

**Michigan Department of Transportation**

**Local Agency Programs**

**Instructions to Local Agencies**

**for**

**Preparing Federal Aid Projects**

**to Bid**

**through MDOT**

**May, 2007**

## **Introduction**

In order to obtain federal funding for your project, there are a number of requirements that you should meet to assure Federal participation in your project. The Michigan Department of Transportation (MDOT) has been delegated by the Federal Highway Administration (FHWA) to oversee the process. These requirements are contained in the Code of Federal Regulations, Title 23. You should follow these guidelines to help insure that your project will not be jeopardized in receiving those funds.

The Code of Federal Regulations is available from the MDOT Local Agency Program website ([www.michigan.gov/mdotlap](http://www.michigan.gov/mdotlap)), click on one of the Local Agency program units listed on the left side of the site (i.e. Urban Road Program, Rural Road Program, Bridge Program, Enhancement Projects, Safety / HRRR Program), then click on the “Design” link in the “Requirements” section near the bottom of the webpage, then click on the link “Code of Federal Regulations “ in the Federal Codes section of the webpage.

## **Overview**

Bidding a project through the Federal Aid process requires good planning and an understanding of the total process. If this process is new to you, be aware that the MDOT Local Agency Program (LAP) staff is willing to help guide you through it. At any time during the process we will be glad to answer your questions and help you understand the many complexities that come with Federal Aid projects.

Most projects require a minimum of six months from the time that MDOT LAP receives your completed initial submittal to the award of a construction contract. Actual completion time depends greatly on the amount of time the local agency and its consulting engineer take to prepare acceptable submittal packages, including submitting the required permits and approvals, obtaining rights of way and easements, and responding to MDOT’s review comments.

The MDOT LAP Unit has developed a website, located at [www.michigan.gov/mdotlap](http://www.michigan.gov/mdotlap). This website includes extensive information regarding the federal aid process that is described in this document, as well as other Local Agency Program information. MDOT LAP also sponsors a LISTSERV on this site. You can register for the Listserv on the LAP website to receive email notices of changes to the program, call for projects notices, and other relevant information.

## **Project Letting Schedule/Project Planning Guide**

Each year MDOT LAP publishes a Fiscal Year (FY) Project Planning Schedule. The schedule contains milestone dates that should be met in order for your project to be included in one of the monthly MDOT bid lettings. You can download the current schedule from the MDOT LAP web site by clicking on the Project Letting Schedule link, located near the top of the opening page of the website.

All Federal Aid projects, except projects using enhancement funds, should be bid through the MDOT bid letting system. Enhancement funded projects may either be bid using the MDOT letting process, or bid separately by the Local Agency. This option, with its advantages and disadvantages, and its affect on the project schedule, will be discussed with the Enhancement Engineer prior to scheduling the grade inspection plan review meeting (GI).

## **MDOT Local Agency Program Unit Summary**

MDOT Local Agency Programs Staff are divided into three broad areas of oversight. These areas, and contact information for the manager of each group, includes:

Urban Group – responsible for projects using STP Urban Funds, Safety funds, Small Urban Funds, High Risk Rural Roads (HRRR), and High Priority Projects (HPP).

Chris Youngs, Urban Program Manager (517) 335-2220  
Email: [youngsch@michigan.gov](mailto:youngsch@michigan.gov)

Rural Group – oversees projects using STP Rural Funds, Enhancement funds, High Priority Projects (HPP), the Safe Routes to Schools program, and the Federal Forest Highways program

Bruce Kadzban, Rural Program Manager (517) 335-2229  
Email: [kadzbanb@michigan.gov](mailto:kadzbanb@michigan.gov)

Bridge Group - handles Local Bridge Funds and High Priority Projects (HPP).

