



# Local Government Projects Best Practices Workbook

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Local Government Projects Office

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## Chapter 1 – Introduction

This Local Government Projects Best Practices Workbook (Workbook) has been developed as a quick-reference tool and workbook to assist local Texas Department of Transportation (TxDOT) offices and the local government (LG) with administration of LG projects.

*This Workbook does not address all legal requirements nor does it replace any of the instructions, manuals or guidance documents referenced in your project documents, in federal and state laws and regulations or by training providers. To the extent there is a conflict between this guide and the instructions, manuals, guidance documents, state and federal laws and regulations, then the applicable instructions, manuals, guidance documents, laws and regulations will control.*

TxDOT and LG project managers and others working directly on the project are strongly encouraged to use this Workbook to monitor progress on a LG project and as a project record of activities as they are completed. This Workbook has been developed to assist project personnel in performance of the following phases of LG projects: (1) project initiation; (2) preliminary engineering and design; (3) environmental compliance; (4) right of way and utilities; (5) plans, specifications and estimates development; (6) letting and award; (7) construction; and (8) project close-out and maintenance. Many sections of this Workbook are not relevant to LG projects only including non-construction activities. Its use is not necessary for non-construction LG projects.

**Additional Resources and Reference Documents** – In addition to this Workbook, TxDOT's Local Government Projects (LGP) Office provides a series of reference documents and training materials to assist LGs and TxDOT staff during the development and management of LG transportation projects.

- [Local Government Projects Policy Manual](#) – This document provides information on federal and state laws and regulations relevant to each step in the development of a LG project and outlines the policies that must be followed by the LG and TxDOT during administration of a LG project.
- [Local Government Project Management Guide](#) – This document provides project management guidance for a LG administering a LG transportation project and for TxDOT staff who are providing oversight.
- [Local Government Project Online Toolkit](#) – LGP has developed a series of user-friendly Web pages in the online Local Government Project Toolkit (Toolkit). The Toolkit presents information in a format mirroring the project development process presented in the Manual and Guide. The Toolkit provides users with an easy-access portal to find and download many useful forms of information.
- **Training** – LGP provides training courses to allow LG officials, staff and contractors, as well as TxDOT division, district and area office staff, to receive hands-on

instruction. These courses are required for key project personnel and are offered throughout the state on a regular basis throughout the year. The current schedule for the LGP training courses are found on the [Local Government Project Procedures Training and Qualification Web page](#).

**Local Government and TxDOT Staff** – To manage any element of the project development process, the LG must demonstrate to TxDOT’s satisfaction that it has adequate staff to manage requested project functions. The LG staff should be experienced in managing similar-type projects and have a general knowledge of standard procedures for managing consultants, contractors and other vendors as required by the project. Appropriate LG and TxDOT project staff includes a responsible person in charge (RPIC), a project manager and the LG must also have a “qualified” person assigned to the project.

Prior to beginning work, the LG and TxDOT will each designate, in writing, a RPIC. The LG’s RPIC will be the point of contact with TxDOT. The person designated as being in “responsible charge” is required to be a public employee who is accountable for the project. The LG’s RPIC must be a full-time employee of the LG. TxDOT’s RPIC must be a full-time employee of TxDOT, who is also a registered professional engineer.

RPICs are expected to be able to perform the following duties and functions for their agency:

- administer inherently governmental project activities, including those dealing with cost, time, adherence to contract requirements, construction quality and scope of federal-aid projects;
- maintain familiarity of day-to-day project operations, including project safety issues;
- make or participate in decisions about changed conditions or scope changes requiring change orders or supplemental agreements;
- visit and review the project on a frequency commensurate with the magnitude and complexity of the project;
- review financial processes, transactions and documentation to ensure 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
- be aware of the qualifications, assignments and on-the-job performance of the agency (LG or TxDOT) and consultant staff at all stages of the project.

**LG RPIC** - Applicable Dates: \_\_\_\_\_ through \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

Email: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

\_\_\_\_\_

Physical Address: \_\_\_\_\_

\_\_\_\_\_

**TxDOT RPIC** - Applicable Dates: \_\_\_\_\_ through \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

Email: \_\_\_\_\_

Texas Professional Engineer License No.: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

\_\_\_\_\_

Physical Address: \_\_\_\_\_

\_\_\_\_\_

It is also important that each agency (LG and TxDOT) designate a project manager for communication with the other agency.

**LG Project Manager** - Applicable Dates: \_\_\_\_\_ through \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

Email: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

\_\_\_\_\_

Physical Address: \_\_\_\_\_

\_\_\_\_\_

<b>TxDOT Project Manager</b> - Applicable Dates: _____ through _____	
Name:	_____
Title:	_____
Phone:	_____ Fax: _____
Email:	_____
Mailing Address:	_____
Physical Address:	_____
	_____

The LG is also required to assign a “qualified” person to the project. This person must work actively and directly on the project and have successfully completed training (current course is TxDOT Local Government Project Procedures Training and Qualification Course, CON 812) as defined in the advance funding agreement (AFA). The “qualified” person may be an employee of the LG or an employee of a firm contracted by the LG to perform oversight of the project.

<b>“Qualified” Person</b> - Applicable Dates: _____ through _____	
Name:	_____
Title:	_____
Phone:	_____ Fax: _____
Email:	_____
Course Verification by TxDOT	<input type="checkbox"/> Yes <input type="checkbox"/> No

TxDOT provides training courses to allow LG officials, staff, consultants and contractors, as well as TxDOT division, district and area office staff, to receive hands-on instruction. These courses are required for key project personnel and are offered at locations throughout the state on a regular basis throughout the year.

Information on the training class and a current schedule for the LGP training courses are available on the [Local Government Project Procedures Training and Qualification Web page](#).

## Chapter 2 – Project Initiation

### Local Government Projects Overview

The first phase in any local government (LG) transportation project (construction or non-construction) is the Project Initiation phase. This phase of the project includes all of the steps between project identification and the execution of the legal agreement between the LG and TxDOT. Construction projects involve roads, highways, bridges, building facilities, alternative transportation projects (such as pedestrian and bicycle facilities, environmental mitigation, recreational trails or safe-routes-to-school programs) and other projects involving constructed infrastructure. Non-construction projects include planning studies, development of travel demand models, management of a “shared ride” service, “motorist assistance” programs, transportation corridor analyses and other similar projects not involving construction activities.

The identification of a transportation project by a LG will involve the definition of the project objectives, the degree of involvement by the state and federal partners, the ability of and commitment by the LG to manage the project, and additional key decision-making elements. The LG may work with regional transportation agencies, the TxDOT district or area offices, a TxDOT division, local stakeholders and other partners during this process. Once a decision is made to pursue a project, the partnership with TxDOT must be defined and the project moves into the Planning and Programming phase.

### Planning and Programming

Each TxDOT district has a planning and programming section that studies and plans for the needs of the district’s highway system. LGs should work with the TxDOT district staff to identify and prioritize funding for projects. The Planning and Programming phase involves the identification of the project objectives and the development of a statement of work identifying the project or program priorities and activities to be performed by the project partners. The project must be included in the Metropolitan Transportation Plan (MTP) and Statewide Transportation Improvement Program (STIP) before any work is initiated. A minute order approved by the Texas Transportation Commission and an executed contract in the form of an Advance Funding Agreement (AFA) with TxDOT are necessary before the district can authorize the LG to begin work on each project or program.

**Initial Project Meeting** – The appropriate TxDOT district personnel will contact the LG to schedule a meeting (and an inspection of the proposed project site, when applicable). It is recommended that this “kick-off” meeting be held as soon as possible after the project is selected for funding. Attached is a sample project kick-off meeting agenda [\[2-1\]](#).



► *Is the project included in an approved Commission minute order, the MTP and the STIP?*

Yes       No (\*add explanation)       N/A

\*Explanation: \_\_\_\_\_  
\_\_\_\_\_

LG	Date	TxDOT	Date
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► *Was a project “kick-off” meeting held, and minutes developed and agreed to by LG and TxDOT?*

Yes       No (\*add explanation)       N/A

\*Explanation: \_\_\_\_\_  
\_\_\_\_\_

LG	Date	TxDOT	Date
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### **Advance Funding Agreements**

In order for TxDOT to spend funds or other resources on a transportation project with a LG, a written contract must first be executed between the parties. An Advance Funding Agreement (AFA) is the form of contract most frequently used for development of projects with LGs. The AFA is an agreement under which TxDOT and the LG allocate participation and funding in a transportation improvement project. The AFA allows TxDOT and the LG to “jointly” provide for the implementation of a specific project.

It is recommended that all members of the project team, both for the LG and TxDOT, become familiar with the project AFA and understand the terms, conditions and funding requirements of the agreement. It is strongly recommended a copy of the executed AFA is included in each individual project version of this workbook.

► *Have the LG and TxDOT project managers read the AFA, and is a copy attached to this Workbook?*

Yes       No (\*add explanation)       N/A

\*Explanation: \_\_\_\_\_  
\_\_\_\_\_

LG	Date	TxDOT	Date
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### **State Letter of Authority**

Once a project is identified and a contract (AFA) is executed between the LG and TxDOT, the LG must request and obtain an authorization to proceed prior to any work being performed

on the project for both construction and non-construction projects. This authorization is in the form of a state letter of authority (SLOA), which functions as the notice to proceed with the work.

A federal project authorization and agreement (FPAA) is required in addition to the SLOA for all construction and non-construction projects including federal funds. A FPAA is not required for projects only including local and state funds. For projects involving federal funding, TxDOT initiates the SLOA process and submits required project information to FHWA for approval. Once the project is approved as eligible for federal reimbursement by FHWA, TxDOT generates the FPAA and may issue the SLOA to the LG.

▶ *Does the project have a SLOA and FPAA for preliminary engineering?*

Yes       No (\*add explanation)       N/A

\*Explanation: \_\_\_\_\_  
 \_\_\_\_\_

LG	Date	TxDOT	Date
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### Project Accounting

The LG is allowed to submit reimbursement requests to TxDOT, with attached status reports and schedules, no more frequently than once per month. The LG is strongly encouraged to submit invoice coversheet [\[2-2\]](#) and back-up information on a monthly basis when work is being performed. This will facilitate efficient TxDOT review of requests and verification of work performed. TxDOT project personnel have a responsibility to work with their LG counterparts to ensure the adequacy and accuracy of the project financial records, the LG's compliance with all applicable federal and state requirements, plus any additional requirements stated in the project's AFA.

▶ *Has the LG submitted and obtained TxDOT district approval of its initial project invoice?*

Yes       No (\*add explanation)       N/A

\*Explanation: \_\_\_\_\_  
 \_\_\_\_\_

LG	Date	TxDOT	Date
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### Project Documentation and Data Submittal

To ensure compliance with applicable state and federal requirements, project records, including legal documents, meeting minutes, reports from material testing, etc., must be maintained by the LG during the course of the project and after completion of the project for

the period of time specified by the AFA. As soon as the contract between the LG and the contractor is executed, the LG should establish a system to maintain and organize the project records. Early organization of the project documents and files by the LG will ensure that an audit by TxDOT or FHWA during or at the close of the project will proceed smoothly. Proper record keeping also aids in the administration of the project by documenting compliance with local, state and federal procedures and policies.

▶ *Has TxDOT district personnel reviewed the LG project records and provided guidance to LG within 6 months of SLOA?*

Yes       No (\*add explanation)       N/A

\*Explanation: \_\_\_\_\_  
 \_\_\_\_\_

LG	Date	TxDOT	Date
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## **Chapter 3 – Non-Construction Projects (Reserved)**

Not currently included in the Workbook.

## Chapter 4 – Preliminary Engineering and Design

The Preliminary Engineering and Design phase defines the overall project configuration, which has elements applicable to both construction and non-construction projects. This phase may include procurement of professional services, design schematic and layouts, and early phases of design (also considered to be 30 percent complete plans, specifications and estimates). Preliminary studies may be performed in this phase, including environmental assessments, surveys, geotechnical studies, hydrologic/hydraulic analyses, traffic studies, etc.

### Procurement

For LG projects on which the LG desires to utilize professional services providers for architecture, landscape architecture, professional engineering, construction management or surveying services, state and federal laws require the consultant to be procured competitively on the basis of qualifications. The LG's use of TxDOT's selection process or an alternate process must receive prior written approval from the TxDOT district. If the LG is seeking reimbursement for project-related professional services, it must be specifically stated in the AFA. The LG must adopt TxDOT's FHWA-approved disadvantaged business enterprise (DBE) program for use on projects with federal funds. The LG should submit its selection procedures to the district as early as possible in order not to delay the project. To ensure timely approval, the procedure should be submitted to TxDOT at least 3 weeks prior to initiating the selection process. Also, if the LG proposes to apply its costs paid for consultant services to the non-federal share of a project or program, the LG must provide documentation that it has followed a consultant selection process approved by TxDOT.

