

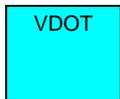
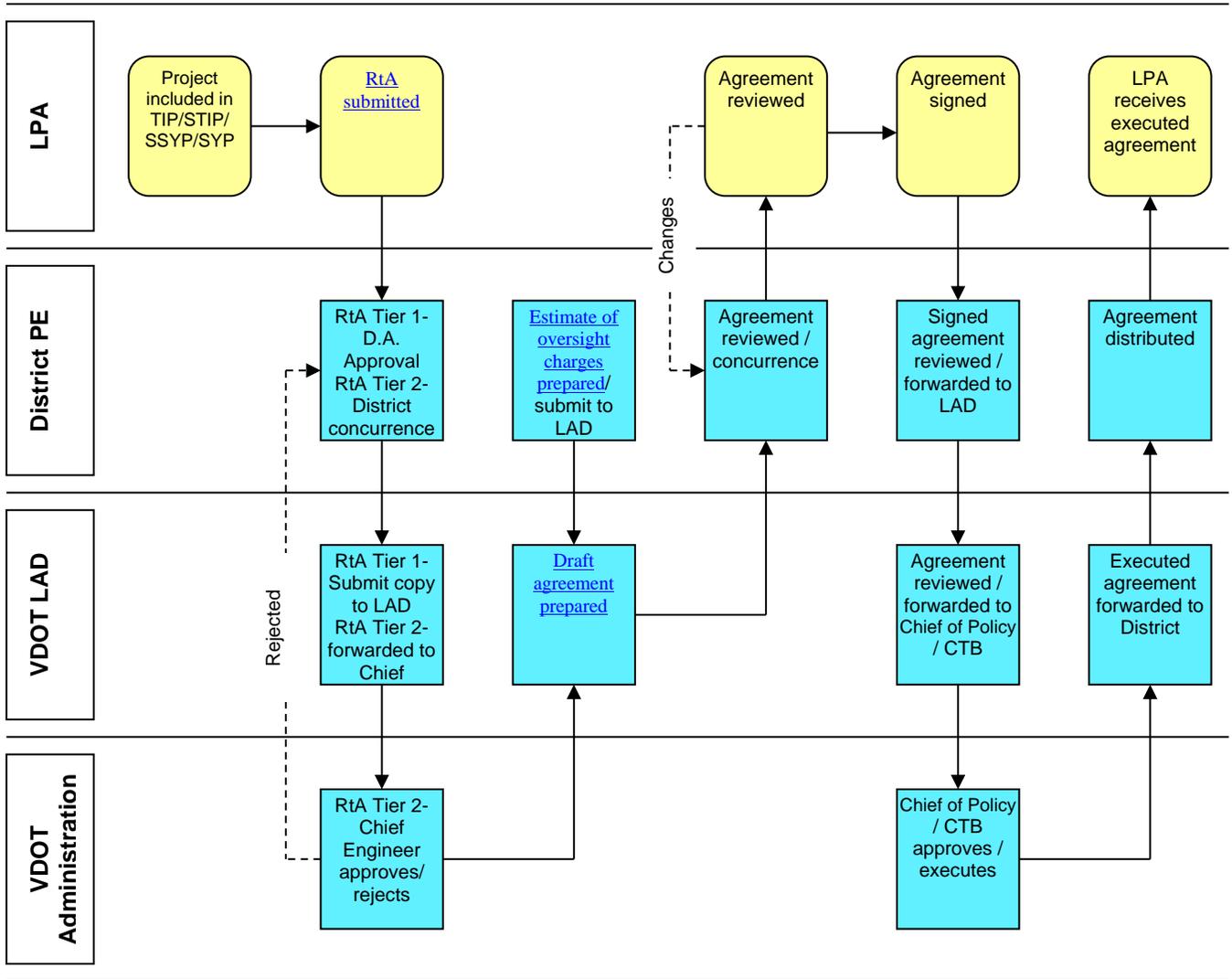
PART 2
Project Management
Chapter 10
Project Administration
& Agreements

Locally Administered
Projects (LAP) Manual

Updated February 2020

CHAPTER 10 PROJECT ADMINISTRATION AGREEMENTS

Project RtA's and Standard Agreements



Chapter 10

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10.1 INTRODUCTION

This chapter of the Locally Administered Project Manual outlines the processes and responsibilities associated with Project Administration agreements. This chapter includes information regarding Request to Administer forms and Project Administration Agreements.

