

*Local Project Administration Manual & Reference Guide*

# Administration & Finance



**MaineDOT**

*Integrity - Competence - Service*

*2020 Update*

# Administration & Finance

Each year, communities repair roads, build sidewalks, make intersections safer, and improve their waterfronts through a partnership known as Local Project Administration. In this partnership, a staff member with decision-making authority manages what is known as a “locally administered project” in cooperation with MaineDOT, which provides funding, technical assistance, and oversight.

Organizations that commonly undertake locally administered projects are municipalities, transportation agencies and tribal governments, collectively referred to as “local agencies” in this Manual. The professionals eligible to manage them are local public works directors, municipal engineers, planners, community development directors, municipal managers, and agency administrators, all of whom must follow the policies and procedures in this Manual.

Chapter 1 provides guidance on the administrative and financial requirements for local projects awarded federal and state money through MaineDOT. It covers the following topics:

- Approval of local administration (page 1-1);
- Certification (page 1-2);
- Local responsibilities (page 1-2);
- MaineDOT responsibilities (page 1-3);
- Financial requirements (pages 1-4 to 1-7);
- Record-keeping / Evaluation (page 1-8);
- Figure 1.1: Project flowchart (page 1-9);
- Figure 1.2: Project timetable (page 1-10);
- Appendix 1A: Project checklist - *revised in 2020* (page 1-11); and
- Appendix 1B: Submittals to MaineDOT (page 1-19).



Resources for local agencies are available online: [www.maine.gov/mdot/lpa/](http://www.maine.gov/mdot/lpa/)

## 1.1 Approval of Local Administration

MaineDOT is accountable for the federal and state transportation funding provided to Maine, including sub-awards to local agencies. MaineDOT, for this reason, must verify that organizations are adequately staffed and suitably equipped to deliver projects with sufficient accounting controls. If a project has federal transportation funds, the person who will serve as the project manager must be a full-time employee of the sponsoring local agency.

Once MaineDOT approves a grant application and funds a project, MaineDOT managers from appropriate disciplines weigh the size and structure of the sponsoring local agency against the complexity of the work to gauge the likelihood of the project succeeding if administered locally.

Requests to administer federally funded projects should be sent to MaineDOT’s Local Projects Coordinator in the format of *Letter 1*, found on page 1-20, with the following:

- Name, title and responsibilities of the full-time employee assigned to manage the project;
- An agency’s experience in delivering projects of similar size and scope; and
- Documentation, such as an audit report, of the organization’s track record of managing federal and state funds with proper accounting controls.

If MaineDOT determines that local administration is suitable for a project, MaineDOT prepares an agreement with the sponsoring local agency, as set out in section 1.5.1, “Project Agreement.” If not, MaineDOT administers the project and invoices the sponsoring local agency for its matching share of the cost as work progresses.

*Note: Projects awarded to local organizations through state-only grant programs, such as the Small Harbor Improvement Program, must be locally administered.*

## 1.2 Certification

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MaineDOT grants Local Project Administration certification to individuals, meaning that the person in charge of a federally funded project must be certified. Without a certified person on staff, a local agency cannot administer a project with federal transportation money.

Certification – mandatory for federal-aid projects – has two steps:

- **Tier I** certification is granted upon completion of a day-long training covering the basics of delivering a project. It is valid for **four years**.
- **Tier II** certification consists of a project-specific review at kickoff, during which MaineDOT and local staff go over the scope, budget, schedule and requirements. This review is part of all projects, regardless of funding source.



Certification training is *recommended* for consultants who will assist local agencies with projects and for local employees who intend to manage projects with state grant funds, such as through the Small Harbor Improvement Program.

## 1.3 Local Responsibilities

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If a local agency takes on a federally funded project, a **full-time** employee with decision-making authority, MaineDOT certification, and appropriate qualifications – *set out on the next page* – must manage the project. Although consultants may assist local agencies, they cannot replace public employees as project administrators. That is a federal requirement, found in Title 23 of the U.S. Code of Federal Regulations (CFR), part 105, “Supervising Agency.”

Projects without federal funds, such as those awarded to municipalities through state grant programs, have flexibility from the full-time requirement. Still, the project administrators must be employees of the sponsoring municipalities who are qualified to manage such projects, as determined by MaineDOT.

MaineDOT expects every local project administrator to carry out the tasks listed below:

- Ensuring that all requirements in the project agreement with MaineDOT are met;
- Soliciting and administering contracts with consultants and contractors;
- Facilitating meetings and other public participation events;
- Overseeing the proposed schedule to ensure that a project is delivered on time;
- Reviewing the work of staff and consultants in the development of the project;
- Signing off on requests for reimbursement and other financial transactions to guard against waste, fraud and abuse;
- Staying informed about day-to-day project activities.

**Note:** If a certified local project administrator leaves, another certified employee must step in. If no one has certification, MaineDOT may ask a local agency to cease work on a project until a qualified employee can be certified.

## 1.4 MaineDOT Responsibilities

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As the organization accountable for the federal and state transportation funding that Maine receives, MaineDOT assigns state project managers and other technical staff to locally administered projects to provide oversight and to assist local agencies in delivering the work.

Activities that MaineDOT generally performs consist of the following:

- Preparing and executing project agreements with local agencies;
- Reviewing/approving local invoices requesting reimbursement;
- Conducting survey work for projects on state highways;
- Carrying out the National Environmental Policy Act (NEPA) review process;
- Leading the right-of-way process for projects on state highways;
- Reviewing/approving all contracts between local agencies and other parties;
- Reviewing design plans to be sure that projects meet federal and state requirements;
- Authorizing work at the milestones found in the flowchart on page 1-9 of this chapter;
- Reviewing the final plans, specifications and estimate (PS&E) package;
- Ensuring that the oversight and inspection of construction are adequate;
- Performing quality-assurance testing of construction materials at MaineDOT labs;
- Inspecting the completed project for compliance with federal and state requirements;
- Accepting, closing out and auditing a project.

## 1.5 Financial Requirements

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### 1.5.1 Project Agreement

Before work eligible for federal or state funding may start, MaineDOT and the local agency administering a project must execute a project agreement that covers the following:

- Scope of work;
- Breakdown of federal, state and local funding, as applicable;
- Responsibilities of MaineDOT and the local agency managing the project;
- MaineDOT WIN, federal project number, and federal authorization date (if applicable);
- Catalogue of Federal Discretionary Assistance (CFDA) number, typically 20.205;
- An agency's DUNS number;
- General terms and conditions, as directed by MaineDOT's Office of Legal Services.

MaineDOT prepares agreements for federal-aid projects once the Statewide Transportation Improvement Program (STIP) is approved or modified to include them. Agreements for projects with state funds follow publication of MaineDOT's Work Plan. Once an agreement is executed, MaineDOT sends a local agency a notice to proceed with reimbursable work.

**Remember:** Expenditures incurred before MaineDOT executes a project agreement and issues a notice to proceed are ineligible for reimbursement, as covered in section 1.5.2 below.

### 1.5.2 Reimbursement

Local agencies usually receive funding from MaineDOT by reimbursement, at rates ranging from 50 percent on state-funded projects to 80 percent or more on federally funded projects.

Local agencies must cover the remaining amounts as their matching shares. Match generally must be *cash*; in-kind work is not eligible to use as match unless a local agency first receives written approval from MaineDOT, as described in section 8.5 of Chapter 8, "Force Account Work."



#### **Costs eligible for reimbursement:**

- Development of project plans, specifications and contract documents;
- Environmental review and permitting;
- Survey and right-of-way;
- Utility coordination;
- Project advertisement;
- Construction; and
- Construction oversight and inspection.

**☒ Costs not reimbursable:**

- Expenditures incurred *before* MaineDOT issues notice to proceed;
- Local administrative time that should be accounted for in an agency’s overhead costs;
- Costs *not* approved by MaineDOT or the U.S. Department of Transportation;
- Pre-construction work – if an organization cancels a project *before* construction; and
- Maintenance work of any type on a completed project.

### **1.5.3 Invoices**

Invoices for reimbursement of MaineDOT’s share of expenditures should be submitted to a MaineDOT project manager at regular intervals, typically quarterly. They must include the following information:

- Letter 4 (found on page 1-23) with service dates and the amount requested.
- A progress report describing work performed during the invoice period;
- A completed worksheet (found on page 1-24) with total invoiced to date, by category;
- Supporting documentation:
  - Copies of invoices from contracted agents, with a detailed breakdown of the costs;
  - Copies of checks issued for work performed during the service period;
  - Signed payroll register, showing hours worked with wages and benefits for each employee – if design work was performed by municipal staff.

