

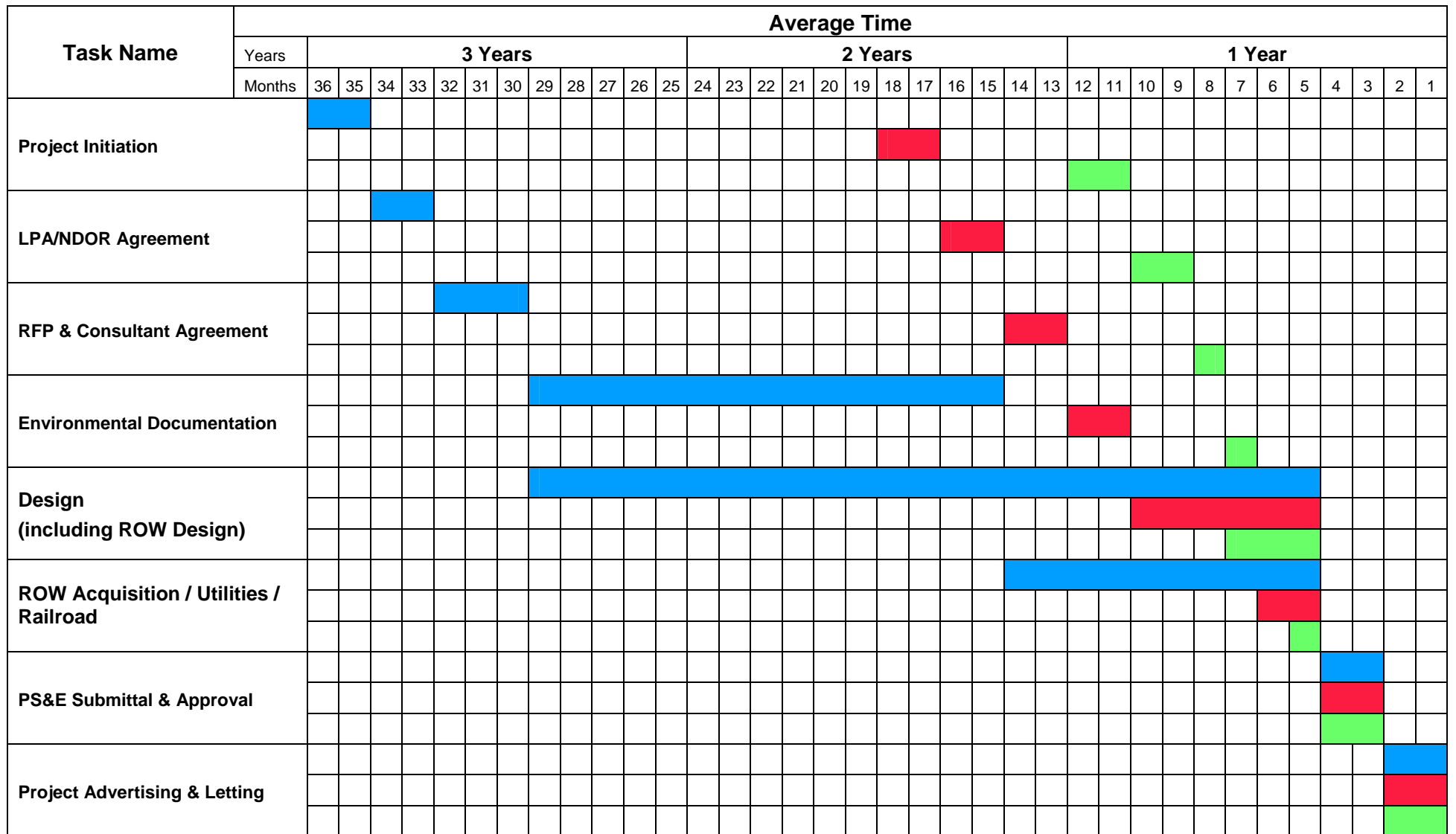
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## 20.10 WHO IS RESPONSIBLE

For projects administered by LPA's, the NDOR Urban Off-System Coordinator assigned to your city will furnish information concerning the necessary federal requirements and assist you through the process. This individual will maintain a project file, conduct site visits as necessary, review plans, and keep you informed of issues that must be addressed to meet the project's requirements. However, it is important for all LPA's to understand they share a responsibility with the NDOR to the FHWA for ensuring federal funds are spent appropriately. While information on federal requirements can be obtained from the NDOR Urban Off-System Coordinator assigned to your city, it is the LPA's responsibility for complying with those requirements.