10.2 APPLICABILITY

- All locally administered projects using federal or state-aid funding reimbursed by VDOT must have a project agreement.
- LPAs which administer their construction program, such as the Urban Construction Initiative Program, may administer projects through their programmatic agreement, with the exception of CMAQ, HSIP, RSTP and Revenue Sharing funded projects.
- Projects funded by LPAs and administered by VDOT must have a Project Administration Agreement.

<i>Project Administration Agreements</i>		
<i>Federal-aid</i>	<i>State-aid/VDOT</i>	<i>State-aid/LPA</i>
	<i>Maintained</i>	<i>Maintained</i>
X	X	X

10.3 PURPOSE OF AGREEMENTS

For all LPA administered projects, a Project Administration Agreement is required. The agreement identifies the terms for an LPA to administer a specific project to include specific responsibilities of the LPA/VDOT, funding sources, VDOT charges, reimbursement amounts, and general project estimates by phase.



Work conducted prior to execution of a Project Administration Agreement and, when federal aid is involved, receipt of federal authorization, may not be eligible for reimbursement. The LPA must receive written authorization from the VDOT Project Coordinator if an exception to this requirement is necessary.

10.4 REQUEST TO ADMINISTER PROJECT



The LPA will submit a [Request to Administer](#) (RtA) form to obtain concurrence to administer a project. Certain projects which are the result of a grant solicitation and selection process or projects administered via a programmatic agreement are not required to submit an RtA. These projects include:

- Transportation Alternatives Program Projects
- Revenue Sharing Program Projects
- UCI Participant Projects
- Access Programs

A local government self-evaluation is integrated into the RtA form and used for both Tier 1 and Tier 2 projects. The self-evaluation is intended to assist localities assess their abilities, and assist VDOT when considering local governments' requests to administer and manage transportation projects.

The LPA will submit the RtA to the appropriate VDOT local liaison.

When submitting the RtA, the LPA Project Manager will ensure the following is complete and/or identified on the RtA:

- Confirm that the project is included in the TIP/STIP/SYIP/SSYP, where applicable
- Name of responsible local official

- Name of locality
- Project number
- Universal Project Code (UPC) #
- Short narrative description of project
- Locality contact/phone #/email address
- Level of project administration (PE, RW, CN, All)
- Funding sources are identified
- Local Government Project Delivery Self-Evaluation

VDOT Responsibilities:

The VDOT local liaison will perform the following tasks:

- *Verify project inclusion in the applicable VDOT Program (SYIP or SSYP), if applicable.*
- *Review the RtA for completeness / accuracy & complete if necessary.*
- *Review the Local Government Project Delivery Self Evaluation.*
- *Forward the RtA to the District Project Development Engineer (DPDE) and/or District Planning and Investment Manager (PIM), or other District staff for comment on the LPA's qualifications to administer the project.*
- *Assign a Project Coordinator.*

After receiving comments from District staff,

- *RtA's for Tier 1 Projects will be forwarded to the District Administrator for approval or denial.*
 - *Submit an approved copy to Central Office, Local Assistance Division.*
- *RtA's for Tier 2 projects will be forwarded to Central Office, Local Assistance Division, with a recommendation (concur with local administration or non-concurrence) and any pertinent comments.*
 - *The Local Assistance Division will enter the project into the Agreements Database and will forward the request to the Chief Engineer for final decision.*

- *After receiving the Chief Engineer's approval, LAD will return a signed copy of the RtA to the assigned Project Coordinator to initiate the agreement development process.*
- *If the RtA is denied, LAD will notify the Project Coordinator who will then discuss alternatives with the LPA.*

10.5 PROJECT ADMINISTRATION AGREEMENTS

VDOT has developed a series of Standard Project Administration Agreements (PAA's) approved by the Office of the Attorney General (OAG) which meet the majority of project types and situations that will generally be encountered. In most instances, a Standard Project Administration Agreement will be prepared and submitted to the LPA for execution within 30 days of RtA approval, however if preparation of the agreement requires that the SYP be updated, or local project contributions determined and agreed to, it may take longer than 30 days to have the agreement prepared.

