Maryland State Highway Administration

Local Public Agency (LPA) and Sub-recipients of Federal Funding
Project Delivery Self-Evaluation
for
Requests to Administer Federal Aid Projects

Purpose of the Self- Evaluation

The Federal Highway Administration (FHWA) permits the Maryland State Highway Administration (SHA) to delegate project activities on Federal-aid projects to Local Public Agencies (LPAs) and other sub-recipients. However, SHA is ultimately responsible and, as such, must assure local compliance with all Federal and State laws, regulations, and policies. In order to uphold the integrity of SHA's federal programs, this self-evaluation serves as evidence of the LPAs or sub-recipient's capability to administer a federally funded project.

LPAs and other sub-recipients must possess a minimum organizational structure, a fulltime employee known as the "responsible charge", and certain documented processes and experience. These considerations apply to design, construction as well as the general aspects of public business, fiscal accountability, and other applicable requirements associated with Federal and State funding. Through the self- evaluation, SHA can understand if the LPA and other sub- recipients possesses the qualified staff, experience, and management oversight to successfully administer a project from preliminary development through construction and determine how much assistance may be needed. Weaknesses or deficiencies may not necessarily preclude an LPA from administering a Federal-aid project; however, the LPA and SHA will work closely to identify actions (e.g., additional training or consultant procurement) which can reduce project risks and help streamline future project approvals. SHA will also use this evaluation in determining the appropriate level project oversight provided by SHA staff.

This self-evaluation will be on record for three years. If there is significant turnover, the LPA should proactively submit a revised form with updated information.

Submittal Date: _____

Local Public Agency/Sub-Recipient: _____

Local Official Submitting Information: _____

Local Official's Phone Number and Email: _____

LPA Responsible Charge

It is important for the LPA or other sub-recipients to be adequately staffed and have working knowledge of federal aid project requirements. The Responsible Charge (RC) is a designated person responsible (full-time LPA or sub-recipient employee) to act as an authority for all SHA delegated responsibilities and project approvals pertaining to the LPA or sub- recipient project during planning, design and construction. FHWA memorandum dated 08/04/2011, entitled *"Defining 'Responsible Charge' in the Federal-aid Highway Program"* provides further guidance on the requirements and duties of the person designated to be in "responsible charge."

During **design**, the qualified LPA staff person/RC responsibilities shall include per 23 CFR 172.9(d):

- Administering inherently governmental activities including, but not limited to, contract negotiation, contract payment, and evaluation of compliance, performance, and quality of services provided by consultant;
- Being familiar with the contract requirements, scope of services to be performed, and products to be produced by the consultant;
- Being familiar with the qualifications and responsibilities of the consultant's staff and evaluating any requested changes in key personnel;
- Scheduling and attending progress and project review meetings, commensurate with the magnitude, complexity, and type of work, to ensure the work is progressing in accordance with established scope of work and schedule milestones;
- Ensuring consultant costs billed are allowable in accordance with the Federal cost principles and consistent with the contract terms as well as the acceptability and progress of the consultant's work;
- Evaluating and participating in decisions for contract modifications; and
- Documenting contract monitoring activities and maintaining supporting contract records, as specified in 2 CFR 200.333.

Identify the full-time employee assigned as RC for LPA or sub-recipient projects during design.

Name: _____

Title: _____

☐ Yes ☐No ☐N/A The RC has experience providing oversight or managing transportation Projects during the design phase.

If yes, please list two transportation projects the LPA or sub-recipient and RC has successfully completed:

	Title	Costs	NTP Date/Completion Date
1.			
2.			

■ Yes ☐No ☐N/A The RC has experience providing oversight or managing **federally funded** transportation projects during the design phase.

If yes, please list two **federally funded design** transportation projects that the LPA and RC has successfully completed:

	Title	Costs	NTP Date/Completion Date
1.			
2.			

☐ Yes ☐No ☐N/A The RC and other project staff has completed training on federal funding requirements and compliance.

If Yes, please list the types of training completed:

1. _____

_____

During **construction**, the qualified LPA staff person/RC should be capable of the following per FHWA memo dated 08/04/2011, entitled "Defining 'Responsible Charge' in the Federal-aid Highway Program":

- Administer governmental project activities, including those dealing with cost, time, adherence to contract requirements, construction quality and scope of Federal-Aid projects;
- Maintain familiarity of the day to day project operations, including project safety issues;
- Participate in decisions that require change orders or supplemental agreements;
- Visit the project(s) at an appropriate frequency for the complexity of the project(s);
- Review financial processes, transactions and documentation to ensure that safeguards are in place to minimize fraud, waste, and abuse;
- Direct project staff, agency or consultant to carry out project administration and contract oversight, including proper documentation; and
- Awareness of the qualifications and on-the-job performance of the agency and staff.

Identify the full-time employee assigned as RC for LPA or sub-recipient projects during construction.

Name: _____

Title: _____

☐ Yes ☐No ☐N/A The RC has experience providing oversight or managing transportation projects during the construction phase.

If yes, please list two transportation projects the LPA or sub-recipient and RC has successfully completed:

Title Costs NTP Date/Completion Date

1. _____

2. _____

☐ Yes ☐No ☐N/A The RC has experience providing oversight or managing **federally funded** transportation projects during the construction phase.

If yes, please list two **federally funded construction** transportation projects that the LPA and RC has successfully completed:

Title Costs NTP Date/Completion Date

1. _____

2. _____

☐ Yes ☐No ☐N/A The RC and other project staff has completed training on federal funding requirements and compliance.

