



## Section 1 - General

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### OVERVIEW

The Local Public Agency Manual published by the Missouri Department of Transportation (MoDOT) is intended to be used as a guide for cities and counties that sponsor projects utilizing federal transportation funds provided under the current transportation bill, the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU). The local agency may reference MoDOT Standard Specifications for Highway Construction for issues not addressed in this manual. Pages 1-12 through 1-14 provide a summary of typical federal-aid procedures. Figure 1-1 illustrates the procedures in the form of a flow chart.

This manual addresses five local programs that are funded under the current transportation bill:

**1. Highway Bridge Program (HBP):**

Off-System Bridge Replacement and Rehabilitation Program (BRO):

On-System Bridge Replacement and Rehabilitation Program (BRM):

**2. Surface Transportation Program (STP) - Urban:**

STP Urban Attributable:

STP Urban Non-Attributable:

**3. Surface Transportation Program (STP) - Enhancement:**

**4. Congestion Mitigation and Air Quality (CMAQ):**

**5. Safe Routes to School:**

### GENERAL

Title 23, as amended by the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) requires MoDOT to administer all funds apportioned and allocated to the state under this transportation bill. SAFETEA-LU directs that certain percentages of funding categories within the state's apportionment must be sub-allocated towards the Off-System Bridge Replacement and Rehabilitation Program (BRO), the STP-Urban Attributable Program, the STP-Enhancement Program, the Congestion Mitigation and Air Quality Program, and Safe Routes To School.

For projects administered by local officials, the state will furnish information concerning the necessary federal requirements and will act as coordinator. The necessary design, acquisition,

environmental, historical and archaeological clearances and approvals, construction and maintenance of improvements will be the responsibility of the local agency. A MoDOT district representative will be the primary contact, furnish the necessary guidelines, and coordinate the necessary reviews and approvals. MoDOT personnel will advise and assist the local agency in meeting the requirements of the program. Additional information regarding federal requirements is available through the MoDOT district representative.

Projects are performed under the terms of an agreement with MoDOT ([See Section 5](#)). Work on any part of the project cannot proceed until the local agency has been notified by MoDOT and federal funding has been approved (obligated) by the Federal Highway Administration (FHWA).

The federal-aid transportation program operates on a reimbursement basis as work progresses. It is a federal reimbursement program in which the local agency is reimbursed minus its matching percentage after MoDOT receives proper proof of payment by the local agency to the contractor for work performed.

Federal law requires that each project be administered as a traditional federally funded highway project as described in this manual. **No work is to be initiated on any part of the project until federal funding has been approved (obligated) by FHWA and the local agency has been notified by MoDOT to proceed.** If funds are approved, they will be distributed through the local agency sponsoring the project. If a project is not completed, the local agency sponsoring the project will be required to repay to MoDOT the sum of federal funds reimbursed to date. The local agency will be responsible for cost overruns.

Items eligible for federal participation include preliminary engineering, surveys, public hearings, environmental and historical documentation, right of way, advertising costs, construction, construction engineering, beautification, traffic control devices, and those portions of utility relocation costs for which the local agency is responsible. Incidental costs will not be eligible for federal reimbursement. **No work is to be initiated on any part of the project until federal funding has been approved (obligated) by FHWA, and the local agency has been notified by MoDOT to proceed.**

Regardless of whether federal funds are available at the time of acquisition, local agencies are strongly encouraged to comply with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, (Uniform Act) of the Code of Federal Regulations when acquiring realty rights (right of way, easements, access, or other real property). When a local agency project uses federal funds on any portion of the project, all realty rights must be acquired in accordance with the Uniform Act. If the realty rights were acquired more than five (5) years prior to the first request for federal funds, the local agency shall submit a statement certifying that no new realty rights are needed and the dates the existing realty rights were acquired. If the realty rights were acquired less than five (5) years prior to the first request for federal funds, the acquisition must have occurred within the parameters of the Uniform Act in order for any portion of the project to receive federal funds.

## **FUNDS MANAGEMENT POLICY**

### **On-System Bridge Replacement and Rehabilitation Program (BRM):**

On-System Bridge Replacement and Rehabilitation Program (BRM) fund balances in excess of three years of annual allocations for Transportation Management Areas (TMAs) will lapse on September 30, 2009, and each year, thereafter. Transportation improvements within the TMA will use the lapsed funds.

