

CHAPTER 24 - LOCAL AGENCY FORCE ACCOUNT PROJECTS

24.1 GENERAL

24.1.1 For some projects, due to their nature, size, or special considerations, it may be desirable for the Local Agency to use its own resources rather than a contractor. Abbreviated plans and specifications may be used.

24.1.2 Only Local Agencies operating under Local Agency Certification may construct a Federal-aid project using Local Agency forces. Before a Local Agency can do this, the District LAP Administrator must approve a finding of cost effectiveness. A Local Agency may use volunteer laborers under its direct control as a force account effort. LAP to complete checklist (Appendix 24.19.1).

24.1.3 Construction work cannot begin until: (i) the Local Agency has approved the PS&E in writing and has certified the project's right-of-way, (ii) the District LAP Administrator has obtained an approved Federal Authorization from FHWA for construction funds, and (iii) the Comptroller's Office has assigned a contract number.

24.2 PLANS, SPECIFICATIONS, AND ESTIMATES (PS&E) REQUIREMENTS

24.2.1 The development of a project for construction by Local Agency forces follows the same procedures as for a competitive bid contract up to and including the right-of-way acquisition process.

24.2.2 After the Local Agency approves the location and design, work can begin on the final version of its PS&E. The Local Agency staff uses these documents to administer the - construction of the project.

24.3 COMMITMENTS

When applicable the Local Agency should have a commitment file containing a summary of commitments made during the development of the project. The Local Agency should review the file to ensure that the commitments are incorporated in the PS&E. These commitments typically involve access permits and agreements made with adjacent land owners, stipulations made during the acquisition of right-of-way and/or stipulations made in the environmental documentation and environmental permitting.

24.4 TRAFFIC CONTROL PLANS

Traffic Control Plans consistent with Part VI of the MUTCD must be included in the plans when there is involvement with public traffic. The FDOT Roadway and Traffic Design Standard Indexes should be used. The Local Agency shall include special traffic control plans when traffic conditions on a project are not adequately covered by the FDOT Roadway and Traffic Design Standards. (Ref. Procedure No. 625-010-003-g)

24.5 AGENCY-PROVIDED MATERIAL

If agency provided materials are included in the project, the Local Agency must submit justification for their use to the approving authority. The materials must have been produced by Local Agency forces or acquired through competitive bidding. Material or property purchased from a sole source may be used in construction only with prior FHWA approval on a project on the National Highway System. The justification must be adequate to show approving authority that the action is in the best interests of the public. Test reports shall be included with the justification showing that these materials meet the specifications of the project. Approval of agency-provided material may be accomplished by the time the PS&E is approved.

24.6 AGENCY-PROVIDED MATERIAL SOURCES

If a Local Agency plans to produce a material such as borrow or aggregate, the sources should be capable of producing the type and quantity required. It is imperative that a materials laboratory tests the material to ensure compliance with specifications. Those agencies without laboratory facilities may submit samples to the Department well in advance of the construction start date to allow time for processing. The necessary advance notification and coordination between the agencies and the Department must be accomplished in order to not severely impact the existing laboratory workload at the Department's facility. Approval of agency-provided material sources may be accomplished by the PS&E approval.

24.7 PLANS

24.7.1 Projects to be constructed with Local Agency forces usually will need only layout plans, summary of quantities, traffic control plan, and a typical section. For a project to be constructed by Local Agency forces, constructability is the measure of quality. Only the information the Local Agency forces need to construct the project and calculate quantities should be addressed in the plans.

24.7.2 All design exceptions, utility exceptions, and design variations must be approved by District Specifications Office according to the processes outlined in the Preconstruction Engineering Procedures, Chapter 19.

24.8 SPECIFICATIONS

The specifications may be found in the current edition of the FDOT Standard Specifications. The Local Agency should write special provisions covering the description of work, sources of materials, and method of measurement.

24.9 ESTIMATES

The cost estimate should cover labor, materials, and equipment.

24.10 REQUIREMENTS FOR DAVIS-BACON WAGE RATES

Because the Local Agency will be using its own employees, there are no requirements for Davis-Bacon Wage Rates.

24.11 PS&E APPROVAL

The approving authority can document the Local Agency's approval of the PS&E by stamping, signing, and dating the Local Agency's copy of each document or inserting a signed memorandum in the project file.

