

PART 1
Program Development
Chapter 3
Roles and
Responsibilities

Locally Administered
Projects (LAP) Manual

Updated February 2020

CHAPTER 3

ROLES AND RESPONSIBILITIES

3.1 VDOT AND LPA GENERAL RESPONSIBILITIES

VDOT has a delegated responsibility to ensure that federal transportation funds are properly obligated, authorized, and utilized. For all projects, including LPA-administered projects, this responsibility extends from the programming of the funds through project completion and closeout.

LPA's are fully responsible for the administration of their projects and are required to provide a full-time local government employee responsible for the project. The LPA must also provide a professional engineer, licensed in Virginia, who may be contracted, in the position of the Responsible Charge Engineer (RCE) during design and construction of the project.

Unless otherwise established in the project administration agreement, the LPA is also responsible for providing adequate construction inspection to ensure that the project is constructed in accordance with the contract documents and specifications.

The LPA must be particularly diligent to ensure compliance with all applicable federal and state requirements. Non-compliance can result in partial or complete withdrawal of federal and/or state participation in the project. In the event of the LPA's noncompliance with applicable requirements, VDOT may impose such contract sanctions as it or the Federal Highway Administration (FHWA) may determine to be appropriate, including but not limited to withholding of payments to the LPA under this Agreement until the LPA complies; and/or cancellation, termination or suspension of the Standard Project Administration Agreement, in whole or in part. Where LPA reimbursements have been made, VDOT and FHWA have the authority to seek reimbursement.

3.2 GENERAL VDOT OVERSIGHT EXPECTATIONS/OBLIGATIONS

As previously stated, VDOT has responsibility for assuring that federal funds are properly utilized throughout project development and delivery. VDOT also is committed to assisting the LPAs so that they are successful in their management and administration of highway construction projects.

Some of the major VDOT federal-aid oversight activities include:

- Project programming (Verify Funding/Agreement)
- Phase authorizations (PE, RW and Construction)
- National Environmental Policy Act (NEPA) approvals
- Consultant procurement review (RFP's, etc.), as necessary
- Design Review at key milestones
- Design exception approval
- Right of Way Certification
- Plans Specifications and Estimates Approval - Bid package review/Award Approval
- Civil Rights monitoring and goal setting (monitoring is a shared responsibility with LPA)
- Construction administration reviews
- Change/Work Order reviews
- Project acceptance/financial closeout

3.3 GENERAL LPA EXPECTATIONS

LPAs must maintain an administrative record of project development and delivery activities that sufficiently demonstrate compliance with federal requirements. These records must be maintained and available for review by FHWA or VDOT for a minimum of **three years after final financial closeout of the project**. In some cases the records will be submitted to VDOT at the end of the project.

Activities regulated by other state and/or federal agencies may have different recordkeeping requirements to which the LPA will be expected to adhere. The following list includes some of the obligations that an LPA must meet to achieve minimum federal performance criteria:

- Provide a local government employee responsible for the project
- Perform adequate project scoping to accurately define the project
- Preparation of NEPA documents
- Project design
- Design QC/QA
- Public participation
- ROW acquisition/Utility relocation
- Preparation of bid documents
- Advertisement
- Civil Rights monitoring and goal setting (monitoring is a shared responsibility with LPA)
- Award
- Construction management
- Project acceptance
- Financial controls/invoicing

Refer to [Chapter 13](#) to determine which documents need to be submitted to VDOT before project acceptance. Specific LPA project administration expectations and VDOT oversight requirements are outlined in more detail throughout this Manual.

3.4 STAFF RESPONSIBILITIES

In order to ensure effective communication between the LPA and VDOT, each organization is required to assign a full-time local governmental employee to lead their efforts.

3.4.1 The VDOT Project Coordinator

VDOT will assign a Project Coordinator (PC) to work with the LPA and to provide guidance, as needed, for all aspects of project development. However, the PC is not responsible for specific project administration and the LPA must not expect the PC to provide quality control for their consultants' work. The PC will be the LPA's liaison with VDOT staff having an approval, review, or advisory role for the project. In order for the project to progress smoothly, it is essential that adequate communication and coordination between the LPA and the PC be maintained. Unless otherwise indicated all communication to VDOT support and review staff must be coordinated with, or through, the VDOT Project Coordinator. General activities that the PC is responsible for include:

- Provide the LPA with applicable guidance materials, forms, checklists
- Receive all submittals from LPA and coordinate VDOT review
- Provide feedback to LPA on all submittals
- Provide guidance as issues are identified
- Monitor LPA's Budget and Schedule to ensure federal obligations are met
- Act as liaison between LPA project manager and VDOT technical staff

3.4.2 The VDOT Construction Project Monitor

VDOT's Construction Project Monitor (CPM) assumes the role as VDOT's Project Coordinator once the project has been awarded and proceeds to construction. The CPM provides the required VDOT oversight for the construction project and is a resource to the LPA Project Manager. The CPM must be familiar with a wide range of construction activities and will be the single point of contact for all VDOT site visits and project reviews during construction. No other VDOT staff should perform on-site inspections without the prior knowledge of the CPM. This allows the CPM to be on site and facilitate the inspection.

