

Local Project Administration Manual & Resource Guide

Administration & Finance



MaineDOT

Integrity - Competence - Service

Chapter 1 - Updated in 2023

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 deliver locally administered projects include municipalities, transportation agencies and tribal governments, which this Manual will refer to collectively as “local agencies.” The professionals eligible to oversee them are municipal managers, engineers, public works directors, planners, community development directors, and agency administrators, all of whom must follow the policies and procedures in this Manual.

Chapter 1 offers guidance on the administrative and financial requirements for locally sponsored projects awarded federal and state transportation funding. The following topics are covered:

- 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);
- Project timetable (page 1-9);
- Appendix 1A: Project checklist (page 1-10) – *updated, 2023*;
- Appendix 1B: Submittals to MaineDOT (page 1-17) – *updated, 2023*.



➞ Resources for local agencies are available online: www.mainedot.gov/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, therefore, must verify that organizations are adequately staffed and suitably equipped to deliver projects, with sufficient accounting controls. If a project has federal transportation funding, the person serving as the project administrator must be a **full-time** employee of the sponsoring local agency.

Once MaineDOT approves a grant application and awards funding, 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 federal-aid projects should be sent to MaineDOT's Local Projects Coordinator in the format of *Letter 1*, found on page 1-18, with the following:

- Name, title and responsibilities of the full-time employee who would manage the project;
- An agency's experience in delivering projects of similar size and scope; and
- Documentation of the organization's track record of managing federal and state funds.

If MaineDOT determines that local administration would be suitable for a project, MaineDOT will enter into a project agreement with the sponsoring local agency. If MaineDOT concludes that local administration would not be an appropriate fit, MaineDOT will administer the project for the sponsoring local agency.

Note: Projects awarded through MaineDOT's competitive Municipal Partnership Initiative and Small Harbor Improvement Program must be locally administered. Local administration also should be considered for any project located off the state system, if the sponsoring local agency has the personnel and capacity to manage the work successfully.

1.2 Certification

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 is mandatory for federal-aid projects, as follows:

Tier I certification is granted upon completion of a one-day training covering the basics of delivering a project. It is valid for **four years**.

Tier II certification consists of an additional review at project kickoff, during which MaineDOT and local staff go over the scope, budget, schedule and requirements. This review is held for all projects, regardless of funding source.



Certification is recommended for engineering consultants and for local officials likely to manage projects through the state-funded Small Harbor Improvement Program (SHIP) and Heads Up! pedestrian safety program.

1.3 Local Responsibilities

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 635.105 (Supervising Agency).

Projects without federal funds, typically awarded through state grant programs, have flexibility from the full-time oversight requirement. Still, project administrators must be employees of the sponsoring local agencies who are appropriately 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 full-time employee must step in. If necessary, MaineDOT may ask a local agency to stop work until an employee can be certified.

1.4 MaineDOT Responsibilities

As the agency accountable for the federal and state transportation funding that Maine receives, MaineDOT assigns state project managers and technical staff to locally administered projects to provide oversight and assistance.

Activities that MaineDOT generally performs consist of the following:

- ☐ Preparing and executing state/local project agreements;
- ☐ Reviewing/approving all contracts between local agencies and other parties;
- ☐ Authorizing work at the milestones found in the flowchart on page 1-9 of this chapter;
- ☐ Reviewing/approving local invoices requesting reimbursement;
- ☐ Conducting survey work for projects on state highways;
- ☐ Reviewing design plans to be sure that projects meet federal and state requirements;
- ☐ Carrying out the National Environmental Policy Act (NEPA) review process;
- ☐ Leading the right-of-way process for projects on state highways;
- ☐ 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 concrete and pavement;
- ☐ Inspecting the completed project for compliance with federal and state requirements;
- ☐ Accepting, closing out and auditing a project.