### **Surface Transportation Program (STP) Urban – Attributable:**

Surface Transportation Program (STP) Urban – Attributable fund balances in excess of three years of annual allocations for Transportation Management Areas (TMAs) will lapse on September 30, 2009, and each year, thereafter. Transportation improvements within the TMA will use the lapsed funds.

### **Surface Transportation Program (STP) Urban – Non-Attributable:**

Surface Transportation Program (STP) Urban – Non-Attributable fund balances in excess of six years of annual allocations for cities with an urban cluster population between 5,000 and 200,000 will lapse on September 30, 2009, and each year, thereafter. Transportation improvements throughout the state will use the lapsed funds.

## **REASONABLE PROGRESS POLICY**

### **Policy**

This policy is to ensure the State of Missouri is getting the maximum benefit of its federal transportation funds. The policy has two objectives: (1) ensure that federal funds will be programmed for a project within one year of the funds being allocated by MoDOT; (2) ensure that once a project is programmed, it will be constructed.

TMAs with a Reasonable Progress Policy in place will be exempt from MoDOT's Reasonable Progress Policy. However, the TMA's federal fiscal year ending balance will not be allowed to exceed a total of three years of allocation for that TMA. Any funds over the three-year allocation will be reprogrammed in the TMA area at the discretion of MoDOT and the TMA.

### **Procedures**

The time frames shown represent maximum expected times for implementation approvals and concurrences. Schedules will vary depending on project type. Actual progress towards implementation will be measured against the schedule submitted by the entity.

Project Development/Implementation Schedule:

	Phase	Maximum Time Frame	Funds Obligated
1	Allocation of Funds	0 Months	No
2	Project Programming*/Agreement	12 Months	No
3	Engineering Services Contract Approval	15 Months	Yes
4	Preliminary and Right-of-Way Plans Submittal (if applicable)	24 Months	Yes
5	Plans, Specifications & Estimate (PS & E) Submittal	34 Months	No
6	Plans, Specifications & Estimate (PS & E) Approval	36 Months	Yes
7	Construction Contract Award	42 Months	Modified
8	Final Certification/Project Closeout**	60 to 72 Months	Modified (as needed)

\* The completion of the Project Programming phase is defined by submitting the approved project’s programming data form to MoDOT and the project receiving a federal project number from MoDOT.

\*\*The time lapse between construction contract award and project closeout will depend on project type. Final Certifications as discussed in Section 11 must be submitted to the appropriate MoDOT district representative 60 days after final inspection.

**Reasonable Progress**

For all federal-aid funds, “reasonable progress” shall have been made if a project has been programmed within one year of funding allocation. Verifiable steps toward achieving reasonable progress shall include submittal of all required documents to the appropriate MoDOT district office, entering into an Engineering Services Contract (if retaining outside engineering services) and initiation of the development of preliminary plans.

The development of right-of-way, utility, and railroad plans, if required, should be concurrent with preliminary plan development. The authorization to proceed with right-of-way negotiations should begin once MoDOT approves right-of-way plans. The award of the construction contract should occur no later than six months after the plans, specifications and estimate approval.

**Policy Enforcement**

If the allocated federal funds are not programmed for a specific project within one year, MoDOT will request information from the MPO or entity as to the planned use of the allocated funds. The MPO or entity will be required to provide a written explanation within 30 days of the notification as to the status of funds and a time line for their use. If adequate information is not

received, MoDOT will pull the allocated funds from the entity and redistribute at the department's discretion.

If a project falls six months behind schedule at any point in its development, without a written explanation provided by the entity and approved by MoDOT, the entity and/or MPO will be contacted by MoDOT requesting information as to the cause of the delays. A letter will notify the entity of the schedule lapse and the possible implications of further delays. The entity and/or MPO will be required to reply in writing within 30 days of the letter date as to the project status and provide a revised timeline for the project. The entity will be allowed to reschedule a project one time after MoDOT has programmed a project. Any shifts in subsequent phases of a project caused by that rescheduling (if identified at the time of the rescheduling) will not be considered a separate change.