LG professional services contracts for which reimbursement is requested should receive TxDOT district pre-approval. During its review of projects including federal funding, the TxDOT district will review the LG's proposed consultant contract and request a DBE goal for the professional services contract from TxDOT's Office of Civil Rights (OCR). The TxDOT district will also confirm the required language from Title VI of the Civil Rights Act of 1964 is included in all procurement documents. Reimbursement may be denied for any professional services contracts executed prior to the LG obtaining written TxDOT approval.

Professional service providers (contractors and suppliers) are not allowed to participate in state or federally funded projects if they are suspended or debarred. Any professional services contract amendments or supplemental agreements that individually extend the contract amount or time by 25 percent or more should also be sent to the local district office for review and approval. General criteria that will be analyzed to determine acceptability of the proposed consultant selection procedure are included in the Professional Services Procurement Review checklist [[4-1](#)].

▶ *Is the LG using a consultant?*

Yes       No

▶ *If so, is the LG using TxDOT procedures for procurement of engineering services?*

Yes       No       N/A

▶ *If not, has the LG submitted to TxDOT and TxDOT approved the LG selection procedures?*

Yes       No (\*add explanation)       N/A

\*Explanation: \_\_\_\_\_  
\_\_\_\_\_

LG	Date	TxDOT	Date
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▶ *Did the LG properly implement and document consultant selection procedures and obtain TxDOT concurrence of selection?*

Yes       No (\*add explanation)       N/A

\*Explanation: \_\_\_\_\_  
\_\_\_\_\_

LG	Date	TxDOT	Date
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▶ *Has the LG properly adopted TxDOT's FHWA-approved DBE program through execution of the MOU or inclusion in its AFA for use on projects with federal funds?*

Yes       No (\*add explanation)       N/A

\*Explanation: \_\_\_\_\_  
\_\_\_\_\_

LG	Date	TxDOT	Date
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### **General Design Guidelines**

The Preliminary Engineering and Design phase of both construction and non-construction projects includes the development of design guidelines that include requirements specified by state and federal statutes. The LG is strongly encouraged to submit preliminary design concepts for TxDOT's review and approval, and to follow the principals of the design concept conference as outlined in TxDOT's [Project Development Process Manual](#). For projects with a design concept conference, the TxDOT district must send staff with appropriate expertise to represent TxDOT.

The LG should provide a listing of the proposed design guidelines to be used for development of the project using a Design Summary Report [4-2] or similar document. This may include the American Association of State Highway and Transportation Officials' (AASHTO) "[A Policy of Geometric Design of Highways and Streets](#)", TxDOT's [Roadway Design Manual](#), the "[Texas Manual on Uniform Traffic Control Devices](#)," [American Institute of Architects](#) (AIA) documents, the [Uniform Building Code](#), etc. Established guidelines and standards from sources such as these are minimum acceptable guidelines.

Variations in elements of the approved guidelines may be permitted, but they must be submitted to TxDOT with a request for design exception/waiver as detailed in the Roadway Design Manual. If the LG does not want to use TxDOT or other approved guidelines, its proposed guidelines must be submitted to TxDOT for review and approval. The attached Plan Development Review Checklist [4-3] or similar form may be used to ensure the selected design criteria for the project has been addressed.

If the LG is performing the design survey for a project on the state highway system, the LG will need to satisfy the requirements of the [TxDOT Survey Manual](#) and the district where the project is located, as well as satisfying applicable regulations under federal and state funding programs. If the LG is performing the design survey for its own off-state-highway-system project, the LG may follow its own standard survey procedures.

### Design Concept Conference

For significant highway projects, the LG is strongly encouraged to follow the principals of a design concept conference as outlined in TxDOT's [Project Development Process Manual](#) to facilitate agreement to basic project features by all concerned parties. Use of the Design Summary Report (DSR) format [4-2] for significant highway projects is suggested to formally document agreements reached at the conference. Elements of the DSR may also be applied to smaller highway and non-highway projects. The LG, TxDOT and consultants should participate.

► *Did the LG conduct a design concept conference and provide a Design Summary Report, or similar document, for TxDOT approval?*

Yes       No (\*add explanation)       N/A

\*Explanation: \_\_\_\_\_  
 \_\_\_\_\_

LG	Date	TxDOT	Date
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## **Preliminary Engineering Design for Construction**

The LG is strongly encouraged to submit preliminary layouts for TxDOT's review and approval. This will ensure the LG is properly applying appropriate design criteria for the project. Early coordination will lessen the likelihood of any misunderstandings regarding state and federal project requirements and, therefore, will help the LG avoid the risk of costly re-design later in project development. Schematic development includes a scaled plan view geometric layout showing horizontal alignment with associated profile grade alignment for roadways. Typical sections, pavement designs and bridge layouts, if applicable, should be included. For building projects scaled plan views, elevations, typical wall details and floor plans should be provided.

If a LG has its own design specification and standards it wants to use on a project, the LG needs to submit them for review and approval by the TxDOT district (in coordination with TxDOT's Design Division and other TxDOT divisions). TxDOT needs adequate time to review the proposed standards and specifications; therefore, the LG should submit them at the 60 percent level of design. Later submissions may delay TxDOT issuance of authority to proceed with the next phase of the project.

For all projects with state or federal funds and/or projects on the state highway system regardless of funding source, the district is to assure the LG selects the proper functional classification, and uses acceptable traffic data and the appropriate design level of service.

Preliminary environmental findings should also be submitted for consideration along with the schematic layouts.

TxDOT written approval is required for all access connections (facilities for entry and/or exit, i.e. driveways, streets, roads, highways) that connect to the state highway system. Proposed access connections should be indicated on schematic layouts.

Value engineering (VE) studies are required on federally funded projects on the federal-aid system with an estimated cost greater than \$50 million and bridge projects with an estimated cost greater than \$40 million. This requirement must be fulfilled before construction is authorized. The LG is encouraged to conduct the VE study soon after completion of the geometric schematic (approximately 30 percent design stage) to facilitate economical incorporation of all VE recommendations into the plans, specifications and estimates (PS&E).

Issues involving the need for right-of-way acquisition, utility relocations, railroad coordination, and Federal Aviation Administration coordination should be identified during Preliminary Design and usually are involved with construction projects. Since resolution of each of these items can be time-consuming and should be completed prior to



commencement of construction, initiation of these activities should begin as early in the project development process as is feasible. Certifications that each of these items has been completed are required prior to issuance of a SLOA to advertise for construction.

A checklist for documentation/coordination for Engineering and Architectural Design Schematics and Layout is attached [4-4].

▶ *Did the LG submit preliminary layouts and other associated documents for TxDOT review and approval?*

Yes       No (\*add explanation)       N/A

\*Explanation: \_\_\_\_\_  
 \_\_\_\_\_

LG	Date	TxDOT	Date
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▶ *Did the LG submit preliminary environmental information along with preliminary layouts/schematics?*

Yes       No (\*add explanation)       N/A

\*Explanation: \_\_\_\_\_  
 \_\_\_\_\_

LG	Date	TxDOT	Date
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▶ *Has the LG obtained TxDOT written approval for all required access connections for the project?*

Yes       No (\*add explanation)       N/A

\*Explanation: \_\_\_\_\_  
 \_\_\_\_\_

LG	Date	TxDOT	Date
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▶ *Does this project meet the requirements to have value engineering studies performed?*

Yes       No

▶ *If so, was the value engineering study performed in accordance with TxDOT or industry standards?*

Yes       No (\*add explanation)       N/A

\*Explanation: \_\_\_\_\_  
 \_\_\_\_\_

LG	Date	TxDOT	Date
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▶ *Has the LG provided adequate documentation to demonstrate that issues involving right of way, utilities, railroad and FAA coordination are in progress?*

Yes       No (\*add explanation)       N/A

\*Explanation: \_\_\_\_\_  
\_\_\_\_\_

LG	Date	TxDOT	Date
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## Chapter 5 – Environmental Compliance

Environmental compliance responsibilities vary depending on the attainment status of the project area, traffic volumes and scope of the project. Project scoping for categorical exclusions, environmental review documents and amendments detail the process for environmental review and approval, and are available on TxDOT's [NEPA and Project Development Toolkit](#) Web page. The legal requirements for highway projects are different from the requirements for other transportation projects. The legal requirements for highway projects being developed by a formally designated LG project sponsor are different from the requirements for a project being developed by a LG that has not been formally designated as a LG project sponsor. LG-sponsor highway projects have different requirements than TxDOT-sponsor highway projects. Other conditions also affect legal requirements.

Environmental compliance issues should be identified early in the project by the local government (LG) in cooperation with the TxDOT district's environmental coordinator since requirements may impact Project Initiation tasks, including the details in the advance funding agreement (AFA). The Environmental Compliance phase of any transportation project occurs throughout project development and execution, and runs concurrently with all the other phases.

### General Environmental Compliance Requirements

If the LG is going to perform (by its own forces or by consultants) the environmental phase of a transportation project, it is recommended the LG has early coordination with the TxDOT district's environmental coordinator (due to the complexity of environmental regulations and the potential requirements to be applied to any individual LG project). The district will request assistance from TxDOT's Environmental Affairs Division, as necessary, to identify environmental requirements for the proposed project.

Environmental permits, issues and commitments (EPICs) are any permits, issues, coordination commitments or mitigation obligations necessary to address, offset or compensate for social, economic or environmental impacts of a project (including sole source aquifer coordination, wetland permits, stormwater permits, traffic noise abatement, threatened or endangered species coordination, or archaeological permits and any mitigation or other commitments associated with the project). EPICs must be specified in the construction documents and will be monitored for compliance during construction and for a defined period of time after completion of construction. A digital version of [standard EPIC form](#) is available on the TxDOT website.

Environmental compliance for projects with federal funding occurs under the umbrella of the National Environmental Policy Act (NEPA). NEPA requires an agency to take a “hard look” at the environmental impacts and document the extent to which a project will or will not have a significant environmental impact. Environmental compliance under state jurisdiction in Texas follows a process similar to NEPA requirements and procedures. If the AFA indicates the LG is managing the environmental process for the project, the LG is responsible to perform all studies, public involvement and coordination required under state and federal statutes and regulations, and submit appropriate documents to the TxDOT district’s environmental coordinator.

### Specific Environmental Compliance Requirements

Specific environmental compliance requirements include information regarding archaeological, biological, water and historic resources, as well as information related to social issues and other legal requirements.

▶ *Have the LG and TxDOT met and developed the environmental scoping document?*  
 Yes       No (*\*add explanation*)  
*\*Explanation:* \_\_\_\_\_  
 \_\_\_\_\_

LG	Date	TxDOT	Date
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▶ *Has the LG prepared (or had prepared) the required environmental document(s) and obtained approval?*  
 Yes       No (*\*add explanation*)  
*\*Explanation:* \_\_\_\_\_  
 \_\_\_\_\_

LG	Date	TxDOT	Date
----	------	-------	------

▶ *Has the LG properly prepared (or had prepared) the EPIC sheet?*  
 Yes       No (*\*add explanation*)       N/A  
*\*Explanation:* \_\_\_\_\_  
 \_\_\_\_\_

LG	Date	TxDOT	Date
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## Chapter 6 – Right of Way and Utilities

### Right-of-Way and Other Land Acquisition

► If this phase is not applicable for this project, check here:  N/A

Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

TxDOT has developed a [Real Estate Acquisition Guide for Local Public Agencies](#) (also known as LGs). Land transactions occurring between TxDOT and LGs are divided into two broad categories: right of way for roads; and interest in land used for other purposes. Acquisition of new or additional right of way for transportation projects can be the responsibility of either the LG or TxDOT. In all cases state or federal law requires all right-of-way purchases to be done in conformance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970. The requirements for complying with the Act are specified in TxDOT's [Right Of Way Division \(ROW\) manuals](#). LG and TxDOT project personnel should familiarize themselves with the responsibilities for right-of-way acquisition and relocation assistance for each party, as defined in the AFA.

A Parcel Review Checklist for compliance with the Uniform Act (applicable to both on-system and off-system projects) is attached [\[6-1\]](#). An additional Right-of-Way Review Checklist (applicable for on-system projects only) is also attached [\[6-2\]](#).

The LG will need to submit to the district a Right-of-Way Acquisition Statement; a sample is attached [\[6-3\]](#). A FPAA and SLOA are required prior to the purchase of right of way for projects using state or federal funds.

If the LG is receiving any donated right of way, a donation letter similar to the attached sample [\[6-4\]](#) should be utilized.

