this level will set the tone for the project and how issues will be resolved. A joint project update should be given by the project leadership team, as well as the status on all unresolved issues. Agendas beyond these two critical items can vary depending on the needs of the project.
- **Ongoing reporting processes at the project level:** Reporting should be occurring from discipline leads to the project leadership team on achievement of project goals, status of potential issues for escalation, and team dynamics. This reporting should be done no less than once per month.
- **Face-to-face reports:** Meetings among the discipline leads and the project leadership team enhances a culture of accountability on the team.

The success of a project issue or dispute resolution process is dependent not just on the resolution process itself, but also on how well a collaborative organization and problem-solving culture is developed and sustained on the project. This is critical in an era where multiple project delivery systems are prevalent. Project teams that correctly apply this concept have reaped the benefits and received a return on investment for their efforts.

E.5. Issues Resolution with ODOT

There are numerous and different types of issues that may come up from time-to-time during project execution - from design and construction related to interpreting laws, guidance and requirements. Since the path to resolution can take many forms depending on the issue, the regional Local Agency Liaison should be the LPA's first contact. In most cases, the Local Agency Liaison is able to contact the appropriate subject matter resources or managers within ODOT to facilitate an equitable resolution.

If an LPA needs additional program or project assistance, the Certification Program Office is available to help facilitate issue resolutions at a higher level.