If a project falls one year behind the Project Development/Implementation Schedule at any phase, MoDOT will notify the entity and/or MPO of the schedule lapse by letter. The notification will serve as a final notice, giving the entity an opportunity to respond to the situation before MoDOT takes action. Information about the project will be submitted to MoDOT within 30 days of the letter date. The information will include:

1. Project status,
2. Current phase of project implementation, and
3. Funds obligated and spent on the project.

Actions taken by MoDOT may include removal of the project, which, per federal requirements, would require the entity to repay any federal funds spent on the project. The MPO and MoDOT will make the ultimate decision regarding the disposition of each project.

It **is not** the responsibility of MoDOT to keep the entity informed as to the status of the project. The entity will keep MoDOT informed as to any delays and/or unforeseen conditions that may hinder the project's progress. Failure to provide the required documentation will cause the project to be withdrawn and the funds redistributed at the discretion of MoDOT or the MPO. Federal regulations require the entity to repay any federal funds spent on a cancelled project. The project sponsor would be required to repay these funds prior to the programming of any future projects. In addition, project sponsors failing to fulfill the obligations as stated in the contract agreement or showing reasonable progress for any project will not be allowed to request future project funds for a minimum period of one year, and then only with the approval of MoDOT.

## **FEDERALLY FUNDED BRIDGE PROJECTS**

The design philosophy for federally funded bridge projects is to promote the use of good engineering judgment based on project specific site conditions. Although there is an expectation that applicable national codes and design guidelines will generally be followed, this does not mean it is necessary to rigidly follow the "design standard" philosophy (for example, one size fits all) for a project to be eligible. MoDOT's programs are designed to allow the local agency

and its engineer the flexibility to build a safe and economical project that meets the needs and desires of the local agency and the general public to maximize limited funding and resources.

In keeping with this program philosophy, the engineer of record will be considered responsible for determining the appropriate design parameters chosen for the project based on the specific site conditions, local agency needs, and guidance provided in Section 8 of this manual. This will provide the engineer and local agency with the greatest flexibility in investigating possible design alternatives to optimize the available funds for these bridge projects and to build what is needed at the project site. Documentation of all design decisions made for the project is expected to be kept by the local agency and made available for viewing by MoDOT district personnel or FHWA upon request.

To promote an efficient delivery of local bridge projects, MoDOT will concentrate oversight efforts pertaining to the bridge structure for these projects to the PS&E submittals stage. All deliverables at the PS&E stage are expected to be complete and in a “ready to let” status because a professional engineer registered to practice engineering in the state of Missouri is required to sign and seal the documents. With this in mind, MoDOT does not typically act as a “checker” of the details for these submittals as the accuracy and completeness are assumed to be the responsibility of the professional engineer. Also, it typically will not be MoDOT’s practice to independently evaluate or verify the appropriateness of the proposed design parameters chosen for these projects by the engineer of record. MoDOT’s role is to perform a broad quality assurance overview to make sure all “deliverables” are received as described in this manual and as necessary to add the bridge to the National Bridge Inventory database.

In addition to the requirements and expectations discussed above and elsewhere in this manual, the engineer of record will be responsible for verifying that the intent of MoDOT’s federal bridge programs has been met for bridge rehabilitation and replacement projects. By signing and sealing the PS&E submittals, the engineer of record will be certifying and representing to MoDOT that the four criteria given below have been met.

MoDOT’s intent for the federal bridge programs for rehabilitation and replacement projects:

1. Proposed project is safer than the existing site conditions, and all safety issues have been adequately addressed or mitigated.
2. Proposed bridge project will remove or will not create any deficiencies of the National Bridge Inventory items based on the Federal Highway Administration’s “Recording and Coding Guide for the Structure Inventory and Appraisal of the Nation’s Bridges.” It has been noted that the engineer of record is expected to determine the design parameters based on site conditions and local agency needs. If this results in a deficient item, the engineer is required to provide documentation to justify the proposed parameter and, if applicable, MoDOT will forward to FHWA for their approval. This information should be submitted in the early stages of the project so that any necessary approval is attained to avoid the potential of delays or any unnecessary engineering work. See Section 8 of this manual for details and descriptions regarding the deficient items. However, removal of

all deficiencies may not be applicable for STP projects. For STP projects, the engineer of record should verify based on the latest federal legislation.

