

Project CSJ: \_\_\_\_\_  
 LG Name: \_\_\_\_\_  
 LG Texas ID No. (TIN): \_\_\_\_\_  
 District or Division: \_\_\_\_\_  
 Project Name: \_\_\_\_\_

## Oversight Level Special Approval Part A – LG Qualifications Statement

Local government (LG) agencies may manage elements of the project development process (environmental, right-of-way acquisition, utility relocation, non-construction, design/bid document preparation, letting and award, and construction/project close-out) with written TxDOT approval. This approval is typically provided by language in the Advance Funding Agreement executed by TxDOT and the LG agency. Part A (pages 1-4) of this form is required to be completed by LG personnel. Upon receipt of completed Part A, the TxDOT district or division will evaluate the LG’s capabilities to manage one or more elements of a project using Part B (pages 5-8) for recommendation to TxDOT’s Executive Director.

### Project Description

Describe the scope of work, project limits, and any significant project elements for the proposed project or program:

### Project Management

Identify how the LG proposes to manage the following activities for this project (if an activity is not a part of the project, select N/A):

Element	Performed by LG Staff	Performed by LG’s Consultant
Environmental		
Right-of-Way acquisition		
Utility relocation		
Design and bid document preparation		
Letting and award		
Construction inspection, documentation and closeout		
Non-construction		
Other:		

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**Project Approach**

Describe the LG’s approach to performing the proposed management services for this project:

**Previous Experience of the LG**

Attach an audited financial statement of the LG for the most recent fiscal year.

If TxDOT already has a copy of a Single Audit report or other audited financial statement for a recent year, identify the fiscal year in lieu of an attachment: \_\_\_\_\_

Please provide information on up to two similar, completed projects managed or performed by the LG in the past five years.

**Project A**

Project Name:	
Describe type of work:	
Describe any complex items of work:	
Estimated Construction Cost:	
Actual Construction Cost:	
Scheduled Letting Date:	
Actual Letting Date:	
Scheduled Contract Time:	
Actual Contract Time:	
Activities performed by LG personnel:	
Activities performed by Consultants:	
Name of current LG employee who worked on the project:	
Phone # for person named above:	
Email for person named above:	

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**Project B**

Project Name:	
Describe type of work:	
Describe any complex items of work:	
Estimated Construction Cost:	
Actual Construction Cost:	
Scheduled Letting Date:	
Actual Letting Date:	
Scheduled Contract Time:	
Actual Contract Time:	
Activities performed by LG personnel:	
Activities performed by Consultants:	
Name of current LG employee who worked on the project:	
Phone # for person named above:	
Email for person named above:	

**LG Personnel**

Please identify the LG’s proposed personnel designations to support the capability of the LG to perform the type of work proposed or manage a contract for that work in a timely manner, consistent with federal, state, and Department regulations, standards, and specifications.

**Responsible Person in Charge (RPIC)**

Name and Title	
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The RPIC:

- a. must be a full-time employee of the LG;
- b. must be able to administer project activities (cost, time, scope, adherence to contract requirements, construction quality, etc.);
- c. must maintain familiarity with day-to-day project operations, including project safety;
- d. must make or participate in decisions about change orders or supplemental agreements;
- e. must visit and review the project regularly;
- f. must review financial processes, transactions, and documentation; and
- g. must direct his/her project staff (agency or consultant) at all stages of the project.

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**Project Manager (PM)**

Name and Title	
PM's previous experience on projects of similar type, complexity, and cost	
PM's previous experience on TxDOT and/or FHWA-funded projects	

The PM:

- a. must be responsible for daily oversight of the project;
- b. must be the primary point of communication with TxDOT for day-to-day matters;
- c. may be the same person as the RPIC;
- d. may be a LG employee or consultant.

**Qualified Person**

Name and Title	
Qualified Person's previous experience on projects of similar type, complexity, and cost	
Qualified Person's previous experience on TxDOT and/or FHWA-funded projects	

The Qualified Person:

- a. must have completed the TxDOT-required Local Government Project Procedures training prior to obligation of federal funds as outlined in the Advance Funding Agreement;
- b. may be the same person as the RPIC or PM; and
- c. may be a LG employee or consultant.

**Submitted by:**

LG Representative Signature \_\_\_\_\_

Signature Date \_\_\_\_\_

LG Representative Printed Name \_\_\_\_\_

LG Representative Title \_\_\_\_\_

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## Oversight Level Special Approval

### Part B – TxDOT Evaluation and Approval of LG Qualifications

Local government (LG) agencies may manage elements of the project development process (environmental, right-of-way acquisition, utility relocation, non-construction, design/bid document preparation, letting and award, and construction/project close-out) with written TxDOT approval. This approval is typically provided by language in the Advance Funding Agreement executed by TxDOT and the LG. Completion of Part A - LG Qualifications Statement and this Part B - TxDOT Evaluation and Special Approval of LG Qualifications are required for TxDOT to authorize the LG to manage one or more elements of a project.

In approving a LG request to perform construction on the State Highway System (regardless of funding type) or manage elements of the project development process and be reimbursed with TxDOT and/or FHWA funding, 43 TAC §15.52 requires TxDOT to consider specific criteria. TxDOT district or division personnel shall review Part A (pages 1-4), provide supplemental information by fully completing Part B (pages 5-8), and based upon a determination of the adequacy of the LG’s project delivery systems and accounting controls, recommend an appropriate role for the LG in project delivery and set a minimum oversight level on page 8 of this form.

