

# NHPWA Technical Meeting 9/18/2020



## NHDOT Local Public Agency (LPA) Program Updates

# Local Federal Aid Programs

**Approximately \$30 Million/Year**

- Transportation Alternatives Program (TAP)
- Congestion Mitigation & Air Quality (CMAQ)
- Highway Safety Improvement Program (HSIP)
- ~~Safe Routes to School (SRTS)(ending)~~
- Municipal Off-System Bridge (MOBRR)
- Municipal Urban Compact Area (MUPCA)
- Emergency Relief (ER)
- Earmarks, Other Federal Aid, etc...

# NHDOT Community Assistance Section

<u>Bill Watson</u>	Administrator, Planning & Comm. Asst.
<u>Tom Jameson</u>	Program Manager TAP & CMAQ
<u>Kevin Russell</u>	Project Manager, Roadway & Bridge
<u>Bob Hudson</u>	Project Manager, HSIP
<u>Ron Kleiner</u>	Bridge Engineer, State Bridge Aid
<u>Vacant</u>	Program Manager, SRTS
<u>Vacant</u>	Part-time Project Manager
<u>Kim Ware</u>	Program Specialist
<u>Dawn Pulica</u>	Program Assistant
<u>C.R. Willeke</u>	Municipal Highways Engineer

# Local State Aid Programs

**Approximately \$7 Million/Year**

- State Bridge Aid
- State Highway Aid  
(currently not funded)

**Somewhat different than in the past  
..... the term "LPA" can refer to either  
Federal or State Funded projects**

# What are LPAs?

## Local Public Agencies

- Municipalities
- School groups
- State Agencies
- Non-Profits (except TAP funded)

**LPA's receive Federal or State funds  
thru NHDOT**

**AKA "Sub-Recipients"**

# Federal LPA Training Requirements

- 1 Day of Planning & Community Assistant training plus
- ½ Day *Office of Federal Compliance (OFC)* training (for infrastructure projects)
- **Who must attend?**
  - LPA "Person in Responsible Charge"
  - Consultant Engineer of Record
  - Consultant Contract Administrator / Resident Engineer

**LPA Certification good for four years**

**OFC Certification good for two years**

# Recent Notices for you to be aware of:

- 2020-01: Covid19 Construction Guidelines
- 2020-02: Electronic Reimbursements
- 2020-03: LPA Management Options
- 2020-04: PE/CE Line in the Sand
- 2020-05: PE/CE Conflict of Interest
- 2020-06: LPA Public Meeting Policy Covid19

**Posted on our NHDOT web site:**

[www.nh.gov/dot/org/projectdevelopment/planning/lpa.htm](http://www.nh.gov/dot/org/projectdevelopment/planning/lpa.htm)

# Click from NHDOT Main Web Page

Get the latest **CORONAVIRUS COVID-19** Update at <https://www.nh.gov/covid19>

A A A

an official **NEW HAMPSHIRE** government website



Air Rail Highway Bike/Ped Public Transit

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- Home
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- Project Center
- Laws/Policies/Procedures
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## Over A Century of Public Service



### Quick Links

- COVID-19 Construction
- Project Guidelines
- LPA Program**
- NH Airports
- Rail and Transit Info
- Traffic Volume Reports
- Facts and Figures
- Consultant Information
- Fuel Distribution
- Current Bid Results
- 10 Year Transportation Plan
- I-93 Salem-Manchester Project
- NH Turnpikes and Toll Rates
- NHDOT Legislative Presentations
- Police Work Zone Training











DOT News









[more news...](#)

NHDOT Announces Roadwork On The F.E. Everett Turnpike Southbound In



# Can click on Manual, Training, and Notices

<b>LPA Manual and Training</b>	<b>Notices (Notices Supersede LPA Manual when there appears to be a conflict)</b>
<a href="#">LPA Manual</a> 	<a href="#">2014-01 Work Zone Crash Reporting</a> 
<a href="#">LPA Training and Registration</a>	2014-02 (outdated, pending change)
	<a href="#">2020-01 Covid Guidelines and Procedures for DOT Construction</a> 
	<a href="#">2020-02 Federal + State Bridge Reimbursement Procedures</a> 
	<a href="#">2020-03 LPA Project Mgmt/Consultant Selection Options</a> 
	<a href="#">2020-04 Preliminary Engineering End Date/Construction Begin Date</a> 
	<a href="#">2020-05 Consultant Conflict of Interest Guide</a> 
	<a href="#">2020-06 LPA Public Meeting policy relative to COVID-19</a> 