Standard project administration agreements have been developed for the following types of projects and are available on the [Online Forms](#) website:

- Federal aid
- State aid
- Urban Construction
- Advanced Funding/SYIP Reimbursed
- Locally Funded/VDOT Administered

There are instances where projects are sufficiently unique that the standard agreement will not suffice and a custom agreement may be necessary. Custom agreements require more time to prepare and always require OAG approval.

When a LPA requests that VDOT administer a project not otherwise in one of the Six Year Programs and offers to fund the project, a Locally Funded/VDOT

Administered Agreement must be executed. The LPA may be required to submit funding, in part or in full, in advance.

10.6 APPENDIX A TO THE PROJECT ADMINISTRATION AGREEMENT

The Standard Project Administration Agreement contains an Appendix ([Appendix A](#)) which identifies project specific information. After approval of the RtA, the Project Coordinator will work closely with the LPA Project Manager to complete the Appendix A, to include the following:

- Locality and project information as required by Federal Funding Accountability and Transparency Act (FFATA) for any federally funded sub-awards greater than \$25,000 made after October 1, 2010.
 - Street Address with nine digit zip code for the sub-recipient's administrative main office
 - Nine digit zip code for the location of the project
 - DUNS number of sub-recipient
 - CFDA Number (20.205)
- Project scope and schedule
 - Project Scope and the development of a firm schedule must be completed within twelve months of execution of the project administration agreement unless concurrence is otherwise obtained from the District per Chapter 12.1.3 (Scoping Process Requirements) of the LAP Manual;
- Locality Project Manager information
- VDOT Project Coordinator information
- Estimated project costs by phase
- VDOT charges by phase
- Project financing (all sources including locality funds)
 - Typically, the order of funding spending priorities is as follows:
 - 1) Federal
 - 2) State

- 3) Local
- 4) Smart Scale
- Always reference the SYIP to determine when funding will be available and to determine funding obligations.
- Timeframes for obligation and expenditure of CMAQ, RSTP and HSIP funds.
 - CMAQ funds must be obligated within 12 months from allocation, with full expenditure completed no later than 36 months after obligation;
 - RSTP and HSIP funds must be obligated within 12 months of allocation, with full expenditure completed no later than 36 months after obligation;
- Limited Fund Sources, add as applicable

NOTE: See Appendix A Standard Bullets for Agreement (Std Bullets) tab for specific Bullet language

After the Appendix A is completed, it is forwarded to LAD for final review. After LAD review, three originals of the complete agreement are forwarded by the Project Coordinator to the LPA for execution.



The LPA signatory for the agreement must provide evidence of their authority to execute the agreement. Additionally, the locality must commit to the initiation of the overall project and their share of the project funds.

Typically, this is a resolution by the governing body but may also be a local ordinance providing the signatory with the authority to enter into such contracts.

VDOT has provided an example of the recommended resolution template which is available on the [Local Assistance forms](#) website.

Upon execution, the LPA will forward the three signed agreements to the Project Coordinator, who will submit them to LAD for the Commissioner's and/or his designee's signature.

Oversight Charges

- Specific charges for VDOT oversight are developed by the

VDOT Project Coordinator in consultation with the various disciplines that will be involved with the project. These charges are generally related to design, environmental, right-of-way reviews, and construction monitoring. VDOT staff should be cognizant of the LPA's level of experience when developing estimates for oversight. The oversight principles provided in [Appendix 9-B](#) and the oversight risk assessment approach found in [Appendix 9-C](#) should be used when determining the level of oversight necessary.

- The LPA should expect an estimate of project oversight costs. The costs are always to be considered a best estimate and are subject to change depending on project requirements. When oversight costs are expected to significantly exceed the estimate, the PC must re-evaluate the costs and provide a new estimate to the LPA PM.