### **1.5.4 MaineDOT Internal Costs**

MaineDOT staff will charge time to locally administered projects for the tasks in section 1.4, “MaineDOT Responsibilities.” Although the number of hours will vary, services performed by MaineDOT generally will account for 12 percent to 15 percent of the budget for a project – and possibly more if rights-of-way must be acquired. The estimated cost of such work should be discussed with MaineDOT at the start of a project.

The number of hours that MaineDOT charges to a project often depends on the amount of time spent assisting the sponsoring local agency and its contracted agents with meeting federal and state requirements. In general, the better job that a local agency does in meeting requirements, the fewer hours that MaineDOT staff will have to charge to the project.

*(There are exceptions, primarily for projects funded through MaineDOT’s competitive state grant programs. MaineDOT will cover such exceptions during kickoff for a specific project.)*

When MaineDOT bills time to a project, those charges are subject to the same cost-sharing ratios as other portions of the project. The local share of MaineDOT’s costs for services performed typically is reconciled upon completion of the work and deducted from the final reimbursement payment to the local agency in charge of a project.

### 1.5.5 Repayment of Funds

If a local agency withdraws from a project or otherwise fails to deliver a project to construction, MaineDOT will require the agency to refund all payments toward the project and to reimburse MaineDOT for its costs, as covered previously in subsection 1.5.4, “MaineDOT Internal Costs.”

Additionally, MaineDOT may recover reimbursements for activities subsequently determined to be ineligible for federal or state funding, as may happen if a project is audited after completion.

If MaineDOT must recover funds, MaineDOT will send a letter specifying the amount of the repayment and the reason for it. MaineDOT will expect the local agency receiving the letter to comply or to respond within a certain time.



If a local agency fails to repay funds, after receiving a request to do so, MaineDOT may exercise its rights of set-off to recover the money. MaineDOT, for example, may withhold or reduce Local Road Assistance payments to recoup an amount owed.

### 1.5.6 Internal Controls

Local agencies must properly account for federal and state awards while protecting those funds against loss from unauthorized use. This section offers guidance on steps local agencies can take to improve their financial practices to guard against waste, fraud and abuse – known as “internal controls.”

Segregation of duties reduces the risk of error or fraud by one person. For this reason, more than a single employee should complete and approve tasks involving payments, booking into the general ledger, and financial reconciliations. A person who initiates a purchase requisition, for example, should not also be able to approve it.

Municipalities and other local agencies should require two or more of the officials listed below to sign off on their financial transactions:

- Treasurer;
- Finance director;
- Town manager / town administrator;
- Finance Committee members;
- Select Board members.



Additionally, MaineDOT recommends that local agencies receiving federal and state funds have in place written procedures for the activities below, which should be prepared in consultation with a certified public accountant:

- Segregation of federal and state funding into separate general-ledger accounts;
- Reconciliation of general-ledger cash accounts to bank statements;
- Approval of bank reconciliations by a supervisor;
- Reconciliation of subsidiary ledgers to the general ledger, with manager signatures for:

- Accounts receivable;
  - Accounts payable;
  - Capital assets, including non-cash government funded assistance;
  - Prepaid expenses;
  - Accrual accounts.
- Posting of an auditor’s adjusting entries for the previous year;
  - Reconciliation of a closing trial balance to an auditor’s adjusted trial balance;
  - Requiring signature approvals for any adjusting general journal entries;
  - Requiring employee and supervisor signatures on timesheets before payroll approval;
  - Requiring additional supervisor approval for recording large payments and expenses;
  - Having in place monthly and year-end financial closing procedures;
  - Undertaking monthly and yearly detailed review of direct project costs and indirect costs;
  - Limiting the access to an organization’s electronic accounting system, if applicable.

## 1.6 Single Audit Requirement

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A local agency that expends at least \$750,000 in federal funds in a fiscal year must have an annual single audit performed, in accordance with the regulations found in 2 CFR part 200, “Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards.” If uncertain, an agency should check with its accountant to determine if expenditures meet the minimum reporting requirements.

A local agency should hire a certified public accountant to conduct this audit, if required, and prepare an audit report. The audit typically will look at the adequacy of an agency’s internal controls that safeguard assets and ensure compliance with federal laws and regulations.



A single audit requires a Schedule of Expenditures of Federal Awards (SEFA), which:

- Summarizes all federal grants received and the expenditures associated with each one, including the Catalogue of Domestic Assistance (CFDA) number for each award; and
- Shows the expenditures for each federal grant received, regardless of size – including reimbursement payments from MaineDOT for work on federal-aid projects.

A single audit concludes with the auditor’s report addressing the reliability of the financial data, adequacy of internal controls, and compliance with federal regulations. The final audit package will include the audit report as well as financial statements, Schedule of Federal Expenditures, results of previous audits, and any planned corrective actions. When completed, the single audit package is submitted electronically to the Federal Audit Clearinghouse website, with required certifications from the organization and its accountant.

## 1.7 Record-Keeping

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A local agency must retain records for completed projects to demonstrate compliance with federal and state requirements, in case of audit. Such documentation would include, but would not be limited to, the following:

- Approvals from MaineDOT;
- Records of payments to consultants and contractors, with backup documentation;
- Copies of agreements with MaineDOT;
- Copies of contracts with consultants and contractors, including all modifications;
- Copies of reimbursement requests to MaineDOT, with all backup information;
- Records from the right-of-way process, demonstrating compliance with the federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970;
- Copies of certification statements for utilities, environment, and right-of-way;
- Approvals from MaineDOT at final PS&E, Project Advertise, and Project Award.
- Documentation of the bidding process, including bid tabulations and determination of the lowest responsive and responsible bidder;
- Confirmation that construction workers on a federally funded project were paid prevailing-wage rates, as required by the federal Davis-Bacon Act;
- Documentation that quantities of construction materials were measured in the field, recorded and verified against contractor invoices;
- Copies of construction contract modifications, construction field books and other records of activities used to track construction activities.

The U.S. Government requires records to be kept for **3 years** after payment of a final invoice. MaineDOT recommends that local agencies retain records for at least 5 years, since an audit may take place long after the work is completed.

## 1.8 Evaluation

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Upon approval of the final invoice for a project, MaineDOT's project manager completes an evaluation of the local project administrator assessing which tasks were handled well and which ones could be improved. The local project administrator is given *two weeks* to offer comments and sign the form; if the deadline passes without a response, the evaluation is finalized unsigned.

When completed, signed evaluation forms are filed at MaineDOT as reference documents for use in evaluating requests for future locally administered projects.