Implementation Details	Programs
<a href="#">Checklist for LPA Projects</a> 	<a href="#">Congestion Mitigation &amp; Air Quality (CMAQ)</a>
<a href="#">Federal Labor Compliance Documents</a>	<a href="#">Emergency Relief</a> 
<a href="#">Project Closeout Forms</a> 	<a href="#">Highway Safety Improvement (HSIP)</a>
<a href="#">QA/QC Material Standards</a> 	<a href="#">Municipal Off-system Bridge Replacement &amp; Rehabilitation (MOBRR)</a> 
<a href="#">Right-of-Way Certificate</a> 	<a href="#">Safe Routes to School (SRTS)</a>
<a href="#">Utility and Railroad Certificate</a> 	<a href="#">Scenic and Cultural Byways (Scenic Byways)</a>
	<a href="#">Surface Transportation (STP)</a> 
	<a href="#">Transportation Alternative Program (TAP)</a>

# Notice #2020-02 Federal and State Bridge Reimbursement Procedures

- **NHDOT no longer accepting hardcopy/paper reimbursement requests**
- **Submit all reimbursement requests to:**  
**“ReimburseRequest@dot.nh.gov”**

# Notice #2020-03

## LPA Project Management Options

**Opt #1 - Locally Managed (current process)**

**Opt #2 - Prequalification by NHDOT**

**Opt #3 - NHDOT Managed**

LPA's can use multiple options – Example:

The LPA could pick:

Opt#2 for Preliminary Engineering services  
and Opt#3 for Construction Engineering services

# LPA Project Management Options

## Opt#1 Locally Managed

- Is just the current LPA Federal or State process and will continue as an option
- With Option #1, the LPA manages the QBS process, hires the qualified firm, pays the bills, and seeks reimbursement from the NHDOT (typically 80%)

# LPA Project Management Options

## Opt#2 Prequalification by NHDOT

- Currently under development and allows the LPA to select from NHDOT pre-qualified lists of firms capable and experienced in advancing LPA projects. There will be separate “long” lists for both PE and CE.
- The LPA reviews NHDOT’s pre-qualification list, solicits proposals from at least 3 firms on the list (no fees), reviews and ranks proposals, selects one firm for scope and fee proposal, hires the firm, pays the bills, and seeks reimbursement from the NHDOT (typically 80%)
- Pre-Qualification “Long Lists” will be updated annually by NHDOT

# LPA Project Management Options

## Opt#3 NHDOT Managed

- LPA agrees in writing to allow the NHDOT to manage the LPA project. NHDOT collects LPA's share of project costs (typically 20%) upfront or possibly in advance of milestone phases (PE, ROW, CON)
- NHDOT manages the QBS process, hires the qualified consulting firm, and directly pays the bills with Federal or State dollars and previously collected local dollars

# LPA Project Management Options

- We want to emphasize that this is a new process currently under development and will evolve over time
- LPA's can use one option for PE services and a different option for CE services
- Option #3 NHDOT Managed PE and CE Shortlisting is in process
- Option #2 Prequalification for PE and CE long lists currently being evaluated

# Notice #2020-05

## Conflict of Interest Guidelines

- June 12, 2013 Guideline reminder: firms that perform the engineering design for a project should not be selected for construction engineering for same project
- If Notice to Proceed to Advertise Bids received from NHDOT before January 1, 2021, then all LPA projects should be utilizing a different CE firm for construction than the PE firm that did the design
- If Notice to Proceed to Advertise Bids received from NHDOT after Jan 1, 2021, then all LPA's **shall comply with the guideline and change firms**



# Notice #2020-05

## Conflict of Interest Guidelines

### Date Definition:

The defining date is the date an LPA project receives written approval to advertise (solicit bids) from NHDOT. The date of this communication from NHDOT will determine if you need to comply with Notice #2020-05.