3. The longevity or “bridge life” of a bridge project can reasonably be expected to last a minimum of 25 years before development of any significant deficiencies.
4. The project will be in compliance with all applicable federal, state, and local laws and regulations.

## **INVENTORY**

The Missouri Department of Transportation is required to submit an annual inventory of all bridges and all federal-aid highway systems in the state to FHWA. Failure to complete the requirements of inventory and inspection by a local agency will jeopardize their eligibility to participate in the funding programs within this manual.

## **BRIDGE INVENTORY AND INSPECTION**

FHWA requires all bridges on public roads to be inventoried and inspected in accordance with the National Bridge Inspection Standards. The FHWA holds MoDOT responsible for collecting the inventory data. The local agency’s inventory and inspections shall be in accordance with MoDOT’s Bridge Inspection and Rating Manual.

## **ROADWAY INVENTORY**

MoDOT will request the necessary information from the local agency for all federal-aid routes under its jurisdiction. Information requested includes mileage by surface type, surface width, number of lanes, and traffic volume category. The information should include the submission of a system map (two copies) along with comments on the system from an area-wide planning agency. If the local agency population is more than 50,000, the local agency is required to submit three copies.

## **UTILITIES**

The local agency should, in the programming phase, identify existing utility locations and determine whether any adjustments will be required with the proposed improvement. This determination can be made by visually examining the existing utility facilities within the limits or by calling Dig Rite (800 Dig Rite) or directly calling the utility company to have the utilities located. This step is necessary to determine what impact utility relocations might have on local funding. Should the type of relocation qualify for federal participation, the local agency may include these estimated costs in the Programming Data Form (Fig. 3-1-1) or on the Transportation Enhancement Application (refer to *A Guide to Transportation Enhancements* available at

[http://www.modot.mo.gov/business/manuals/documents/Final\\_Enhancement\\_Guide.pdf](http://www.modot.mo.gov/business/manuals/documents/Final_Enhancement_Guide.pdf)

## ADMINISTRATION OF FUNDING

### HIGHWAY BRIDGE PROGRAM:

The Highway Bridge Program has been authorized for public bridges beginning with Fiscal Year 1979. Funds are normally apportioned on or about October 1 each year. Funds are available for three years after the close of the fiscal year for which they were authorized. Unused funds may be withdrawn by MoDOT to make other arrangements for their expenditure. This is necessary in order to prevent loss of the funds through statutory lapse.

Federal funds are available to finance up to 80% of the eligible project cost but may be increased with the use of credit earned from replacing an eligible bridge that is not on the federal-aid system. It will be necessary for the local agency to provide the necessary matching funds. The fair market value of donated right of way (after March 1987) may be credited to the local agency's matching share with the amount not to exceed the local agency's share. For further details regarding donated right of way, refer to the LPA Land Acquisition Manual or contact the MoDOT district representative. Page [1-15](#) and [1-16](#) provides more information on local match guidelines.

If a local agency replaces or rehabilitates an eligible bridge that is not on the federal-aid system with their own funds, they may receive a credit that can be applied to the non-federal share on other federal-aid bridge projects. Details are included in Section 2 of this manual.

The HBP Program is intended for bridge rehabilitation and replacement and a minimum amount of approach roadway construction will be allowed.

The funds will be administered according to the following policies:

1. The current transportation bill requires that at least 15% of the state's total bridge appropriation be allocated for use on off-system bridges (BRO). The Missouri Highways and Transportation Commission approves the amount of bridge funds allocated to this program. Off-system bridges are bridges that are on roads that are functionally classified as a local road or street and rural minor collectors.
2. Off-system funds allocated to the counties will be based on the ratio of the replacement cost of the square footage of deficient bridge deck in the county to the replacement cost of the square footage of deficient bridge deck in all counties of the state.
3. Bridge funds for off-system projects may be programmed by counties for future projects. If the county does not have a sufficient balance of off-system bridge funds, they may borrow up to three years of future allocations for preliminary engineering or one year of future allocation for construction costs.
4. The Missouri Highways and Transportation Commission approves the amount of bridge funds allocated to the Kansas City, Springfield and St. Louis TMAs and other cities with an urban cluster population of greater than 5,000 for use on on-system bridges (BRM).