FIGURE 1.1: PROJECT FLOWCHART

## Locally Administered Project – Process Flowchart

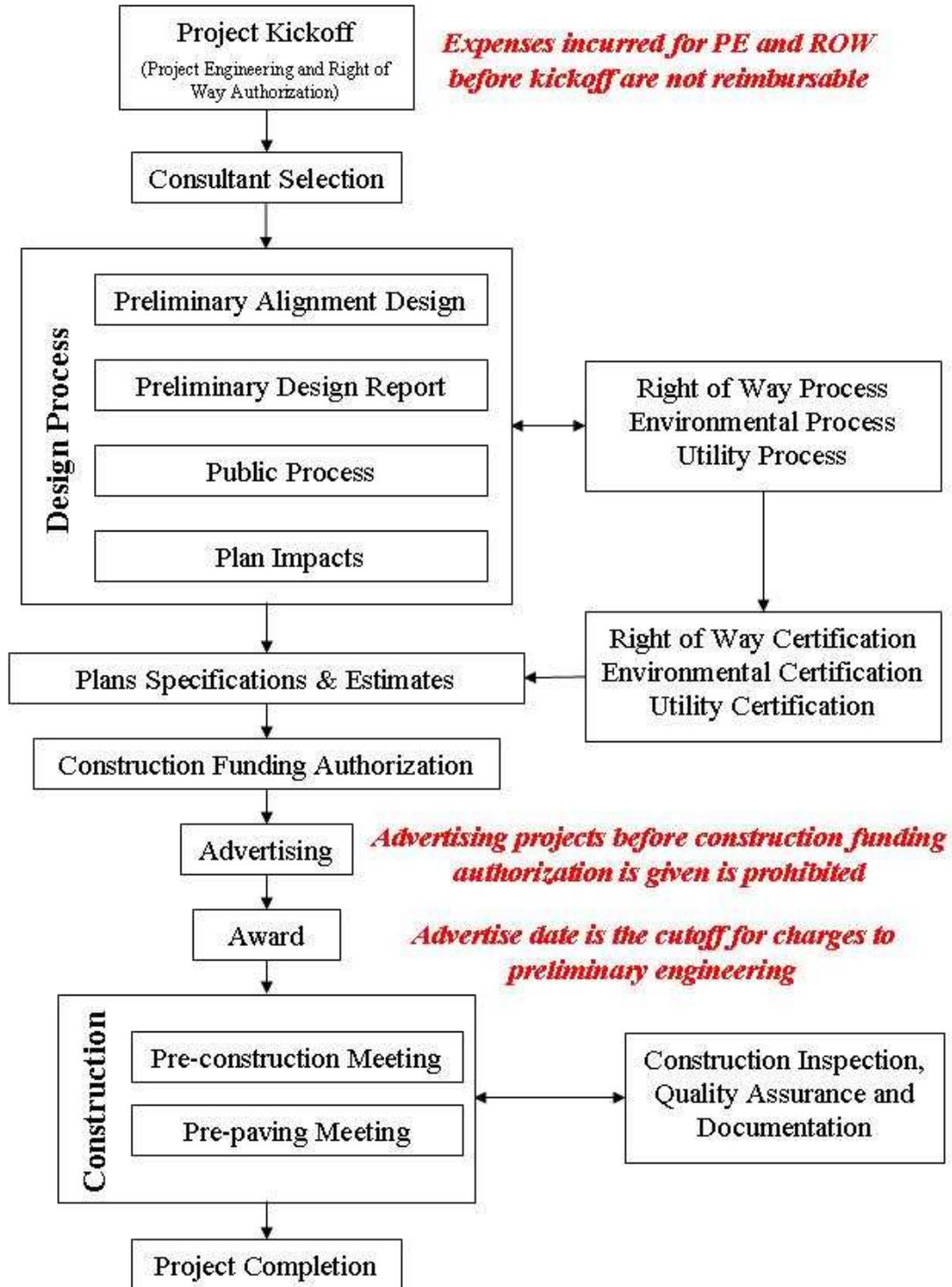


FIGURE 1.2: PROJECT TIMETABLE

TASK	DESCRIPTION	TYPICAL TIMEFRAME
<b>Funding Award</b>	MaineDOT or a Metropolitan Planning Organization (MPO) awards funding.	Award is made 6 to 9 months after an application is received.
<b>Agreement</b>	Municipality and MaineDOT sign agreement.	Agreement is executed after a project is placed in federal STIP (federal funds) or MaineDOT Work Plan (state funds).
<b>Kickoff</b>	Municipality and MaineDOT review budget, schedule and requirements.	Parties hold kickoff meeting once agreement is signed.
<b>Consultant Selection</b>	Municipality hires design consultant – if a consultant will be used.	It can take 2-3 months from kickoff to solicit proposals, score them and negotiate a contract.
<b>Preliminary Engineering</b>	<ul style="list-style-type: none"> <li>▪ Preliminary Design Report Milestone</li> <li>▪ Plan Impacts Complete Milestone</li> </ul>	PE may take from 9 months to as many as 18 to 24 months from kickoff, depending on scope.
<b>Environmental Review</b>	Consists of reviews for impacts to natural and cultural resources, as mandated by the National Environmental Policy Act (NEPA)	NEPA may take from 3 months to 9 months from the milestone of Plan Impacts Complete.
<b>Right of Way</b>	Consists of mapping property impacts, researching titles, performing appraisals and appraisal reviews, negotiating with owners, and acquiring rights.	This may take 8-10 months from Plan Impacts Complete. <b>No</b> negotiating with owners until NEPA process is completed.
<b>Final PS&amp;E</b>	Municipality submits final design plans, specifications and construction cost estimate (PS&E) to MaineDOT for review, comment and acceptance.	Projects reach this stage in as few as 12 months or as many as 24 months. MaineDOT review may take 2-4 weeks.
<b>Advertise</b>	After receiving MaineDOT’s authorization, a municipality solicits for construction bids.	A 3-week advertise period is standard, after authorization.
<b>Contract Award</b>	Municipality awards a contract to the lowest responsive and responsible bidder.	Municipality has 30 days after bid opening to award a contract.
<b>Construction</b>	This stage consists of construction, inspection of the work, and materials testing.	The duration will vary, depending on the complexity of a project.
<b>Completion</b>	MaineDOT, Municipality and contractor inspect the project and develop a “punch list” of items the contractor must address.	Inspection should take place before contractor completes work. MaineDOT requires notice of at least 2 weeks.
<b>Closeout</b>	MaineDOT reconciles costs, including local share of MaineDOT’s charges if applicable. Municipality submits final invoice.	Records must be kept for 3 years after payment of final invoice.

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# Appendix 1A: Project Checklist

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# Checklist: Federally Funded Project

(Revised, August 2020)

Municipality: \_\_\_\_\_ Project Location: \_\_\_\_\_

MaineDOT WIN: \_\_\_\_\_ Local Administrator: \_\_\_\_\_

## PROJECT KICKOFF

- Project included in approved Statewide Transportation Improvement Program (*federal funds*).
- Project agreement executed as of: \_\_\_\_\_
- Kickoff meeting held with MaineDOT on: \_\_\_\_\_
- Invoices are submitted periodically to MaineDOT project manager using *Letter 4*.

## CONSULTANT SELECTION

- Develop scope of work and Independent Estimate.
  - Send scope of work and estimate to MaineDOT project manager (PM) for review/approval.
    - *Approval Date:* \_\_\_\_\_

### Services estimated to cost \$25,000 or less:

- Obtain MaineDOT PM's approval to use Simplified Acquisition (*Letter 5*).
  - *Approval Date:* \_\_\_\_\_
- Request/receive proposal from a single, pre-qualified consultant.
- Negotiate scope of work, schedule and price, based on Independent Estimate.
- Verify that consultant is not debarred using the following federal website: [www.sam.gov/SAM/](http://www.sam.gov/SAM/)
- Obtain completed Disadvantaged Business Enterprise (DBE) Utilization Form from consultant.
- Obtain MaineDOT PM's approval of consultant proposal and draft contract (*Letter 7*).
  - *Approval Date:* \_\_\_\_\_
- Execute a contract with selected consultant after receiving approval from MaineDOT's PM.
- Send consultant notice to proceed.

### Services estimated to cost \$25,000 to \$250,000:

- Prepare and send draft request for proposals (RFP) to MaineDOT's PM for review/approval (*Letter 6*). *Approval Date:* \_\_\_\_\_
- Send approved RFP to 3-to-5 pre-qualified firms, using a list of firms available online: [www.maine.gov/mdot/cpo/prequal/](http://www.maine.gov/mdot/cpo/prequal/)
- Form a committee to score technical proposals, rank firms and conduct interviews (if necessary).
- Open price proposal from highest-ranked firm and negotiate scope of work, schedule and price.
  - If negotiations with highest-ranked firm are successful, prepare a contract using MaineDOT's template and send it to MaineDOT's PM for review and approval.
  - If terms cannot be reached with highest-ranked consultant, request a Best and Final Offer, terminate negotiations, and repeat this negotiation process with the second-ranked firm.
- Once terms are reached, verify that consultant is not debarred using [www.sam.gov/SAM/](http://www.sam.gov/SAM/)

- Send draft contract and price proposal to MaineDOT for review/approval (*Letter 7*).
  - *Approval Date:* \_\_\_\_\_
- Obtain completed DBE Utilization Form from selected consultant.
- Execute a contract, after receiving approval from MaineDOT's PM.
- Return unopened price proposals to the proposers not chosen.
- Send selected consultant a notice to proceed.

### Services estimated to cost greater than \$250,000:

- Prepare and send draft RFP to MaineDOT's PM for review/approval (*Letter 6*).
  - *Approval Date:* \_\_\_\_\_
- Advertise the approved RFP on the websites for the local agency sponsoring a project and MaineDOT's Contract Procurement Office, at a minimum.
- From this point forward, follow the steps in the process outlined directly above for services estimated to cost \$25,000 to \$250,000, since the requirements are the same.