► Has the LG acquired all required right of way for the project?

Yes             No (\*add explanation)

\*Explanation: \_\_\_\_\_  
\_\_\_\_\_

LG	Date	TxDOT	Date
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▶ Has the LG followed all requirements of the TxDOT Real Estate Acquisition Guide for Local Public Agencies?

Yes       No (\*add explanation)       N/A

\*Explanation: \_\_\_\_\_  
\_\_\_\_\_

LG	Date	TxDOT	Date
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### Utility Accommodation for Transportation Projects

▶ If this phase is not applicable for this project, check here:  N/A

Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

If utilities exist within the current right of way or in the proposed right of way, they will frequently need to be relocated to allow for construction of a transportation project. Depending upon the terms of the agreement between the LG and the state, either party may be responsible for utility coordination. The utility coordination is to be performed in accordance with the local utility procedure and state utility procedure or federal utility procedure, as applicable. TxDOT's [Right Of Way Division Utility Manual](#) defines the required procedures for utility relocations and coordination.

A Utilities Review Checklist for documentation/coordination for utility relocation items is attached [\[6-5\]](#).

When it is necessary to extend utility service to projects such as new buildings or rest areas, the party constructing the project usually provides for extension of utilities, such as water service, electric service or telecommunications service. Usually, this is handled by the responsible party (LG or TxDOT) in the customary fashion for the local utility provider. If a special form of contract is necessary, the LG should contact the district. The district will coordinate with TxDOT's Contract Services Office, as necessary.

The LG will need to submit a Utility Statement consistent with the attached sample [\[6-3\]](#).

Any utility relocation or extension on a project in which any federal funds are being utilized will require compliance with the Buy America program. A memo regarding the applicability the Buy America program is attached [\[6-6\]](#).

▶ *Has the responsible party had all required utility relocations completed for the project?*  
 Yes       No (*\*add explanation*)  
*\*Explanation:* \_\_\_\_\_

LG	Date	TxDOT	Date
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▶ *Have all utility relocations been performed in accordance with TxDOT's Right of Way Division Utility Manual?*  
 Yes       No (*\*add explanation*)       N/A  
*\*Explanation:* \_\_\_\_\_

LG	Date	TxDOT	Date
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## Chapter 7 – Plans, Specifications & Estimates (PS&E) Development

The PS&E phase of a local government (LG) construction project generally occurs after the execution of the advance funding agreement (AFA), completion of Project Initiation tasks and after the 30 percent complete design is reviewed by TxDOT in the Preliminary Engineering and Design phase. The PS&E Development phase may run concurrently with the Environmental Compliance and Right of Way and Utilities phases. However, proceeding with tasks concurrently is done with some risk by the LG if all of the environmental commitments have not been cleared.

The LG should coordinate with the TxDOT district office early in the PS&E phase of the project in order to proceed efficiently with design. The project development staff in the TxDOT district is the primary contact point for the LG for development and approval of engineering PS&E. If the LG is developing engineering PS&E, the LG will transmit the plans to the TxDOT district staff for their review and approval. The district is responsible for coordinating with the appropriate engineering divisions in Austin and for providing the final approval of the PS&E for highway, enhancement and other projects.

A checklist for documentation/coordination for Engineering and Architectural Design Schematics and Layout is attached [\[4-4\]](#).

### Design

For all projects with state or federal funds, and/or all projects on the state highway system regardless of funding source, the LG must develop the project using design criteria in TxDOT's [Roadway Design Manual](#). Functional classification must be based on TxDOT's [functional classification map](#). Traffic data for the selection of design criteria must conform to the ranges listed in TxDOT's [Roadway Design Manual](#). Projected traffic volumes will be based on a design year that is 20 years from completion of construction, unless otherwise directed or approved by TxDOT. Projected traffic volumes for projects on the state highway system will be furnished by TxDOT's Transportation Planning and Programming Division. Projected traffic volumes for projects off the state highway system will be furnished by the LG.

The American Association of State Highway and Transportation Officials' (AASHTO) [Guide for the Development of Bicycle Facilities](#) is the guide for the design of bicycle lanes and bicycle paths. For projects where state statutes allow, the LG may suggest alternate design criteria by submitting a written justification to TxDOT for approval. Any requests should be submitted for approval early in the design process.



For project types not covered by TxDOT's Roadway Design Manual or AASHTO's Guide for the Development of Bicycle Facilities, fundamental aspects of the project, appropriate guidance manuals and design criteria should be identified and agreed upon at the design concept conference. Use of recognized design criteria from industry groups is recommended.

There may be occasions when one or more design elements do not meet established criteria. The approval authority for design exceptions and design waivers is established by policy in TxDOT manuals or the Local Government Projects Policy Manual, or by agreement between the LG and TxDOT in the AFA.

All projects, regardless of cost, must comply with the provisions of the [Americans with Disabilities Act Accessibility Guidelines for Buildings and Facilities](#), [Texas Accessibility Standards](#) (TAS) and [16 TAC §68.102](#). The LG is responsible for submitting plans and specifications to a registered accessibility specialist (RAS) licensed by the Texas Department of Licensing and Regulation (TDLR) for public right-of-way projects with pedestrian elements estimated to cost at least \$50,000, building or facilities projects, and hike/bike trail projects. Variances to the TAS must be approved by TDLR.

For federally funded projects, the LG must prepare a Transportation Management Plan (TMP), which includes Public Information Plan, Traffic Operations Strategies and a Traffic Control Plan (TCP). For LG projects without federal funds, the LG must prepare a TCP. The TCP is defined as all documents pertinent to the proposed efficient, effective and safe travel of the public through work zones on a construction project, including the safety of construction workers and inspection personnel. The LG must prepare the plans and specifications for all LG projects in compliance with the [Texas Manual on Uniform Traffic Control Devices](#).

For design-bid-build projects with state or federal funds, or on the state highway system regardless of funding source, the LG must:

- submit a completed Form 2229 [\[7-1\]](#), which is the form used for significant project determination, to TxDOT early in the project development phase;
- develop the TMP/TCP, as applicable, and include it in the contract documents (for projects or classes of projects that the LG or TxDOT determines to have less than significant work zone impacts, the TMP may consist only of a TCP); and
- adopt [TxDOT Standard Specification Items 7.2 and 502](#) or submit alternate specification to TxDOT for approval (include required special provisions or equivalent).

## **Bridges and Structures**

A checklist of information to be shown on bridge layouts and samples of bridge layouts are contained in TxDOT's [Bridge Detailing Guide](#).

For projects with state or federal funds, all projects on the state highway system regardless of funding source and all projects off the state highway system but connecting to or crossing a state highway, the LG must:

- submit bridge layouts to TxDOT for approval (subsequent changes to the bridge layout must also be submitted for TxDOT approval); and
- submit final bridge plans to TxDOT with the PS&E.

State and federal regulations require TxDOT manuals, procedures, standards and guidelines to be followed for all other types of structures designed and subsequently built on the state highway system. Common types of structures include retaining walls, sound walls, culverts, junction boxes, manholes, signs, light and signal poles, etc. Other structures off the state highway system built with no state or federal funds may be designed in accordance with standards adopted by the LG.

Geotechnical studies are performed primarily for pavement design and structures (i.e., bridges, retaining walls, etc.), and for excavation and embankment stability evaluation. TxDOT practices are contained in TxDOT’s [Geotechnical Manual](#). For projects with state or federal funds, or all projects on the state highway system regardless of funding source, the LG must perform geotechnical studies in compliance with TxDOT’s Geotechnical Manual. If TxDOT’s Geotechnical Manual does not address all items within the project scope, the LG must propose an alternative standard and seek approval from TxDOT.

### **Building Facilities**

LGs may be involved in the construction of buildings with TxDOT. The Roadway Facilities group in TxDOT’s Maintenance Division in Austin is responsible for the review of all architectural and engineering PS&E for building projects on the state highway system or built with state or federal funds. Examples of LG projects involving buildings include emergency operations centers, rest areas, park buildings and transportation museums.

► *Has the LG submitted the plans to a RAS for review and approval?*

- Yes       No (\*add explanation)       N/A

\*Explanation: \_\_\_\_\_  
 \_\_\_\_\_

LG	Date	TxDOT	Date
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► *Is the LG design in accordance with established and agreed-upon design criteria?*

Yes       No (*\*add explanation*)

*\*Explanation:* \_\_\_\_\_  
\_\_\_\_\_

LG	Date	TxDOT	Date
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► *If not, has the LG requested and TxDOT granted design exceptions or waivers?*

Yes       No (*\*add explanation*)

*\*Explanation:* \_\_\_\_\_  
\_\_\_\_\_

LG	Date	TxDOT	Date
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### **Bid Document Preparation**

The bid documents (PS&E) are prepared by the LG and submitted to the TxDOT district for review and approval. On most projects, it is recommended the PS&E be submitted at the 60 percent and 90 percent complete stages in order to receive TxDOT concurrence during development of the design aspects of the project.

### **Specifications and General Conditions**

Specifications are the directions, provisions and requirements that outline the description of work and the methods and manner work is to be performed. Specifications and special provisions for highway and road projects are an integral part of the contract between the LG and the contractor.

For all projects with state or federal funds, and/or all projects on the state highway system regardless of funding source, a LG must either adopt the latest TxDOT standard specifications, special specifications and required special provisions or request TxDOT written approval of alternate, equivalent specifications. TxDOT's [2014 Standard Specifications for Construction and Maintenance of Highways, Streets and Bridges](#) are the latest TxDOT standard specifications.

When an LG adopts TxDOT's specifications for use on a LG-managed project, Items 1-9 need to be modified or special provisions need to be created for the contract documents to reflect the LG as the owner of the project. TxDOT has developed a [version of Items 1-9](#) to assist the LG in properly addressing these issues. They are referred to as the Local Government General Conditions (LGGC). These "general conditions," along with additional requirements specified by the particular LG, are intended to replace Item 1-9 in TxDOT's standard specifications on projects let by a LG.

If TxDOT approves the LG to use an alternate specification to the TxDOT standard specifications, the LG is to use the LGGC as guide for the contract language to be used in LG general conditions. The LG should review and compare LG general conditions to TxDOT LGGC for possible conflicts and remove all conflicts between the documents, without removing any applicable state or federal requirements.

Whenever a LG proposes to modify an existing TxDOT special provision for incorporation into the LG project, it must be renamed/renumbered so it is clearly identified as differing from the TxDOT special provision or special specification from where it was derived. TxDOT has developed [versions of certain special provisions](#) for use specifically on LG-let projects using the TxDOT 2014 standard specifications. Proposed specifications are to be submitted to TxDOT at 60 percent design completion to give TxDOT sufficient time for review and comment. Late submissions may delay TxDOT issuance of authority to proceed with the next phase of the project.

### **Federal and State Requirements**

The LG must incorporate all applicable federal and state requirements in its bid documents. The Bid Document Checklist [7-2] should be completed by the LG, submitted to the TxDOT district along with the PS&E submittal, and include in its project records. All columns for applicability, page number, LG task completion verification name and date should be completed for each item in the checklist. The district will review the PS&E and note its verification that required items are included in the plans and project manual by filling in the TxDOT task completion verification name and date for each item on the checklist.

Applicable items may include:

- bonding;
- Buy America provisions;
- child support documentation;
- contract time;
- debarment certification;
- designated material sources/disposal sites;
- disadvantaged business enterprise/historically underutilized business/small business enterprise programs;
- Title VI and non-discrimination programs;
- equipment rental rates;
- Federal Highway Administration (FHWA) final rule on temporary traffic control devices;
- Form FHWA-1273;
- liquidated damages;
- incentives/disincentives;

- lobbying certification;
- local hiring preferences;
- materials;
- method of construction (or method of bidding);
- non-collusion statement;
- non-discrimination against persons with disabilities;
- non-responsive bid;
- non-segregated facilities;
- quality assurance plan;
- patented/proprietary products;
- qualification/pre-qualification;
- prevailing minimum wage;
- prison-produced materials;
- publicly owned equipment;
- railroad insurance provision;
- retainage;
- safety/accident prevention [Occupational Safety and Health Administration (OSHA)];
- state or local preference;
- subcontracting;
- termination or default of contract;
- trench safety; and
- warranties and warranty clauses.

For projects on the state highway system (with or without state or federal funds), the LG must require potential bidders to be prequalified by TxDOT. For projects off the state highway system not involving state funds (but may include federal and/or local funds), the LG may require, or choose not to require, potential bidders be prequalified by TxDOT. If an alternate prequalification process is used, it should be relatively short so it can be completed during the project advertising period.

