

CHAPTER 6 - PROJECT MANAGEMENT

6.1 GENERAL

6.1.1 The Florida Department of Transportation (FDOT) has a program to contract with qualified Local Agencies for the administration of certain federally funded projects. This program is known as the Local Agency Program (LAP). The Local Agency should appoint a Project Manager (PM) for each LAP project. The LAP PM should review the appropriate chapters from this manual for guidance on how to manage an FDOT project.

6.1.2 It is unlikely that the local agency Project Manager will be completely familiar with FDOT procedures. During each phase of a project the Local Agency Project Manager (PM) should work with the FDOT District LAP Administrator and her/his FDOT technical counterparts in various offices to ensure that correct procedures are being followed. Effective communication is essential. The LAP Project Manager should facilitate communication, if necessary. LAP PMs should become familiar with this manual and take advantage of FDOT training opportunities as they become available.

6.2 ISSUING NOTICE-TO-PROCEED WITH INITIAL PHASE OF AGREEMENT

6.2.1 When Federal authorization is received, the District LAP Administrator submits the Encumbrance request to the Office of the Comptroller. After the District LAP Administrator receives the Approved (or Review Encumbrance for an Advance Reimbursement Agreement) Encumbrance, a copy of the Encumbrance is attached to each copy of the LAP Agreement. The Agreement can now be fully executed by the following Department staff: (1) the District FDOT Attorney, (2) the Designated District Executor, and (3) the District representative who attests for the Designated Executor.

6.2.2 After the LAP Agreement is fully executed, the Notice-to-Proceed (NTP) letter is given to begin the initial phase of the project.

6.3 COORDINATING PROJECT WITH LOCAL AGENCY AND OTHER DEPARTMENT OFFICES

The District LAP Administrator sends the original Notice-to-Proceed (NTP) letter to the Local Agency with a copy (or two depending on Local Agency's preference) of the fully

executed LAP Agreement and gives copies of the NTP letter and Agreement to the following District Offices:

- A. Financial Services receives a completed “Contract Status Change” Form, issued by the FDOT Comptroller’s Office - which is attached to a copy of the NTP and 2 copies of the fully executed LAP Agreement.
- B. The District Federal-aid Coordinator and the District LAP Project Manager (this may vary from District to District) each receive a copy of the NTP and the Agreement for their respective files.
- C. If the LAP Agreement has a Right-of-Way and/or construction Phase(s), a copy of the NTP and page 1 of the Agreement is sent to the Right-of-Way Administrator.
- D. If the LAP Agreement contains “In Lieu of Permit” language in Exhibit “A”, a copy of the Agreement is sent to the appropriate District Maintenance Engineer.

6.4 PROJECT SUPERVISION AND STAFFING

6.4.1 References

23 U.S.C. 114
23 U.S.C. 302
23 CFR 635.105

6.4.2 Applicability

Applies to all Federal-aid construction projects.

6.4.3 Guidance

Section 302 of Title 23 requires States to be suitably equipped and organized to carry out the Federal-aid program. Therefore, the States are responsible for design, contract administration, and construction inspection of all Federal-aid construction projects. The project agreement formalizes this responsibility which is executed for each Federal-aid project.

The States should provide adequate construction personnel to ensure that quality highways are constructed. However, due to personnel caps, the retirement of the engineering community that built the Interstate system, and other market reasons, the States are

typically operating with less staff for the size of their program than in the past. Many states are working to improve their workforce management.

Some contract administration tools that improve the effectiveness of limited State staffing are:

- A. Provide more and better training and certification programs by both the States and contractors;
- B. Use consultant personnel that have the vital technical background and adequate knowledge of operating procedures and specifications;
- C. Use innovative contracting methods, such as design-build, which shifts responsibilities to the contractor;
- D. Facilitate a better working relationship between the States and contractors which encourages initiative, innovation, and quality construction;
- E. Develop materials-testing programs that can rapidly and reliably predict the performance of the end product;
- F. Update State contract administration procedures to incorporate innovative contracting methods and clearly define the roles and responsibilities of the construction contractor, consultant inspection forces, and the State staff;
- G. Develop an orderly method of budgeting work force and money when managing construction personnel.