### PRELIMINARY DESIGN

- Utility Coordination:**
  - Identify utility/railroad contacts: [www.maine.gov/mdot/utilities/contactinfo/](http://www.maine.gov/mdot/utilities/contactinfo/).
  - Email Utility Letter #1 and a location map to utility/railroad contacts.
- Survey / Existing Conditions Plan:**
  - Identify preliminary project limits.
  - Send Property Owner Reports to property owners.
  - Upon completion of field survey, email Utility Letter #2 and survey plans to utility contacts.
- Environmental permits:**
  - Contact state and federal agencies for permitting requirements, beyond federal National Environmental Policy Act (NEPA) process:
    - Army Corp of Engineers: (207) 623-8367 or [www.nae.usace.army.mil/Missions/Regulatory/](http://www.nae.usace.army.mil/Missions/Regulatory/)
    - Maine Department of Environmental Protection:
      - (207) 287-7688 or <https://www.maine.gov/dep/permits/>
  - Complete and submit to appropriate agencies applications for any required federal/state permits.
- Hold advertised public informational meeting. Date:** \_\_\_\_\_
- Prepare Preliminary Design Report – PDR (60% complete):**
  - Use MaineDOT's standard form.
  - Send PDR and design plans to MaineDOT's PM for review (*Letter 8*).
    - Address MaineDOT's comments, if any.
    - PDR approved by MaineDOT's PM as of: \_\_\_\_\_
  - Email Utility Letter #3, preliminary plans and schedule to utility/railroad contacts for review.
- Upon approval of PDR, provide MaineDOT's PM with:**
  - Public process certification (*Letter 10*).
  - Completed NEPA Documentation Checklist (*Letter 11*).
  - Request for Traffic Analysis Movement and Evaluation (TAME) review by MaineDOT.

## FINAL DESIGN

- Pavement Design:**
  - Once the PDR is approved, request Special Provision 403 (pavement) from MaineDOT’s PM to be inserted in the contract book, if a project will require paving work.
- Send plan impacts (75-80% complete) to MaineDOT’s PM for review (*Letter 9*):**
  - Plan impacts accepted as complete by MaineDOT’s PM on: \_\_\_\_\_.
  - MaineDOT’s PM sends latest cost estimate to local agency administering project.
    - a. Agency acknowledges estimate and confirms in writing its commitment to the project; OR
    - b. Agency acknowledges estimate and requests in writing to cancel project and repay all funds.
- Once design reaches Plan Impacts Complete, follow up with utilities, as follows:**
  - Email Utility Letter #4, 75-80% plans and schedule to utility/railroad contacts for review.
  - Prepare pole list in coordination with utilities.
  - Email Utility Letter #5 and utility special provision (#104) to utilities/railroad for review.
  - Prepare utility agreements, if necessary.
- Prepare special provisions for the bid package.**

## RIGHT OF WAY

- Prepare preliminary right-of-way maps, once design reaches Plan Impacts Complete.**
  - Follow section 2-6 of MaineDOT Right of Way Manual, “Right of Way Plans.”
- Conduct title searches at Registry of Deeds to identify and confirm property ownership.**
  - Hire pre-qualified consultant from service category 401.00, “Title Research/Abstracting.”
  - Searches must follow section 2-4.02 of MaineDOT Right of Way Manual, “Title Examinations.”
- Prepare final right-of-way maps, once title work is completed.**
  - Follow section 2-6.05 of MaineDOT Right of Way Manual, “Final Right of Way Mapping.”
  - Right-of-Way maps approved by MaineDOT (if state highway) on: \_\_\_\_\_.
- Send Notice of Interest to Acquire to each property owner, once maps are approved.**
- Contract with pre-qualified appraiser on MaineDOT Appraisal Register.**
  - Refer to pre-qualification list for category 402.00, “Property Valuation and Appraisal Services.”
  - Appraisal report submitted on: \_\_\_\_\_.
- Contract with a second appraiser to review appraisals for proper methodology and accuracy.**
  - Refer to pre-qualification list for category 402.00, “Property Valuation and Appraisal Services.”
  - Appraisal review completed on: \_\_\_\_\_.
- Issue a written Determination of Just Compensation [*Right-of-Way Manual, section 8-2.03*].**
  - The review appraiser’s recommendation is the basis for a Determination of Just Compensation.
  - Determination of Just Compensation must be signed by highest-ranking municipal officer.
- Contract with qualified negotiator to negotiate Just Compensation with each property owner.**
  - Refer to pre-qualification list for category 403.00, “Property Negotiations.”
- Federal NEPA process must be completed before proceeding further.**
- Upon completion of NEPA process, property donations made, if applicable.**
  - Donor signs form releasing agency from appraisal and obligation to pay just compensation.
- Negotiator presents Offer of Just Compensation in writing and explains need for acquisition.**

- Each owner given notice of at least 28 days to consider the offer and consult with others.
- After notification period, negotiator notes if Negotiations Completed or Negotiations at Impasse.
- If settlement by negotiation is not feasible, agency should use eminent domain, if possible.
- Upon conclusion of negotiations:**
  - Acquiring agency prepares settlement agreement in consultation with legal counsel; and
  - Agency pays each owner the settlement amount or – in cases not settled – the approved amount of just compensation.
- Upon acquisition of rights, acquiring agency certifies the right-of-way (Letter 14).**
- Unsettled cases appealed to State Claims Commission (state) or Superior Court (local).**
  - Appeals process for unsettled acquisitions initiated 60 days after rights acquired; settlement negotiations may continue up to that point.

## FINAL PLANS, SPECIFICATIONS AND ESTIMATE

- Email final design plans and latest schedule to utility/railroad contacts.**
- Email final PS&E package to MaineDOT’s PM, as follows:**
  - Plans should be 100%, address all previous comments, and be stamped by Engineer of Record;
  - Engineer’s Estimate must have MaineDOT item numbers and match the Schedule of Items;
  - Bid book must contain the following standard items, as well as applicable special provisions:
    - Notice to Contractors;
    - Contract Agreement, Offer and Award form (2 copies);
    - Schedule of Items, with MaineDOT item numbers;
    - Davis-Bacon federal prevailing wage rates (federally funded projects);
    - Maine Department of Labor wage rates (projects of \$50,000 or more having any state funds);
    - Form FHWA-1273 (federally funded projects);
    - Title VI Assurances signed by highest-ranking administrative officer (federal projects);
    - Environmental summary sheet prepared by MaineDOT (federally funded projects).
  - The following certifications from a local agency must accompany the PS&E package:
    - Environmental (*Letter 12*);
    - Utility (*Letter 13*);
    - Right-of-Way, if applicable (*Letter 14*).
- Send construction authorization request to MaineDOT (*Letter 15*).**
- Construction authorization obtained from MaineDOT’s PM in writing on:** \_\_\_\_\_

## ADVERTISE AND AWARD

- Upon receiving written authorization, advertise the Notice to Contractors (3-week minimum).**
- Open and publicly read aloud all bids at the designated time and place.**
- Prepare bid tabulation sheet.**
- Review bids for bid defects.** [*Refer to section 102.11 of MaineDOT’s Standard Specifications*].
- Determine the apparent successful bidder.**
  - Return bid securities to everyone except the two lowest bidders.
  - Notify second bidder that bid securities will be returned upon contract award.
- Send award recommendation (Letter 16) to MaineDOT’s PM with:**

- Tabulation of bids;
- Engineer’s estimate;
- Completed Contractor DBE Utilization Form (*federally funded projects*).
- Receive MaineDOT’s written approval of recommended award. Approval date:** \_\_\_\_\_
- Send Notice of Intent to Award to apparent successful bidder.**
  - If contract exceeds \$125,000, bidder has 14 days to deliver payment and performance bonds.
  - Bidder must provide certificates of insurance, which applies to all projects.
- If bidder meets conditions of award, sign contract.**
  - Return bid securities to the first and second bidders.
  - Formally notify all unsuccessful bidders.
  - Send copy of signed construction contract to MaineDOT’s PM.