Mark Harrison, Bridge Program Manager (517) 373-2346  
Email: [harrisonm@michigan.gov](mailto:harrisonm@michigan.gov)

Depending on the project funding, you will primarily be working with one of these three groups. Each group has several staff engineers. One will be assigned to your project and will work with you through the award of the construction contract. Depending on staff workload, MDOT reserves the right to assign projects to prequalified consultants, who will assist the MDOT staff engineers in completing the project reviews and in conducting the grade inspection (GI) meeting.

## **The Process**

### **1. The Program Application**

You should complete the applicable program application and forward it to MDOT Local Agency Programs. This should only be done after your project has been approved by your Metropolitan Planning Organization (MPO) or Rural Task Force (RTF), and you have been informed that the project is included in the Transportation Improvement Plan (TIP) for the appropriate year. MDOT will assign a job number to the project and begin the tracking process. The program application should be submitted before you request a GI meeting.

You can access the current program application forms from the MDOT Local Agency Program website ([www.michigan.gov/mdotlap](http://www.michigan.gov/mdotlap)), click on one of the Local Agency program units listed on the left side of the site, then click on the “Forms” link, then click on the link to the appropriate program application form listed.

Complete all pages of the program application. The electronic form is a pdf fillable form that requires at least Adobe Acrobat Reader version 6.0 to access. You may either complete the form electronically and print it, or you may print a copy of the blank form and type or hand write the required information into the appropriate fields. If the information requested on the pages is not pertinent to your project, write “Not Applicable” on the top of the page. You must include all the pages of the program application in your submittal to MDOT.

Please note that bridge projects also require a TS&L (Type, Size & Location) review prior to the GI.

All property acquisition, regardless of whether such acquisition is to be permanent or only temporary during construction, should be acquired according to applicable Federal guidelines. Examples of such acquisitions include but are not limited to temporary grading permits, temporary construction permits, permanent easements, permanent right of way, and fee-title acquisition. Such acquisitions should be detailed in the program application. Additional guidance information regarding the acquisition procedures is available on the MDOT LAP website ([www.michigan.gov/mdotlap](http://www.michigan.gov/mdotlap)), click on the link, “Real Estate Acquisition Guide for Local Agencies”.

All property acquisition certifications will be reviewed by MDOT’s Real Estate staff prior to bidding. During their review, Real Estate staff may contact you for additional information. You may contact the MDOT Real Estate office at 517-373-4135, or by fax at 517-373-2209.

Projects proposing work that involve a railroad may require extra time to coordinate review, obtain permits, or any other items deemed necessary for the project. You should summarize these tasks in the program application.

## 2. Plan Preparation and Design Guidelines

For all MDOT bid projects, it is important that plans be similarly prepared for bidding consistency. Since most cities, villages, and counties have their own design standards, it becomes a challenge to be able to meet their needs while satisfying the MDOT bidding requirements. Guidelines for preparing construction plans for a Local Agency projects are as follows:

### a. Title Sheet

Plan sets for all projects should include a Title Sheet, which contains the following information:

**Title Block:** (Top Center)

“Local Agency name”

In Cooperation with

Michigan Department of Transportation And The Federal Highway Administration (if the project uses Federal funds)

Project Title

Control Section:

Job No:

Fed Project No: \*

Fed Item No: \*

\*required if the project uses Federal funds

If the federal numbers are not available at the time of Mylar submission, adequate space should be provided on the plans for the MDOT staff engineer to hand write the federal numbers on the plan’s cover sheet.

**Project Location Map** with North Arrow & POB/POE Stationing (Center) (A larger scale detail will be necessary if road names are unreadable.)

**Traffic Data:** (typically located on the top right)

Present (state the year) ADT and percent Commercial

Future (20 yr - state the year) ADT and percent Commercial

Posted Speed

Design Speed

**Project Description & Signature Block:** (typically located in bottom right) Description contains approximate project length and major items of work. The signature block contains the signature and seal of the design professional, and signature of approval for the Local Agency.

