

TE Grant Applicant Roles/Responsibilities

July 25, 2005

“Act 51 agencies” (agencies which receive distributions of state and federal transportation revenues under P.A. 51 of the Public Acts of 1951 as amended — Michigan’s transportation enabling statute : MDOT, County road commissions, Cities and villages); along with Native American Tribes; Federal agencies; Other state departments; Metropolitan Planning Organizations (for research, planning, and education); and Transit agencies are responsible for the following actions/implementations for all enhancement projects whether or not they are acting as a Sponsorship agency for townships, private non-profit organizations, educational institutions, and other organizations.

All state and federal requirements are the responsibility of the grant applicant and can not be delegated to the agency for which they are sponsoring. If the grant applicant agency is acting as a sponsorship agency, it is recommended that the agency enter into a separate agreement with the organization requesting the grant to set up the project guidelines and responsibilities of that organization. Even with this separate agreement, it is ultimately the responsibility of the grant applicant to ensure all of the following requirements are satisfied and will be held accountable if any are insufficient.

Requirements that must be satisfied are:

1. Assure the project is located on the appropriate STIP/TIP.
2. Assigning a Project Engineer and Supervisor. The supervisor must be employed by the grant applicant agency.
3. Review and submittal of a complete preliminary design package to MDOT.
 - a. Refer to www.michigan.gov/mdotlap for instructions. The requirements vary if the project will be local let or MDOT let.
4. Certification of ROW and all environmental clearance.
5. Match requirements.
 - a. Federal law requires a minimum match of 20 percent of project cost. Matching funding may come from local governments, private for profit or non-profit corporations, foundations, individuals, and other federal fund sources (*except other federal transportation sources*)
6. Letting and award of the project (if local let).
 - a. Federal regulations governing procurement of materials and services using federal funds generally require competitive quotes or bids. These requirements must be followed regardless of whether the recipient of TE funding chooses to manage bid solicitation or opts to use MDOT’s bid letting process
7. Entering into a cost sharing agreement with MDOT.
8. Ensuring proper construction oversight (performing daily inspections, proper record keeping, ensuring appropriate testing methods are followed, etc)
 - a. Refer to the document titled, “Local Agency Construction Requirements” www.michigan.gov/mdotlap under the heading Construction Requirements.
9. Record retention
 - a. Refer to the document titled, “Retention and Disposal of Construction Project Records Utilizing Federal and/or State Funds” www.michigan.gov/mdotlap under the heading Construction Requirements.
10. Maintenance
 - a. The grant applicant must be prepared to meet the maintenance responsibilities financially and operationally. Applicants must develop a maintenance plan. Applicants’ legislative bodies will be required to adopt a resolution committing to the financing and conduct of this maintenance plan. Should a project cease to be maintained or operated, or become inoperable or unavailable for its original purpose before its useful life has been reached, the federal government has the right to require the recipient to provide an alternate facility accomplishing the same purpose, or to reclaim the remaining value of its share of the asset.