On-system bridges are bridges that are on roads that are functionally classified as urban collectors, rural major collectors, and arterials. Bridge funds for cities with an urban cluster population between 5,000 and 200,000 are distributed on a selection process, which is conducted with each transportation bill. The amount of money programmed will be the maximum amount the city will receive. Any costs over the programmed amount will be funded with the city's allocated STP funds or with local funds.

There are two types of projects that can be evaluated to see whether exceptions to these guidelines should be made. Projects will be evaluated on an individual basis to see whether any exceptions are warranted.

1. Emergency Project

When a bridge has fallen down or washed out and is essential for travel in the area, MoDOT will consider allowing the county to exceed its amount of available funds by more than the guidelines.

2. County Receives Small Allocation

Some counties do not receive enough allocation to reasonably finance a bridge project. Some allowance will be made for these counties to exceed the guidelines so they can participate in the program.

### **STP-URBAN:**

The STP-Urban Program has been authorized for all cities with a population of more than 5,000 beginning with Fiscal Year 1974. Legislation authorizes the expenditure of federal funds for highway related construction and improvements on on-system routes and bridges that are on or off the federal-aid system within the approved urban and urbanized boundaries. In MPOs designated as Transportation Management Areas (TMAs), the funds may be used for projects anywhere within the metropolitan planning area. The term "urbanized area" means an area so designated by the Bureau of Census having an urban cluster population of 50,000 or more with boundaries to be fixed by responsible state and local officials in cooperation with each other and subject to approval of the Federal Highway Administration (FHWA). Such boundaries shall as a minimum encompass the entire corporate limits of the urban area.

Funds are normally apportioned on or about October 1 each year. Funds are available for three years after the close of the fiscal year for which they were authorized. Unused funds may be withdrawn by MoDOT to make other arrangements for their expenditure. This is necessary in order to prevent loss of the funds through statutory lapse.

Funds are usually authorized by Congress for several years under a single transportation bill, but are apportioned annually for a single year to the state. Cities outside the three TMAs will be permitted to utilize funds they expect to receive for the number of years for which funds are authorized in the current transportation bill, provided statewide balances permit.

In Kansas City, Springfield, and St. Louis, the distribution of funds will be determined by the TMA through coordination with the local agencies within the TMA boundary.

Federal funds are available to finance up to 80% of eligible project costs. It will be necessary for the local agency to provide the necessary matching funds. Federal funds from other federal agencies cannot be used to match STP-Urban funds, except as defined on Page 15 of this section.

The funds will be administered according to the following policies:

1. The current transportation bill specifically designates federal funds for use within the Kansas City, Springfield, and St. Louis Metropolitan Areas. These funds are referred to as “attributable funds” and are allocated by MoDOT to the respective TMAs.
2. A share of the STP-Urban funds is allocated to cities with an urban cluster population between 5,000 and 200,000. These funds are referred to as “non-attributable funds.” The Missouri Highway and Transportation Commission approve the amount of STP-Urban funds allocated to this program. These funds will be available to the various recipients on a first-ready, first-served basis with the amount available to any city being up to the total amount estimated to receive during the current transportation bill, provided statewide balances permit.

#### **STP-ENHANCEMENT:**

The STP-Enhancement Program offers states different options to enhance their transportation system. The current transportation bill allows all levels of government the opportunity to plan and develop intermodal transportation systems (various forms of transportation that are integrated and interconnected) tailored to their specific needs. Federal requirements concerning STP-Enhancements are quite extensive. For information on the selection and programming of a transportation enhancement project, please see *A Guide to Transportation Enhancements* at [http://www.modot.mo.gov/business/manuals/documents/Final\\_Enhancement\\_Guide.pdf](http://www.modot.mo.gov/business/manuals/documents/Final_Enhancement_Guide.pdf). The current transportation bill requires that at least 10% of the Surface Transportation Program funds be allocated towards transportation enhancement activities.