## CONSTRUCTION ADMINISTRATION

- Obtain Minimum Testing Requirements from MaineDOT’s PM.**
- Send award information to MaineDOT to enter project in the Elation payroll system.**
  - MaineDOT contact is Angela Latno: (207) 624-3519 or Angela.Latno@maine.gov

## Pre-Construction Tasks

- Send notice of pre-construction meeting and agenda (Letter 17) to the following:**
  - Contractor;
  - Utilities;
  - Construction resident;
  - MaineDOT’s PM and construction manager.
- Meeting held on:** \_\_\_\_\_
- Minutes distributed on:** \_\_\_\_\_
- Contractor schedule received on:** \_\_\_\_\_
- Quality Control (QC) Plan and Mix Designs received from Contractor on:** \_\_\_\_\_
  - Contractor must submit them at least 30 days before the work is scheduled to begin.
  - Provide them to MaineDOT construction manager for review and approval.
- Contractor Traffic Control Plan submitted to MaineDOT for review.**
  - MaineDOT Approval Date:* \_\_\_\_\_.
- Contractor Soil Erosion Water Pollution Control Plan approved by project resident.**

## Testing & Documentation

- Field Book created to record the following information:**
  - Weather, crew & equipment, hours worked, and activities, with date and initials of inspector;
  - Field measurements taken to document materials quantities for payment to the contractor;
  - Noteworthy events (accidents, discussions with owners, disputes with contractor).
- Pit authorizations completed.**
- Waste area agreements completed.**
- Project bulletin board erected:** <https://www.maine.gov/mdot/civilrights/sfp/>
  - Condition of signs must be noted weekly in a project field book.

- Testing file set up for each item in Minimum Testing Requirements.**
- Materials Tests:**
  - Aggregates must be tested at an independent, accredited laboratory.
    - Only results of failing tests reported to MaineDOT.
  - Hot-mix asphalt and concrete are tested at one of MaineDOT’s labs, in Bangor or Freeport.
- Subcontractor Approvals:** <https://www.maine.gov/mdot/contractors/publications/>
  - Municipality must approve subcontracts before any subcontractor can start work.
  - Send copy of approved package to the MaineDOT’s PM.
- Federal projects: Weekly certified payrolls received electronically from all contractors.**
  - Certified payrolls checked in Elation system for compliance with prevailing wage rate laws.
- Federal projects: Employees interviewed to verify Davis-Bacon wage rate compliance.**
  - Voluntary interviews held every 90 days with 2 covered workers from the following:
    - Prime contractor, and all subcontractors on site at least 5 days during a 90-day period.
- Federal Projects: Commercially Useful Function Form sent to MaineDOT, if applicable.**
- Federal Projects: “Buy America” (Special Provision 105).**
  - “Buy America” certifications must be received before steel and iron products are installed.
- Progress payments to contractor:**
  - Prepare estimate and review with contractor; or receive and check estimate from contractor.
  - Once approved, process estimate and send payment to contractor.
- Final Quantity Book created:**
  - Book set up by item numbers;
  - Pages set up for original measurements (or computations from plan dimensions);
  - Pages set up with a total-to-date column;
  - Entries and computations initialed and dated;
  - After item is completed, compute final quantity.

### Contract Modifications

- Modifications to the construction contract are handled as follows:**
  - Prepare an independent cost estimate for the additional work.
  - Note the time associated with the change. (If no change, note 0 additional days.)
  - Send modification to MaineDOT construction manager for review (**Letter 18**).
- Obtain MaineDOT’s concurrence with contract modification. Date:** \_\_\_\_\_
- Send modification to contractor for signature.**
  - When contractor has signed, local project administrator signs and dates the modification.

### Project Completion

- Final inspection held by Municipality, MaineDOT and contractor (**Letter 19**).**
  - Inspection Date: \_\_\_\_\_.
  - Final “punch list” of items completed on: \_\_\_\_\_.
- Final Quantity Book finalized by construction resident.**
- Completion of Physical Work Notification sent to contractor.**
- Federal projects: Final DBE Form completed by the contractor, signed by each DBE.**

- Contractor sends in request for final payment and statement that all bills have been paid.
- Final estimate paid and retainage released to contractor.
- As-built plans completed and sent to MaineDOT's PM (if applicable).
- Evaluation of each consultant completed and sent to MaineDOT's PM.
- Final billing sent to MaineDOT's PM (Letter 20).
- MaineDOT's PM completes a project evaluation.
  - Local administrator reviews, signs and returns to PM.

*Note: Records must be retained for 3 years from completion for federally funded projects.*

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# Appendix 1B:

## Submittals to MaineDOT

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- ❑ Electronic templates are posted on MaineDOT's LPA Documents page under the header labeled, "Letters to MaineDOT": [www.maine.gov/mdot/lpa/lpadocuments/](http://www.maine.gov/mdot/lpa/lpadocuments/)

**Letter 1: Request for Local Project Administration**

***NOTE: This should be put on letterhead and signed by the manager or highest ranking official***

[DATE]

Michael Laberge, Local Projects Coordinator  
Maine Department of Transportation  
Bureau of Project Development, Multimodal Program  
16 State House Station  
Augusta, ME 04333-0016

**Subject: Locally Administered Projects Request**

MaineDOT WIN: [Number]; Description: [Brief Description]

Dear Mr. Laberge:

The Municipality of [NAME] hereby requests approval to administer a federal-aid project consisting of [DESCRIPTION]. I have enclosed information about the Municipality's qualifications, including our experience in delivering projects of comparable size and scope and our ability to manage and track federal funds.

***If a person with LPA certification will manage the project, use this:***

[NAME, TITLE] is the full-time employee who would serve as Local Project Administrator for this project. [NAME]'s Local Project Administration certification is valid through [DATE].

***If a person without LPA certification will manage the project, use this:***

[NAME, TITLE] is the full-time employee who would serve as the Local Project Administrator for this project. This person currently lacks Local Project Administration certification but would be willing to take the next training program. Please let us know when the program is offered.

If MaineDOT concludes that the Municipality is adequately staffed and suitably equipped to undertake this project, please contact me to discuss the details of the project and the requirements for local administration.

I understand that, if approved, the Municipality will be responsible for meeting all federal and state requirements for this project, as described in the latest edition of the MaineDOT Local Project Administration Manual & Resource Guide.

Sincerely,

[NAME, TITLE]

**Letter 2: Project Kickoff**

[DATE]

[NAME], Project Manager  
Maine Department of Transportation  
Bureau of Project Development, Multimodal Program  
16 State House Station  
Augusta, ME 04333-0016

**Subject: Project Kickoff, [Project Location, Description]**  
MaineDOT WIN [NUMBER]

Dear [NAME]:

The Municipality of [NAME] requests your attendance at the kickoff meeting for the above-referenced project at [Date, Time and Location].

Attached is the proposed scope of work, budget and schedule. If you need additional information, please let me know.

We understand that we cannot start work eligible for reimbursement until we take these steps:

1. Hold the kickoff meeting;
2. Execute a project agreement with MaineDOT; and
3. Receive notice to proceed from MaineDOT.

We look forward to seeing you at the meeting.

Sincerely,

Local Project Administrator

Enclosures: Project scope, budget and schedule

**Letter 3: Agreement Execution**

[DATE]

[NAME], Local Projects Coordinator  
Maine Department of Transportation  
Bureau of Project Development, Multimodal Program  
16 State House Station  
Augusta, ME 04333-0016

**Subject: Local project agreement Execution Request**  
MaineDOT WIN [NAME]

Dear [NAME]:

Enclosed is one signed and dated copy of the Locally Administered Project Agreement for [project scope, WIN] in the Municipality of [NAME].

We understand that MaineDOT cannot reimburse us for project design or right-of-way costs until MaineDOT executes this Agreement and issues us a “Notice to Proceed.”

Please arrange for the agreement to be executed as soon as possible.

Sincerely,

Local Project Administrator

**Letter 4: Invoice Submittal (Federal Project)**

[DATE]

[NAME], Project Manager  
Maine Department of Transportation  
Bureau of Project Development, Multimodal Program  
16 State House Station  
Augusta, ME 04333-0016

**Subject: Request for Reimbursement, [Location, Description] Project**  
MaineDOT WIN [NUMBER]; Contract #: [NUMBER]

Dear [NAME]:

The Municipality of [NAME] requests reimbursement of MaineDOT's share of costs incurred for [INSERT TYPE] work on the subject project for the service period of [BEGIN DATE] to [END DATE], in accordance with the project agreement with MaineDOT.

Total costs for the period are \$[NUMBER]. MaineDOT's [NUMBER]% share is \$[NUMBER], and payment is requested within 30 days of acceptance of this invoice. Project costs during the period include a local share of [NUMBER] %, or \$[NUMBER], which is not from contributions from other federally assisted projects or programs.