1.5 Financial Requirements

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 state/local project agreement that covers the following:

- Scope of work;
- Breakdown of federal, state and local funding, as applicable;
- Invoicing requirements;
- Responsibilities of MaineDOT and the local agency managing the project;
- MaineDOT WIN and the federal project number (if applicable);
- Federal Assistance Listing Number (formerly CFDA number), typically 20.205;
- An agency's federal SAM Unique Entity ID (new in 2022);
- General terms and conditions, as directed by MaineDOT's Office of Legal Services.

MaineDOT prepares agreements for federally funded 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: Costs incurred before MaineDOT signs an agreement and gives notice to proceed cannot be reimbursed under section 1.5.2 below.

1.5.2 Reimbursement

Local agencies receive funding from MaineDOT by reimbursement, at rates that range from 50 percent on state grant projects to 80 percent or more on federally funded work.

Local agencies must cover the remaining amounts as their matching shares. Match usually must be *cash*; in-kind work does not qualify as match unless a local agency first receives written approval from MaineDOT, as described in Chapter 9 of this Manual (Force Account Work).



☒ Costs eligible for reimbursement:

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

✖ Costs not reimbursable:

- Expenditures incurred *before* MaineDOT issues notice to proceed;
- Administrative time or other costs that should be covered by an agency's overhead rate;
- 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 on a completed project.

1.5.3 Invoices

Invoices requesting reimbursement must cover at least \$100 and be submitted either monthly, quarterly or semi-annually. Any invoice found to have errors or inadequate backup will be returned – with reimbursement withheld until MaineDOT approves a corrected invoice.

Invoices must have the following information:

- ☐ Letter 4 (found on page 1-21) with service dates and the amount requested;
- ☐ A completed invoice worksheet, found at www.mainedot.gov/lpa/lpadocuments/;
- ☐ A progress report describing work performed during the invoice period;
- ☐ 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, detailed payroll register – if eligible work was performed by municipal staff.

1.5.4 MaineDOT Internal Costs

MaineDOT staff will charge their time to projects for tasks listed in section 1.4 – MaineDOT Responsibilities. Although the number of hours will vary, services performed by MaineDOT typically will account for 12 to 15 percent of the budget for a project – and possibly more if rights-of-way must be acquired. The estimated cost of MaineDOT staff time 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 certain projects without federal funds. MaineDOT will cover them during the kickoff for a specific project.)

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

1.5.5 Repayment of Funds

If a local agency cancels 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 in subsection 1.5.4 – MaineDOT Internal Costs.

Additionally, MaineDOT may recover payments for activities later 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 measures that 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 / administrator;
- Finance committee members;
- Members of the council or select board.



MaineDOT recommends that local agencies receiving federal and state funds have in place written procedures for the activities set out 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;
- ☐ 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

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 award, including the Federal Assistance Listing Number; and
- Shows the expenditures for each federal award 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

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

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

When completed, evaluation forms are filed at MaineDOT as reference documents for use in evaluating future requests to manage projects with state and federal funds at the local level.

PROJECT TIMETABLE

TASK	DESCRIPTION	TYPICAL TIMEFRAME
Funding Award	MaineDOT or a Metropolitan Planning Organization (MPO) awards funding.	Award is made 6 to 9 months after an application is received.
Agreement	Municipality and MaineDOT sign agreement.	Agreement is executed after a project is placed in federal STIP or MaineDOT Work Plan.
Kickoff	Municipality and MaineDOT review budget, schedule and requirements.	Parties hold kickoff meeting once agreement is signed.
Consultant Selection	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.
Preliminary Engineering	<ul style="list-style-type: none"> ▪ Preliminary Design Report Milestone ▪ Plan Impacts Complete Milestone 	PE may take from 9 months to as many as 18 to 24 months from kickoff, based on scope.
Environmental Review	Consists of reviews for impacts to natural and cultural resources, as mandated by the National Environmental Policy Act (NEPA)	NEPA may take 3 to 9 months from Plan Impacts Complete.
Right of Way	Map impacts, research titles, perform appraisals, review appraisals, negotiate with owners, and acquire rights.	Process takes 10-12 months. No negotiating with owners until NEPA is completed.
Final PS&E	Municipality sends to MaineDOT the final design plans, specifications and cost estimate (PS&E) for review and comment.	Projects typically reach PS&E within 3 years after kickoff – or longer if there is Right of Way.
Advertise	After receiving MaineDOT's authorization, a municipality solicits for construction bids.	A 3-week advertise period is standard, after authorization.
Contract Award	Municipality awards a contract to the lowest responsive and responsible bidder.	Municipality has 30 days after bid opening to award a contract.
Construction	This stage consists of construction, inspection, and materials testing.	Duration will vary, depending on the complexity of a project.
Completion	MaineDOT, Municipality and contractor walk the project and develop a "punch list" of items that must be addressed before the project is formally accepted as complete.	Final inspection should occur upon completion of work. MaineDOT requires a minimum notice of 2 weeks.
Closeout	MaineDOT reconciles costs, including local share of MaineDOT's charges if applicable. Municipality submits final invoice.	Records must be kept for a minimum of 3 years after payment of final invoice.