## 20.20 HOW LONG DOES IT TAKE?

The timeline on the following page is intended to give you a general idea of the time it takes to complete a federal-aid LPA project. However, please keep in mind that time to complete projects will vary based on the circumstances involved. For example, projects involving major environmental evaluations, ROW acquisition, or use of railroad ROW will take longer because of the need for permits and approvals. Projects where no additional ROW is needed or are classified as categorical exclusions will generally take less time to complete, such as a mill and overlay project.



Target Letting Date 

**LEGEND**

-  = Complex Project: one that involves Federal funds to pay consultants, buy lands or buildings, or involves environmental documentation such as an Environmental Assessment (EA).
-  = Intermediate Project: involves resurfacing an existing street, bridge replacement or similar activities.
-  = Simple Project: Safety improvements, traffic signal installation, and occasional bridge rehabilitation.

20.30 FINDING THE RIGHT FUNDS

The table below shows the federal funding programs eligible for use on the most common types of projects. Please review this table before contacting NDOR when seeking funding for a local project.

**Note:**

**X – Typical funding source available for this type of project.**

**Additional funding options and project types may be available.**

		Funding Categories						
		STP - Urban	STP - Counties	Urban/County Bridge Replacement	STP - Enhancement	STP - Safety	Emergency Relief	TMT (Not a Federal Fund)
<b>Roadway:</b>	New Construction	X	X					
	Rehabilitation	X	X					
	Widening	X	X					
	Resurfacing	X	X					
	Intersection Improvement	X	X					
<b>Bridge:</b>	New Construction	X	X			L	L	
	Replacement	X	X	X		L	L	
	Rehabilitation	X	X	X		A	A	
<b>Signal</b>	X	X			C	C		
<b>Congestion</b>								
<b>Railroad</b>							X	
<b>Bicycle/Pedestrian Trail</b>				X				
<b>Curb, Gutter, Sidewalk</b>	X							
<b>Landscaping</b>				X				
<b>Public Transit</b>								
<b>Safety</b>								

**Project Type**

## 20.40 FUNDING PROGRAMS

Each federal fiscal year (October 1, to September 30), NDOR makes available funding for projects within the boundaries of LPA's. A reimbursement-type program, the Surface Transportation Program (STP), is available for financing eligible transportation projects. STP funds may be used on roads that are on the federal-functional classification plan, except for local and rural minor collectors. These roads are referred to as federal-aid routes. The current federal transportation bill requires that certain percentages of funding categories within the state's STP obligation must be allocated towards the programs listed below.

- STP-Urban
- STP-Counties
- STP-Transportation Enhancement
- STP-Safety (Hazard Elimination)
- Emergency Relief Program (ER)

Other funding programs outside of the STP are also available for use on projects within LPA boundaries. Unlike the STP funds, these may be used on any public road and are not restricted to federal-aid routes. These funding programs are:

- Urban/County Bridge Replacement (BR)
- Train Mile Tax (TMT)

Information on each of these funds is included in the summaries below.

<b>SURFACE TRANSPORTATION PROGRAM – URBAN (STP-URBAN)</b>
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### ***Eligibility***

This program is administered by NDOR for all urbanized areas in the state of Nebraska (population greater than 5,000). Three urbanized areas in the state are Metropolitan Planning Organizations (MPO's). The MPO's are: 1) Siouxland Interstate Metropolitan Planning Council (SIMPCO) encompassing the City of South Sioux City and Dakota County, 2) Metropolitan Area Planning Agency (MAPA) covering Cass, Douglas, Sarpy, and Washington Counties, including the Omaha metropolitan area, and 3) Lincoln/Lancaster MPO.

