VDOT Local Assistance Division Newsletter

Providing guidance for localities and serving as a liaison to local governments throughout the state

LOCALLY ADMINISTERED PROJECTS QUALIFICATION PROGRAM

In an effort to continue to help localities successfully administer transportation projects, the Local Assistance Division developed the Locally Administered Projects Qualification Program for localities administering federal projects. As a FHWA Every Day Counts (EDC) supported program, the Qualification Program will provide a consistent method of determining a locality's readiness to administer federal projects. VDOT's Qualification Program includes a set series of on-line and classroom training sessions that provide a high level overview of the federal requirements for locally administered projects. The Qualification Program training is specifically aimed at the LPA's responsible charge person who is the decision maker and at this time is only open to localities and PDCs.

Please note, while PDCs are able to take the Qualification Program training, they are not able to hold the "qualified" status for a locality unless they enter into a project agreement with VDOT.

<u>**Every locality must have one person "qualified" by December 31, 2020**</u>. Currently, there are 94 localities who have successfully completed the Qualification Program and have received the "qualified" status. Due to COVID-19, classroom sessions have been to moved to a virtual platform and are continuing to be offered. If your locality does not have "qualified" status, please contact [Michaela McCain](). Please visit our Locally Administered Projects Qualification Program [webpage]() for more information!

LOCAL PROGRAMS WORKSHOP WEBINARS

Due to COVID-19 restrictions, the Local Assistance Division had to cancel the 2020 Local Programs Workshop. In an effort to continue to provide outreach and training to our local partners and VDOT staff, we are holding a series of webinars. The Local Assistance Division has held the first three webinars and have additional webinars scheduled through February 2021. These webinars are scheduled recorded and posted our webpage should you not be able to attend on the scheduled date. For more information on our upcoming scheduled webinars, or to view previous webinar recordings, please visit our [webpage]().

VDOT—LPA Collaborative NEPA

Moving forward, VDOT's Environmental Division will manage NEPA work for the few, but highly complex studies which involve the consideration of multiple alternatives while continuing to work collaboratively with the respective locality. Specifically, this involves the development, review, and finalization of any Environmental Impact Statement (EIS) or multi-alternative Environmental Assessment (EA). Localities, at their discretion, will continue to manage the NEPA work on build/no-build EAs (which evaluate a single build concept and the no-build alternative) as well as Categorical Exclusions and Programmatic Categorical Exclusions. Previously, localities managed both build/no-build EAs and multi-alternative EAs on locally administered projects. The type of NEPA document that is required is decided through coordination amongst VDOT, FHWA, the locality, and other agencies, when applicable.

VDOT USE OF DIGITAL SIGNATURES FOR PROJECT AGREEMENTS

In June 2020, LAD officially implemented the optional use of digital and/or electronic signatures for use on executing Project Administration Agreements (PAA). A digital signature is required for executing Agreements while an electronic signature is allowable for supporting documentation such as the Appendix A, Appendix A revisions, and Request to Administer (RtA). The use of digital signatures is the preferred method of execution for agreements managed by the Local Assistance Division (LAD), however Original/Wet signatures may continue to be used as necessary. For clarity, we offer the following definitions:

- Digital Signature: An electronic signature that includes signature authentication based upon cryptographic methods, and computed by using a set of rules and a set of parameters so that the identity of the signer and the integrity of the data can be verified.
- Original/Wet Signature: An original physical signature handwritten in ink on a piece of paper.

LAD is using Adobe Acrobat Reader DC for locality digital signatures due to its versatility, ease of creating an electronic or digital signature, and its ability to establish an acceptable level of signature authenticity needed for our processes. We recognize there are other software applications that produce secure and authentic digital signatures, therefore Localities may use any digital signature software that is compatible with Adobe Acrobat Reader DC. VDOT has also initiated the use of DocuSign for Executive Team agreement execution to ensure signature and document validity. Locality agreements signed in Adobe will be placed in DocuSign at VDOT, there is not an additional software requirement for the locality.

For digitally signed agreements, keep the following in mind

- The document must be unlocked for signatures when forwarded to LAD for execution.
- To provide an additional layer of signatory validation, any document executed using an electronic or digital signature must be accompanied by a transmittal email from the signatory.
- Scanned documents containing a wet signature will not be accepted as a replacement for a digital signature.
- The combined use of wet signatures and digital signatures is not permitted for executing an Agreement.

Please work with your VDOT Project Coordinators to identify any barriers that would prevent localities from implementing this efficient technology. We have found when a final PAA has arrives at VDOT for execution, turnaround time for execution has been reduced to days to weeks' rather than weeks to months.

Further, LAD has developed Agreement templates that accommodate the digital signature process. VDOT Project Coordinators should ensure that localities who are digital signature ready, use the digital versions of the Project Administration Agreements. The digital versions remove the requirement for having three (3) signed copies, the need for a "Witness," and the need to fill-in the execution date on the cover page.