**Standard Plan/Special Detail List:** (typically located in mid left of the Title Sheet, or on the Plan Note Sheet)

## 2. Plan Preparation and Design Guidelines (continued...)

**Sheet Index:** (typically located in top left)

**Design According to:** (typically located in bottom left)

AASHTO or Michigan Department of Transportation, Local Agency programs  
Guidelines for Geometrics for Resurfacing, Restoration, and Rehabilitation (3R)  
2003 MDOT Standard Specifications for Construction  
2005 Manual of Uniform Traffic Control Devices (MUTCD)

**Work Zone Detail List:** Located in the same area in the plans as the Standard Plan list.

### **b. Sheet Order**

For most projects, the plan sheet order after the Title sheet is as follows:

Typical Cross-section Sheet(s), showing existing and proposed sections, including the applicable HMA Application Table  
General Note Sheet(s)  
Legend Sheet Alignment Sheet(s)  
Removal Sheet(s)  
Plan/Profile Construction Sheets from POB to POE at appropriate scale.  
Maintaining Traffic and applicable construction staging sheet(s)  
Soil Boring/ Pavement Coring Sheet(s)  
Signal Plan Sheet(s)  
Permanent Signing Plan Sheet(s)  
Pavement Marking Sheet(s)  
Standard Special Details Sheet(s) Bridge Plans Sheet(s)  
Quantity Sheet(s) for pay items (if desired)

### **c. Preparation Considerations**

Final Plan sheet size should be 24" \* 36".  
Stationing should be clearly marked  
Utilities should be clearly marked  
Gas lines and underground utilities should be boxed and noted

“Caution: Hazardous and/or Flammable Material”

Fiber Optics should be noted as “Caution: Critical Utility”  
Existing and proposed ROW should be clearly marked and dimensioned.  
Items of work called for should exactly match the pay items listed, or be labeled as  
“Paid for as \_\_\_\_\_”  
POB & POE clearly marked. Show no work beyond POB or POE except for construction signs.  
Shading, colors, and photographs result in reproduction errors, and should not be used.

## 2. Plan Preparation and Design Guidelines (continued...)

Fonts and scale should be readable when the plans are reduced to half size.

Listing pay items and estimated quantities on each plan sheet is recommended, but is not required. If the quantities are not listed on each sheet, they should be listed on quantity sheets at the end of the plan set.

Appropriate plan notes.

Proposed horizontal and vertical curve data, clearly labeled and dimensioned

Street names clearly marked.

HMA mix designs should match MDOT LAP HMA Selection Criteria, which are available on the MDOT LAP website ([www.michigan.gov/mdotlap](http://www.michigan.gov/mdotlap)), click the link to one of the Local Agency Program units listed on the left side of the webpage, then click on the link, “Design” located below the heading “Requirements”, then click on the link, “HMA (Hot Mix Asphalt) Selection Guidelines”. Alternative HMA mixes will be considered if they are requested in writing by the Local Agency to the LAP staff engineer. The written request should include the desired alternative HMA mix, and the reason for the request.

Log plans in the proposal should include a title sheet that contains the same information as a plan cover sheet, a written project log, note page, standard plan/special details/work zone details lists, typical cross sections, miscellaneous detail page, and plan pages. Please note that all of the listed pages may not be applicable to the project, and may not be necessary.

### **d. Engineer’s Estimate Preparation Considerations**

Mobilization should be included, and should not exceed 10 % of the total estimated construction cost.

Use MDOT Pay Item Codes only

Unique Special Provisions should use “7000” pay codes numbers.

Special Provisions should follow the approved MDOT format. See the MDOT website at: [www.michigan.gov/documents/MDOT\\_C&T\\_SpecialProvision\\_Preparation&Approval\\_72250\\_7.pdf](http://www.michigan.gov/documents/MDOT_C&T_SpecialProvision_Preparation&Approval_72250_7.pdf)

Pay Items in the cost estimate and pay items on the plans should EXACTLY match the pay item description in the Special Provision.