If the LG wants to use prequalification or qualification criteria in addition to those prescribed by TxDOT, the criteria must be approved by TxDOT before becoming part of the bid documents. Any additional LG-proposed criteria must clearly relate to the determination of whether or not the bidder is “responsible.” A “responsible” bidder is one that is physically organized and equipped with the financial wherewithal to undertake and complete the contract. If the LG uses a post-bid qualification process, it may only include objective criteria defined within the bid documents and not be a consideration in determination of the lowest bid. A LG’s prequalification or qualification process should not be used to limit competition or discourage the submission of a bid by an otherwise responsible contractor.

The LG must define liquidated damages (LD) in the bid documents. The LG shall not use TxDOT's LD rates. Instead, the LG must submit documentation of how it derived its LD rates, and TxDOT must approve the method of calculation. An example of items that may be included in LD calculations is attached [\[7-3\]](#).

A Sample Bidder Certification statement [\[7-4\]](#) covering non-collusion, commitment to securing bonds, representation of authorized signatory, and truth and accuracy of proposal is included. A Child Support Statement [\[7-5\]](#) and sample State of Texas Child Support Business Ownership Form [\[7-6\]](#) are also included. Each bid submitted must include a list of all the names and Social Security numbers of the individuals, partners, shareholders or owners with an ownership interest of at least 25 percent for the successful bidder. Failure to submit this information with a bid makes it non-responsive and ineligible for award.

The LG must include environmental permits, issues and commitments (EPIC) sheets (as discussed in [Chapter 5 - Environmental Compliance](#)) in the contract plans using the format in the latest standard plan sheet available on TxDOT's [website](#).

Ideally, all right of way is acquired and all utilities are adjusted before construction begins. This gives the contractor unrestricted access to the project and minimizes the potential for delays during construction. When this is not accomplished, the LG must present to TxDOT (along with the PS&E submittal) the status of acquisition and adjustment before TxDOT issues authorization to proceed with construction. The status includes a reasonable date by which acquisition and adjustment is anticipated. It is important these dates be accurate, as the anticipated dates become part of the construction contract, and delays can lead to contractor claims and additional project costs.

### **Submittal of PS&E Documents**

It is recommended the final PS&E be submitted to TxDOT at least 20 weeks prior to the proposed letting date. Some districts may allow a shorter review time. Upon final submittal, the PS&E and bid documents are reviewed and approved by TxDOT (and FHWA, when required) and a state letter of authority (SLOA) and federal project authorization and agreement (FPAA), if required, are issued, which allow advertising of the construction phase of the project.

For construction projects requiring TxDOT approval, the format and content of the PS&E will be as described in TxDOT's [PS&E Preparation Manual](#). The number of copies to submit will be as shown in TxDOT's [Form 1002](#).

As stated in the Preliminary Engineering and Design phase, value engineering studies must be performed for all federally funded projects with an estimated cost greater than \$50

million and for all federally funded bridge projects with a total estimated cost greater than \$40 million. This requirement must be fulfilled before construction is authorized.

Federal-aid projects require a statement, often referred to as the railroad certification [7-7], from TxDOT and the LG confirming the appropriate railroad coordination has taken place. This certification is required for all federal aid highway construction projects and is required prior to receiving the SLOA and FPAA. The railroad certification should address one of three possible situations:

- no railroad facilities will be impacted by the LG project;
- all railroad work will be completed prior to the start of the LG project; or
- work on the railroad facility is part of the LG construction project.

The LG must determine if the proposed project requires coordination with the Federal Aviation Administration (FAA) due to potential interference with navigational airspace (such as possible encroachments in take-off and landing patterns). Documentation of satisfactory coordination with FAA must be provided to TxDOT before the project may be authorized for construction.

▶ *Has the LG submitted the plans to RAS for review and approval?*

Yes       No (\*add explanation)       N/A

\*Explanation: \_\_\_\_\_  
\_\_\_\_\_

LG	Date	TxDOT	Date
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▶ *Is the LG design in accordance with established and agreed upon design criteria?*

Yes       No (\*add explanation)

\*Explanation: \_\_\_\_\_  
\_\_\_\_\_

▶ *If not, has the LG requested and TxDOT granted design exceptions or waivers?*

Yes       No (\*add explanation)

\*Explanation: \_\_\_\_\_  
\_\_\_\_\_

▶ *Has the LG adopted TxDOT standard specifications, special specifications and required special provisions?*

Yes       No

▶ If not, has the LG submitted and received TxDOT written approval of alternate, equivalent specifications?

Yes       No (\*add explanation)       N/A

\*Explanation: \_\_\_\_\_

LG	Date	TxDOT	Date
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▶ Is the LG using TxDOT prequalification process?

Yes       No (\*add explanation)

\*Explanation: \_\_\_\_\_

LG	Date	TxDOT	Date
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▶ Has the LG received TxDOT approval for additional or alternative qualification criteria?

Yes       No (\*add explanation)

\*Explanation: \_\_\_\_\_

LG	Date	TxDOT	Date
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▶ Did TxDOT approve the LG's method of calculation for establishing LDs?

Yes       No (\*add explanation)

\*Explanation: \_\_\_\_\_

LG	Date	TxDOT	Date
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▶ Has the LG received TxDOT written approvals of the PS&E?

Yes       No (\*add explanation)

\*Explanation: \_\_\_\_\_

LG	Date	TxDOT	Date
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▶ *Has the LG completed and included the EPIC sheet for this project?*

Yes       No (\*add explanation)       N/A

\*Explanation: \_\_\_\_\_  
\_\_\_\_\_

LG	Date	TxDOT	Date
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▶ *Has adequate documentation and certification been provided to TxDOT that all right of way has been acquired and all utilities have been adjusted?*

Yes       No (\*add explanation)       N/A

\*Explanation: \_\_\_\_\_  
\_\_\_\_\_

▶ *If not, has the LG provided written documentation indicating the status of acquisition and adjustments with firm dates by which these efforts will be completed?*

Yes       No (\*add explanation)       N/A

\*Explanation: \_\_\_\_\_  
\_\_\_\_\_

LG	Date	TxDOT	Date
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### State Letter of Authority

The state letter of authority (SLOA) is a form that must be issued by TxDOT on all projects whether the work is competitively bid or performed by the LG. The SLOA must be signed and dated prior to advertisement of the project. A federal project authorization and agreement (FPAA) is also required for all federally funded projects. The respective TxDOT districts are responsible for issuing all SLOAs and for obtaining all FPAA's from TxDOT's Finance Division. Upon issuance of the FPAA by FHWA, work can begin as described in the FPAA. The FPAA outlines federal, state and local funding participation. The approval of the FPAA by FHWA indicates the amount and ratio the federal government will participate and reimburse TxDOT.

A checklist for documentation/coordination for a SLOA is attached [[7-8](#)].

▶ *Have the SLOA and FPAA been issued for this project?*

Yes       No (\*add explanation)

\*Explanation: \_\_\_\_\_  
\_\_\_\_\_

LG	Date	TxDOT	Date
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## Chapter 8 – Letting and Contract Award Phase

► If this phase is not applicable for this project, check here:  N/A

Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

### Advertisement

An advertisement is the official announcement inviting bids for construction work. The local government (LG) may only advertise a project following TxDOT's approval of the plans, specifications and estimates (PS&E) package and execution of the state letter of authority (SLOA) and the federal project authorization and agreement (FPAA). **The minimum advertising period is three weeks (21 days).** For large and complex projects, the advertisement period should be greater than three weeks to permit prospective bidders adequate time to prepare a responsive bid proposal. The LG's advertisement must be published for at least two successive weeks in at least one newspaper of general circulation in accordance with the applicable sections of the Local Government Code. The advertisement for bids must include a notice that: describes the scope of work; states the location where the bidding documents, plans, specifications or other data may be examined or purchased by all bidders; states the time and place for submitting bids and the time and place where bids will be opened; and states the online location of the information, if it's available on a website.

The state of Texas has created an internet site called the [Electronic State Business Daily](#) (ESBD) that provides a supplemental forum for advertising projects. Utilization of internet advertising by the LG is also acceptable for federal aid projects as a supplement to traditional means. However, internet advertisement is only supplemental to the newspaper advertisement described above and cannot be used as a substitute for such newspaper advertisement. TxDOT encourages LGs to post their letting notices for project contracts in the ESDB, though it is not required. Instructions on obtaining an account for posting on the ESBD is attached [\[8-1\]](#).

The LG should provide TxDOT with the relevant contact person information for the bidding process. This may be the consultant, purchasing person and/or project manager. TxDOT will input this information into its Design and Construction Information System (DCIS) so that it can be provided to potential bidders on the TxDOT website.

Scheduling a pre-bid meeting to address prospective contractors' concerns and questions is considered a good industry practice. Any notice of a pre-bid meeting must include specific information regarding the scheduled date, time and place. Mandatory pre-bid meetings are

allowed; however, they may restrict the number of bidders and are, therefore, discouraged. Attached is a sample pre-bid meeting agenda [8-2]. TxDOT is encouraged to attend any scheduled pre-bid meeting.

▶ *Were the SLOA and FPAA issued prior to commencement of advertising?*  
 Yes       No (\*add explanation)  
\*Explanation: \_\_\_\_\_  
\_\_\_\_\_

LG	Date	TxDOT	Date
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▶ *Was the initial advertisement at least 21 days prior to opening of bids?*  
 Yes       No (\*add explanation)  
\*Explanation: \_\_\_\_\_  
\_\_\_\_\_

LG	Date	TxDOT	Date
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▶ *Were the advertisements in the city/county in which the project is located in accordance with the applicable sections of the Local Government Code?*  
 Yes       No (\*add explanation)  
\*Explanation: \_\_\_\_\_  
\_\_\_\_\_

LG	Date	TxDOT	Date
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▶ *Was the project posted on the Electronic State Business Daily?*  
 Yes       No (\*add explanation)       N/A  
\*Explanation: \_\_\_\_\_  
\_\_\_\_\_

LG	Date	TxDOT	Date
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▶ *Was a pre-bid meeting held?*  
 Yes       No (\*add explanation)  
\*Explanation: \_\_\_\_\_  
\_\_\_\_\_

LG	Date	TxDOT	Date
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## Distribution of Bid Documents and Addenda

The advertisement and approved plans and specifications must be available to bidders a minimum of three weeks prior to the opening of the bids. Shorter periods may be approved by TxDOT. However, this is rare and only in “emergency” situations. The distribution of bid documents will be in accordance with the advertisement or request for proposals.

Bid documents will specify the location where and time when bids must be received. All bids should be submitted in sealed envelopes marked as specified in the bid documents. At the time of receipt of each bid package, the LG shall indicate the time of receipt on the exterior of each bidder’s envelope and enter the bid receipt on a bid log. Envelopes must not be opened until the bid opening. Any bids submitted in person after the deadline should not be accepted. Bids received by courier or other delivery services after the time deadline stated in the bid documents will be marked with the time of receipt on the outside of the envelope and entered on the bid log but shall not be opened. All bids received shall be kept in a secure location from the time of receipt until the bids are opened.

An addendum is an addition, correction or change to items in the bid documents. Since an addendum constitutes a deviation from the TxDOT-approved PS&E, the obligation of federal funds may be impacted by the change. Therefore, TxDOT must approve an addendum prior to release to the prospective bidders. An addendum should not be used for trivial changes not anticipated to impact the bids. All prospective bidders must be made aware of any addendum as expeditiously as possible. The most important consideration in an addendum process is to give all potential bidders enough time to fully evaluate the effect of the changes and to adjust their bid accordingly.

► *Were all requirements for distribution of bid documents and receipt of bids properly executed?*

Yes             No (*\*add explanation*)

*\*Explanation:* \_\_\_\_\_

LG	Date	TxDOT	Date
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► *Were any addenda issued?*

Yes             No             N/A

▶ *Did TxDOT approve all addenda prior to distribution?*  
 Yes       No (*\*add explanation*)       N/A  
*\*Explanation:* \_\_\_\_\_  
 \_\_\_\_\_

LG	Date	TxDOT	Date
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▶ *Were all prospective bidders notified of the addenda expeditiously and far enough ahead of the bid opening to allow potential bidders to fully evaluate the addenda?*  
 Yes       No (*\*add explanation*)       N/A  
*\*Explanation:* \_\_\_\_\_  
 \_\_\_\_\_

LG	Date	TxDOT	Date
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**Bid Opening and Tabulation**

The bid opening is a public forum for the announcement of all bids and is the point in time when the bids are opened and read aloud. Bid tabulations provide a means of evaluating bids and a mechanism for tracking construction costs. FHWA policy requires all bids to be opened publicly (allowing attendance by all interested bidders and the public) and read aloud either item-by-item or by total amount. A TxDOT representative should be present during the bid opening.