VDOT OVERSIGHT CHARGES ON LOCALLY ADMINISTERED PROJECTS

The LAP Manual Chapter 3, defines the roles & responsibilities of VDOT staff performing oversight on federal-aid and state-aid funded projects as necessary to fulfill our stewardship and fiduciary responsibilities. The LAP Manual further provides specific expectations for each project touchpoint in the development and delivery chapters of the LAP Manual. In addition to performing required oversight, the locality can also request VDOT to perform specific project work items. When this occurs, VDOT is now providing a "project service" similar to a consultant.

As of July 1, 2020, VDOT personnel providing oversight capacity on a LAP will be required to track their time performing these project services separately from project oversight in our Cardinal Financial System. New Cardinal activity codes have been developed for project oversight while charges for services will continue to use the prior Cardinal charge codes.

VDOT recognizes that it is important that oversight costs and services costs be captured separately. This allows for more accurate estimates when determining level of oversight using risk factors identified in LAP Manual Chapters 9 and 13 and the Request-to-Administer form. Separating these costs will also provide the locality a clear cost of VDOT services on the project.

SCOPING REMINDER

Beginning November 1, LAD is sending reminder emails to locality project managers when their project's planned scoping end date is within 60 days. Additionally, emails have been sent for projects where the scoping end date has passed. These emails will go out at the beginning of each month. These reminders are intended to help ensure that your project schedules and estimates are as accurate as possible and are achievable.

Remember, your project's schedule and estimate were established at the onset of the project using a baseline template schedule, before the scope of the project was clearly defined. VDOT's processes allow for project schedules to be adjusted before scoping is closed and estimates to be adjusted within 14 days after scoping is closed. This rebaselining allows you to more accurately reflect project expectations. This is your only opportunity to ensure VDOT's Dashboard accurately reflects your project's schedule and estimate, so please take the time to work with you Project Coordinators and update those schedules and estimates!

UPDATED REGULATIONS FOR IMPLEMENTATION OF NEPA

On July 15th, the President's Council on Environmental Quality (CEQ) published updated regulations directing federal agencies how to implement the National Environmental Policy Act (NEPA). Highlights of the changes are the following:

- States Environmental Assessments must be no more than 75 pages and must be completed within one year.
- Requires mitigation to have a nexus to the effects of the proposed project.

UPDATED REGULATIONS FOR IMPLEMENTATION OF NEPA (CONTINUED)

- Removes specific references to cumulative and indirect impacts. Indirect impacts are to be discussed alongside direct impacts, and cumulative impacts are to be discussed as part of the NEPA document's affected environment section. All impacts that are discussed must be reasonably foreseeable and have a reasonably close causal relationship to the proposed project.
- Recognizes developments in technology to streamline transmittal of documents, reduce paper copies, and hold virtual public hearings.
- Adds references to Tribe outreach, which occurs when working on Tribal lands.

FUNDING PROGRAMS

REVENUE SHARING

LAD has completed its annual review of those Revenue Sharing projects that may be subject to deallocation, based on language in §33.2-357 of the Code of Virginia and the Revenue Sharing Guidelines. Two worksheets were sent out to each District that included projects that are candidates for deallocation. Districts were requested to review the worksheets, coordinate with the respective locality, and provide district comments back to LAD by September 18, 2020. LAD finalized its review and notified affected District offices and the localities in late October and will present projects to be considered for deallocation at an upcoming CTB meeting. Deallocations from this review total approximately $9.4 million.

TRANSPORTATION ALTERNATIVES

The FY21 / FY22 tentative TA selections were approved by the Commonwealth Transportation Board (CTB) at their October meeting. A list of the final selections can be found on VDOT's TAP website. The Districts are preparing project administration agreements for the new projects and will be sending these out over the next few months. It is important to remember that no eligible costs for which you want to be reimbursed, should be incurred prior to execution of the agreement and notification that federal authorization has been secured.

The CTB is very aware of the funding needs for these non-traditional, local transportation projects. Of the 86 projects selected for funding, 75 were recommended for full funding this round - that's 87 percent! Selections included restoration of an historic depot in Russell County; several bike share programs in Northern Virginia; and buggy lanes in Rockingham County. Funding was also awarded to several well known bicycle and pedestrian trails: the Virginia Central Railway (VCR) Trail in Fredericksburg, the W&OD Trail in NOVA and a segment of the future Ashland to Petersburg Trail in Richmond.

It's never too early to start planning - the next application deadline is anticipated to be October 1, 2021 with pre-applications due May-July 2021. Watch for workshop announcements in early Spring!