The CPM's primary role is to document the LPA's conformance with project specifications and specific legal or regulatory requirements as outlined in this manual through periodic project reviews. The CPM is expected to use his/her professional judgment to determine which aspects of the project should be evaluated during each review. The CPM is responsible for providing a general level of oversight during the construction process. The CPM is not responsible or accountable for actions/inactions of the LPA or their contractor. Throughout construction the CPM may enlist the support of other VDOT staff to assist in the oversight of the locally administered projects, as needed. Additional guidance regarding construction oversight is found in [Chapter 13.1](#). A few of the CPM's duties will include:

- Attend preconstruction/progress meetings
- Periodic review of project documentation
- Verify materials acceptance procedures
- Periodic spot inspection of work (does not substitute for LPA Construction Engineering Inspection)
- Review/approval of reimbursement requests
- Participate in work/change orders as appropriate
- Participate in final project inspection

3.4.3 The LPA Project Manager

The LPA Project Manager (PM) is responsible for ensuring that project specifications and all federal and state regulations applicable to highway construction projects are met. The PM must have the responsibility, authority, and resources to effectively manage the project and will serve as the LPA contact for all issues. The PM must be actively engaged and familiar with project progress and make final decisions regarding project development and delivery. The PM must, during project construction, visit the project site on a frequency that is commensurate with the magnitude and complexity of the project. To make effective project management decisions, the PM must have sufficient knowledge

of and experience with transportation projects. VDOT, FHWA, NHI, the Transportation Training Academy, and others provide training opportunities in project delivery. Training opportunities are further outlined in [Chapter 4](#).

Generally, the PM is responsible for:

- Coordinating LPA RtA request/Agreement Review/Signature
- NEPA
- Plan Reviews and Submissions
- Right-of -Way
- Confirm Funding Availability/Phase Authorization
- Consultant Contract Administration
- Ensure Timely Submittals to VDOT Project Coordinator
- Ensure LPA Project Progress and Flow
- Ensure Bid Process Meets Appropriate Requirements
- Ensure Adequate Construction Inspection
- Ensure Compliance with Civil Rights, Environmental, Materials Acceptance Requirements
- Local Approval of Change Orders
- Processing Contractor Claims
- Reimbursement Requests/Documentation

The LPA may utilize a contract employee to manage day to day progress of the project. During such arrangement, however, a full-time employee of the LPA must be assigned as the Local Government Employee responsible for the project that must be familiar with and accountable for, all actions of the contract employee performed on the LPA's behalf.

3.5 Dispute Resolution

VDOT and Localities work as partners in the delivery of state-aid and federal-aid transportation projects in Virginia. On occasion, disagreements over project requirements will occur. VDOT's policy is to attempt to resolve disputes

constructively and at the “lowest” level between project management staff. When disputes occur, the VDOT Project Coordinator and LPA Project Manager should initially attempt to resolve the issue informally. This often requires that project development / delivery discipline specialists provide assistance early in the discussions between the VDOT Project Coordinator and the LPA Project Manager. If informal discussions do not result in an amenable resolution, the LPA must submit a written notification to the VDOT Project Coordinator. The notification must include the nature of the dispute, the results of any informal discussions which may have already occurred, and suggested courses of action. The VDOT Project Coordinator will work within the established VDOT chain-of-command to respond to the notification in a productive manner. Central Office Policy Divisions, including the Local Assistance Division, may be consulted during this time for policy interpretations and guidance. The VDOT Project Coordinator will document all correspondences and include in the project files.

If a dispute cannot be resolved to the satisfaction of either the locality or the VDOT District, either party may refer the dispute to VDOT’s Central Office. When this occurs, the referral must be in writing to the Local Assistance Division Director (or to the Assistant Division Director or the Locally Administered Projects Program Manager) and must include a detailed narrative of the issue and the actions taken to resolve the dispute. Local Assistance Division staff will then coordinate with the appropriate Central Office Policy Divisions to find a practical solution to the dispute. The Local Assistance Director will provide a final written determination which will be entered into the project files by the VDOT Project Coordinator.