Legislation for these funds requires them to be used for preliminary engineering, environmental, ROW, construction and improvement of projects on the federal-aid system on roads not classified as local or rural minor collectors.

Funds are normally available after October 1 each year and remain available for 3 years after the close of the fiscal year in which they were authorized. Unused funds may be withdrawn by NDOR to make other arrangements for their expenditure. This is necessary to prevent loss of funds through federal program lapse.

### ***Application***

Funds for projects in metropolitan areas are allotted by NDOR directly to each respective MPO. The MPO then coordinates with each LPA to determine which projects will be funded. This is done through a planning process that lists priority projects in a Transportation Improvement Program (TIP).

A share of the STP Urban funds is allocated to cities with a population greater than 5,000 and less than 200,000. NDOR determines how much money is allocated to each urban area. The urban engineer keeps a funding spreadsheet for each individual city or MPO. City officials can contact the urban engineer for funding information.

### ***Match***

Federal funds are available to finance up to 80% of eligible project costs.

### ***Contact***

For information on eligibility, application and required match, please contact NDOR Roadway Design – Urban Engineer, **(402) 479-4442**.

### **SURFACE TRANSPORTATION PROGRAM – (STP COUNTIES)**

For information on eligibility, application and required match, please contact: NDOR Government Affairs Division – **(402) 479-4607**.

### **SURFACE TRANSPORTATION PROGRAM – TRANSPORTATION ENHANCEMENT**

### ***Eligibility***

The Transportation Enhancement Program provides funding to local, state, and regional governmental entities to construct and restore transportation infrastructure that are not eligible to be funded through other programs. Examples of transportation infrastructure projects that are eligible under this program include non-motorized facilities for

pedestrians and bicycles, development of scenic byways, restoration of historic transportation facilities, development of scenic byways, and other projects directly related to the historic, current, or future transportation infrastructure. Only state and local governmental agencies or political subdivisions within the State of Nebraska are eligible to receive this funding. This includes most local units of government such as villages, cities, and counties, Natural Resources Districts, Nebraska State Agencies, the University of Nebraska, and Tribal Governments. Certain other governmental entities may also be eligible to receive funding.



### ***Application***

Selection of projects is made by the Nebraska Transportation Enhancement Selection Committee, a statewide committee of volunteers with expertise in the various funding categories. This 12-member committee meets annually to rank applications using an established 100-point scoring system.

### ***Match***

Up to 80% federal funding with a minimum 20% cash match from the LPA.

### ***Contact***

For information on eligibility, application and required match, please contact: NDOR Enhancement Program Administrator, **(402) 479-4881** or Sinclair Hille Architects, **(402) 476-7331**.

**SURFACE TRANSPORTATION PROGRAM – SAFETY (STP – SAFETY)*****Eligibility***

The objective of safety funds is to improve locations that constitute a danger to vehicles or pedestrians as shown by frequency of accidents. Projects must be located on a public road system. These projects may include intersection improvements, alignment changes, and installation of railroad protective devices. Major reconstruction of appreciable lengths of roadway will not qualify for funding under this program.

***Application***

Applications for safety funds are considered by the NDOR Safety Committee. The Safety Committee decides whether the project is eligible for funding.

***Match***

Up to 80% federal funding with a minimum 20% cash match from the LPA.

***Contact***

For Roads: NDOR Traffic Engineering Division – **(402) 479-4594**.

For Railroads: NDOR Public Transportation Engineer – **(402) 479-4438**.

**URBAN/COUNTY BRIDGE REPLACEMENT AND REHABILITATION (BR)*****Eligibility***

The objective of BR funds is to replace or rehabilitate roadway bridges located on public roads when they have been determined to be deficient because of structural and physical deterioration, or are functionally obsolete. A specific portion of BR funds known as “Rehabilitation” funds can also be used to paint bridges.