STATE OF GOOD REPAIR PROGRAMS

LOCAL PAVEMENT AND DEFICIENT BRIDGES

VDOT received a total of 122 applications for State of Good Repair (SGR) paving projects for FY2021. Applications have been scored with scores ranging from 18.1 to 91.0. Project selections were approved for amendment to the Six Year Improvement Program (SYIP) at the October 2020 CTB meeting. The FY2021 local deficient bridge projects are anticipated to be amended to the SYIP at the December CTB meeting. The Smart Portal opened on October 1st for FY2022 pavement applications and bridge notification forms and will close on December 11th at 5:00pm. Additional information can be found at the link below. http://www.virginiadot.org/business/local_assistance_division_funding_programs.asp#good

URBAN AND COUNTY MAINTENANCE PAYMENTS

Due to the unknown budget for FY2021, urban and county maintenance payments continued with the FY2020 payment rates and mileage in the first quarter payment sent to localities on September 30, 2020. Permit fee payments were not included in the first quarter payments. Adjustments will be made in future payments after a new budget is approved. Localities will be notified of new payment rates as soon as possible after CTB approval.

LAP MANUAL UPDATES

SPECIFICATIONS AND GUIDANCE

LAP Manual updates are now required to be submitted to Virginia Regulatory Town Hall for a 30 day public comment period prior to making proposed document changes official. In preparation, LAD must first provide a marked up version and clean version to VDOT's Governance & Legislative Affairs Division (GALA), and on behalf of LAD, will make a submission to the Town Hall. This process may take up to two months. LAD plans to update the following LAP Manual Chapters for official use in early 2021 - Chapter 5 and Chapter 13, and Part IV (Example Submittals):

Locally Administered
Projects (LAP)
Manual

CHAPTER 5

- Project Scoping
- Public Involvement
- Project Advertisement
- Design Approval/Title Sheets
- Design Build Certification Form 402A
- Design Build Right of Way Certification

CHAPTER 13

- Major re-write of most sections
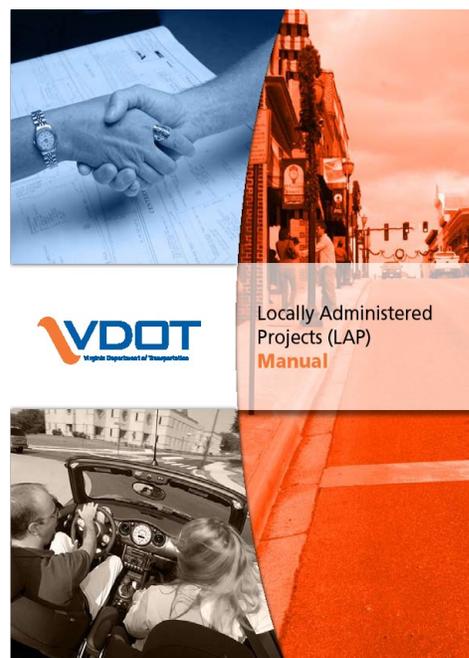
ON-TIME ADVERTISEMENT OF LAP'S

VDOT LAP Dashboard Score by District

As of 11/19/2020	On-Time Development	On-Budget Development
Bristol	80%	92%
Culpeper	58%	52%
Fredericksburg	40%	80%
Hampton Roads	40%	64%
Lynchburg	100%	77%
Northern Virginia	52%	64%
Richmond	25%	62%
Salem	62%	75%
Staunton	73%	78%

On Time Delivery Goal 70%   On Budget Delivery Goal 74%

On-time project delivery is a key performance measure for both VDOT and locally administered projects. We periodically report on-time advertisement of locally administered projects as a measure of program success. This information is tracked in two ways — real time via VDOT's Dashboard and also by tracking advertisements planned by calendar year on what we call our "commitment list."

The VDOT Dashboard is publicly available and can be accessed at http://www.virginiadot.org/dashboard/projects.asp. There is also a Dashboard Performance tool available to localities that can be found at http://www.virginiadot.org/business/reporting_systems_to_be_used_on_locally_administered_projects.asp .

All localities are encouraged to work closely with their District Project Coordinators to ensure project information is updated during project development in a timely manner and ensure that your locality representative inputs data directly into NVAP monthly for projects under construction.

The CY2020 Commitment Baseline List is posted on our website.

<u>LAP Construction Advertisement Commitments for CY2020</u>
<u>Reported through third quarter CY2020</u>

Project Count	Estimated Construction Value
CY2020 Planned 204	CY2020 Planned $332M
CY2020 Q3 Actual 132	CY2020 Q3 Actual $353M

We continue to report quarterly on the size and scope of the local program relative to VDOT administered projects. Those statistics for active projects as of September 30, 2020 are shown on the charts below.

Active VDOT vs. LAP Percent of CN $$
$20,062,313,477 TOTAL CN $ Value

LAPs 17%
VDOT 83%
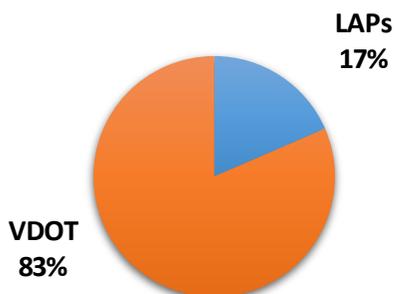
Active VDOT vs. LAP Percent of CN Projects
3214 TOTAL Projects

VDOT 59%
LAPs 41%