Field review of the actual project situation is desirable. The documented level of project staffing is essential when determining if the State has adequate construction staffing. Items that should be reviewed include:

- A. Sampling and testing (i.e., quality level analysis, frequency, testing results, failing test reports, etc.);
- B. Documentation of field control (i.e., problem situations, diaries, work orders to remove and replace, etc.);
- C. The engineer's candid opinions on staff, supervision, and job control;
- D. The response time needed to resolve problems, plan changes or change orders.

AASHTO continues to look for better ways to address the issue of Project Staffing and Supervision. For additional information, there are two NCHRP Syntheses related to

construction staffing: "Staffing Considerations in Construction Engineering Management," "No. 145, and "Construction Contract Staffing," "No. 51.

6.4.4 Supervision of construction engineering consultants

The State's responsibilities for contract administration and construction inspection are not finished when a consultant performs construction engineering and inspection (CE&I) services. In 1985, FHWA recognized that using consultants for CE&I is an acceptable method for the States to carry out their responsibilities without needing a permanent full-time staff based on the peak workload period.

While a consultant may provide daily CE&I for a project, the State must assign a full-time engineer to be in responsible charge of the project at all times. However, the full-time engineer does not need to work solely on that project. "Responsible charge" means the publicly employed engineer is:

- A. Aware of the day-to-day operations on the project;
- B. Aware of, and involved in decisions about changed conditions which require change orders or supplemental agreements;
- C. Aware of the qualifications, assignments, on-the-job performance, etc., of the consultant staff at all stages of the project; and
- D. Visiting the project on a frequency that corresponds with the magnitude and complexity of the project.

6.4.5 Locally-administered projects

A federal-aid project may be planned to be constructed on a facility that is not under the State's jurisdiction. In this case, the State may arrange for the local public agency that has jurisdiction to perform the work with its own forces, or by contract, as long as all of the following conditions are met:

- A. Work performed under a contract that is awarded by a local public agency meets all Federal requirements including those prescribed in 23 CFR 635 Subpart A,
- B. Force account work is in full agreement with 23 CFR 635 Subpart B,
- C. The local public agency is adequately staffed and properly equipped to start and satisfactorily complete the work, and

- D. The local public agency provides a full-time employee of the agency to be in responsible charge of each Federal-aid project, including the agencies that use consultants for construction engineering services.

Although this arrangement depends on the Division Administrator's agreement, it does not remove the overall responsibility of the project from the State. 23 CFR 1.11(b) allows a State to *"utilize, under its supervision, the services of well-qualified and suitably equipped engineering organizations of other governmental instrumentalities for making surveys, preparing plans, specifications and estimates, and for supervising the construction of any project."* However, 23 CFR 1.11(e) clearly states that the State keeps its responsibilities under Federal law and the regulations in 23 CFR if it chooses to use the services of other governmental engineering organizations.

6.5 PROCESSING PROGRESS INVOICES FOR PHASE

6.5.1 The Local Agency should submit the progress invoices to the District Local Agency Programs (LAP) Administrator/Project Manager in agreement with the LAP Agreement. The District Local Agency will not accept invoices before the LAP Agreement is fully executed and the Department submits the written authorization (Notice-to-Proceed).

6.5.2 The Department cannot accept invoices for work done before the full execution of LAP Agreement and written authorization is given.

6.5.3 The execution of the LAP Agreement does not signify approval of Federal funds. The Department's authorization is separate from the LAP Agreement. The Federal Highway Administration (FHWA) gives this authorization.

6.5.4 Additional information on processing progress invoices is outlined in Chapter 10 of the LAP Manual under the section titled "Progress Billings".

6.6 APPENDICES

None