Transportation enhancement activities can be stand-alone projects or can be implemented as part of an ongoing transportation project. In either case, the project must relate to the intermodal transportation system in terms of function, proximity, or impact. For example, an independent bike path is a functional component of the intermodal transportation system. Removal of outdoor advertising within an individual’s view of a highway is justified in light of its proximity. Retrofitting an existing highway by creating a wetland to filter runoff from the highway would qualify based on the impact of the highway in terms of water pollution.

Enhancement projects must be projects that are over and above what is considered routine construction or maintenance. Transportation enhancement funds may be used in the following categories:

1. Pedestrian and bicycle facilities.
2. Pedestrian and bicycle safety and education activities.
3. Acquisition of scenic easements and scenic or historic sites including historic battlefields.
4. Scenic or historic highway programs including the provision of tourist and welcome center facilities.
5. Landscaping and other scenic beautification.
6. Historic preservation.
7. Rehabilitation and operation of historic transportation buildings, structures, or facilities including historic railroad facilities and canals.
8. Preservation of abandoned railroad corridors including the conversion and use thereof for pedestrian or bicycle trails.
9. Control and removal of outdoor advertising.
10. Archaeological planning and research.
11. Mitigation of water pollution due to highway runoff or reduce vehicle-caused wildlife mortality while maintaining habitat connectivity.
12. Establishment of transportation museums.

Up to 80% of a transportation enhancement project can be financed with federal STP funds. The local agency is required to match the project with at least 20%. See Page [1-16](#) for local match guidelines for enhancement projects.

### **CONGESTION MITIGATION AND AIR QUALITY (CMAQ):**

The CMAQ Program was created by the Intermodal Surface Transportation Equity Act of 1991 (ISTEA) to assist cities in attaining federal air quality guidelines. Legislation authorizes the expenditure of CMAQ funds on projects that have a documented emissions reduction associated with them and are available for use only in non-attainment and maintenance areas, or as determined by federal law for ozone and particulate matter pollution in the State of Missouri. Typical activities include revisions and installation of traffic signals, developing transportation management systems, public transportation facilities, and activities to encourage car-pooling and vanpooling.

## **SAFE ROUTES TO SCHOOL (SRTS):**

The Federal-Aid Safe Routes to School Program (SRTS) was created by SAFETEA-LU. These funds are available for infrastructure and non-infrastructure projects that benefit elementary and middle school children in grades K-8. Typical infrastructure project activities include but are not limited to construction or replacement of sidewalks and cross walks or traffic flow modifications. Non-infrastructure projects may be educational activities to teach community members the rules and regulations of biking or walking in or with traffic as well as local law enforcement monitoring around the school. More detailed program requirements and project activities may be accessed at <http://www.modot.mo.gov/Safety/SafeRoutestoSchool.htm>.

## **SUMMARY OF TYPICAL FEDERAL-AID PROCEDURES**

### **CONCEPTUAL DESIGN**

1. Local agency selects project. If the project involves a bridge, the bridge must meet the criteria discussed in [Section 3](#). If local agency is in an MPO, the local agency must also ensure the project is on the current TIP.
2. If the local agency does not have the professional staff to perform the design and environmental work, the local agency selects a consultant and negotiates a contract ([See Section 6](#)).
3. Local agency submits to MoDOT programming information on the selected project to include the Programming Data form and project location map.
4. MoDOT will review the consultant contract and verify the eligibility of the project.
5. MoDOT will notify the local agency that the project is eligible and whether an environmental document is required and the level of document if required.
6. The MoDOT District Office will coordinate with the local agency the completion of a local agency/MHTC agreement.
7. MoDOT requests federal funding for project. Upon approval by FHWA, MoDOT authorizes the local agency to begin preliminary engineering.
8. Local agency prepares the environmental document as directed in Step 5 and discussed in detail in Section 4 of this manual. The local agency is responsible for compliance with all applicable federal and state environmental laws and regulations; Section 4 contains guidance to aid the local agency in achieving such compliance.