Appendix 1A: Project Checklist



Checklist: Federally Funded Project

(Updated, August 2023)

Municipality: _____ Project Location: _____

MaineDOT WIN: _____ Local Administrator: _____

PROJECT KICKOFF

- ☐ **Project included in approved Statewide Transportation Improvement Program (*federal funds*).**
 - ☐ Project included in MaineDOT Work Plan (*state funds only*).
- ☐ **Project agreement executed on:** _____
- ☐ **Kickoff meeting held with MaineDOT on:** _____
- ☐ **Invoices are submitted to MaineDOT at least every 6 months using Letter 4.**

HIRING A CONSULTANT

Note: Hiring a consultant with money from MaineDOT requires a Qualifications-Based Selection, which prohibits the consideration of price in the initial ranking of consultants. This is a condensed version of the selection process. The full process is set out in Chapter 2 – Hiring Consultants.

- ☐ **Develop Scope of Work and Independent Estimate, then send to MaineDOT for approval.**
 - ☐ *Approval Date:* _____
- ☐ **Develop a Request for Proposals (RFP), then send to MaineDOT for approval using Letter 6.**
 - ☐ RFP must request from each proposer a Technical Proposal, with no mention of price.
 - ☐ RFP must require Price Proposal to be provided in one of two ways:
 - Price Proposal may be submitted by each proposer in a separate, sealed envelope; or
 - Price Proposal may be requested only from the top-ranked consultant after scoring is done.
 - ☐ *RFP Approval Date:* _____
- ☐ **Use one of the selection methods below, based on the estimated cost of the consultant work.**
 1. **Simplified Acquisition: Contract value estimated to be \$25,000 or less.**
 - ☐ Obtain MaineDOT's approval to use Simplified Acquisition by sending Letter 5.
 - ☐ If MaineDOT approves, request/receive proposal from a single, pre-qualified consultant.
 2. **Competitive Solicitation: Contract value estimated to be \$25,000 to \$250,000.**
 - ☐ Send approved RFP to 3-to-5 pre-qualified firms: www.mainedot.gov/cpo/prequal/
 - **Note:** If local procedures require an advertised RFP, that also is acceptable.
 3. **Brooks Act: Contract value estimated to be \$250,000 or greater.**
 - ☐ Advertise RFP on the websites for the local agency sponsoring a project and MaineDOT.
- ☐ **Organize an evaluation team and review/score Technical Proposals.**
 - ☐ Conduct interviews, if necessary, to determine the highest-ranked proposer.
- ☐ **Open Price Proposal only from highest-ranked firm or request Price Proposal from that firm.**