24.12 FUND AUTHORIZATION

The Local Agency must submit a request for a supplement to the LAP Agreement to increase the construction funds (Chapter 5) to the District LAP Administrator. In some cases, the original LAP Agreement may included approval for construction funding when the Preliminary Engineering funds were approved. However, in either case the formal Request for Authorization must be made by the District Federal-Aid, coordinated, and approved by FHWA electronically before any construction may commence. This is in addition to any required supplements to the LAP Agreement.

24.13 CONTRACT NUMBER

Construction work done by Local Agency forces cannot start nor can any Federal-aid reimbursement be made until the Comptroller's Office has assigned a contract when the

funding has been encumbered. Reimbursement will be made in accordance with the LAP Agreement.

24.14 CONSTRUCTION ADMINISTRATION

The Department is responsible for properly spending Federal-aid funds on Local Agency projects. In this role, the Department will consult and work with Local Agencies as needed.

It will also perform systematic project management reviews in coordination with FHWA to ensure that proper procedures are followed.

24.15 QUALITY CONTROL

24.15.1 The quality of materials and workmanship on the project must conform to the project plans and specifications. The Local Agencies will accept materials and workmanship based on the methods usually and normally used by the Local Agency. The Local Agency will be allowed to accept small quantities of materials on the basis of visual inspection and the material supplier's certification.

24.15.2 The Local Agency must approve the source for each type of material before the delivery is started. The Local Agency's Project Engineer should reject materials that do not conform to the specifications.

24.16 PROGRESS BILLING

24.16.1 Progress billing must be based on the documented costs of the labor, equipment, and material of the work performed.

24.16.2 The Local Agency shall send progress billings, along with the required documentation for progress payment (outlined in Chapter 10), to the District LAP Administrator.

24.17 CHANGES AND EXTRA WORK

24.17.1 Whenever a change in the project work is required, the Local Agency's Project Engineer shall submit a written request to the District LAP Administrator explaining the change and cost.

24.17.2 When work changes alter the beginning/end, character, or scope of an approved project, the District LAP Administrator's approval is required before the effective date to be eligible for Federal participation.

24.17.3 When an estimated cost is increased beyond that authorized in the LAP Agreement and the approved Federal Authorization, federal participation for this increase is subject to: (1) the availability of Federal funds verified by the District LAP Administrator, (2) the execution of a Supplement LAP Agreement and a FHWA approved modification to the Federal Authorization.

24.18 COMPLETION OF CONSTRUCTION

24.18.1 The Local Agency will carry out the following requirements to end the construction contract and prepare the project for the Department's acceptance:

- A. Final Inspection: Within 15 calendar days after the Local Agency forces complete the work, the Local Agency's Project Engineer shall request a Final inspection and Acceptance Form from the District LAP Administrator.

<http://formserver.dot.state.fl.us/MiscRepository/forms/70001032.pdf>

- B. Final Reports: A construction project is complete when the Local Agency's approving authority submits the items listed below.

1. Final Billing (approving authority file)
2. Comparison of Preliminary and Final Costs (approving authority_file): A list showing the preliminary and final labor, equipment, and material costs.
3. Final Records (approving authority file): The Local Agency's Project Engineer must document the work performed on the project. Documentation includes field books, inspector's record of field tests, project engineer's and inspector's diaries, all invoices, weigh bills, truck measurements, quantity tickets, receiving reports, field office ledgers, mass diagrams, cross-sections, computer listings, work profiles, time suspensions, etc., when they are a basis of payment for the work performed or the material supplied. Photographs before, during, and after construction could be useful, especially if care is taken to show any unusual conditions, equipment, or procedures.

The Local Agency shall keep final records for at least 3 years following acceptance of the project. The District LAP Administrator will send the Local Agency the administrative review letter showing the starting

date of the 3-year retention period.

4. Record of Material Samples and Tests: The Local Agency will keep the records of material samples and tests for at least 3-years following FHWA acceptance.
5. Materials Certification: The purpose of the material certification is to assure that the quality of all materials incorporated into the project conforms to the plans and specifications. This ensures a service life equal to the design life.