**No work is to be initiated on any part of the project until federal funding has been approved (obligated) by FHWA and the local agency has been notified by MoDOT to proceed.**

## PRELIMINARY AND FINAL DESIGN

9. Local agency prepares preliminary plans for MoDOT district review. Local agency prepares right-of-way plans for certification and review by MoDOT. Local agency requests right-of-way purchasing authorization prior to acquisition. Purchases made prior to authorization approval by FHWA will not be eligible for federal participation. Submittal of preliminary bridge plans, hydraulic studies, etc. to MoDOT-Bridge Division is not necessary. However, if the engineer or local agency has specific questions regarding bridge project eligibility that they would like MoDOT to address at the preliminary stage then MoDOT-Bridge Division is receptive to this information. Specific questions should be provided by the engineer or local agency in writing on their cover letter with the submitted package to the MoDOT district office.
10. Local agency coordinates with local utilities to relocate as required. If federal funds are to be used to complete utility adjustments, local agency should submit utility agreement to MoDOT.
11. Local agency acquires necessary right of way for project and requests right-of-way clearance through MoDOT in accordance with MoDOT's LPA Land Acquisition Manual.
12. Local agency submits plans, specifications, and estimates (PS&E) to MoDOT for review. Submittals must include all commitments identified in environmental documents. Once PS&E documents have been reviewed and modifications completed, MoDOT will request obligation of funds from FHWA.

**No work is to be initiated on any part of the project until federal funding has been approved (obligated) by FHWA and the local agency has been notified by MoDOT to proceed.**

## CONTRACT LETTING AND CONSTRUCTION

13. Once FHWA approves the obligation of construction funds, MoDOT will notify local agency to advertise for bids. If all work is to be done by local forces, skip to procedure 19. Also, please see [Sections 3 and 9](#) for more detail on work performed by local forces.
14. Local agency must advertise for bid a minimum of 21 days prior to letting.
15. Local agency opens the bids, and recommends award of contract. At this time the successful bidder must sign the anti-collusion statement and has three days to fill out information on DBE sub-contractors and return it to the local agency. The local agency must disqualify the bidder if DBE information is not returned within three business days.

16. Local agency submits bid tabs, anti-collusion statement, and DBE information to MoDOT for concurrence. MoDOT will notify local agency of their concurrence in the award of the bid and that the contract may be executed.
17. Local agency will execute contract with the successful bidder, issue notice to proceed to the contractor, and must submit a copy of the executed contract to MoDOT. MoDOT will review the executed contract with the required documents and notify the local agency that they may issue a notice to proceed.
18. Construction begins. Local agency submits progress reports, conducts wage rate interviews, assures that construction will be inspected for compliance with specifications, and ensures EEO compliance.
19. If construction changes are needed, local agency determines level of the change order and submits as needed to MoDOT. After the final change order, additional funding may be requested to cover change orders if funds are available.
20. Local agency maintains necessary documentation of quantities placed in support of quantities paid.
21. Once construction is complete, local agency notifies MoDOT's district representative to coordinate the final inspection. Local agency submits final inspection report.
22. Local agency submits all applicable final documentation to MoDOT including a final invoice for all project costs involving preliminary engineering, construction engineering services, right of way, utility adjustments, and construction costs.
23. MoDOT audits the project as necessary and requests final payment from FHWA.
24. Local agency is responsible for implementing all commitments and monitoring identified in environmental documents.

## OTHER FEDERAL FUNDING USED AS MATCH

Federal funds provided by other federal agencies may be used to match federally funded transportation projects as allowed by each federal agency's funding requirements.

Listed below is a table showing what other federal funds may be used to satisfy the federal-aid highway matching requirements.