10.6.1 Updating Appendix A of the Project Administration Agreement

There are circumstances when the Appendix A must be updated or amended, these include:

- Scope changes
- Major Project Milestones
- Adding/removing phases
- At award - to adjust funding needs to account for final bid and contingencies

Updating/amending the Appendix A will follow the same process as outlined in Chapter 10.6, however approvals are at the staff level and generally do not require action by the locality's governing board. The Locality Project Manager should work closely with VDOT's Project Coordinator when it becomes necessary to update or amend the Appendix A.

VDOT Responsibilities

Project Administration Agreement

The VDOT local liaison will perform the following tasks:

- *Upon receipt of the approved RtA, coordinate with LAD staff for preparation of the Project Administration Agreement*
- *Verify project estimates and funding*
- *Prepare a draft of the Agreement and Appendix A **and submit** to LAD for concurrence (LAD may prepare the agreement on request of the District PE Manager or UPM and submit it to district staff for concurrence)*
- *Upon receipt of concurrence, submit **three** originals of the agreement to the Locality for signature (if submitting electronically – please convert files to PDF format)*
- *Upon signature by the locality, forward all three originals to LAD for signature by the Commissioner and/or his designee.*
- *LAD will coordinate the signing of the agreement by the Commissioner and/or his designee and will forward **two** originals to the PC*
- *Distribute **one** executed original of the agreement to the locality and retain one original in District files*

Revised Appendix A's

- *Follow the same process, except:*
 - *Appendix A's are signed by authorized staff at the District and Locality*
 - *Submit one original to LAD*

10.7 KEY SUBMITTALS / REQUIREMENTS

<i>Task/Submittal / File Documentation</i>	<i>Locality Responsibility</i>	<i>VDOT Responsibility</i>	<i>Submittal Timing / Recordkeeping Requirements</i>
Request to Administer Form	Prepare and send to RA or UPM	Review request and make recommendation to LAD/Chief Engineer	At initiation of the project; review time approximately 15 business days
Agreement and Appendix A Preparation	Review Appendix A	District/LAD preparation	30 Calendar days
LPA reviews and approves agreement	Agreement signed by local official	N/A	N/A
Agreement execution	Sign agreement and provide signatory authority	Commissioner's and/or his designee's Signature	15 business days

10.8 REFERENCES

[23 CFR 635.102](#) – Construction and Maintenance – Contract Procedures
[33.2-208 through 33.2- 221](#) Code of Virginia – General powers and duties of the Board
[33.2-338](#) Code of Virginia – Construction and Improvement of Secondary Highways by Counties

10.9 APPENDICES

[Agreements Checklist](#)

[Request to Administer Form](#)

Standard Agreements

[Federal-aid Project Administration Agreement](#)

[State-aid Project Administration Agreement](#)

[VDOT Administered Locally Funded Project Agreement](#)

[VDOT Administered Urban Project Agreement](#)

[Appendix A](#)

Chapter 10 – Project Agreements Checklist

These checklists can be found in their entirety in the [VDOT on line forms library](#)

CH 10 - Project Administration and Agreements

For all LPA administered projects, a Project Administration Agreement is required. The agreement identifies the terms for an LPA to administer a specific project to include specific responsibilities of the LPA/VDOT, funding sources, VDOT charges, reimbursement amounts, and general project estimates by phase.

<i>SUBMIT</i>	<i>COMPL</i>	<i>F</i>	<i>S-V</i>	<i>S-L</i>	<i>T-A</i>	<i>UCI</i>	<i>Requirement</i>	<i>Reference</i>	
								<i>LAP</i>	<i>Other</i>
	<input type="checkbox"/>	X	X	X			Submit completed Request to Administer Form ¹ Tier 1 Approved by DA Tier 2 Approved by CE	10.4	
	<input type="checkbox"/>	X	X	X			Project Administration Agreement & Appendix A prepared prior to reimbursable expenses incurred Prepared by District Reviewed by LAD	10.5 10.6	
	<input type="checkbox"/>	X	X	X			Appendix A Updates - Scope Change Funding Change Adding/Removing Phases Award Appendix A revision signed by LPA	10.6.1	

¹RTA's are **NOT** required for Transportation Alternatives Projects, Revenue Sharing and UCI Participant Projects