Separate participating items from non-participating items, and bridge pay items from road pay items as follows:

Category 1 - participating road pay items

Category 2 - participating bridge pay items

Category 3 - non-participating road pay items

Category 4 - non-participating bridge pay items

Round estimated quantities to whole numbers. Do not use decimal quantities except for Lump Sum (LS) pay items that are split between job numbers, and “Clearing”, which is measured and paid by the acre.

## **2. Plan Preparation and Design Guidelines (continued...)**

Separate estimated quantities by job numbers. If a bid package includes more than one project, and each project has a separate job number. The limits of each job number should be clearly indicated on the plans. Safety projects combined with other projects should have separate job numbers unless previously written permission is received from MDOT.

The final engineer's estimate should be in current MERL format. The current version of the MERL software package is available from the MDOT LAP website ([www.michigan.gov/mdotlap](http://www.michigan.gov/mdotlap)) click the link to one of the Local Agency Program units listed on the left side of the webpage, click on the "Design" link, then click the link, "Michigan Engineers' Resource Library (MERL)" found near the end of the webpage in the section headed "Cost Estimate".

The local agency should provide a hard copy and an electronic file copy of the estimate to the MDOT LAP staff engineer. The electronic file should be in ".csv", ".merlcontract" or ".merleestimate" format. Please note that ".merlcontract" or ".merleestimate" formats are preferred, and should be from a current MERL program format. It is recommended that MERL users check for updates every day that the MERL program is used.

### **e. Guidelines for Creating and Using Modified /Special Pay Items**

A standard pay item should be modified when either the description of the work or the material requirements are changed from what is listed for that pay item in the 2003 MDOT Standard Specifications for Construction. Unique pay items used by a local agency should be defined in a unique special provision that is prepared by the local agency or its consultant, according to the following requirements.

It is desirable that all work included in a "Modified" pay item are able to be performed by the same subcontractor. Example: traffic signal work should not be included with earth work items.

The language in a special provision should not include text similar to "this work includes, but is not limited to...". The plans and specifications need to clearly identify all of the work that a contractor is bidding on.

When using a "Machine Grading" or "Roadway Grading" pay item, the estimated quantity of earthwork associated with the pay item should be provided to the contractor on the plans or in the special provision if a special provision is required for the item.

## **2. Plan Preparation and Design Guidelines (continued...)**

If the “Machine Grading, Modified” or “Roadway Grading, Modified” pay item is used, a special provision is always required. The scope of the work should be clearly identified in the special provision and on the plans. For example, if work such as tree removal is included in the “Machine Grading, Modified” item, the estimated quantity of tree removal and the appropriate size of the trees being removed should be listed or shown on the plans and/or in the special provision. The individual plan sheets should show the trees being removed, and should call out the item to be removed with a note stating that this work is included in the item “Machine Grading, Modified”. Since the individual pay items included in the “Machine Grading, Modified” or “Roadway Grading, Modified” pay items (or other 7000 number items) should be known in order to develop the special provision and the plans, separate pay items should be used for this work rather than including these items in “Modified” pay item.

If the quantity of a work item is unknown, it should not be included in a Modified pay item. An individual pay item should be included in the contract with an estimated quantity associated with the item. The plans should have these types of items listed in an area titled “Miscellaneous Items”, with a note stating that the Miscellaneous Items are to be used as directed by the Engineer.

Items of work involving significant amounts of work by the contractor should not be made “incidental” to the project, or to other contract items. Items of work that have a standard pay item should be used in lieu of incidental items. Requests by local agencies to have items of work be incidental to the project will be reviewed on a case by case basis by the MDOT Staff Engineer, and may not be allowed on a project.

## **3. The TS&L and/or the Pre-GI Meeting**

For Bridge Projects, a TS & L (Type, Size and Location) submittal may be necessary for approval by the staff engineer prior to a GI being scheduled.

For projects that are very complex or which involve several local agencies, a pre-GI may be useful to expedite a project. Talk to the staff engineer assigned to your project, to determine if the pre-GI meeting would benefit your project.