I also have enclosed the items listed below to document that this invoice accurately represents work completed during the service period:

- A completed project costs worksheet with expenditures for the service period and to date;
- A progress report describing the work performed during the service period; and
- Copies of invoices received and checks issued.

*By signing this invoice, I certify to the best of my knowledge and belief that the information provided herein is true, complete, and accurate, and the expenditures, disbursements, and cash receipts are for the purposes and objectives set forth in the terms and conditions of the federal funding award. I am aware that any false, fictitious, or fraudulent information, or the omission of any material fact, may subject me to criminal, civil or administrative penalties for fraud, false statements, false claims or otherwise (U.S. Code Title 18, Section 1001 and Title 31, Sections 3729-3730 and 3801-3812.)*

Sincerely,

[NAME], Local Project Administrator

## LAP Project Costs Worksheet

Town/City: \_\_\_\_\_  
 PROJECT PIN: \_\_\_\_\_  
 Agreement No: \_\_\_\_\_  
 Invoice Period: From \_\_\_\_\_ => To \_\_\_\_\_

PE Auth. Date: \_\_\_\_\_  
 Construction Auth. Date: \_\_\_\_\_  
 Agreement Exp. Date: \_\_\_\_\_  
 Local Share: \_\_\_\_\_ %

Summary of Project Costs This Period						Total Project Costs This Period	Total Project Costs To Date	Total Project Budget	Project Balance
Direct Salary	Salary Benefits	Employee Travel	Supplies & Materials	Equipment Rental	Contracted Services				
<b>PRELIMINARY ENGINEERING</b> <i>(expenses incurred for PE&amp;ROW are prohibited prior to PE Authorization Date)</i>									
<b>RIGHT OF WAY ACTIVITIES</b>									
<b>CONSTRUCTION ENGINEERING</b> <i>(expenses for PE are prohibited after const contract award or const.auth. date (force account))</i>									
<b>CONSTRUCTION</b>									
<b>PROJECT TOTALS</b>									

**BILLING CERTIFICATION** =>

**I hereby certify that these amounts are correct, due and unpaid and that the work performed is in accordance with provisions and specifications of all project agreements and contracts.**

**Signed:** \_\_\_\_\_

Name

Title

Date

**Letter 5: Request for Simplified Acquisition (Federal Project)**

[DATE]

[NAME], Project Manager  
Maine Department of Transportation  
Bureau of Project Development, Multimodal Program  
16 State House Station  
Augusta, ME 04333-0016

**Subject: Simplified Acquisition Request, [Location, Description] Project**  
MaineDOT WIN:

Dear [NAME]:

The Municipality of [Name] is requesting approval to seek a proposal for engineering services for [project scope] from [insert company name], which is pre-qualified by MaineDOT in the service category of [insert number and type of service].

Since the cost is estimated to be \$25,000 or less – based on our Independent Estimate (enclosed) – we request approval to use Simplified Acquisition allowing us to solicit a proposal from one consultant pre-qualified by MaineDOT to perform the service. Our draft request for proposals is attached for your review.

We understand that MaineDOT cannot participate financially in contract costs exceeding \$25,000 if Simplified Acquisition is used, and that we must use a separate process to solicit additional consultant services (if required).

Please review the submitted materials and notify us if we are approved to solicit a proposal and subsequently to negotiate a contract with this firm. We understand that we cannot award a contract without your approval.

Sincerely,

[NAME], Local Project Administrator

Enclosure: Independent Estimate

**Letter 6: RFP Review**

[DATE]

[NAME], Project Manager  
Maine Department of Transportation  
Bureau of Project Development, Multimodal Program  
16 state House Station  
Augusta, ME 04333-0016

**Subject: RFP Review Request**  
MaineDOT WIN:

Dear [NAME]:

The Municipality of [Name] intends to solicit proposals for consultant engineering services for [project scope]. Attached is the request for proposals that we intend to use for this solicitation.

*If estimated price is \$25,000 to \$250,000, use the following language:*

Based on our Independent Estimate of the cost of the proposed services (enclosed), we understand that we may select potential consultants from a pool of 3 to 5 pre-qualified firms. We intend to send the RFP to the following consultants on the MaineDOT pre-qualification listing for [insert number and type of service]:

- 
- 
- 

*If estimated price is \$250,000 or greater, use the following language:*

Based on our Independent Estimate of the cost of the proposed services (enclosed), we understand that we must use a publicly advertised solicitation in accordance with the federal Brooks Act. We intend to advertise the RFP on [insert date] as follows:

Please review the draft RFP and inform me as to its adequacy.

Sincerely,

[NAME], Local Project Administrator

Enclosure: Draft RFP

**Letter 7: Request for Approval of Consultant Selection**

[DATE]

[NAME], Project Manager  
Maine Department of Transportation  
Bureau of Project Development, Multimodal Program  
16 state House Station  
Augusta, ME 04333-0016

**Subject: Consultant Selection Approval Request**  
MaineDOT WIN:

Dear [NAME]:

The Municipality of [insert NAME] has selected the consultant firm of [insert NAME] for [insert scope of services] work for [insert project description]. Attached is the negotiated contract, price proposal and our Independent Estimate. We understand that we cannot award this contract without your approval.

We have verified that our selected consultant is not debarred or otherwise prohibited from working on federally funded contracts. Attached as backup is a screen shot from the federal System for Award Management (SAM) database: [www.sam.gov/SAM/](http://www.sam.gov/SAM/).

Please review these documents and inform me of your decision so that we may execute a contract. We understand that no work eligible for reimbursement may begin until we execute the contract upon MaineDOT's approval and give our selected consultant notice to proceed.

Sincerely,

[NAME], Local Project Administrator

Enclosures:

1. Draft contract
2. Independent estimate

**Letter 8: Submittal of Preliminary Design Report**

[DATE]

[NAME], Project Manager  
Maine Department of Transportation  
Bureau of Project Development, Multimodal Program  
16 State House Station  
Augusta, ME 04333-0016

**Subject: Preliminary Design Report (PDR) Submittal, [Project Location and Description]**  
MaineDOT WIN:

Dear [NAME]:

Attached for MaineDOT review is the Preliminary Design Report for [insert location and scope] in the Municipality of [insert name]. With this letter, the Municipality acknowledges the latest estimate for the project of [insert amount] and affirms its commitment to raise the required local matching funds and to move forward with the project.

***If there are design exceptions:***

The following design exceptions were approved by MaineDOT on [insert date] and are noted on the plans:

***If there are no design exceptions:***

This project will not require exceptions to controlling standards for project design.

If you would like to visit the project site, please notify me and I will make the arrangements. Please let me know if you need additional information.

Sincerely,

Local Project Administrator

**Letter 9: Submittal of Design Plan Impacts**

[DATE]

[NAME], Project Manager  
Maine Department of Transportation  
Bureau of Project Development, Multimodal Program  
16 State House Station  
Augusta, ME 04333-0016

**Subject: Design Plan Impacts Submittal, [Project Location and Description]**  
MaineDOT WIN:

Dear [NAME]:

Attached for your review and comment are the draft design plan impacts for [insert description] in the Municipality of [NAME]. With this letter, the Municipality acknowledges the latest estimate for the project of [insert amount] and affirms its commitment to raise the required local matching funds and to move forward with the project.

The plans show all impacts to utilities and abutting properties, as well as cross-sections with proposed limits of slopes and new construction. These plans meet standards specified in the MaineDOT Right of Way Manual (August 2018), Table 2-3, "Design Plan Impacts Complete," found on page 2-6(9).

If you would like to visit the project site, please notify me and I will make the arrangements. Please let me know if you need additional information.

Sincerely,

[NAME], Local Project Administrator

**Letter 10: Public Process Certification (Federal Project)**

***Instructions: This certification must be submitted on letterhead to MaineDOT with Letter 11 and the NEPA Documentation Checklist, found on the next two pages.***

[DATE]

[NAME], Project Manager  
Maine Department of Transportation  
Bureau of Project Development, Multimodal Program  
16 State House Station  
Augusta, ME 04333-0016

**Subject: Public Process Certification, Federal Project**  
MaineDOT WIN:

Dear [NAME]:

The Municipality of [NAME] hereby certifies that a public process was carried out for the [LOCATION and SCOPE] project in accordance with Title 23 in the Code of Federal Regulations, Part 771.111, “Early coordination, public involvement, and project development.”

I have attached for your information the following:

- A copy of the notification that was sent to abutters by registered mail;
- A copy of the meeting notice;
- A copy of the sign-in sheet; and
- Meeting minutes / hearing transcript.