43 TAC §15.52 regulations require the approval of the Executive Director (or authorized designee) for the LG to manage projects in the following cases:

Case	Applies
Any project on the State Highway System that improves freeway main lanes	<input type="checkbox"/>
A roadway construction project that is to be on the State Highway System for which less than 50% of the funds come from sources other than federal or state highway funding	<input type="checkbox"/>

#### Department Resources

Describe any Department resource constraints that suggest the LG management of project development activities is in the best interest of TxDOT and the LG.

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### Evaluation of LG's Previous Experience

#### Prior Projects

In Part A, the LG submitted information on up to two similar projects completed in the past five years managed or performed by the LG. Designate if these previous projects are comparable or not to the proposed new project.

Project	Yes/No
Project A	
Project B	

Identify the LG's current Overall Risk Score: \_\_\_\_\_ Date: \_\_\_\_\_

#### Prior Performance

Please describe the LG's performance.

Criteria	Evaluation
a. Timeliness and quality in acquisition of right of way	
b. Timeliness and quality in relocation of utilities	
c. Timeliness and quality of preparing environmental documents and obtaining required permits and clearances	
d. Timeliness and quality of project design and developing contract documents	
e. Timeliness and quality of letting and awarding a construction contract	
f. Quality of performance in managing a construction contractor and contract change orders	
g. Quality of performance in project inspection and documentation during construction	
h. Timeliness and quality of reimbursement requests throughout the project	
i. Timeliness and quality of project close-out	
j. Timeliness of submitting supplemental funding when required	
k. Timeliness and adequacy in responding to audits and review comments	

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**Estimated Project Costs**

List the estimated distribution of project costs.

*Note: Costs should align with the Budget in the AFA; \*percentages may not match when comparing funding categories to overall totals.*

Element	Total	Federal	State	Local
Environmental \$				
Right-of-Way \$				
Utilities \$				
Engineering \$				
Construction \$				
Non-construction \$				
Direct State Costs \$				
Indirect State Costs \$				
<b>Total \$</b>				
<b>*Total %</b>				

If needed, provide additional notes for consideration regarding explanation of project costs. (Optional)

**Cost Effectiveness of Local Performance**

On federally funded projects, FHWA holds TxDOT entirely responsible for successful project delivery, including the proper acquisition of right of way, utility relocation, environmental, design, construction, and project close-out. LG management of the project requires the LG performance of activities plus TxDOT oversight to assure compliance with all federal and state requirements.

Explain why it is advantageous for successful delivery of this project for the LG to manage the proposed elements of project development.

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**Other Considerations**

List any other additional items to be considered in TxDOT’s evaluation that are of benefit to the state, the traveling public, and the operations of the Department to allow the LG to manage the proposed elements of the project development process.

**Special Approvals**

The LG is approved to manage the following items:

Element	Yes/No/NA
Environmental	
Right-of-Way acquisition	
Utility relocation	
Design and bid document preparation	
Letting and award	
Construction inspection, documentation and closeout	
Non-construction	
Other:	

Based upon review of Part A and completion of Part B, the District or Division determines the LG has adequate project delivery systems and sufficient accounting controls. Therefore, I (District Engineer/Division Director) recommend the Executive Director provides special approval to the LG performing the above marked project delivery items. The District or Division commits to providing an appropriate level of oversight of the LG activities to maximize compliance with applicable federal and state laws and regulations.

The District or Division will provide oversight (as defined on page 9):

- Level 1       Level 2       Level 3

Form Completed By:

TxDOT Employee Signature and Date: \_\_\_\_\_

Recommended for Approval:

District Engineer or Division Director  
 Signature and Date: \_\_\_\_\_

Special Approval:

Executive Director or Delegate  
 Signature and Date: \_\_\_\_\_

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## Local Government Projects – Risk Assessment Reference

### LG Risk Rating Definitions

Rating	Definition
A	Low level of risk to TxDOT
B	Moderate level of risk to TxDOT
C	High level of risk to TxDOT
D	Highest level of risk to TxDOT

### Oversight Levels

Level	Definition
1	Relatively low risk non-construction projects and very low risk construction projects
2	Higher risk non-construction projects and low to moderate risk construction projects
3	Higher risk construction projects

### Oversight Activities and Minimum Frequencies<sup>1</sup>

Description of Activity <sup>2</sup>	Level 1	Level 2	Level 3
LG submits and TxDOT reviews project reports	Quarterly	Monthly	Monthly
TxDOT host project review/coordination meetings with LG	Quarterly	Monthly	Semi-monthly
TxDOT conducts worksite/project site visits	Annually <sup>3</sup>	Monthly	Weekly
TxDOT review of LG project documentation/records	Annually <sup>3</sup>	Monthly	Monthly
LG submits and TxDOT reviews and approves reimbursement requests	Monthly	Monthly	Monthly

1 – Greater frequency may be at the discretion of the District or Division

2 – Refer to the [LG Project Management Guide](#) for additional details on oversight activities

3 – Minimum of two times