#### **4. The Plan Review or Grade Inspection Submittal (GI)**

After your plans, special provisions, and construction cost estimate are approximately 80% complete, and you have submitted the completed program application, you may forward your package to the LAP staff engineer and request a Grade Inspection (GI) meeting. Your submittal should include:

- Completed Program Application
- Plans
- Progress Clause
- Maintaining Traffic Special Provision
- HMA Application Estimate (if applicable)
- Engineer's construction cost estimate by pay item
- Unique Special Provisions
- Notices to Bidders
- Coordination Clause (if applicable)
- Notice to Bidders - Utility Coordination Clause
- MDOT Standard Plans & Special Details. The list of current standard plans and special details can be downloaded from the MDOT website. On the right side of the MDOT LAP web page ([www.michigan.gov/mdotlap](http://www.michigan.gov/mdotlap)), click on the link, "Supplemental Specifications / Special Provisions."
- Local Agency's special details (if applicable)
- Log Plans (if applicable)
- Design exception requests
- Soil boring information
- Pavement design calculation worksheets
- Permit applications required for the project
- Notice of Application for clearance from the State Historical Preservation Office, if applicable. The application requirements are available from the MDOT LAP website ([www.michigan.gov/mdotlap](http://www.michigan.gov/mdotlap)) click the link to one of the Local Agency Program units listed on the left side of the webpage, click on the "Permits" link in the "Requirements" section of the webpage, then refer to the various links in the "SHPO" section).

If the submittal does not include all of the above items, the staff engineer reserves the right to consider the submittal as incomplete, and to not schedule the GI meeting. In this case, the engineer will notify the contact person listed in the program application of the package's deficiencies, and no further review will be completed until the staff engineer receives an acceptable package.

#### **4. The Plan Review or Grade Inspection Submittal (GI) (continued...)**

Plans should be designed using MDOT 2003 Standard Specifications for Construction. Also the design should be in accordance with the AASHTO Design or 3R Guidelines, as outlined in the Michigan Department of Transportation's publication, "A Local Agency Programs Parameters for Geometrics". This document is available from the MDOT LAP website ([www.michigan.gov/mdotlap](http://www.michigan.gov/mdotlap)), click the link to one of the Local Agency Program units listed on the left side of the webpage, then click on the "Design" link in the "Requirements" section of the webpage, then click on the link, "Guidelines for Geometrics (4R, 3R, PM)", in the Design Guidance section of the webpage.

Design Exceptions should be submitted to the MDOT LAP staff engineer for approval. A Local Agency Design Exception form is available online from the webpage listed above, in the "Design Exception" section of the webpage.

#### **5. The Plan Review or Grade Inspection (GI) Meeting**

After an acceptable GI submittal has been received and reviewed by the staff engineer, the staff engineer will contact the Local Agency to schedule the GI meeting. This meeting is normally held within 30 days after the staff engineer receives the acceptable plan package. The Local Agency will then contact the designated project engineer and/or the design consulting engineer. The Local Agency should also invite representatives from all affected utilities (or provide minutes of a previously held utility coordination meeting), and representatives of other affected departments or local agencies to the meeting. The MDOT staff engineer will also invite the MDOT TSC Delivery Engineer, who will be responsible for the project once construction begins. If the project is on a National Highway System (NHS) route, the staff engineer will also invite the Federal Highway Administration (FHWA) district engineer to the meeting.

If the project requires a significant amount of utility involvement, the Local Agency should conduct a separate utility coordination meeting to discuss the utility coordination efforts required, including the project schedule, required relocation dates, and any necessary coordination during construction.

The person designated on the program application as the Project Engineer, as well as the Project Supervisor, if one is named in the program application SHOULD attend the GI meeting.

The staff engineer will visit the site and review the plans, either prior to, or after the GI meeting, depending on preference and/or time available.

The Local Agency representative should bring to the meeting copies of all permit applications, as well as applicable information regarding the environmental certifications required from the various regulatory agencies.