- ☐ **Negotiate scope of work, schedule, and fair and reasonable price.**
 - ☐ If negotiations with top-ranked firm succeed, draft a contract using MaineDOT template.
 - ☐ If terms cannot be reached, request a Best and Final Offer, terminate negotiations, and repeat this negotiation process with the second-ranked firm.
- ☐ **Verify that selected consultant is not debarred**, using federal website: www.sam.gov
- ☐ **Send draft contract and price proposal to MaineDOT for review/approval using Letter 7.**
- ☐ **Obtain completed DBE Utilization Form from selected consultant** (*federal funds*).
- ☐ **Execute a contract, after receiving approval from MaineDOT's PM.**
- ☐ **Send selected consultant notice to proceed.**
- ☐ **Going forward, submit draft contract modifications to MaineDOT for approval using Letter 8.**

PRELIMINARY DESIGN

- ☐ **Identify utility/railroad contacts:** www.mainedot.gov/utilities/contactinfo/.
 - ☐ Email Utility Letter #1 and a location map to utility/railroad contacts.
- ☐ **Verify limit of existing right-of-way:**
 - ☐ Research municipal/county layout records and conduct field survey to verify information.
 - ☐ Send Property Owner Reports to property owners.
 - ☐ Upon completion of field survey, email Utility Letter #2 and survey plans to utility contacts.
- ☐ **Prepare Existing Conditions Plan** with right-of-way limits, topography, and property lines.
- ☐ **Identify and submit applications for environmental permits to appropriate agencies:**
 - ☐ Army Corp of Engineers: (207) 623-8367 or www.nae.usace.army.mil/Missions/Regulatory/
 - ☐ Department of Environmental Protection: (207) 287-7688 or www.maine.gov/dep/permits/
- ☐ **Hold advertised public informational meeting. Date:** _____
- ☐ **Prepare Preliminary Design Report – PDR (60% complete):**
 - ☐ Send design plans and completed MaineDOT PDR form to MaineDOT PM for review.
 - 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) and completed NEPA 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.
- ☐ **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.**
 - ☐ Agency acknowledges estimate and confirms in writing its commitment to the project; OR
 - ☐ Agency acknowledges estimate and requests in writing to cancel project and repay all funds.

- ☐ **Once design reaches Plan Impacts Complete, follow up with utilities:**
 - ☐ 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 and railroad agreements, if necessary.
- ☐ **Prepare special provisions for the bid package.**

RIGHT OF WAY

- ☐ **Conduct title searches at Registry of Deeds to identify and confirm property ownership.**
 - ☐ Refer to section 2-4.02 of MaineDOT *Right of Way Manual*, “Title Examinations.”
 - ☐ Use either a private title lawyer or consultant listed under MaineDOT pre-qualification number 401.00, “Title Research/Abstracting.”
- ☐ **Prepare final right-of-way plans, once design reaches Plan Impacts Complete.**
 - ☐ Go by 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 service number 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 service number 402.00, “Property Valuation and Appraisal Services.”
 - ☐ Appraisal review completed on: _____.
- ☐ **Issue a written Determination of Just Compensation.**
 - ☐ The review appraiser’s recommendation is the basis for a Determination of Just Compensation.
 - ☐ Determination of Just Compensation signed by highest-ranking municipal officer.
- ➔ Federal NEPA process must be completed before proceeding to the next steps.**
- ☐ **Upon completion of NEPA process, property donations made**, if applicable.
 - ☐ Donor signs form releasing agency from appraisal and obligation to pay just compensation.
- ☐ **Contract with qualified negotiator to negotiate Just Compensation with each property owner.**
 - ☐ Refer to MaineDOT pre-qualification service number 403.00, “Property Negotiations.”
- ☐ **Negotiator presents Offer of Just Compensation in writing and explains need for acquisition.**
 - ☐ Each owner given at least 28 days to consider offer, consult with others, and present information.
 - ☐ If settlement by negotiation is not feasible, agency should use eminent domain, if possible.
- ☐ **Upon conclusion/termination of negotiations:**
 - ☐ Acquiring agency prepares settlement agreement in consultation with legal counsel; and
 - ☐ Agency pays each owner the approved amount of just compensation.
 - ☐ Title transferred to MaineDOT (state highway) or to the acquiring local agency.
- ☐ **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 must be initiated within 60 days after rights acquired.