**PLEASE DESCRIBE ANY PUBLIC OPPOSITION HERE, IF APPLICABLE.**

Sincerely,

[NAME], Local Project Administrator

**Letter 11: NEPA Documentation (Federal Project)**

***Instructions:*** This letter must be submitted on letterhead to MaineDOT with the checklist on the next page once MaineDOT approves the Preliminary Design Report.

[DATE]

[NAME], Environmental Team Leader  
Maine Department of Transportation  
Bureau of Project Development, Multimodal Program  
16 State House Station  
Augusta, ME 04333-0016

**Subject: NEPA Documentation, Federal Project**  
MaineDOT WIN:

Dear [NAME]:

Attached is the required NEPA documentation checklist for the [LOCATION and SCOPE] project in the Municipality of [NAME].

Also attached is Letter 10, certifying that the Municipality carried out a public process in accordance with the regulations in 23 CFR 771.111.

If you need additional information, please let me know.

Sincerely,

[NAME], Local Project Administrator

Enclosures:

- NEPA documentation checklist
- Public process certification (Letter 10)

**Note: This checklist must be submitted with Letter 11**

**NEPA DOCUMENTATION  
For the Maine Department of Transportation, Federally Funded Projects**

Project Title & Location: \_\_\_\_\_

Federal Project #: \_\_\_\_\_ MaineDOT WIN: \_\_\_\_\_

Description of Work: \_\_\_\_\_

MaineDOT Project Manager: \_\_\_\_\_

-----  
**Answer the following questions and attach supporting documentation as requested. If there is a “yes” response, explain on a separate sheet or contact your MaineDOT Project Manager for guidance.**

**1.) Public Involvement:** Is there substantial public opposition to proposed action?  Yes  No  
*The answer should become apparent at a public meeting approving the project.*

**Documentation:** Approved capital plan; meeting records; letters from the public; board meeting minutes; or Letter 10 (Public Process).

**2.) Right-of-Way:** Does action include a residential or commercial displacement,  Yes  No  
or acquisition of property rights that will result in substantial abutter impacts?  
*For help with “substantial,” contact your Project Manager at MaineDOT.*

**Documentation:** Plan Impacts Complete for the project (Letter 9)

**3.) Endangered Species & Essential Fish Habitat:**

- a. Has a qualified person surveyed the project area for streams, rivers,  Yes  No  
coastal waters, wetlands, and vernal pools?
- b. Were streams, rivers, coastal waters / wetlands, freshwater wetlands,  Yes  No  
or vernal pools identified?
- c. Is any work proposed in or adjacent to a stream, river or coastal waters?  Yes  No
- d. Does the project require clearing trees or trimming limbs 3” or greater in diameter?  Yes  No

**Documentation:** Resource delineation and plans with location of resource and work planned. If in-water work is proposed, project will be screened by the MaineDOT Environmental Office for intersection with habitat for endangered species and critical fish. Additional coordination with the Environmental Office will be required if the project is in one of these areas and includes in-water work or involves clearing.

**4.) section 4(f) or 6(f):**

- a. Does project area include or abut resources protected by section 4(f) of the  Yes  No  
Department of Transportation Act: publicly owned land, parks, recreation areas,  
wildlife and waterfowl refuges, or historic sites?
- b. Will project require temporary or permanent rights on any protected 4(f) resource  Yes  No  
listed above?

**Documentation:** Existing and proposed right-of-way plan, and a description of how impacts to these properties were avoided and minimized.

Signed by: \_\_\_\_\_

Date: \_\_\_\_\_

[Name, Local Project Administrator]

**Letter 12: Environmental Certification**

***INSTRUCTIONS: This must be submitted on letterhead with the final PS&E package.***

[DATE]

[NAME], Project Manager  
Maine Department of Transportation  
Bureau of Project Development, Multimodal Program  
16 State House Station  
Augusta, ME 04333-0016

**Subject: Environmental Certification, Federal Project  
MaineDOT WIN:**

Dear [NAME]:

***If permits were required, use this paragraph:***

The Municipality of [NAME] hereby certifies that it has obtained all environmental permits and approvals for the subject project, satisfying a pre-construction requirement in the executed project agreement with MaineDOT. Attached are copies of the permits, which are required for MaineDOT to complete the Environmental Summary Sheet for the contract package.

***If NO permits were required, use this paragraph:***

The Municipality of [NAME] hereby certifies that no environmental permits were needed for the subject project. This certification satisfies one of the pre-construction requirements in the executed project agreement with MaineDOT. ***NOTE: If no permits were required, please briefly explain.***

Sincerely,

[NAME], Local Project Administrator

Cc: MaineDOT Environmental Office

*(Revised January 2020)*

**Letter 13: Utility/Railroad Certification**

***INSTRUCTIONS: This must be submitted on letterhead with the final PS&E package.***

[DATE]

[NAME], Project Manager  
Maine Municipality of Transportation  
Bureau of Project Development, Multimodal Program  
16 Sate House Station  
Augusta, ME 04333-0016

**Subject: Utility Certification, Federal Project, MaineDOT WIN:**

Dear [NAME]:

The Municipality of [NAME] hereby certifies that all utility and railroad work necessitated by the subject project has been identified and coordinated with the respective parties. All arrangements have been made for utility work to be undertaken and completed as required for proper coordination with the construction schedule, in accordance with Title 23 in the Code of Federal Regulations, Part 645, "Utilities," Subpart A and Subpart B.

Based on 23 CFR 635.309(b), the Municipality further certifies either that all railroad work has been completed or that all arrangements have been made for such work to be undertaken and completed as required for proper coordination with the construction schedule, in accordance with 23 CFR 140 Subpart I and 23 CFR 646 Subpart B.

Listed below are utilities/railroads having facilities within the project limits:

<b><u>Utility/Railroad</u></b>	<b><u>Impacted facilities? (yes/no)</u></b>
--------------------------------	---

All of the above entities were first informed of the project on [DATE], were involved as necessary throughout design, and received the most current plans on [DATE]. Furthermore, the above entities have been informed of the proposed advertising date: [DATE]. There are no direct payments anticipated to utilities/railroads as a part of this project.

The primary utility/railroad contacts involved in the coordination of this project are as follows:

<b><u>Utility/Railroad</u></b>	<b><u>Contact Name</u></b>	<b><u>Telephone #</u></b>
--------------------------------	----------------------------	---------------------------

Sincerely,

[NAME], Local Project Administrator

**Letter 14: Right-of-Way Certification**

***INSTRUCTIONS: If a local agency acquired rights or otherwise carried out the right-of-way process, this letter must be signed by the agency's highest-ranking administrative officer and submitted to MaineDOT with the final PS&E package.***

[DATE]

[NAME], Project Manager  
Maine Department of Transportation  
Bureau of Project Development, Multimodal Program  
16 State House Station  
Augusta, ME 04333-0016

**Subject: Right-of-Way Certification, Federal Project  
MaineDOT WIN:**

Dear [NAME]:

***If right-of-way was acquired, use this statement:***

The Municipality of [NAME] hereby certifies that:

1. The Municipality has acquired all rights-of-way necessary for construction and maintenance of [DESCRIPTION AND LOCATION], and the Municipality has legal and physical possession of those rights;
2. The acquisition was performed in accordance with Title III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, "Uniform Real Property Acquisition Policy"; and
3. No acquisition required compliance with Title II of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, "Uniform Relocation Assistance."

***If NO right of way was required, delete the text above and use this statement:***

The Municipality of [NAME] hereby certifies that no right-of-way acquisition was necessary for construction and maintenance of the subject project. All work will occur within the existing right-of-way, as documented in the final design plans stamped by the Engineer of Record.

All information about the right-of-way process can be made available upon request. If you need additional information, please let me know.

Sincerely,

Highest-ranking administrative officer

(Revised February 2020)

**Letter 15: Construction Authorization Request**

***INSTRUCTIONS: This must be submitted on letterhead with the final PS&E package.***

[DATE]

[NAME], Project Manager  
Maine Department of Transportation  
Bureau of Project Development, Multimodal Program  
16 State House Station  
Augusta, ME 04333-0016

**Subject: Construction Authorization Request, Federal Project  
MaineDOT WIN:**

Dear [NAME]:

Attached for your review, comment and approval are the final plans, specifications and estimate (PS&E) for [insert project scope] in the Municipality of [NAME].