However, long approach fills, connecting roadways, interchanges, ramps, and other extensive earth structures, when

constructed beyond a reasonable point (attainable touchdown) are, in general, ineligible for federal participation in the bridge program.





For a bridge to be eligible for BR funding, there could not have been any new construction or rehabilitation in the past 10 years, regardless of the funding source. This excludes routine maintenance work. For rehabilitation the sufficiency rating shall be less than or equal to 80. For replacement the sufficiency rating shall be less than or equal to 50. The structure must be classified as either structurally deficient or functionally obsolete.

**Match**

Federal funds are available to finance up to 80% of eligible project costs.

**Application**

These funds will be available to LPA's on a "first ready-first served" basis.

**Contact**

For counties and cities < 5,000 population: Secondary Roads Engineer – **(402) 479-4437**.

For cities > 5,000 population: NDOR Urban Engineer – **(402) 479-4442**.

**TRAIN MILE TAX (TMT)**

For information on eligibility, application and required match, please contact NDOR Public Transportation Engineer – **(402) 479-3797**.

**EMERGENCY RELIEF PROGRAM (ER)****Eligibility**

The objective of ER funds is to repair or reconstruct roadways and bridges on federal-aid routes that have suffered serious damage as a result of natural disasters or catastrophic failures. Eligible expenditures, as allowed under the federal rules for ER funds, are those tasks and items necessary for permanent and emergency construction to restore essential travel, protect remaining facilities, and restore facilities to pre-disaster conditions. To determine if your project qualifies for ER funds, please contact the Urban Engineer.

**Application**

After the Governor has declared an emergency, an application for assistance must be made by the state to the FHWA. Notification of selected projects is made pending approval by the U.S. Secretary of Transportation.

**Contact**

NDOR Roadway Design – Urban Engineer, **(402) 479-4442**.

**20.50 MANAGEMENT OF STP FUNDS****STP Fund Allocation**

Cities with a population that exceeds 5,000 people receive an annual allocation of Federal STP funds. These funds are pass through funds with full oversight responsibilities of the Nebraska Department of Roads. The NDOR maintains a STP fund spreadsheet for each city to which funds are allocated. This spreadsheet is used to determine the STP fund balance for each city by tracking yearly allocations and project obligations. A copy of this spreadsheet is available to be sent to you in hardcopy or electronic format at any time. To request a copy of the STP fund spreadsheet for your city, please contact the Urban Engineer or Urban Off-System Coordinator.

**Federal Authorization Dates**

A Federal Authorization Date is the first date from which expenses incurred from any particular workphase can be eligible for reimbursement. Project obligation triggers the Federal Authorization Date for each workphase.

**Obligations**

It is important to understand the obligation process in order to maintain funding for each individual workphase. Obligations are the application of allocated STP funds to a particular workphase of a project. These fund obligations must be completed at appropriate times during the progression of a project.

If an adequate STP fund balance is not available to obligate during a particular workphase, the City may at its option, obligate the workphase as EAC (Early Advance Construction). This option allows the City to begin incurring expenses on a particular workphase of a project with the option to obligate STP funds when they become available for reimbursement of these expenses. It must be understood that if STP funds do not become available for any reason, any incurred expenses shall be paid exclusively out of City funds.

It is the responsibility of the City to ensure that funds are obligated to each workphase at appropriate times, however, the Urban Engineer and Urban Off-System Coordinator will

assist you in ensuring that obligations are made at the proper time and with an adequate amount.

The following is a brief description of when funds should be obligated to each individual workphase of a typical project:

***Preliminary Engineering (PE)***

Obligation of the PE phase should take place upon approval of the City/State program agreement. When submitting the agreement for NDOR signature, please also submit an obligation request for the Preliminary Engineering phase.

***Right-of-Way (ROW)***

Obligation of the ROW phase must take place only upon the approval of LPA environmental documentation and approval of the ROW plans. When submitting ROW plans for NDOR approval, please also submit an obligation request for the ROW phase.