## **Typical GI Meeting Agenda**

The agenda for the GI meeting typically includes:

Introductions and sign in

Overview of project, and projected start and completion dates of construction

Funding

Utility concerns (Utility representatives may be dismissed after this segment of the meeting.

The Local Agency is responsible for ensuring that the required utility coordination items are completed.)

Program application review, including the certifications for environmental, rights of way, and construction administration.

Required permits.

Review of plans

Review of the construction cost estimate

Review of special provisions and progress clause,

Review of any other remaining issues.

The GI meeting time length is generally between one and four hours, but may take longer, depending on the complexity of the project.

## **Federal Participating Pay Items**

A determination of which items are eligible for federal funding participation will be made at the GI meeting. The cost estimate included with the final package submittal will then separate the participating items from the non-participating in the engineer's estimate. Items which are usually non-participating include:

- sanitary sewer construction
- water main construction
- sidewalk construction
- landscaping and irrigation
- construction engineering services
- Construction Pay Items including but not limited to Contractor Staking, Field Offices, HMA and Concrete Quality Initiative

Any of the above listed items may be determined to be participating depending on individual project circumstances, and upon approval of the local Metropolitan Planning Organization (MPO), the federal aid committee within the MPO, or the Rural Task Force (RTF).

Payment for sidewalk construction and road construction items associated with parking lanes may be participating if the applicable AASHTO guidelines and the requirements are met. The guidelines can be found at

[http://www.michigan.gov/documents/mdot\\_federal\\_Guidelines\\_99105\\_7.pdf](http://www.michigan.gov/documents/mdot_federal_Guidelines_99105_7.pdf)

## **Force Account Work**

If the Local Agency desires to complete any force account (FA) work using federal funds, the Staff Engineer will determine at the GI whether or not this work is participating. MDOT guidelines for eligibility for Force Account work include:

FA work should be completed by the Local Agency's own forces. Contracted or sub-let work is allowed, however the subcontracted portion of the FA work is not eligible for federal participation, and the value of the subcontracted FA work cannot exceed 10 percent of the FA authorization.

Maximum value of FA work is generally \$100,000, and the Local Agency should demonstrate that it can complete the FA work for a cost at least six percent less than the maximum. The maximum value of the FA authorization, then, will not exceed \$94,000. FA work with a proposed value exceeding \$94,000.00 requires legislative review and approval by the State of Michigan House-Senate Fiscal Review Committee before the FA work can be authorized.

The Local Agency should demonstrate that the proposed FA work is in the public's best interest. Typically this justification can be made by:

estimating the construction cost of the project if the project were to be competitively bid then comparing this estimate to the Local Agency's estimate of the costs of its time and material for this work or demonstrating that the time and material estimate is at least six percent less than the estimated cost to bid the project,

or

bidding the work with the low bid exceeding the engineer's estimate by a minimum of ten percent. In this case the Local Agency could then reject the bids and request FA authorization. The Local Agency must be able to demonstrate that it can complete the project at a cost at least six percent less than the engineer's estimate.

The FA authorization is still subject to House-Senate review if the value of the FA authorization exceeds \$100,000.

Information regarding the force account process is available at the MDOT LAP website ([www.michigan.gov/mdotlap](http://www.michigan.gov/mdotlap)), click the link to one of the Local Agency Program units listed on the left side of the webpage, then click on the "Force Account" link in the "Requirements" section of the webpage.

## **6. Final Package Submittal**

The Final submittal package should include:

Plans, 100% complete, with the plan sheets consecutively numbered.

Engineer's construction cost estimate in MERL format, both hard copy and electronic.

The electronic copy can be either on a disk or attached to an email.

Clean, one sided copies of all special provisions and all other proposal items, including permits. Fax copies are not allowed.

8.5" x11" Title Sheet if Log Plans or Special Details are included in the proposal.

The title sheet should be signed and sealed by the engineer and the Local Agency.