Reasons for not reading a bid include the bid being unresponsive or the bidder being determined to be not responsible. A responsive bid is one meeting all requirements of the advertisement and proposal. The LG’s bidding documents must clearly identify those requirements with which the bidder must comply to have a responsive bid. A responsible bidder is one physically organized and equipped with the financial wherewithal to undertake and complete the contract. A bidder may be deemed not responsible because of past unsatisfactory performance, as evidenced by failure to meet the LG’s qualification requirements or because of state or federal suspension/debarment action. Criteria for which a contractor may be deemed not responsible shall be clearly defined in the bid documents. A determination of bidder non-responsibility may be done prior to, or after, the receipt of bids. Upon receipt and publicly opening all bids, the LG shall prepare a bid tabulation indicating the bid prices for each item for each bidder along with the estimated prices for each bid item as previously estimated by the LG (or its consultant). As a basis for tracking current construction costs and forecasting future construction costs, the LG must provide bid tabulation data to TxDOT.

▶ *Were all bids opened publicly and bids read aloud?*  
 Yes       No (*\*add explanation*)  
*\*Explanation:* \_\_\_\_\_  
 \_\_\_\_\_

LG	Date	TxDOT	Date
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▶ *Did a TxDOT employee attend?*  
 Yes       No (*\*add explanation*)  
*\*Explanation:* \_\_\_\_\_  
 \_\_\_\_\_

LG	Date	TxDOT	Date
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▶ *Did the LG prepare a bid tabulation and provide it to TxDOT within a reasonable time after the opening of bids?*  
 Yes       No (*\*add explanation*)  
*\*Explanation:* \_\_\_\_\_  
 \_\_\_\_\_

LG	Date	TxDOT	Date
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**Bid Analysis**

The bid analysis process is an examination of the unit prices for reasonable conformance with the estimated prices (prepared by the LG or its consultant) to determine if the contract should be awarded or if all bids should be rejected. TxDOT maintains written procedures for justifying the award of a contract, or rejection of the bids, when the low bid appears excessive or rejection is being considered for other reasons. The LG should perform an analysis of the bid tabulations and the project estimate to determine the presence of unbalanced bids. This could be a bid that contains lump sum or unit bid items not reasonably reflecting the actual costs to construct the item or a bid that generates reasonable doubt the award to the bidder would result in the lowest ultimate cost to the LG. A materially unbalanced bid should not be awarded. The LG must obtain TxDOT concurrence on the determination of whether or not a bid is unbalanced. More information on the bid analysis process or the presence of unbalanced bids can be obtained in TxDOT’s [Letting Manual](#), which is only available on TxDOT’s intranet site.

A checklist for documentation/coordination for letting and award review is attached [\[8-3\]](#). This checklist is to be completed by the LG and submitted along with the LG’s request for TxDOT’s concurrence in award.

## Contract Award

[Transportation Code §223.0041](#) and [23 CFR 635.110](#) stipulate the award of a contract must be made to the lowest responsive and responsible bidder. The LG must formally request written concurrence by TxDOT in the award of the contract. Concurrence of the award by TxDOT is required to obtain federal participation in the construction costs and authorizes the LG to proceed with construction. Upon receipt of concurrence of award, the LG may execute the contract and provide it to the successful bidder (contractor). A list of recommended submissions related to TxDOT concurrence with a contract award is attached [\[8-4\]](#).

A checklist for documentation/coordination for contract execution is attached [\[8-5\]](#).

► *Was the apparent low bid analyzed to determine if it was excessive or unbalanced?*

Yes       No (\*add explanation)

\*Explanation: \_\_\_\_\_  
\_\_\_\_\_

LG	Date	TxDOT	Date
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► *Was the contract awarded to the lowest bidder?*

Yes       No (\*add explanation)

\*Explanation: \_\_\_\_\_  
\_\_\_\_\_

LG	Date	TxDOT	Date
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► *Did TxDOT concur in writing in the award prior to its execution?*

Yes       No (\*add explanation)

\*Explanation: \_\_\_\_\_  
\_\_\_\_\_

LG	Date	TxDOT	Date
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## Chapter 9 – Construction Phase

► If this phase is not applicable for this project, check here:  N/A

Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

It is critical for the local government (LG) and the Texas Department of Transportation (TxDOT) to provide timely notice to each other in writing of any updates or changes to their responsible person in charge (RPIC), project manager or the LG’s “qualified” person. This information should also be updated in [Chapter 1](#) of this document.

### Contract Administration

#### LG PROJECT ADMINISTRATION RESPONSIBILITIES

During construction, the LG is responsible for providing adequate and qualified staff for administering the project and for completing tasks as outlined on the checklists included herein. In addition, specific responsibilities of the LG include the following.

1. *Records Organization and Retention:* Organization of project documents will increase the LG’s ability to manage the project during the construction phase. It is most effective to create the organization system at the beginning of the project and properly store documents as they are received. File folders may be created for each required element of the program [i.e. change orders, disadvantaged business enterprise (DBE), storm water pollution prevention plan (SW3P), etc]. The same should be done for each construction line item. The line item folders should contain the invoices, shipping tickets, test reports, summary of work performed, etc. At any time during the project and at the completion of the project the LG may be asked by the Federal Highway Administration (FHWA) and/or TxDOT to provide the project records for audit. Complete and orderly records will aide this process.
2. *Project Reviews:* The LG should conduct periodic reviews, in addition to the required reviews. There are two checklists provided to assist in performing the periodic reviews: contract administration checklist [\[9-1\]](#); and local let oversight checklist [\[9-2\]](#).
3. *Notice to Proceed:* The LG will issue the notice to proceed (NTP) or an authorization to begin work. The NTP is usually in the form of a letter issued by the LG to the contractor.
  - a. The LG must obtain concurrences from TxDOT’s project manager that all contract execution requirements have been met before issuing a NTP (or an authorization to begin work).



- b. The LG must issue a NTP (or an authorization to begin work) to the approved contractor. The LG must include the work begin date and the method of time charges in this letter.
  - c. The LG must send a copy of the NTP to TxDOT's project manager and keep a copy in the project records. (A sample TxDOT authorization to begin work (NTP) is included [\[9-3\]](#)).
4. *Pre-construction Meeting:* The LG will organize and facilitate a pre-construction meeting as follows.
  - a. The LG must conduct this meeting with all parties (including TxDOT) before construction can begin. The LG may choose to use the sample pre-construction meeting agenda [\[9-4\]](#) and/or pre-construction meeting guide and minutes [\[9-5\]](#) for planning assistance.
  - b. TxDOT representative should use the pre-construction meeting guide and minutes [\[9-5\]](#) as a checklist to ensure all required items are discussed.
  - c. For any questions arising at the meeting that are answered after the pre-construction meeting, a copy of the answer shall be sent to each participant and a copy kept in the project records.
  - d. The LG shall send a copy of the minutes to each participant and keep a copy in the project records.
5. *Contract Administration:* The LG is responsible for ensuring the contract elements included in the plans, specifications and estimates (PS&E) and the bid documents are completed by the selected contractor. These elements include critical procedures related to non-discrimination against persons with disabilities, DBE, equal employment opportunity, equipment rental rates, liquidated damages and others as described in the advance funding agreement (AFA). Many of these elements are described below; however, the [LGPP Manual](#) provides detailed guidance on the regulatory policies and contract administration activities associated with these elements.
6. *Inspections:* The LG is responsible for performing regular inspections and for addressing issues identified by TxDOT's project manager during inspections and documented on the Construction Inspection Report [\[9-6\]](#).
7. *Final Inspection:* The LG must work with TxDOT to complete a final inspection upon completion of the construction phase of the project.
8. *Certification Letter:* The LG will provide a signed copy of the certification letter, final plans and additional project documents to TxDOT in accordance with applicable TxDOT policies and procedures.

▶ *Has the NTP (authorization to begin work) been issued?*  
 Yes       No (\*add explanation)  
 \*Explanation: \_\_\_\_\_  
 \_\_\_\_\_

Time Charges Begin Date:		Work Begin Date:	
LG	Date	TxDOT	Date

▶ *Has a pre-construction meeting occurred?*  
 Yes       No (\*add explanation)  
 Date of Meeting: \_\_\_\_\_  
 \*Explanation: \_\_\_\_\_  
 \_\_\_\_\_

LG	Date	TxDOT	Date

▶ *Was TxDOT invited?*  
 Yes       No (\*add explanation)  
 If yes, who attended? \_\_\_\_\_  
 \*Explanation: \_\_\_\_\_  
 \_\_\_\_\_

LG	Date	TxDOT	Date

▶ *Has LG provided a copy of minutes and sign-in sheet to all attendees?*  
 Yes       No (\*add explanation)  
 \*Explanation: \_\_\_\_\_  
 \_\_\_\_\_

LG	Date	TxDOT	Date

**TxDOT Project Oversight Responsibilities**

TxDOT maintains oversight responsibility during construction to ensure these projects are managed, developed and constructed in accordance with approved policies, procedures, plans and specifications. TxDOT’s required oversight responsibilities during construction include the following.

1. The project manager will ensure an orderly transition from the design phase to the construction phase.

2. After the project has been let, the project manager will determine the time necessary for TxDOT to properly evaluate the LG's inspection activities at the project location. The project manager will determine when TxDOT construction reviews of critical items of work will be performed. The amount of time required to perform on-site TxDOT reviews should be based on complexity and size of the project.
3. The Construction Inspection Report form [9-6] may be used by the project manager to document periodic project reviews and inspection activities of the LG.
4. The project manager may also use the checklists attached to the Construction Inspection Report form [9-6] to assist in the documentation of specific inspection activities performed by the LG.
5. After each periodic project construction review, the project manager will furnish a copy of the completed Construction Inspection Report and corresponding documentation to the LG.
6. The project manager will work with the LG to resolve any issues or noted discrepancies. If a resolution cannot be achieved, the project manager will immediately notify the district engineer, or designee, for further coordination with the LG.
7. The project manager will participate in the final project inspection.
8. Upon receipt of the signed copy of the construction completion certification letter [9-7], final plans and additional project documents from the LG, the district engineer will notify TxDOT's chief engineer that the LG has fulfilled its responsibilities for construction and final documentation of the subject project.

## **Environmental**

Environmental commitments are included in the project environmental documents and are listed in the environmental permits, issues and commitments (EPIC) plan sheet(s). The EPIC requirements must be followed throughout the project construction phase by the LG and contractor to assure full compliance with state and federal environmental regulations.

1. The LG shall obtain environmental clearance from TxDOT and, if applicable, FHWA prior to start of construction.
2. The LG shall complete all EPICs, if any, that must be completed between environmental approval and approval for letting.
3. The LG should refer to the EPIC sheet in the plan set for environmental requirements.
4. Potential environmental impacts on environmental commitments shall be evaluated prior to approving change orders.
5. The LG must ensure that SW3P inspections are conducted in accordance with the approved storm water pollution prevention plan. This should be done using Form 2118 [9-8]. Copies of each report should be kept in the project records for periodic review by TxDOT.

6. The LG shall keep an inspection log [9-9] and tracker [9-10] listing each inspection date.

▶ *Have the appropriate environmental inspections been conducted and documented?*

Yes       No (\*add explanation)

\*Explanation: \_\_\_\_\_

LG	Date	TxDOT	Date
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▶ *Have the potential impacts on environmental commitments been evaluated prior to change order approvals?*

Yes       No (\*add explanation)       No Change Orders

\*Explanation: \_\_\_\_\_

LG	Date	TxDOT	Date
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▶ *Have all requirements on the EPIC sheet been implemented and inspected for compliance?*

Yes       No (\*add explanation)       N/A

\*Explanation: \_\_\_\_\_

LG	Date	TxDOT	Date
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## Inspection

The LG and TxDOT have certain inspection responsibilities. By executing an agreement with TxDOT, the LG assures it has the staff to manage all project functions. TxDOT verifies the LG's actions by conducting periodic inspections. However, it is the LG's day-to-day responsibility to determine compliance with the approved plans, specifications and contract administration requirements.

1. The LG is responsible to ensure the supervision of inspection staff is done by a licensed professional engineer.
2. The LG shall ensure there is adequate project supervision and inspection, and ensure the project is completed in conformance with approved plans and specifications.
3. The LG is responsible for oversight of all required inspections including: SW3P [9-8]; Traffic Control Devices [9-11]; and the Local Government Construction Inspection Form 2423 [9-6].

4. TxDOT personnel will visit the project at least once per month to visually inspect work progress and to review project records. Individuals(s) should document project visit and record the review by completing a written Local Let Oversight Checklist [9-2].
5. TxDOT personnel will periodically perform oversight inspection on various elements of the project. Sample forms to document TxDOT observations during oversight inspections are included [9-6].