***Construction***

Obligation of the Construction phase should take place upon approval of the PS&E package and prior to project advertisement. When submitting the PS&E package to NDOR for approval, please also submit an obligation request for the Construction phase.

***Obligation Requests***

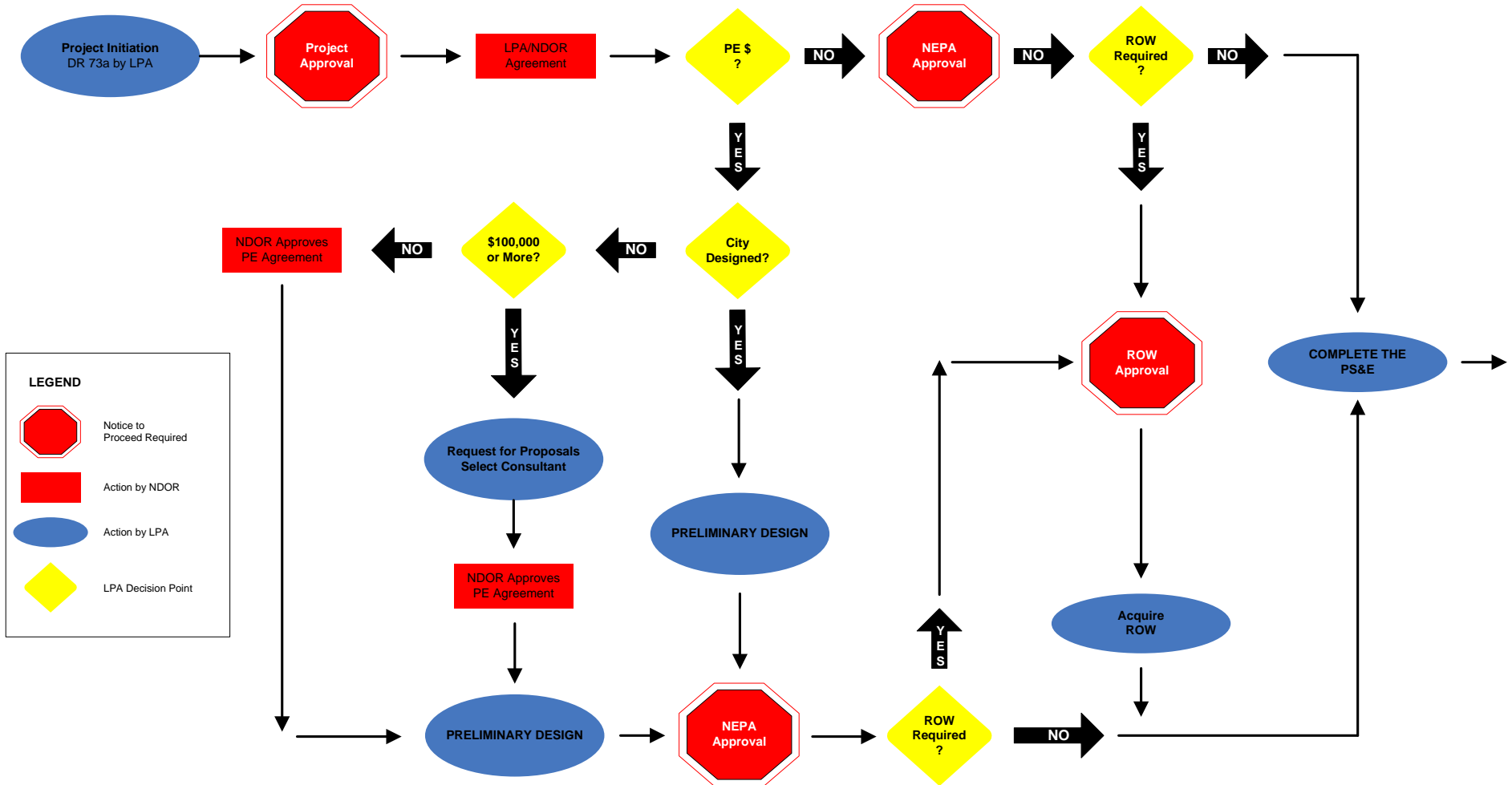
An obligation request is a letter sent to the Urban Engineer or Urban Off-System Coordinator indicating the amount of the LPA STP fund balance they would like applied to a project workphase. These requests should indicate the project description, project number, control number, the amount of the requested obligation, and the workphase for which the LPA would like the funds obligated.