Certification from the Michigan State Historic Preservation Office (SHPO) that the project will have no adverse impact on items having historic significance.

All Right of Way (ROW) should be obtained by the Local Agency before the final project package is submitted.

### **Federal Funding Obligation**

After the final package is received, the MDOT staff engineer will request federal obligation of funds. Once obtained, the Federal Project and Item Numbers will be assigned. The staff engineer will forward these numbers to the Local Agency. The Local Agency will add this information to the plan sheets. For this reason, mylars or reproducible plans are forwarded to the staff engineer separately from the final submittal package, so that the Local Agency can include the Federal numbers prior to bidding.

### **Agreement**

Upon obligation, MDOT will prepare the cost sharing agreement between the Local Agency and MDOT. The Agreement will then be sent to the Local Agency for signatures. The agreement outlines the project limits, estimated costs, the participating costs, and funding sources. The Local Agency should sign the agreement and return it to MDOT for signature. The agreement will be executed by both parties before the construction contract is authorized. For STP Rural funded projects, the Federal percentage funding ratio is determined by the final estimated construction cost estimate. The participation ratio for enhancement funded projects is determined at the time that MDOT issues the funding commitment to the local agency.

## **6. Final Package Submittal (continued...)**

### **Draft Proposal Package**

For all projects that are locally let, except enhancement funded projects, the MDOT LAP staff engineer will prepare the draft proposal package and forward it to the Local Agency for review. The Local Agency and its engineer should review the draft and forward their final comments, along with any corrections to the plans, the final engineer's construction cost estimate, and special provisions, to the MDOT staff engineer. Once this has occurred, the Local Agency and its engineer are considered to have reviewed the draft package, and they both should send a letter or an email to the staff engineer, authorizing the project to be included in the MDOT bid letting. The staff engineer will then include all the changes requested by the Local Agency or its engineer in the bid package, and process the package for the appropriate bid letting. This process will be outlined in a cover letter accompanying the draft package.

**At this stage, projects for which the local agency or its engineer request major revisions to the package may delay the letting date of the project.**

For locally let enhancement funded projects, the staff engineer will review the submittal and review process requirements for the project at the GI meeting.

### **American with Disabilities Act (ADA)**

Each Local Agency is responsible for making sure that its project meets current ADA standards, as well as the current FHWA requirements for ADA compliance. Local agencies should certify to the MDOT staff engineer that the project meets current ADA requirements, before a project will be advertised for a bid letting.

## **7. The Letting**

### **Locally Let Projects**

MDOT has prepared additional guidance for the enhancement funded construction projects that it allows a local agency to advertise, let, award, and administer separately from the MDOT letting process. These guidelines are titled:

**The Michigan Department of Transportation  
General Instructions  
For Local Agencies in Advertising, Awarding, and Administering Federally Funded  
Transportation Enhancement Projects**

Please see the link to the guidelines, which are shown on the MDOT website listed below:

[http://www.michigan.gov/documents/mdot\\_instruct\\_77538\\_7.pdf](http://www.michigan.gov/documents/mdot_instruct_77538_7.pdf)

For all projects that are locally let, it shall be noted that the Local Agency pays the Contractor for the entire amount of work completed during construction. The Local Agency then shall request reimbursement only of the amount of funds that the Local Agency has paid out to the Contractor. MDOT will then reimburse the local agency the requested funds, (adjusted to reflect the percentage of the funds that are eligible for participation, at the percentage rate described in the project's cost sharing agreement). Remember this is a Reimbursement Program.

### **MDOT Let Projects**

#### **Contractor Inquiries**

After the project has been advertised for letting, the LAP staff engineer becomes the sole contact person for any contractor inquiries. Should the Local Agency or its engineer get inquiries from any bidders or suppliers during the advertising period, they should direct all such inquiries to the staff engineer. The staff engineer will consult with the Local Agency if necessary, to answer the inquiry and/or process an addendum. Any inquiries made within the time periods described in the proposal package are generally considered to be too late to process for an addendum, and therefore may or may not be addressed by MDOT.