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 must be 100%, address 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 (state-funded projects of \$50,000 or more);
 - 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).
- ☐ Send the following certifications to MaineDOT with the PS&E package:
 - ☐ Environmental (Letter 12), Utility (Letter 13), and 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, and 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.
 - ☐ In all cases, bidder must provide certificates of Workers Compensation, general liability and automobile insurance.
- ☐ 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 for entry into Elation payroll system.
 - ☐ MaineDOT contact is Angela Latno: (207) 624-3519 or Angela.Latno@maine.gov
 - ☐ Prime Contractor and all subcontractors must be entered into Elation System.

Pre-Construction Tasks

- ☐ Send notice of pre-construction meeting and agenda (*Letter 17*) to the following:
 - ☐ Contractor, utilities, construction resident, and MaineDOT's PM and construction manager.
- ☐ Pre-construction meeting held 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/approval.
- ☐ Contractor Traffic Control Plan submitted to MaineDOT for review.
 - ☐ *MaineDOT Approval Date:* _____.
- ☐ Contractor Soil Erosion Water Pollution Control Plan approved by construction resident.
- ☐ Subcontractor Approvals: <https://www.mainedot.gov/contractors/support/>
 - ☐ Municipality must approve subcontracts before any subcontractor can start work.
 - ☐ Send copy of approved package for each subcontractor to the MaineDOT's PM.
- ☐ Pre-pave meeting held on: _____

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.mainedot.gov/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 samples are taken to closest MaineDOT lab, in Bangor or Freeport.
- ☐ *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, makes comments, signs and then returns to PM.

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

Appendix 1B:

Submittals to MaineDOT

- ❑ Word versions are posted on MaineDOT's LPA Documents web page and labeled *Letters to MaineDOT*: www.mainedot.gov/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]

_____, 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 _____:

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 Local Project Administration 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 Local Project Administration 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. I also understand that the Municipality cannot undertake work eligible for reimbursement until a project agreement is executed and MaineDOT gives authorization to proceed.

Sincerely,

[NAME, TITLE]

(Updated, August 2023)

Letter 2: Request for Authorization to Proceed

[DATE]

_____, 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 _____ requests authorization to proceed from MaineDOT with _____ work on a Locally Administered Project consisting of _____. This request is being made in accordance with the executed project agreement between MaineDOT and the Municipality, dated _____.

We understand that MaineDOT cannot reimburse us for preliminary engineering, right-of-way or other pre-construction costs incurred before we receive authorization to proceed.

We look forward to hearing from you as soon as possible, so that design work may begin.

Sincerely,

Local Project Administrator

(Updated, August 2023)

Letter 3: Project Kickoff

[DATE]

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

Subject: Project Kickoff, _____ project
MaineDOT WIN _____

Dear _____:

The Municipality of _____ requests your attendance at the kickoff meeting for the subject project, scheduled for _____ at _____.

This meeting will serve to go over the scope of work, schedule and requirements for the project, as well as the executed Project Agreement, dated _____.

We look forward to seeing you at the meeting.

Sincerely,

Local Project Administrator

(Updated, August 2023)

Letter 4: Invoice Submittal (Federal Project)

[DATE]

_____, 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

Letter 5: Request for Simplified Acquisition

[DATE]

_____, 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]

_____, 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]

_____, 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/.

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: Consultant Contract Modification

[DATE]

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

Subject: Consultant Contract Modification
MaineDOT WIN _____, _____ **Project**

Dear [NAME]:

Attached for MaineDOT's review is proposed Modification #___ to our consultant contract with _____ for _____ services, originally executed on _____. This modification proposes to increase the total contract amount by \$_____, to a new total amount of \$_____.

If necessary: This modification also extends the contract by _____, to a new expiration date of _____.

The reason for this contract modification is the following: _____.

An independent estimate of the cost of the additional work is attached.

We realize that we cannot execute this modification until we receive approval from MaineDOT. Please let me know if you need additional information.