It is also important to understand that obligation of a workphase and obtaining a federal authorization date does not automatically make expenses for those workphases eligible for federal participation. Obligating the funding at appropriate times is only the first step in ensuring that any particular workphase is eligible for federal funding. LPA's must also follow all federal and state regulations, and the requirements for individual workphases as indicated in each section of this book.

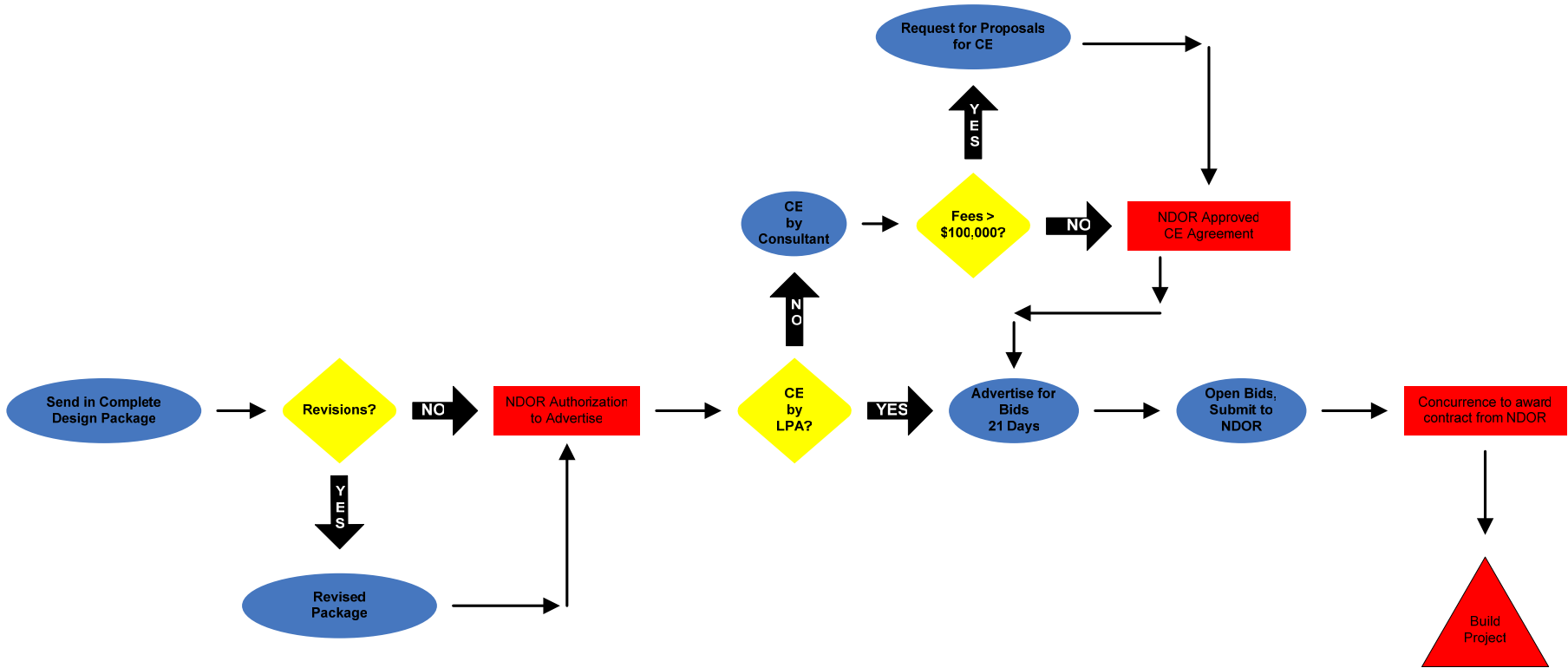
## 20.60 PROJECT FLOWCHART

The flowchart on the following pages will serve as a “map finder” during the important phases of a project.