#### **Letting Results**

After the bid opening, you may obtain the letting results from the MDOT website, at the Contractors Services webpage at <http://www.mdot.state.mi.us/bids/>

Be aware that apparent low bidders may or may not be the confirmed low bidder. All results should be considered preliminary until confirmed by MDOT.

## **7. The Letting (continued...)**

Should the confirmed low bidder be below the engineer's construction cost estimate, or less than ten percent over the engineer's estimate, the Local Agency is committed to accepting the bid and proceeding with construction. If the low bid exceeds the engineer's estimate by more than ten percent, the Local Agency has the option to either accept or reject the bids. Should the Local Agency decide to accept the low bid, it will need to justify in writing to the staff engineer why the estimate was not correct and/or why the bids were excessive. This should be done before a low bid can be accepted. This will be done on an item by item basis. If the Local Agency decides to reject all bids, the Agency should notify the staff engineer in writing of its decision. In this case, the Local Agency should revise the plans, specifications, or estimate and resubmit the package to the staff engineer who will repackage the documents and schedule the project for a future bid letting.

The Local Agency is not permitted to negotiate with any bidders prior to award of the construction contract.

### **Preconstruction Meeting**

After the low bidder has been confirmed, but prior to award, the Local Agency should conduct a project preconstruction meeting. The Local Agency invites representatives of the contractor, the MDOT TSC delivery engineer, utilities, and all other persons or groups associated with the project construction. Do not invite the LAP staff engineer.

At the meeting, the contractor should submit its progress schedule to the Local Agency and the MDOT TSC representative for review and approval. Recognize that, until there is an official MDOT award, the contractor may NOT perform any work on the project.

### **Award of Contract**

Once the contractor has submitted the fully executed contract, performance and lien bonds and other required documents, the contractor will be notified by MDOT Construction Contracts Section of the Award. MDOT will issue the Local Agency the Notice to Proceed. Since the project is now the responsibility of the MDOT TSC, the Local Agency should direct all project related questions TSC Delivery Engineer.

## **8. Force Account Work Reimbursement**

### **Authorization**

Should your project have force account work or construction engineering services eligible for Federal reimbursement, the work should not begin until authorized by the staff engineer. Work done prior to the effective date of the authorization is not eligible for reimbursement. The staff engineer will send the authorization from the web based e802P system.

### **e802P Online Reimbursement Program**

The Local Agency will request fund reimbursement using the MDOT e802 p system. Register for this program at the LAP website ([www.michigan.gov/mdotlap](http://www.michigan.gov/mdotlap)), click the link to one of the Local Agency Program units listed on the left side of the webpage, then click on the “Forms” link in the “Requirements” section of the webpage, then click on the link, 0319 - Application to Submit Electronic Billings (E802P) in the “Forms” section of the webpage. Download the form, complete it, and forward it to your staff engineer. Reimbursement requests should be made at the following website:

<http://mdotwas1.mdot.state.mi.us/login/userLogin.do>

Supporting documentation should be submitted online for each request, or mailed separately to your staff engineer. Please keep in mind that each request will be reimbursed at the percent of the Project’s Federal funding, and the entire eligible cost should be submitted, not the amount the Local Agency anticipates being reimbursed for after the funding percentage is applied.

Each request should be consecutively numbered and the final request should be so marked.

Requests that are received significantly after the finalization and completion of a project may not be reimbursed.

## **9. Project Completion.**

After the construction of a project is completed, the MDOT TSC representative responsible for construction of the project will complete the final project review for the constructed portion of the project. The Force Account portion will remain open for generally three months afterwards to allow final billings to be completed.

Before MDOT Administration and Finance requests a final audit of the project, its representative will send a letter to the Local Agency stating that the project will be closed for final auditing within the following six months. The Local Agency should submit any outstanding requests for reimbursement within that period.