Also attached are the following certifications:

- Letter 12 (environment);
- Letter 13 (utilities); and
- Letter 14 (right of way).

The Municipality hopes to advertise for construction services on [insert date], but we understand that we cannot put the project out to bid without MaineDOT's written approval.

We further acknowledge that construction authorization will be contingent upon:

1. The Municipality addressing to MaineDOT's satisfaction any final comments on the PS&E package; and
2. MaineDOT obtaining authorization for the construction stage of the project from the Federal Highway Administration.

Sincerely,

[NAME], Local Project Administrator

**Letter 16: Project Award Request**

[DATE]

[NAME], Project Manager  
Maine Department of Transportation  
Bureau of Project Development, Multimodal Program  
16 State House Station  
Augusta, ME 04333-0016

**Subject: Request to Award Construction Contract, Federal Project  
MaineDOT WIN:**

Dear [NAME]:

Attached for your review are the bid tabulations, engineer's estimate and completed Contractor DBE Utilization Form for [SCOPE, LOCATION] in [NAME OF MUNICIPALITY]. [CONTRACTOR NAME] is the apparent successful bidder. We request authorization to award the project to that contractor.

In making this request, we acknowledge that we cannot send out the Notice of Intent to Award without written authorization from MaineDOT.

If you need additional information, please let me know.

Sincerely,

[NAME], Local Project Administrator

Enclosures:

1. Bid tabulations
2. Cost estimate

**Letter 17: Pre-Construction / Pre-Utility Meeting**

[DATE]

[NAME], Project Manager  
Maine Department of Transportation  
Bureau of Project Development, Multimodal Program  
16 State House Station  
Augusta, ME 04333-0016

**Subject: Pre-Construction / Pre-Utility Meeting**  
MaineDOT WIN:

Dear [NAME]:

Your attendance is requested at the pre-construction / pre-utility meeting for **[insert project scope, WIN]** in the Municipality of [NAME] on **[insert meeting date/time]**. I have attached an agenda for your convenience.

If you need additional information, please let me know.

Sincerely,

[NAME], Local Project Administrator

Cc: Jen Paul, Construction Manager, MaineDOT Multimodal Program

**AGENDA ITEMS FOR PRE-CONSTRUCTION MEETING  
(Federally Funded Project)**

1. Introductions
2. Review Scope of Project
  - a. Acknowledge Amendments
  - b. Completion Date
  - c. Liquidated Damages
3. Permits Obtained (if required)
4. Construction Safety
  - a. Primary consideration during construction
  - b. Emergency contact list including 24 hour contacts
  - c. Contractor safety plan to be provided
  - d. Traffic Control Plan (TCP) must be reviewed and approved by Maine DOT
5. Schedule for the completion of work to be provided
  - a. Are there utility issues?
  - b. Update schedule as required
  - c. Daily construction activities to be recorded
  - d. Town must pay contractor first, then request reimbursement on a monthly basis
6. Labor Requirements
  - a. Davis-Bacon wage rates apply – if project has federal money
  - b. Certified payrolls with classifications to be submitted & reviewed: Elations
  - c. Payroll labor interviews
  - d. DBE participation & CUF form
7. Construction Control
  - a. Minimum Testing Requirements
  - b. Subcontract Approval (*FHWA-1273 must be inserted in all subcontracts*)
  - c. Measurement & documentation of materials used for payment purposes
  - d. Engineering oversight of activities
  - e. Manufacturer's certification for materials
  - f. Soil Erosion and Water Pollution Plan (SEWPCP)
  - g. Quality control plans, mix design submittals, pre-pave meeting
  - h. Buy America: steel/iron product certifications must be received before payment for that item, if a project has federal money
8. Communications
  - a. Requests for Information (RFIs)
  - b. Change Orders require MaineDOT review; must include detailed description of scope change, independent cost estimate & time
  - c. Notification of anticipated issues, claims or disputes

**Letter 18: Contract Modification**

[DATE]

Jen Paul, Construction Manager  
Maine Department of Transportation  
Bureau of Project Development, Multimodal Program  
16 State House Station  
Augusta, ME 04333-0016

**Subject: Contract Modification Request**  
MaineDOT WIN:

Dear [NAME]:

Attached for your review is Contract Modification #[number] for **[insert project scope]** in the Municipality of [NAME]. The change will consist of **[insert description of contract modification including scope change and/or extra costs]**.

An Independent Estimate of the cost of the additional work is attached. This modification will add **[number of days]** to the original contract.

*(Note: The amount of time required by the modification must be noted. If there is no change in the schedule, then state “0 days” or indicate that the modification will not change the amount of time associated with the contract.)*

If you need additional information, please let me know.

Sincerely,

[NAME], Local Project Administrator

Cc: MaineDOT Project Manager

<b>PROJECT DESCRIPTION:</b>	
<b>CONTRACT MOD. NO.:</b>	
<b>PROJECT WIN:</b>	
<b>MUNICIPALITY:</b>	
<b>DATE ISSUED:</b>	

To: \_\_\_\_\_, you are hereby notified, the following work is to be accomplished in accordance with the provisions of your Contract. The work will not be considered authorized for payment without the required signatures. Payment will be made as described.

*(By signing this Order the Contractor agrees that all issues, including time, relating to the described work are satisfactorily resolved by this Order. No other compensation will be sought or made.)*

**DESCRIPTION:**

**REASON:**

**COST:**

Amount of this Order: \$

Original Contract Amount	\$
Total Cost of this Contract Modification	\$
Total Cost of all Contract Modifications Including this Mod	\$
Percentage of Contract for this Mod	%
Total Percentage of Contract including all Mods	%
Total Contract Amount Including this Mod	\$

Additional Days Added (This Mod):	New Completion Date:
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<b>TITLE:</b>	<b>SIGNATURE:</b>	<b>DATE:</b>
Resident or Inspector		
Contractor		
Municipality		

**Letter 19: Final Inspection**

[DATE]

Jen Paul, Construction Manager  
Maine Department of Transportation  
Bureau of Project Development, Multimodal Program  
16 State House Station  
Augusta, ME 04333-0016

**Subject: Final Inspection, MaineDOT WIN:**

Dear [NAME]:

Your attendance is requested at the Final Inspection for **[insert project scope, WIN]** in the Municipality of [NAME] on **[insert meeting date/time]**. At the time, we can also make available all documentation and testing results for the project.

If you need additional information, please let me know.

Sincerely,

[NAME], Local Project Administrator

Cc: MaineDOT Project Manager

**Letter 20: Final invoice and Completion of Work (Federal Project)**

***INSTRUCTIONS: This must be submitted on letterhead with all requested documentation.***

[DATE]

[NAME], Project Manager  
Maine Department of Transportation  
Bureau of Project Development, Multimodal Program  
16 State House Station  
Augusta, ME 04333-0016

**Subject: Final Invoice and Notification of Completion of Work**  
MaineDOT WIN [NUMBER]; Contract # CSN [NUMBER]

Dear [NAME]:

This Municipality of [NAME] certifies that the contractor has completed all work on the subject project in accordance with the construction contract and approved modifications, and that:

- The Municipality has accepted the work;
- Final quantities have been reconciled and agreed to by the contractor;
- The Municipality has all supporting documentation for the final quantities;
- There are no outstanding claims or disputes associated with the project; and
- All fees and contract balances have been paid, including expenses from preliminary engineering, right-of-way, construction, inspection, and construction engineering.

Attached is the final invoice for the project requesting reimbursement of \$[NUMBER] as MaineDOT's [NUMBER] % share of expenditures for the service period, [DATES]. Attached is the documentation to support this request, including copies of invoices received and checks issued. I understand that the Municipality's [NUMBER] % share of MaineDOT's internal charges to the project will be reconciled and deducted from this final invoice.

Also attached is a copy of the federally required consultant evaluation for the project.

*By signing this invoice, I certify to the best of my knowledge and belief that the information provided is true, complete, and accurate, and the expenditures, disbursements, and cash receipts are for the purposes and objectives set forth in the terms and conditions of the federal funding award. I am aware that any false, fictitious, or fraudulent information, or the omission of any material fact, may subject me to criminal, civil or administrative penalties for fraud, false statements, false claims or otherwise (U.S. Code Title 18, Section 1001 and Title 31, Sections 3729-3730 and 3801-3812.)*

Sincerely,

[NAME], Local Project Administrator

END OF CHAPTER 1