Project Development  
Flow Chart



Project Development  
Flow Chart



## 20.70 PROJECT DEVELOPMENT CHECKLIST

### INSTRUCTIONS

A Project Development Checklist on the following pages will be a tool used to track the development of your project. It is a requirement that this checklist be kept on all Federal-Aid projects by both NDOR and the LPA. NDOR will conduct regular comparisons with the checklists for completeness and accuracy. The project checklist will become a web-based program in the near future. NDOR will keep all LPA's notified and will conduct proper training when the program is initiated.

The "**Action by**" column explains who is responsible for completing that item.

The "**Date Started**" column is for the LPA to record the date that the item was started.

The "**Date Completed**" column is for the LPA to record the date the item was finished. If the item was not necessary, please mark it as "N/A".

**PROJECT DEVELOPMENT CHECKLIST (1 OF 7)**

Project \_\_\_\_\_  
 Project Location \_\_\_\_\_  
 NDOR Project Number \_\_\_\_\_  
 NDOR Control Number \_\_\_\_\_  
 NDOR Contact \_\_\_\_\_ Urban Off-System Coordinator  
 Phone No. \_\_\_\_\_ Patrick (402) 479-3845 or Kendall (402) 479-3843

**PROJECT INITIATION**

Action by	Date Started	Date Completed	
LPA			Submit DR73a, Highway Improvement Request to Urban Engineer
NDOR			Project Approval and Notification from NDOR
NDOR			Environmental Classification Determination Class _____

**LOCAL PUBLIC AGENCY / STATE AGREEMENT**

Action by	Date Started	Date Completed	
NDOR			Prepare LPA / NDOR Agreement
LPA			Sign Agreement / City Council Approval
NDOR			Sign Agreement
NDOR			Obligate Funds for Preliminary Engineering
NDOR			Give LPA a Notice to Proceed

**PROJECT DEVELOPMENT CHECKLIST (2 OF 7)**

**CONSULTANT PROCUREMENT/AGREEMENT  
(if applicable)**

Action by	Date Started	Date Completed	
NDOR			NDOR to Furnish Consultant Selection Procedures
LPA			Complete Draft of RFP
NDOR			Review and Approve RFP
LPA			Issue RFP and Conduct Interviews, if necessary
LPA			Review & Select Most Qualified Consultant
LPA			Negotiate Details/Costs w/ Selected Consultant
LPA			Prepare Consultant Preliminary Engineering Agreement – NDOR will Furnish Draft Agreement
NDOR			Review and Approve Agreement
LPA			Route Agreement for Signatures
NDOR			Preliminary Engineering Agreement Signed by the NDOR
NDOR			NDOR Notifies LPA of Approval
LPA			Notice to Proceed given to Consultant



**PROJECT DEVELOPMENT CHECKLIST (3 OF 7)**

**DESIGN**

**A. ENVIRONMENTAL CONCURRENCE**

Action by	Date Started	Date Completed	
LPA			Provide CE Justification (see Section 60 requirements)
NDOR/ FHWA			Categorical Exclusion Approved by FHWA
			<b>- OR -</b>
LPA			Environmental Assessment (EA) or Environmental Impact Statement (EIS) with document of decision For Further Information Contact NDOR Project Development (402) 479-4410
NDOR/ FHWA			Environmental approval

**B. PLAN-IN-HAND**

Action by	Date Started	Date Completed	
LPA			Submit Design Report
LPA			Conduct project walk-through and meeting
LPA			Meet Public Hearing Requirements
LPA			Meet Environmental Requirements
LPA			Obtain Location and Design Approval
LPA			Publish Design Approval