Sincerely,

Local Project Administrator

(Revised, August 2023)

Letter 9: Acknowledgement of Latest Estimate

[DATE]

_____, 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 MaineDOT's review are the Design Plan Impacts for _____, in the Municipality of _____. With this letter, the Municipality acknowledges the latest estimate for the project of \$_____ and re-affirms its commitment to raise the required local matching funds and to move forward with the project.

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

Please let me know if you need additional information.

Sincerely,

[NAME], Local Project Administrator

(Revised, August 2023)

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]

_____, 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.”

IF APPLICABLE, DESCRIBE ANY PUBLIC OPPOSITION HERE.

IF APPLICABLE, DESCRIBE ACCOMODATIONS FOR ENVIRONMENTAL JUSTICE COMMUNITIES HERE, SUCH AS:

- Virtual or in-person meeting options
- Contacts made with community groups representing those populations
- Documentation of how the public meeting was advertised
- Copies of the responses to comments received

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.

Sincerely,

[NAME], Local Project Administrator

(Revised, March 2022)

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]

_____, 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 _____:

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)

(Revised, March 2022)

Note: This checklist must be submitted with Letter 11

NEPA DOCUMENTATION CHECKLIST

Project Title & Location: _____

Federal Project #: _____ MaineDOT WIN: _____

Description of Work: _____

MaineDOT Project Manager: _____

Answer the following questions and attach supporting documentation. 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.

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

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

Documentation: Plan Impacts Complete for the project

3.) Endangered Species & Essential Fish Habitat:

- a. Has a qualified person surveyed the project area for streams, rivers, tidal waters, wetlands, or vernal pools identified coastal waters, wetlands, and vernal pools? Yes ☐ No ☐
- b. Any streams, rivers, tidal waters, wetlands, or vernal pools identified? Yes ☐ No ☐
- 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 Department of Transportation Act: publicly owned land, parks, recreation areas, wildlife and waterfowl refuges, or historic sites? Yes ☐ No ☐
- b. Will project require temporary or permanent rights on any protected 4(f) resource listed above? Yes ☐ No ☐

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

5.) Executive Order 12898 (Environmental Justice): Does the project affect businesses, housing agency property, community services, public transportation, or pedestrian access; or will it limit access to these services (either permanently or temporarily)? Yes ☐ No ☐

Signed by: _____
 [Name, Local Project Administrator]

Date: _____

Letter 12: Environmental Certification

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

[DATE]

_____, 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]

_____, 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:

Utility/Railroad

Impacted facilities? (yes/no)

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:

Utility/Railroad

Contact Name

Telephone #

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]

_____, 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 exiting 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]

_____, 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]

_____, 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]

_____, 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: 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]

_____, 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

PROJECT DESCRIPTION:	
CONTRACT MOD. NO.:	
PROJECT WIN:	
MUNICIPALITY:	
DATE ISSUED:	

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:
-----------------------------------	----------------------

TITLE:	SIGNATURE:	DATE:
Resident or Inspector		
Contractor		
Municipality		

Letter 19: Final Inspection

[DATE]

_____, 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]

_____, 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 _____; Contract # _____

This Municipality of _____ 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; and
- The Municipality has measured and reconciled final quantities with the contractor, with all supporting documentation of such; and
- The Municipality has paid the contractor in full; and
- There are no outstanding claims or disputes associated with the project.

Accordingly, the Municipality submits this final invoice with supporting documentation requesting reimbursement of \$ _____ as MaineDOT's _____ % share of expenditures for the invoice period, _____. I understand that the Municipality's _____ % share of MaineDOT's internal charges to the project will be reconciled and deducted from this final invoice.

Also attached are the Consultant Evaluation, Contractor Evaluation and As-Built Plans.

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,

_____, Local Project Administrator

Enclosures: Final Billing; Consultant Evaluation; Contractor Evaluation; As-Built Plans

(Revised March 2023)

END OF CHAPTER 1