▶ *Have these requirements been met?*  
 Yes       No (\*add explanation)

\*Explanation: \_\_\_\_\_  
 \_\_\_\_\_

LG	Date	TxDOT	Date
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### Supervision and Staffing

The LG must demonstrate to TxDOT’s satisfaction that it has adequate staff to manage all project functions. TxDOT shall be notified of any proposed changes in the LG’s RPIC, project manager or “qualified” person in a timely manner. Any changes should be updated on appropriate pages in [Chapter 1](#) of this document.

▶ *Has the LG complied with these requirements?*  
 Yes       No (\*add explanation)

\*Explanation: \_\_\_\_\_  
 \_\_\_\_\_

LG	Date	TxDOT	Date
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### Quality Assurance Program (QAP)

The LG must implement a quality assurance program (QAP) to ensure the materials and workmanship incorporated into each contract involving federal funds are in conformance with the requirements of the approved plans and specifications.

1. The LG should adopt TxDOT’s QAP or submit a program through TxDOT to FHWA that meets the requirements of [23 CFR 637B](#). If the LG chooses to adopt TxDOT’s QAP, the LG must modify it by inserting the name of the LG where appropriate. Attached is a mark-up QAP identifying the changes that should be made [9-12] and a sample QAP [9-13]. For design-build projects where the developer (contractor) is responsible for quality assurance tests, the LG is to employ an independent lab to verify the developer’s (contractor’s) quality assurance tests in accordance with FHWA’s [Technical Advisory 6120.3](#). A QAP oversight checklist is attached [9-14].

2. The LG must assure compliance with the approved program. Independently of the contractor, the LG shall provide inspection services, construction materials testing and verification testing to assure the materials incorporated into the project substantially meet project specifications. Copies of all testing records and all technician and laboratory certifications shall be provided for TxDOT review. At project completion, the LG must submit a letter of certification [9-15] sealed by a licensed engineer stating all materials incorporated into the project are in conformity with the approved plans and specifications.
3. The LG must be in compliance with the Guide Schedule of Sampling and Testing [9-16] or a TxDOT-approved alternate.
4. Any non-TxDOT laboratories sampling and testing shall be accredited by the American Association of State Highway and Transportation Officials accreditation program.

► Was this policy followed?

Yes       No (\*add explanation)

\*Explanation: \_\_\_\_\_  
 \_\_\_\_\_

LG	Date	TxDOT	Date
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► Has proper documentation been created and retained?

Yes       No (\*add explanation)

\*Explanation: \_\_\_\_\_  
 \_\_\_\_\_

LG	Date	TxDOT	Date
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## Records

Project records fall into many categories, such as documentation of pay quantities, test reports supporting that the materials used meet specification requirements and a variety of contract administration documentation.

1. It is the responsibility of the LG to keep project records documenting the quantity and quality of completed work. The records must be maintained for a minimum of 3 years following the date of final reimbursement by FHWA to TxDOT or as otherwise specified in the AFA. Quantities should be verified by calculations.
2. TxDOT will spot check the project records for compliance with the approved system during periodic inspections and final project review.
3. The LG field representatives and project personnel should keep a daily project diary: complete Work Reports Form 1257 [9-17] for material placement and payment; and

a Summary of Work Performed Form 1258 [9-18] for each line item included in the project records as specified in the AFA.

4. As-built plans that incorporate any contract revisions and are signed, sealed and dated by a professional engineer licensed in Texas are to be retained in the LG project records.
5. For all on-system projects, as-built plans must be submitted to TxDOT.

► Were records maintained and checked according to procedure?

Yes       No (\*add explanation)

\*Explanation: \_\_\_\_\_  
\_\_\_\_\_

LG	Date	TxDOT	Date
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### Subcontracting

Federal regulations impose limitations on the amount of work that can be subcontracted. This prohibits a prime contractor from “brokering” (subletting all contract work).

1. For projects with state or federal funds, the LG may not use subcontractors and/or suppliers on the state or federal debarred list. The LG must check the current list of debarred contractors and suppliers at both the federal [Excluded Parties List System](#) and the [Texas Comptroller of Public Accounts](#) websites before awarding any contracts or approving subcontracts. Reviewing the lists periodically during construction is also encouraged.
2. The LG must include FHWA-1273 [9-19] verbatim into all contracts and must ensure the prime contractor incorporates the provisions into all subcontracts and purchase orders.
3. The LG must ensure the contractor has an executed written subcontract agreement with each subcontractor (including DBE subcontractors). This agreement must include: the amount of commitment; the scope of work and any assistance the contractor will provide; and the required special provisions and contractual requirements physically incorporated into the agreement. The LG must keep executed copies of all subcontractor agreements and a copy of each approval request form [9-20] in its project records for audit.
4. For all projects with federal funds, the LG must adopt the [TxDOT Standard Specification Article 8.8](#), including the 30 percent limitation, TxDOT’s [Contractor’s Assurance document](#), Form FHWA-1273 [9-19], prompt pay and other polices into its subcontract agreement. The contractor is required to perform work amounting to not less than 30 percent of the original contract amount, excluding specialty items, with its own organization. The 30 percent limitation is calculated as follows: (total contract amount less all subcontract amounts)/total contract amount.

5. The LG shall send each subcontractor a formal approval in writing. The LG must keep this documentation in the project records. The LG should keep a subcontractor log indicating the date approved and whether or not the subcontractor is a DBE [9-21].
6. The LG must complete a commercially useful function review using Form 2182 [9-22] for each DBE subcontractor. The LG must keep this documentation in the project records for periodic review by TxDOT.

▶ *Has the LG confirmed that no subcontractors and/or suppliers are on the state or federal debarred list?*

Yes       No (\*add explanation)

\*Explanation: \_\_\_\_\_  
 \_\_\_\_\_

LG	Date	TxDOT	Date

▶ *Does the contractor have executed subcontract agreements with each subcontractor?*

Yes       No (\*add explanation)

\*Explanation: \_\_\_\_\_  
 \_\_\_\_\_

LG	Date	TxDOT	Date

▶ *Has the LG submitted a copy of each approved subcontract form to TxDOT?*

Yes       No (\*add explanation)

\*Explanation: \_\_\_\_\_  
 \_\_\_\_\_

LG	Date	TxDOT	Date

▶ *Has the LG performed an analysis to confirm the contractor is meeting the 30 percent limitation?*

Yes       No (\*add explanation)

\*Explanation: \_\_\_\_\_  
 \_\_\_\_\_

LG	Date	TxDOT	Date



▶ Has the LG kept a subcontractor log and conducted a commercially useful function review for each DBE subcontractor?

Yes             No (\*add explanation)

\*Explanation: \_\_\_\_\_  
 \_\_\_\_\_

LG	Date	TxDOT	Date
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### Progress Payments and Final Payment

Progress payments are compensation to the prime contractor for the value of work performed during a covered period. Payments should be based on estimates, prepared by the LG’s project manager, of the value of the work performed and materials delivered or stockpiled in accordance with the contract.

1. Payments must be based on estimates, prepared by the LG, for the value of work performed and materials delivered or stockpiled in accordance with the contract. TxDOT must receive sufficient supporting documents prior to approving reimbursement to the LG. These may include: invoices; cancelled checks; material inventory; test reports; daily work report Form 1257 [\[9-17\]](#); inspection reports, Material On Hand forms 1914 [\[9-23\]](#) and 1915 [\[9-24\]](#); Material On Hand certification by the LG [\[9-25\]](#); and other documents as directed by TxDOT’s project manager. For all progress payment requests on projects with federal or state funds that include a request for payment for materials on hand, the LG and TxDOT are responsible for periodic visits to inspect on-site or off-site stockpiles to ensure compliance with all rules and regulations.
2. The LG should request periodic reimbursement of completed work from TxDOT. Requests should be made regularly throughout construction as payments are made to the contractor (preferably monthly). The LG is responsible to comply with the TxDOT procedures and submit required forms. These forms may include: a billing worksheet [\[9-26\]](#); a simple coversheet [\[2-2\]](#); or other documents to submit a request for reimbursement. Invoices to TxDOT must include sufficient details to answer who, what, when, where and how expenses are billed.
3. The LG shall pay the contractor within 30 days. TxDOT must ensure the contractor is issued payment by the LG before requesting reimbursement from TxDOT.
4. The LG is responsible to guarantee the subcontractors receive payment from the prime contractor within 10 days. This is accomplished by the contractor’s monthly submission of Prompt Payment Form 2177 [\[9-27\]](#).
5. FHWA cannot make the final reimbursement for a project until TxDOT approves the completion of project construction. TxDOT cannot make the final reimbursement to the LG until it approves the completion of project construction and has received/reviewed all necessary documentation.

6. The LG shall prepare pay estimates with non-reimbursable items separated from reimbursable costs.
7. TxDOT's project manager will check TxDOT financial management system reports at least monthly (prior to approving LG reimbursement requests for progress payments) to verify payments and to check charges against the project and remaining fund balances.
8. Upon the completion of the review of a LG-submitted reimbursement request, TxDOT's project manager will attach the LG request for reimbursement to a Local Let Oversight Payment form [9-28] and copies of the current Local Let Oversight Checklist [9-2] and Local Let Inspection Reports [9-6] to the area engineer, then the district director of construction and then the district accounting office to process for payment.
9. The LG should refer to [Chapter 10 – Project Close-out and Maintenance](#) in the LGPM Guide for the requirements for the final payment to be made.

► *Were the prompt payment forms submitted monthly?*

Yes             No (\*add explanation)

\*Explanation: \_\_\_\_\_  
 \_\_\_\_\_

LG	Date	TxDOT	Date
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► *Were payments requested according to policy?*

Yes             No (\*add explanation)

\*Explanation: \_\_\_\_\_  
 \_\_\_\_\_

LG	Date	TxDOT	Date
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## **Retainage**

If provided for in the AFA, TxDOT may withhold from the LG a percentage of construction costs until TxDOT acceptance and audit of the project. This is done to protect the federal interest.

1. The LG may withhold retainage from the contractor, provided it is done in full compliance with all applicable state and local laws and regulation, and retainage withholding must be specified in the contract.
2. If the LG has withheld retainage from the contractor, the LG is to provide adequate assurance from the contractor that it has released retainage on a subcontractor's work within 10 days after satisfactory completion of all of the subcontractor's work.

▶ Was this policy followed?  
 Yes       No (\*add explanation)

\*Explanation: \_\_\_\_\_  
\_\_\_\_\_

LG	Date	TxDOT	Date
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### Contract Time

The term of the contract is an important part of every construction project. Too little contract time may result in higher construction costs, while too much contract time may encourage inefficiencies, increased user costs, and potential delays and inconvenience to the public.

1. The LG must ensure all charged and/or credited days are reported according to the specification provided in the contract documents.
2. The LG must submit a Contract Time Statement Form 252 [9-29] or pre-approved LG equivalent with each request for reimbursement to TxDOT.
3. TxDOT will review all time charges during each request for reimbursement period.

No. of contract days: \_\_\_\_\_

Days charged according to: \_\_\_\_\_

▶ Has time been documented daily and included in the project records?

Yes       No (\*add explanation)

\*Explanation: \_\_\_\_\_  
\_\_\_\_\_

LG	Date	TxDOT	Date
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### Termination of Contract

If the LG desires to terminate its contract with the contractor, it must obtain prior approval by TxDOT.

▶ Has the LG complied with these requirements?

Yes       No (\*add explanation)       N/A

\*Explanation: \_\_\_\_\_  
\_\_\_\_\_

LG	Date	TxDOT	Date
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## Application of Contract Elements during Construction

### Buy America

Steel and iron products to be incorporated into the project must be of domestic origin. All manufacturing processes for steel and iron products to be incorporated into the project must take place domestically, including donated material.

1. Projects with federal funds and all on-system state projects must include a Buy America clause in the contract documents.
2. The LG is responsible to obtain documentation certifying steel and iron products covered by the Buy America provision are domestic, such as Mill Test Reports and Form 1818 (Buy America) [9-30]. These must be retained in the project records.

► Has the Buy America policy been followed and documented in the project records?

