



# Federal Safety Funding and LAP

Executive Safety Summit  
Florida Department of Transportation – District 7

June 8, 2011  
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# Introduction

- Law 102-240 - the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA)
- State DOT's can delegate authority to qualified local agencies
- Initial view of LAP
- Current course of LAP
- LAP Community of Practice
- Revising the LAP Manual – Building a more technically sound and consistent program



# LAP Certification

- **Becoming LAP Certified**
- **Certification for Planning, Design, Consultant Selection, Bid and Award, and Construction Administration**
- **Prequalification for Environmental Documentation and Right of Way**
- **Degrees of LAP Certification**



# LAP Facts

- LAP does not create funding – project must be in the FDOT Work Program
- Federal funding comes with “strings”
- Federal funding involves initial local payout, followed by state reimbursement prior to federal reimbursement to the state
- Reimbursement to local agency is contingent upon adherence to federal requirements



# Typical Project Types

- Enhancement Projects
- Safety Projects
- MPO Prioritized Projects
- State Resurfacing Projects
- Discretionary Funded Projects
- Earmarks/Appropriations
- Emergency Response



# Federal Requirements

- FHWA Checklist requirements significantly impacted LAP after July 19, 2005.
- Administrative Checklist – submitted upon certification and re-certification.
- Construction Checklist - required for each LAP construction project.
- Construction Checklist is not required for non-construction (i.e. PD&E, right-of-way or design) projects.



# Use of Consultants

- **FDOT Pre-qualified Consultants or FDOT approved local agency consultant acquisition process**
- **Consultants Competitive Negotiations Act (CCNA)**
- **Standard Consultant's Agreement or FDOT approved agreement format**
- **Progress Reports/Billing/Invoice Comparison**



# Project Requirements

- Standards and Specifications
- LAP Projects on the State Highway System
- Must use FDOT Standards and Specs
- Off-System LAP Projects
- Green Book Standards - minimum acceptable standards
- Recommend FDOT Specs (first 9 sections)
- Use of FDOT developed Off-System Specs





# Key LAP Elements

- FDOT commitment to public
- Entity must be an *implementing* agency
- Must meet/adhere to the project schedule
- Potential loss of project funding
- Development of a sound engineer's estimate
- Maintain close communication with FDOT
- Prompt response to plan reviewer comments
- State and local accountability



# Project Scheduling

- Scheduling Methods
- LAP Project Milestones
- Consultant Selection Date
- Phase Submittals (State System)
- Phase Submittals (Off-System)
- ROW Mapping
- Certification of ROW
- Bid Package Submittal and Approval Dates
- LAP Checklist Submittal and Approval Dates
- Advertisement Date
- Letting/Award Date
- Begin Construction Date
- Construction Completion Date



# Bid and Award

- FDOT Construction Notice to Proceed (upon federal authorization)
- Project Advertisement
- DBE Goals – Must match or exceed FDOT's goal
- Request for FDOT Concurrence of Award (prior to award)
- Supplemental Agreement to Meet Award



# Construction

- Construction Project Manager and Responsible Charge needed
- FDOT Periodic inspections and field visits in conjunction with progress billings
- Local agency accountable for project cost increases
- Requirements of projects on the state highway system
- FDOT approval of variances and exceptions



# Project Close-Out

- Final inspection coordination with FDOT
- Project Close-Out form
- LAP project close-out process



# Audit Requirements

- Single Audit Act
- Comprehensive Annual Financial Report
- Increased level of scrutiny
- Thorough review by FHWA, OIG, GAO and AG



# Safety Project Process

- Local government identifies candidate safety project
- Candidate project sent to D7 Safety Office for review & and consideration.
- Local agency includes LAP Request Letter and project schedule if they desire to implement project under LAP.
- Project accepted - sent for “Project Feasibility Review”, including NEPA analysis.
- Project concept/scope/information and preliminary estimate required for review.
- Safety Office notified of feasibility review results.
- Safety Office recommends project for FDOT or LAP letting.



# Safety Project Process (2)

- Project package submitted to FDOT Special Projects/LAP Office for review and approval.
- FDOT Special Projects/LAP Office approves project for LAP
- Project programmed into DOT Work Program as a LAP project.
- FDOT Special Projects/LAP Office processes LAP Agreement with Local Agency
- Design plans process is initiated.
- Local agency bid package prepared and submitted for FDOT approval at 100% plans





# Safety Project Process (3)

- Upon FDOT Checklist approval and federal authorization, local agency advertises the project.
- Local agency submits bid analysis and bid tabs to FDOT for review. FDOT concurrence of award is required prior to award.
- Construction commences.
- Coordination with FDOT for inspections and adherence to state and federal requirements is essential.
- Project LAP close out process



# LAP Success Stories

- Many Safety Sidewalk (SR2S) Projects
- Numerous Intersection Improvements
- Treasure Island Causeway Bridge - \$50 million (2007)
- Belleair Causeway Bridge - \$72 million (2010)
- Bruce B. Downs Boulevard – est. \$150 million (UC)
- 40<sup>th</sup> Street - >\$100 million – (UC)



# TREASURE ISLAND CAUSEWAY BRIDGE

Before LAP



After LAP





# MIRACLE ON 40<sup>TH</sup> STREET

Before LAP

After LAP





# The “New” LAP Program

- District Committed to LAP Program
- Projects are truly a “Joint Venture” with Local Agencies and the D7 Project Team
- LAP Project Requirements Established
- Required Local Agency Commitment:
  - Realistic project scopes, budgets, and schedules
  - Maintain active dialogue and communication with District LAP Administrator and staff



# Lessons Learned

FDOT/Local Government communication early and often is essential  
District will train and assist throughout project





# Dist. 7 Contacts & Web Link

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FDOT LAP website link

<http://www.dot.state.fl.us/projectmanagementoffice/LAP/default.shtm>