<b>Federal-to-Federal Matching Opportunities</b>	
<b>Source of Federal Funding</b>	<b>Eligible Categories of Highway Projects</b>
Federal Land Management Agencies, including but not limited to: <ul style="list-style-type: none"> <li>✓ U.S. Forest Service</li> <li>✓ Bureau of Indian Affairs</li> <li>✓ Bureau of Reclamation</li> <li>✓ Bureau of Land Management</li> <li>✓ National Park Service</li> <li>✓ Numerous military agencies</li> </ul> (authorized at 23 U.S.C. 120(k))	Federal highway projects funded under the following program categories: <ul style="list-style-type: none"> <li>✓ Interstate Maintenance</li> <li>✓ National Highway System</li> <li>✓ Surface Transportation Program</li> <li>✓ Congestion Mitigation and Air Quality Program</li> <li>✓ Recreational Trails Program</li> <li>✓ Scenic Byways Programs (providing access to Federal or Indian Lands)</li> </ul>
Federal Lands Highway Program  (authorized at 23 U.S.C. 120(l))	Federal highway projects funded under the programs shown above and that serve or provide access to Federal or Indian lands, except Scenic Byways
Federal programs with special legislative authorization to match other Federal funds, including funds provided under: <ul style="list-style-type: none"> <li>✓ State and Local Assistance Act</li> <li>✓ HUD Community Development Block Grants</li> <li>✓ Public Works Employment Act of 1976</li> <li>✓ Delaware and Lehigh Navigation Canal National Heritage Corridor Act of 1988</li> </ul>	Any Federal-aid highway project

Federal Emergency Management Agency (FEMA) funds are not eligible to be used as match on federally funded transportation projects including the HBP Program. Corps of Engineers funds are eligible for match on federally funded transportation projects.

The local agency must confirm with all the federal funding agencies that the funding provided may be used as match for federally funded transportation projects before the funding will be accepted by MoDOT.

## LOCAL MATCH GUIDELINES

Federally participating projects require local agencies to match costs of the project, generally at the pro rata share established for the program. Local agencies can use a variety of funding methods for local match, including cash and donations. Eligible donations may be applied only to the project on which the donation was made. Donations cannot be used to revise matching shares on unrelated projects. At no time may the federal share of costs exceed the total project costs actually incurred. Guidelines for determining local match amounts are as follows:

1. As described in Section 2, credit can be received for locally funded bridge replacement or rehabilitation projects. This credit, referred to as soft match credit, may be applied to the local agency's share of costs on Off-System Bridge Replacement and Rehabilitation Program (BRO) projects. This soft match credit **cannot** be used as part of the local match for STP-Enhancement, STP-Urban, CMAQ or other federal projects.
2. The fair market value of donated funds, materials or services (i.e., labor) donated from private third parties to the local agency are eligible for credit against match. Third parties may include an individual, company, association, etc., but do not include a federal, state or local government agency. Donations are applied at the pro rata share percent established for the project. Donations must be made after the project is programmed and no later than concurrence in award. In addition, all donated services and materials must meet the eligibility requirements of the project. Donations must be documented and records maintained to show how the values placed on materials and services were derived. Volunteer services must be supported by time sheets, time cards or other records. The value of volunteer time should be consistent with the guidelines published by the nonprofit organization *Independent Sector*. These guidelines may be found at the following website: [http://www.independentsector.org/programs/research/volunteer\\_time.html](http://www.independentsector.org/programs/research/volunteer_time.html).
3. The fair market value of local government funds, materials, or services performed by local government employees, may be applied to a project. The local government must maintain documentation that is adequate to support the costs being claimed. This documentation should include, but not be limited to vendor invoices, time sheets, time cards or other records.
4. Services may include the costs of preliminary engineering prior to FHWA's environmental (NEPA) approval. Such a credit may be allowed provided that appropriate documentation to support such expenditures is available for review. The local agency must follow all applicable federal guidelines for the selection of a consultant. Only the value of expenses determined to be reasonable will be allowed to be used toward local match.

Right of way or other real property may be donated by a private third party or state or local government agency. Donations from a state or local government agency can only be accepted after June 9, 1998. Donated property is applied at the same pro rata share percent established for the project. The donation must be appraised to determine the fair market value. Donated property must be incorporated into the project and cannot influence the environmental assessment. For right of way or other real property to be eligible as match, it must be or have

been acquired within the requirements set forth in the parameters of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, (Uniform Act) of the Code of Federal Regulations, regardless of the date of acquisition.

Credit for donations of funds, materials, services or real property must be approved by MoDOT and FHWA in order to secure funding. Donations made to the project as match must be applied no later than concurrence in award. Once credits toward local match have been established and approved, they cannot be changed. Credits toward local match must be approved prior to the execution of the work, except as noted in Item 4 above.