If Yes, please list the types of training completed:

1. _____

_____

Procurement

It is important for the LPA or other sub-recipient to understand the federal requirements to acquire professional services and construction. LPA's and other sub-recipients receiving federal reimbursement for professional service contracts must procure those professional services in accordance to the federal Brooks Act, 23 CFR 172 for professional services, 23 CFR 635 for construction contracting services in addition to 2 CFR 200. This section will help identify the LPA's or other sub-recipient's level of understanding of the acquisition process for professional services and construction.

☐ Yes ☐No ☐N/A The LPA will need assistance in understanding the federal professional services procurement process.

☐ Yes ☐No ☐N/A The LPA's consultant staff will be utilized to complete project management duties. The LPA acknowledges that FHWA approval is required prior to procuring a consultant to act in a management support role on behalf of the LPA.

☐ Yes ☐No ☐N/A The LPA's consultant staff have experience providing oversight or managing **federally** funded transportation projects.

If yes, select the services, which will need consultant assistance.

	Yes/No	COMMENTS, if necessary
Preliminary Design:		
NEPA		
Final Design:		
PS&E (Including Bid Document)		
Right-of-Way		
Utility/Railroads		
Construction Management and Inspection		
Other, please specify		

☐ Yes ☐No ☐N/A The LPA has successfully procured professional services in compliance with **federal, state and local requirements** within the last 5 years.

☐ Yes ☐No ☐N/A Does your agency have a continuing service (open-ended) contract it would like to utilize for professional services phases of LPA projects? (If so, it must have been procured through the federal process and approved by SHA before utilization.)

If yes, is it a federalized contract procured in compliance with the Brooks Act and with all the federal contract language incorporated? Please see A&E services compliance checklist for IDIQ.

☐ Yes ☐No ☐N/A The LPA has staff available that are familiar with the federal procurement process to oversee the procurement process.

☐ Yes ☐No ☐N/A Does your agency routinely prepare independent man hour estimates prior to negotiating with consultants?

Delivery System

It is important for the LPA or other sub-recipient to have a mechanism for tracking project schedules, deliverables, and other related information to ensure a timely project completion during design and construction. This section will help identify the LPA's or other sub-recipient's level of experience and presence of an "adequate project delivery" systems.

☐ Yes ☐No ☐N/A The LPA has project delivery staff and project management processes to administer a federal aid project within the next 5 years.

☐ Yes ☐No ☐N/A The LPA has successfully administered a federal aid highway improvement project within the last 5 years.

☐ Yes ☐No ☐N/A The LPA has successfully administered a non-highway improvement project such as sidewalks, streetscape, shared-use trails within the last 5 years.

☐ Yes ☐No ☐N/A The LPA has successfully administered a state aid or capital improvement highway project within the last 5 years.

☐ Yes ☐No ☐N/A The LPA has successfully administered a competitive grant within the last 5 years.

☐ Yes ☐No ☐N/A The LPA has a project tracking system that will be utilized to maintain a project status, milestones, schedule, and project related details.

Specify Software, Program or Database: _____

☐ Yes ☐No ☐N/A The LPA has experience conducting National Environmental Policy Act (NEPA) coordination for federal funded transportation projects.

Environmental contact: _____

Name Phone Number Email

☐ Yes ☐No ☐N/A The LPA has experience conducting right-of-way negotiations for federal funded transportation projects and is familiar with SHA's Right of Way Manual.

Right-of-way contact: _____

Name Phone Number Email

Financial Compliance

It is important for the LPA or other sub-recipient to understand the financial responsibilities of receiving federal funding and have processes in place for proper management of the funding. This section will help identify the LPA's or other sub-recipient's level of experience with managing federal funding.

☐ Yes ☐No ☐N/A The LPA has software or accounting system to maintain project costs, expenditures and other financial records.

Specify Software, Program or Database:_____

☐Yes ☐No The LPA will follow MDOT's DBE program, and consent to SHA's Procurement Review Group (PRG) to assign a DBE goal, as applicable.

☐ Yes ☐No ☐N/A The LPA has a Finance Department responsible for invoices and claims management for federal funded transportation projects.

Finance contact: _____

Name Phone Number Email

☐ Yes ☐No ☐N/A The LPA conducts single audits in accordance with *2 CFR 200 Subpart F. Audit Requirements* when it expends $1,000,000 or more in federal awards during the entity's fiscal year.

If yes, specify the findings. Include any major findings and its corrective actions and/or pending corrective actions, as applicable.

_____

☐ Yes ☐No ☐N/A The LPA has outstanding SHA and/or FHWA compliance review findings related to a competitive grant and/or federal aid transportation project.

If yes, specify the findings and describe the corrective actions pending.

_____

Construction

It is important for the LPA or other sub-recipient to understand the construction oversight process requirements. LPAs and other sub-recipients shall perform project work by competitive bidding (all Contract Procedures shall comply with the provisions of 23 CFR 635 Subpart A. Contract Procedures). Any work performed by contract awarded by other competitive bidding or by force account must receive FHWA approval of a cost-effectiveness determination (per 23 CFR 635.104, 23 CFR 635 Subpart B. Force Account Construction). This section will help identify the LPA's or other sub-recipient's level of experience with managing construction activities.

☐ Yes ☐No ☐N/A The LPA has a construction management responsible charge to oversee construction of the project.

☐ Yes ☐No ☐N/A The LPA has experience with project completion or closeout with SHA.

☐ Yes ☐No ☐N/A The LPA has a written procedure for their own project closeout process.

☐ Yes ☐No ☐N/A The LPA reviewed the *Sub-recipient Construction Manual and Forms and Documents*.

☐ Yes ☐No ☐N/A The LPA has certified, qualified and/or experienced staff or consultant services to complete inspection services.

☐ Yes ☐No ☐N/A The LPA has worked with the SHA to obtain materials clearance, change order approvals, invoice reimbursement and construction approvals.