Yes       No (\*add explanation)       N/A

\*Explanation: \_\_\_\_\_

LG _____	Date _____	TxDOT _____	Date _____
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### Change Orders

1. TxDOT must approve all changes to the contract. The LG should coordinate through TxDOT's project manager. Major changes must be formally approved before work begins. Non-major changes require formal approval, which may be given retroactively at TxDOT's discretion. The LG must have TxDOT written approval on all change orders. The criteria includes:
  - a. does the proposed change order reflect a change in the original "scope of work;"
  - b. is the requested change order eligible for FHWA reimbursement;
  - c. if due to gross negligence or carelessness, neither state or federal funds can be used for design or construction;
  - d. can the LG perform and suitably document the cost analysis for the proposed change order;
  - e. if a time extension is required to accomplish the revised scope, it must show time impact to original project schedule.
2. The LG is responsible to keep all support documents (including cost analysis for negotiated prices) with the change orders during the project.
3. Time extensions must also be done through the formal change order process. TxDOT retains approval authority over all time extensions. Events that normally do not justify a time extension include: shutdowns for maintenance; breakdowns; suspensions or

stop work orders for violation of safety or pollution regulations; and shutdowns for construction accidents. Time extensions may be in order for unusual market conditions for materials (industry-wide strike, natural disaster, area-wide shortage), and utility, railroad and right-of-way clearance delays.

4. All requests and approvals must be done in writing. Use Form 2146-L [\[9-31\]](#) or other format as directed by the TxDOT district.

▶ *Has the change order procedure been followed?*

Yes       No (\*add explanation)       No Change Orders

\*Explanation: \_\_\_\_\_

LG	Date	TxDOT	Date
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### Contract Claims

All claims filed by the contractor must be done in accordance with the procedures specified in the contract documents.

▶ *Has the contract claim procedure been followed?*

Yes       No (\*add explanation)       No Claims

\*Explanation: \_\_\_\_\_

LG	Date	TxDOT	Date
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### Convict (Inmate) Labor

The LG is not allowed to use convict labor on federally funded projects. The principle behind the prohibition of convict labor is that use of convict labor restricts competition since convict labor can be furnished at rates well below market labor costs or force account rates. It is the responsibility of the LG to ensure the contractor does not use convict labor.

▶ *Has this procedure been followed?*

Yes       No (\*add explanation)

\*Explanation: \_\_\_\_\_

LG	Date	TxDOT	Date
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## Differing Site Conditions

For all projects with federal or state funds, the LG must be in accordance with federal regulations. Differing site or changed condition clauses must be included verbatim in the contract documents. Differing site conditions may include materially different subsurface or latent physical conditions, unknown physical conditions of an unusual nature, suspensions of work ordered by the LG in writing (for a period of time not originally anticipated, customary or inherent to the construction industry), materially differing character of work from that of the original contract, or an increase or decrease of 25 percent or more of an original contract quantity.

Should such a condition exist, the LG should handle it in accordance with provisions contained in the contract documents and notify TxDOT immediately.

▶ *Were differing site conditions present on this project?*

Yes             No

▶ *If yes, is the documentation in the project records?*

Yes             No (\*add explanation)     N/A

*\*Explanation:* \_\_\_\_\_

LG	Date	TxDOT	Date
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## Disadvantaged Business Enterprise (DBE)

The contractor must comply with the DBE program requirements. No contractor is allowed to participate in federally funded projects if it is suspended or debarred (as a prime or as a subcontractor).

1. TxDOT shall confirm the LG has a memorandum of understanding (MOU) Form 2395 [9-32] on file. This can be confirmed on TxDOT's [Disadvantaged Business Enterprise Program](#) Web page.
2. Prior to contract award, the LG should review and approve the contractor's DBE participation plan to ensure contract goals will be satisfied in accordance with provisions in the bid document.
3. Prior to work commencing, the LG must ensure DBEs are certified under the Texas Unified Certification Program.
4. The contractor must submit monthly reports after work begins on DBE payments to meet the DBE goal to the LG. Form 4903 [9-33] DBE Monthly Progress Report is used to document this information. These reports are due within 15 days after the end of the calendar month.

5. TxDOT will monitor progress/good faith efforts of the DBE program at least quarterly.
6. The contractor must submit the Final DBE Report Form 4904 [\[9-34\]](#) to the LG the month after work is completed. This must be kept in the project records.

▶ *Is the MOU on file?*  
 Yes    Date: \_\_\_\_\_     No (\*add explanation)  
 \*Explanation: \_\_\_\_\_  
 \_\_\_\_\_

LG	Date	TxDOT	Date
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▶ *Are all DBEs certified?*  
 Yes     No (\*add explanation)  
 \*Explanation: \_\_\_\_\_  
 \_\_\_\_\_

LG	Date	TxDOT	Date
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▶ *Have the monthly DBE progress reports been submitted and reviewed by TxDOT?*  
 Yes     No (\*add explanation)  
 \*Explanation: \_\_\_\_\_  
 \_\_\_\_\_

LG	Date	TxDOT	Date
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**Equal Employment Opportunity (EEO)**

The LG, as a contracting agency, has a responsibility to ensure all federal-aid contractors, subcontractors, vendors and material suppliers do not discriminate in employment and contracting practices based on race, color, religion (in the context of employment), sex, national origin, age or disability.

1. The provisions of Form FHWA-1273 (Section II. Nondiscrimination) [\[9-19\]](#) related to [23 CFR Part 230](#) are applicable to all federal and federal-aid construction contracts, and to all related construction subcontracts of \$10,000 or greater. Pursuant to Form FHWA-1273, contractors must not discriminate and must take affirmative action to assure equal opportunity.
2. Form FHWA-1273 must be physically incorporated into each federally funded construction contract. The contractor (or subcontractor) must insert this form in each subcontract and further require its inclusion in all lower-tier subcontracts (excluding purchase orders, rental agreements and other agreements for supplies and

services). The provisions of 23 CFR Part 230 are not applicable to material supply, engineering or architectural service contracts.

3. To ensure compliance with Form FHWA-1273, TxDOT's Office of Civil Rights (OCR) conducts contract compliance reviews of contractors in accordance with [23 CFR 230, Subpart D](#). OCR also provides to contractors technical assistance on federal equal opportunity requirements and the contractor compliance review process. LGs shall work with OCR and FHWA to ensure contractors have made every good faith effort to provide equal opportunity with respect to the terms and conditions of employment.
4. OCR's [Technical Assistance Guide for Federal Construction Contractors](#) provides guidance regarding federal contractor equal opportunity obligations and how to meet them.
5. The LG shall work in coordination with OCR and the TxDOT district's LG contact in the administration of the Federal-aid Highway Construction Contractors Annual EEO Report project. The LG shall maintain a list of prime contractors and subcontractors performing on federal-aid projects to include the name of the company, mailing address and contact information. The information should be submitted in June to the TxDOT district's LG contact.

▶ *Has the EEO procedure been followed?*

Yes       No (*\*add explanation*)

*\*Explanation:* \_\_\_\_\_  
\_\_\_\_\_

LG	Date	TxDOT	Date
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### Equipment Rental Rates

Equipment rental rates on force account work shall be at the Blue Book rental rate or actual rates.

▶ *If there has been force account work, were the equipment rental rates at the Blue Book rental rate or actual rates?*

Yes       No (*\*add explanation*)       N/A

*\*Explanation:* \_\_\_\_\_  
\_\_\_\_\_

LG	Date	TxDOT	Date
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## FHWA Regulations on Temporary Traffic Control Devices

Federal regulations provide requirements related to the use and payment of uniformed law enforcement officers, positive protection measures between workers and motorized traffic, and temporary traffic control devices on construction, maintenance and utility work zones.

1. If law enforcement officers are used for temporary traffic control, ensure they are trained as required in [23 CFR 630.1008\(d\)](#).
2. The LG must regularly conduct thorough inspections of all traffic control features. TxDOT's Traffic Control Devices Inspection Checklist (Form 599) [\[9-11\]](#) and the inspection log [\[9-35\]](#) are provided as acceptable forms for documentation of required inspections. The LG must keep inspection reports in a separate file labeled "DO NOT DISCLOSE – EXCEPTED FROM DISCLOSURE BY 23 USC §409." The LG's compliance with these activities will be monitored at least quarterly by TxDOT.

▶ *Have these procedures been followed?*

Yes       No (\*add explanation)

\*Explanation: \_\_\_\_\_

LG	Date	TxDOT	Date
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## Liquidated Damages

Liquidated damages are required as a means of recovering, at a minimum, construction engineering costs from a contractor.

1. The LG must monitor and assess liquidated damages according to specifications once contract time has elapsed. This should be done by the LG and reviewed by TxDOT during each progress payment, once contract time has elapsed.

▶ *Has this requirement been followed?*

Yes       No (\*add explanation)

\*Explanation: \_\_\_\_\_

LG	Date	TxDOT	Date
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## Materials

Materials used in a LG construction project must be clearly defined and specified in the PS&E. TxDOT must review and approve any changes to material specifications prior to their implementation.

► *If there were any changes to material specifications, were they approved in advance by TxDOT?*

Yes       No (\*add explanation)       N/A

\*Explanation: \_\_\_\_\_  
\_\_\_\_\_

LG	Date	TxDOT	Date
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## Non-Discrimination Against Persons with Disabilities

Discrimination by public entities on the basis of disability is prohibited. The Americans with Disabilities Act requires equal opportunity for individuals with disabilities.

1. For all projects on public right of way with an excess of \$50,000 in pedestrian elements, the LG must submit plans to a registered accessibility specialist (RAS) licensed by the Texas Department of Licensing and Regulation (TDLR) for review and approval. The LG must send a copy of the RAS approval to the TxDOT district.
2. The LG is responsible for coordination of RAS inspection and for paying all fees assessed related to renew and approval.
3. For projects with state or federal funds, and all projects on the state highway system, the LG will submit a certification sealed by an engineer licensed in Texas stating construction standards have been met [\[9-7\]](#). The district will conduct a final inspection before issuing final payment to the LG.
4. TxDOT must verify TDLR has conducted its final inspection approving all pedestrian elements and has the LG's certification before recommending the project's final acceptance by TxDOT and final payment to the LG.

► *Have these items been received and completed?*

Yes       No (\*add explanation)

Date of RAS Approval: \_\_\_\_\_

\*Explanation: \_\_\_\_\_  
\_\_\_\_\_

LG	Date	TxDOT	Date
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▶ *Is the project in compliance with ADA requirements?*  
 Yes       No (\*add explanation)       N/A  
 \*Explanation: \_\_\_\_\_  
 \_\_\_\_\_

LG	Date	TxDOT	Date
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**Non-segregated Facilities**

The contractor cannot discriminate against any person by having segregated facilities.

1. Form FHWA-1273 [9-19] is required to be included within the bid documents, prime contract and all subcontracts of \$10,000 or greater. Form FHWA-1273 helps ensure contractor-provided facilities for employees are not segregated.
2. The LG shall visit the site no less than quarterly to verify compliance by contractor and subcontractors.

▶ *Was this procedure followed?*  
 Yes       No (\*add explanation)  
 \*Explanation: \_\_\_\_\_  
 \_\_\_\_\_

LG	Date	TxDOT	Date
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**Prevailing Minimum Wage and Certified Payroll Statements**

The LG must ensure the contractor is paying predetermined minimum wages for certain job classifications used on federal-aid contracts. The [Davis-Bacon Act of 1931](#) requires payment of local prevailing wages and fringe benefits to laborers and mechanics employed on federal contracts in excess of \$2,000 for construction, alteration or repair (including painting and decorating) of public buildings or public works.

1. The LG must verify current wage rates are posted at the site of work.
2. The LG must verify workers are paid appropriate wages for work classification. The LG must verify the contractor pays overtime for work in excess of 40 hours in a work week. If an additional classification is deemed appropriate, either approval or a determination from the U.S. Department of Labor (USDOL) is required for the classification. In this case, the contractor should submit to the LG a completed Standard Form 1444 - Request for Authorization of Additional Classification and Rate [9-36]. The LG, after signing the form, should submit it via email to the USDOL at [WHD-CBACONFORMANCE\\_INCOMING@dol.gov](mailto:WHD-CBACONFORMANCE_INCOMING@dol.gov).

3. The LG must verify the contractor is paying the minimum wages as contained in the contract documents through review of certified weekly payrolls (LG to review at least monthly) and quarterly employee interviews using Form 2220 [9-37]. The completed form(s) must be kept in the project records with attached payroll.
4. To properly document this requirement, the LG must obtain copies of certified payroll statements each week as outlined in the procedures.
5. USDOL should be notified and involved in resolving any violations.

The LG must review the payroll statements for completeness and certification, and then spot check items such as classification, hourly rate, authorized deduction, fringe benefits, overtime hours and rate, and net wages paid.

1. The LG shall adopt the TxDOT monitoring program or a TxDOT-approved alternate program.
2. The LG shall conduct spot checks on prime and subcontractors.
3. The LG shall conduct quarterly employee labor interviews using Form 2220 [9-37] and cross-check against payrolls.
4. TxDOT shall review at least one payroll per project to ensure compliance.