# Between now and end of year and want same firm for PE & CE

- Statement by firm - no conflict exists with a short plan on how that will continue, or
- Statement by the firm that a potential conflict could be perceived but mitigation measures will be implemented and tracked that will assure no conflict of interest, or
- Statement by the firm that a conflict exists. In this case, the Department, LPA and consultant would have to come to specific written agreement that through the firm's disclosure of any association, interest, or circumstance which could influence the firm's judgment or quality of services, every reasonable effort will be made to eliminate any potential conflicts.

# Conflict of Interest after January 1, 2021

- A more formal waiver process is outlined in Notice #2020-05 as well as the June 12, 2013 guideline,
- However the NHDOT's intent is to not allow the same firm for PE and CE services on the same project and only grant waivers after January 1, 2021 on a very limited basis

# Conflict of Interest

- The recently mentioned pre-qualified lists of PE and CE firms will help communities find qualified CE firms
- The upcoming NHDOT managed option will also help
- The six month transition time line will provide ample time for LPA's to line up separate CE services
- Lowers the risk and potential perception of conflict, as well as brings LPA's into compliance with existing 2013 guideline and NHDOT practice

# Notice #2020-06

## LPA Public Meeting Policy

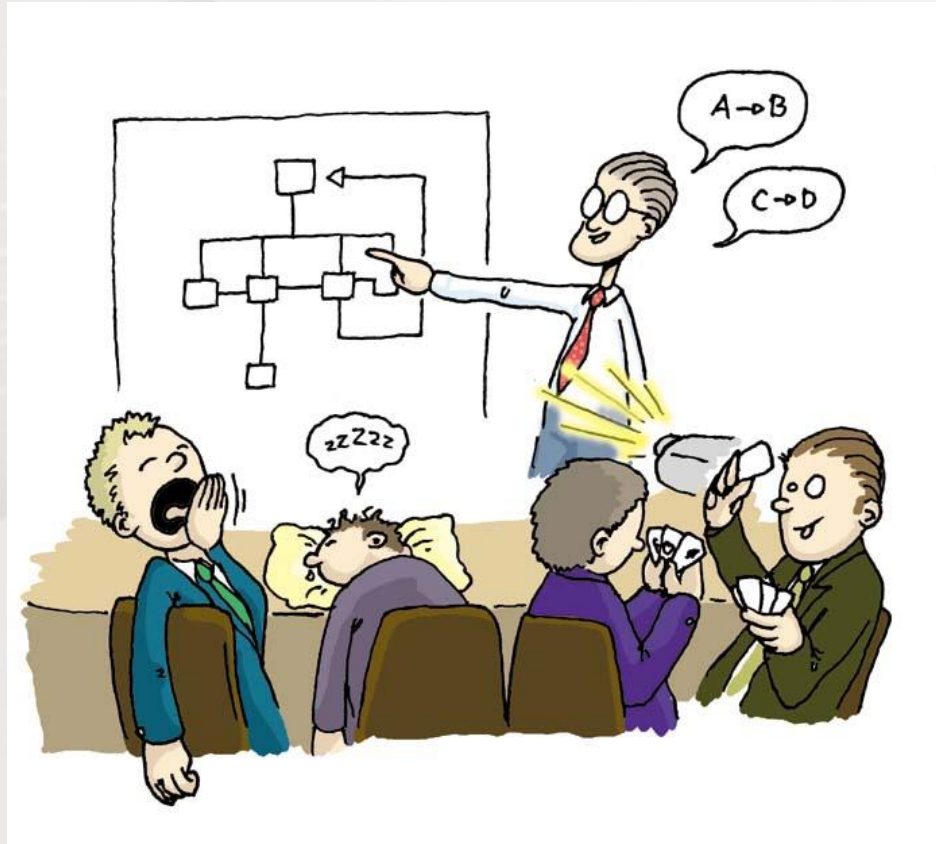
- For Federal and State Funded projects the intent is for the LPA to follow the local guidelines for meetings and social distancing when hosting public informational meetings (Local Concerns Meeting, Proposed Action Meetings, General Information Meetings)
- If the Informational Meeting is “virtual only” then direct abutters must be notified 30 days ahead of time via certified mail and also given a 10 day time period following the virtual meeting to submit comments/concerns to the sponsor.

# Notice #2020-06

## LPA Public Meeting Policy

- If a Public Meeting for eminent domain is necessary, likely in-person meeting will be required. See your NHDOT project manager for additional guidance

# Thank you – Questions?



**C.R. Willeke**  
**Municipal Highways Engineer**