24.19 APPENDICES

24.19.1 Local Agency Force Account Project Development Checklist (6 pages)

**LOCAL AGENCY FORCE ACCOUNT
PROJECT DEVELOPMENT CHECKLIST**

PROJECT TITLE: _____
PROJECT LOCATION: _____
ROAD OR STREET NUMBER: _____ FED-AID NUMBER: _____

PLANS, SPECIFICATIONS, AND ESTIMATES

Date
Initials or N/A

____ Reviewed commitment and correspondence file

When applicable secure the following permits or interagency coordination:

____ Airport roadway clearance from FAA

____ Coastal zone management compliance from DEP

____ For cultural, archeological or historic sites SHPO contacted

____ Plant or animal endangered species from USFWS/NMFA

When waters modified or controlled, USFWS and State Department of Fisheries and Game consulted:

____ When stream is affected, permit from WMD

____ For timber supporting land, permit from WMD

____ When construction might reduce water quality, contact WMD

____ For quarries of 40 acre feet and 10,000 tons or more, WMD contacted

____ For waters/wetlands, Army Corps of Engineers and WMD

____ For navigable waterways, permit from ACOE and WMD

____ For bridge/structures over FDOT right-of-way, approval of design and plans from FDOT

If wetlands are affected, Water Management District, U.S. Fish and Wildlife Service or

National Marine Fisheries Services contacted:

- Utility agreement
- Railway agreements
- PS&E completed
 - Project Design Criteria
 - Project Construction Specifications
 - Summary of quantities
 - Pit, quarry, stockpile, and waste sites
 - Reclamation plans
 - Roadway sections
 - Signing
 - Illumination
 - Bridge/Structures plans
 - Traffic control
 - Standard plans
 - Sheets numbered and dated
 - Each sheet signed and stamped by professional engineer
 - Log of test borings
 - Special Provisions and amendments arranged in order and indexed
 - Engineer's estimate complete
 - Documentation for each item in engineer's estimate

- Detailed documentation for lump sum items available in project files
- Approval of Local Agency supplied materials
- Sources approved by approving authority
- Distribution of preliminary plans as determined by local agency
- For tied bids, approval from approving authority
- PS&E approved by approving authority

REQUEST CONSTRUCTION FUNDS

- Letter to District LAP Administrator requesting construction funds
- Supplement to Local Agency Program Agreement if increasing funds
- Submit Right-of-Way Certification and, if applicable, Right-of-Way Certification - Relocation Report
- Letter to District Local Agency Administrator requesting construction funds with the above attachments.
- Contact number _____ from Comptroller's Office

CONSTRUCTION ADMINISTRATION PRECONSTRUCTION CONFERENCE

- Notice of Preconstruction Conference to:
 - Utility Companies affected
 - Police/Sheriff Department
 - Fire Department
 - Hospital

- Ambulance Service
- Post Office
- Others _____
- _____
- _____

Preconstruction Conference agenda prepared

Preconstruction Conference held

Minutes of meeting sent to:

- District LAP Administrator
- Other attending persons
- Invited, but not represented, agencies
- Project file

CONSTRUCTION DOCUMENTATION

Initials Date
 or N/A

"Record of Material Testing" from the Department or testing facility:

- _____ _____ Construction diary started
- _____ _____ Inspector's diary started
- _____ _____ Material source approval received
- _____ _____ Daily time records for labor
- _____ _____ Daily construction signing records started

- _____ _____ Material acceptance sampler appointed
- _____ _____ Material independent assurance sampler appointed
- _____ _____ Office engineer for progress estimates and final records appointed
- _____ _____ Scale certification
- _____ _____ Daily scale check
- _____ _____ Change order number
- _____ _____ Prepare change order that details basis and need for the change
 - _____ _____ Verbal approval obtained from approving authority
 - _____ _____ Signed by approving authority
- _____ _____ Copy of approved change order to District LAP Administrator (only required when change order will alter the termini, character or scope of work. Approval must be obtained before effective date of change order to be eligible for Federal participation)
- _____ _____ Executed Supplemental Local Agency Program Agreement

PROJECT COMPLETION

- _____ _____ Pre-final inspection by Local Agency
- _____ _____ Final inspection by Local Agency
- _____ _____ Letter to District LAP Administrator requesting inspection and acceptance by the Department and FHWA
- _____ _____ Comparison of preliminary and final costs to approving authority
- _____ _____ Material certification letter to approving authority
- _____ _____ As-built plans completed (to be retained indefinitely)

_____ Final Record Book #1 completed

PROJECT CLOSURE

<u>Initials</u>	<u>Date or N/A</u>	
_____	_____	Completion letter to District LAP Administrator (within 15 days after project completion)
_____	_____	Final invoice to District LAP Administrator (within 90 days after inspection)
_____	_____	Final field inspection by FHWA Area Engineer and District LAP Administrator
_____	_____	Resolve deficiencies found during the above field inspection
_____	_____	Informed by District LAP Administrator of Department's approval of final invoice.
_____	_____	As-built bridge plans completed and delivered to FDOT DSFE.
_____	_____	Bridge foundation construction records delivered to FDOT DSFE.