► *Were these prevailing minimum wage requirements followed?*

Yes       No (\*add explanation)

\*Explanation: \_\_\_\_\_  
 \_\_\_\_\_

LG	Date	TxDOT	Date
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► *Were these procedures regarding payroll statements followed?*

Yes       No (\*add explanation)

\*Explanation: \_\_\_\_\_  
 \_\_\_\_\_

LG	Date	TxDOT	Date
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## Safety

Provisions of the Occupational Safety and Health Administration (OSHA) apply to all projects. The administration of the national program for occupational safety and health rests with OSHA.

1. FHWA is required by law to ensure compliance with construction safety standards. Section VII of Form FHWA-1273 [9-19] specifically grants USDOL representatives right of entry to projects using federal-aid funds.

2. [Texas Labor Code](#) requires employers to provide and maintain employment and a place of employment that is reasonably safe and healthful for employees, as well as take all actions reasonably necessary to make the employment and place of employment safe.
3. The LG must include provisions in the contract that implement OSHA.
4. The TxDOT district should ensure language requiring compliance with OSHA is included in all bid proposals for projects utilizing state or federal funds.

► *Was this requirement followed?*

Yes       No (\*add explanation)

\*Explanation: \_\_\_\_\_  
 \_\_\_\_\_

LG	Date	TxDOT	Date
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### Salvage Credits

The LG shall provide assurance that disposal of surplus property has been in conformance with the Texas Administrative Code.

► *Was disposal of any salvaged material in accordance with Texas Administrative Code?*

Yes       No (\*add explanation)       N/A

\*Explanation: \_\_\_\_\_  
 \_\_\_\_\_

LG	Date	TxDOT	Date
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## Chapter 10 – Project Close-out and Maintenance

### Project Close-out

Project close-out is a critical step in the project and is necessary to complete the requirements of the advance funding agreement (AFA). Close-out includes a project review by the Texas Department of Transportation (TxDOT) to:

- determine if all work was completed and acceptable to TxDOT;
- determine each party's final cost share for the project;
- process the final payment to close the work on the project; and
- complete the project audit.

The close-out process requires the local government (LG) to provide all necessary project documentation to TxDOT for review. Upon completion of its review, TxDOT will return project documentation to the LG to be retained in the LG's project files as defined in the AFA.

Within 30 days of project completion the LG shall submit to TxDOT's project manager (or designee) the final reimbursement request with backup documentation and the project records for final review and audit.

1. At final completion the LG shall provide a "certification of compliance" with project plans and specifications signed, sealed and dated by a licensed professional engineer. An example is attached [\[9-7\]](#). TxDOT's area engineer will perform a final inspection with TxDOT's project manager and complete a Construction Inspection Report [\[9-6\]](#) for final payment, inform the district office upon project completion and issue a "completion of construction" letter to the LG [\[10-1\]](#).
2. The LG shall deliver to TxDOT's project manager the final billing worksheet [\[9-26\]](#), which may include the retained percentage of the final construction cost (if withheld from LG by TxDOT) and required documents with the project records.
3. TxDOT district or area office personnel will review all required elements of the project using the LG Final Records Review [\[10-2\]](#) and other review tools from the [LGPP Manual](#).
4. The TxDOT district will perform an audit of the project records and documentation.
5. TxDOT will ensure the records are secured and returned to the LG after performance of the audit.
6. TxDOT will issue a final audit report to the LG along with return of its project records.
7. The final billing statement will be paid within 10 days of completion of TxDOT's audit.
8. After final payment to the LG has been processed and paid by TxDOT the district office should notify, via e-mail, the Accounting Section of TxDOT's Finance (FIN) Division that the project is complete so the project can be changed from an active to an inactive status in the financial management system.

9. The TxDOT district office will process a certified statement of cost (SOC) after the project has been inactivated and within 90 days from when final payment was made to the LG. The SOC should be reviewed and certified as correct by a signature of the appropriate district personnel before submission to FIN for concurrence. FIN will review the SOC for completeness and accuracy. Once all discrepancies, if any, have been addressed, FIN will send a concurrence e-mail to the district. The district will then mail the approved SOC to the LG with either a reimbursement check for any excess escrow funds, a statement of no funds due or a letter requesting additional funds from the LG. Districts should not provide the LG with amounts due or payable until FIN concurs with the completed SOC. Questions between FIN and the district regarding the interpretation of an AFA shall be sent to TxDOT’s Contract Services Office staff for final interpretation. Districts shall send a request for additional funds to the LG within two weeks of the date of concurrence e-mail. This request shall contain a due date for receipt of payment that is no later than 30 days following the date of the request. If payment is not received by the stated due date in the request letter, districts shall follow [43 TAC §5.10 Collection of Debts](#), which entails mailing out demand letters and possibly having to contact FIN’s Payment Management Section to initiate a “warrant hold” on that entity. The “warrant hold” procedure, which is officially processed by the Texas Comptroller of Public Accounts, ensures no treasury warrants are issued to the LG until payment is received. SOC procedures can be found in the [Financial Management Policy Manual](#) (available to internal users).
10. All projects are subject to final audit by the Federal Highway Administration (FHWA). If the FHWA audit identifies any inconsistencies in payment from the contract terms or rules any previously reimbursed expenses ineligible, TxDOT will prepare a revised final SOC and mail it to the LG along with a reimbursement check, a statement of no funds due or a letter requesting the LG repay TxDOT the appropriate amount of previously reimbursed expenses. If additional funds due to the FHWA audit are required and not paid within 90 days, the Comptroller will place a warrant hold on the LG ensuring no state treasury warrants are issued to the LG until payment is received.

► *Has the LG provided a “certification of compliance” with project plans and specifications signed, sealed and dated by a licensed professional engineer?*

Yes       No (\*add explanation)       N/A

\*Explanation: \_\_\_\_\_  
 \_\_\_\_\_

LG	Date	TxDOT	Date
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▶ *Has the district issued a “completion of construction” letter to the LG?*  
 Yes       No (\*add explanation)       N/A  
 \*Explanation: \_\_\_\_\_  
 \_\_\_\_\_

LG	Date	TxDOT	Date
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▶ *Has the LG delivered the final billing statement and required documents with the project records to TxDOT’s project manager?*  
 Yes       No (\*add explanation)       N/A  
 \*Explanation: \_\_\_\_\_  
 \_\_\_\_\_

LG	Date	TxDOT	Date
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▶ *Has the district completed the project audit and returned the project records to the LG?*  
 Yes       No (\*add explanation)       N/A  
 \*Explanation: \_\_\_\_\_  
 \_\_\_\_\_

LG	Date	TxDOT	Date
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**Maintenance**

LGs and TxDOT district offices have frequently cooperated in the maintenance of the state highway system. From a contractual perspective, this is done either through a municipal maintenance agreement or through an AFA for a specific project. The LG may assume all or part of the responsibility for maintenance in these agreements. However, the district remains the primary contact between TxDOT and the LG and, therefore, takes the lead in assuring projects are maintained in accordance with agreement provisions.

▶ *Have the LG and district executed a municipal maintenance agreement or other maintenance agreement in accordance with all AFA requirements?*  
 Yes       No (\*add explanation)       N/A  
 \*Explanation: \_\_\_\_\_  
 \_\_\_\_\_

LG	Date	TxDOT	Date
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TxDOT's project manager, supported by district or area office personnel, is responsible to ensure all administrative responsibilities of the agreement are fulfilled by the LG. However, it is ultimately the responsibility of the LG to ensure it is in compliance with all provisions of the AFA. Failure to comply with the agreement(s) could result in forfeiture of federal funds for the project. A suggested checklist for project elements to be monitored by the LG is attached [10-3]. It is a general checklist, and additional items may be required as determined by the TxDOT district or area office based upon specific project requirements.

**For additional resource assistance, go to TxDOT's [Local Government Projects Office's Web page](#).**

**Notes:** \_\_\_\_\_  
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\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## Reference Documents

These are sample forms and documents. Local governments may use these forms and documents or can develop their own forms and documents containing similar items. Not all elements apply to every project.

- 2-1 [Sample Agenda – Project Kick-off Meeting](#)
- 2-2 [Sample Billing Worksheet Cover Sheets](#)
  
- 4-1 [Professional Services Procurement Review Checklist](#)
- 4-2 [Design Summary Report \(Form 2440\)](#)
- 4-3 [Engineering and Architectural Design Checklist](#)
- 4-4 [Engineering and Architectural Design Schematics and Layout Checklist](#)
  
- 6-1 [Title III Parcel Review Checklist for LPAs \(Form ROW-LPA-IIIPR\)](#)
- 6-2 [Right-of-Way Review Checklist - On System](#)
- 6-3 [Sample Right-of-Way and Utility Statements](#)
- 6-4 [Sample Full Donation Letter](#)
- 6-5 [Utilities Review Checklist](#)
- 6-6 [TxDOT Implementation of Buy America Laws for Utility Accommodations](#)
  
- 7-1 [Significant Project Procedures \(Form 2229\)](#)
- 7-2 [Bid Document Checklist](#)
- 7-3 [Sample Liquidated Damages Calculations](#)
- 7-4 [Sample Bidder Certification](#)
- 7-5 [Child Support Statement](#)
- 7-6 [State of Texas Child Support Business Ownership Form](#)
- 7-7 [Railroad Agreements Statement](#)
- 7-8 [Engineering and Architectural Letter of Authority Checklist](#)
  
- 8-1 [Electronic State Business Daily instructions](#)
- 8-2 [Pre-Bid Meeting Agenda](#)
- 8-3 [Letting and Award Checklist](#)
- 8-4 [Recommended Submissions for TxDOT Concurrence with Contract Award](#)
- 8-5 [Contract Execution Checklist](#)
  
- 9-1 [Contract Administration Checklist](#)
- 9-2 [Local Let Oversight Checklist](#)
- 9-3 [Sample Construction Authorization to Begin Work](#)
- 9-4 [Sample Pre-Construction Meeting Agenda](#)
- 9-5 [Pre-Construction Meeting Guide & Minutes](#)
- 9-6 [Local Government Construction Inspection Report \(Form 2423\)](#)
- 9-7 [Sample Project Completion Certification Letter](#)
- 9-8 [Construction Storm Water Pollution Prevention Plan Field Inspection and Maintenance Report \(Form 2118\)](#)
- 9-9 [SW3P Inspection Log](#)

- 9-10 [SW3P Inspection Tracker](#)
- 9-11 [Traffic Control Devices Inspection Checklist \(Form 599\)](#)
- 9-12 [Quality Assurance Program for Construction](#)
- 9-13 [Sample Acceptable Quality Assurance Program](#)
- 9-14 [Quality Assurance Program Oversight on Local Government Projects](#)
- 9-15 [Certification of Materials Used](#)
- 9-16 [Guide Schedule of Sampling and Testing](#)
- 9-17 [Work Report \(Form 1257\)](#)
- 9-18 [Summary of Work Performed \(Form 1258\)](#)
- 9-19 [Required Contract Provisions Federal-Aid Construction Contracts \(FHWA-1273\)](#)
- 9-20 [Request for Approval of Subcontractor](#)
- 9-21 [Subcontractor Approval Log](#)
- 9-22 [Commercially Useful Function Project Site Review \(Form 2182\)](#)
- 9-23 [Request for Payment of Materials On Hand Summary Page \(Form 1914\)](#)
- 9-24 [Request for Payment of Materials On Hand \(Form 1915\)](#)
- 9-25 [LG MOH Certification](#)
- 9-26 [Billing Worksheet](#)
- 9-27 [Prompt Payment Certification – Federal-Aid Projects and Projects with SBE Goals \(Form 2177\)](#)
- 9-28 [Local Let Oversight Payment Form](#)
- 9-29 [Contract Time Statement \(Form 252\)](#)
- 9-30 [Material Statement \(Form 1818\)](#)
- 9-31 [Construction Contract Change Order Form \(Form 2146-L\)](#)
- 9-32 [Memorandum of Understanding Regarding the Adoption of TxDOT's Federally-Approved DBE Program \(Form 2395\)](#)
- 9-33 [DBE Monthly Progress Report \(Form SMS.4903\)](#)
- 9-34 [DBE Final Report \(Form SMS.4904\)](#)
- 9-35 [Monthly Barricade Inspection](#)
- 9-36 [Request for Authorization of Additional Classification and Rate \(Standard Form 1444\)](#)
- 9-37 [Labor Standards Review \(Form 2220\)](#)
  
- 10-1 [Sample Completion of Construction Letter](#)
- 10-2 [Final Project Records Review Report](#)
- 10-3 [Recommended Required Elements Checklist](#)