**PROJECT DEVELOPMENT CHECKLIST (4 OF 7)**

**C. RIGHT-OF-WAY FUNDING AND ACQUISITION**

Action by	Date Started	Date Completed	
LPA			Submit ROW Plans to NDOR Design
NDOR			Obligate ROW Funds
NDOR			Give LPA Notice to Proceed
LPA			Select Appraiser; internal or fee (not required in cases of Donation)
LPA			Select Review Appraiser; internal or fee
LPA			Select Negotiator; internal or fee
LPA			Give offer of Just Compensation to owners
LPA			Obtain title to acquired property, either by signature or by condemnation
LPA			Submit a ROW Certificate, when ROW acquisition is complete, along with the required documentation as indicated in Section 80
NDOR			LPA/ROW Coordinator reviews documentation and submits a ROW Certificate to NDOR Design
NDOR			Prepares distribution of appropriate funding

**D. PLANS, SPECIFICATIONS & ESTIMATES SUBMITTAL**

Action by	Date Started	Date Completed	
LPA			Prepare & Submit 100% PS&E Package to NDOR for Review, Comments, and DBE Assignment, if necessary
NDOR			Review PS&E Package
LPA			Revise 100% PS&E Package per NDOR requirements
NDOR			Obligate Construction Funds
NDOR			Give LPA approval to advertise

**PROJECT DEVELOPMENT CHECKLIST (5 OF 7)**

**PROJECT LETTING**

Action by	Date Started	Date Completed	
LPA			Publish Notice to Bidders Once Per Week for 3 Consecutive Weeks (min 21 days)
LPA			Send Notice to Bidders to Plan Bureaus & DBE List
LPA			Hold Pre-bid Conference (if needed)
LPA			Open Bids, at least 21 days after First Public Notice
LPA			Prepare Bid Tabulation Sheet
LPA			Determine Responsive Bid
LPA			Submit Recommendation of Award Letter & Bid Tab to NDOR for Concurrence
NDOR			NDOR Concurrence to Award Construction Contract
LPA			Award and Execute Construction Contract
LPA			Send Copy of Executed Construction Contract to NDOR

Note: All addendums must be approved by NDOR prior to their issue.

<b>PROJECT DEVELOPMENT CHECKLIST (6 OF 7)</b>			
<b>CONSTRUCTION &amp; CONSTRUCTION ENGINEERING</b>			
<b>Action by</b>	<b>Date Started</b>	<b>Date Completed</b>	
LPA			Prepare Consultant Construction Engineering Agreement (Generic Provided by State)
NDOR			Review and Approve Agreement
LPA			Construction Engineering Agreement Executed by LPA and Consultant
LPA			Construction Engineering Agreement signed by the NDOR.
NDOR			NDOR notifies LPA of Approval
LPA			Notice to Proceed given to consultant
LPA			Send Notice of Pre-Construction Conference to all Parties
LPA			Send Notice to Proceed to Contractor, Send Copy to NDOR
LPA			Contact State District Rep. for assignment
LPA			Pre-Construction Conference Held
LPA			Pre-Construction Conference Minutes Distributed
LPA			Construction Start Date
LPA			Submit Change Orders to NDOR for approval
NDOR			Approve Change Orders
LPA			Submit Monthly Pay Estimates to NDOR for reimbursement

**PROJECT DEVELOPMENT CHECKLIST (7 OF 7)**

**PROJECT CLOSE-OUT**

Action by	Date Started	Date Completed	
LPA	<input type="text"/>	<input type="text"/>	Conduct Pre-Final Inspection, Identify Remaining Work
LPA	<input type="text"/>	<input type="text"/>	Verify Remaining Work
LPA	<input type="text"/>	<input type="text"/>	Notice of Completion Sent to Contractor and NDOR
LPA	<input type="text"/>	<input type="text"/>	As-Built Plans Completed and Sent to NDOR
LPA	<input type="text"/>	<input type="text"/>	Notification of Project Completion and Material Certification Form Sent to NDOR (DR 299)
LPA	<input type="text"/>	<input type="text"/>	Complete Required DBE documentation
NDOR	<input type="text"/>	<input type="text"/>	Conduct Audit
NDOR	<input type="text"/>	<input type="text"/>	Reimburse LPA Retention withheld