

## CHAPTER 2 - LOCAL AGENCY PROGRAM CERTIFICATION AND PERFORMANCE MANAGEMENT

### 2.1 OVERVIEW

Per the [Stewardship and Oversight Agreement](#), in enacting **23 United States Code (USC) 106(c)** Congress recognized the need to give states more authority to carry out Federal-Aid Highway Program project responsibilities traditionally handled by the Federal Highway Administration (FHWA). Under this assignation of responsibilities, the Florida Department of Transportation (FDOT) may permit local agencies to carry out the FDOT's assumed responsibilities on locally administered projects. The FDOT is responsible for Local Agency compliance with all applicable Federal laws and requirements.

A Local Agency is defined as a unit of government with less than statewide jurisdiction or any officially designated public agency or authority of such a unit of government that has the responsibility for planning, construction, operation or maintenance of, or jurisdiction over a transportation facility. The term Local Agency includes, but is not limited to, a county, an incorporated municipality, a metropolitan planning organization (MPO), an expressway or transportation authority, a special road and bridge district or a regional governmental unit. Certification is limited to the Local Agency and cannot be granted to a subunit or department of a Local Agency such as a Department of Public Works. Additionally, certification cannot be granted to a private corporation or nonprofit organization.

Congress also recognized the importance of a risk-based approach to oversight of the Federal-Aid Highway Program (FAHP), establishing requirements in **23 U.S.C. 106(g)**. Certification and recertification of local agencies participating in the Local Agency Program (LAP) should record local agency capability and proficiency in executing projects under the program. Local agencies may be certified to perform up to five phases in a transportation project life cycle and each phase carries its own requirements and commitments. The keys to compliance and reducing state and federal risk factors related to compliance in the most simplest of terms are Local Agency staff experience and cooperation and state sponsored training of local agency staff.

## 2.1.2 Why Does the FDOT Certify Local Agencies?

The FDOT uses the LAP Certification process to determine whether Local Agencies are qualified to administer Federal-Aid projects. The FDOT is **not** relieved of oversight and monitoring responsibilities by certifying a Local Agency. The FDOT serves as the prime recipient of federal transportation funds and in accordance with [23 Code of Federal Regulation \(CFR\) Chapter I](#), the FDOT acts as the supervising agency. The FDOT ensures LAP projects receive adequate supervision and inspection and are developed according to approved plans and specifications. The Department final inspects and accepts all LAP projects. The FDOT is subject to review, monitoring, and oversight by the FHWA and each process for ensuring compliance is subject to approval by the Florida Division Office. The FDOT Certification process is reviewed and approved by the FHWA per the [Florida Stewardship and Oversight Agreement Topic No. 700-000-005](#).

Each District is responsible for local agency certification, recertification and certification removal with the support of Central Office staff.

## 2.1.3 What are the Benefits of Certification?

A Local Agency benefits from certification by gaining the ability to obtain federal reimbursement for local transportation project priorities that may not be eligible for funding through other sources. The Local Agency controls the day to day management and operations of each project and submits invoices to the FDOT for repayment.

The FDOT benefits from certification by assigning some responsibility for transportation project priorities to the local agencies. The FDOT does not have the staff or resources to produce each project adopted into the Five-Year Work Program. The LAP program enables the FDOT to adopt a larger program of improvements with local agency project administration and execution.

## 2.1.4 When is Certification Not Applicable?

- State and federal agencies are generally exempt from the certification requirements of this section. This is due to the fact that state and federal agencies undergo extensive annual auditing protocols by both state and federal entities which are available for department review as needed. However, a District may request a state or federal agency obtain certification or recertification as needed.
- A Local Agency, such as an MPO or Regional Planning Council, whose expenditure of Federal-aid funds is limited to planning studies and activities that

will not lead to construction, per 23 USC Section 101(a)(4), do not need to be LAP certified for any phases beyond planning. In certain cases, the State LAP Administrator may consider phases beyond planning for these agencies on a case by case basis.

- In certain cases, emergency repairs may be completed by a local agency that is not LAP Certified. See **Chapter 17** for additional information and specific requirements of the FHWA Emergency Relief Program.

## 2.2 CERTIFICATION OPTIONS

**Full certification** is reserved for those agencies that demonstrate the qualifications, capability and achieve performance expectations between certification cycles. It is expected that over time the Districts would be able to reduce the level of project oversight required to ensure compliance, while not increasing risk within the program. If the expiration date of the certification occurs during the course of a project, the certification will be considered to remain in effect until the project has been final accepted by the Department and FHWA.

**Project-specific certification** is reserved for those agencies with limited experience administering federal aid projects, or will not produce a consistent number of LAP projects to build experience and maintain consistent knowledge of the program. The Districts will need to continue step by step project based oversight of these agencies to mitigate risk, but FDOT staff should seize the opportunity to build these agencies into more consistent program participants (as appropriate). **Project-specific certification is limited to off-system roadways**, unless approval is provided by the District Program Management Engineer.

### 2.2.1 Certification Life Cycle

Full Certification of new local agencies occurs as needed and subsequent recertification occurs on a three year cycle after date of initial certification. Recertification is based on the local agency's updated Sub-recipient Compliance Assessment Tool (SCAT), review of financial statements, LAP program training attendance for project personnel, maintenance of experienced project management personnel, and the performance evaluations conducted by the District LAP staff at the close of each project administered by the Local Agency (see **Section 2.5** of this Chapter for additional information on performance management).

Local agency staff turnover is a critical risk factor in achieving successful compliance with all Federal-aid Highway Program requirements. At any such time that a local agency loses key personnel, especially the Responsible Charge (see **Section 2.3**), the Local Agency's project oversight capability should be reviewed to determine if a change in certification status is warranted or a change to the level of District oversight is required. In the event the local agency's certification is rescinded or removed, the agency may pursue full certification status at a later date.

Project-specific certifications expire once the project close-out is complete. Local Agencies with project-specific certification status are subject to Performance Evaluations as described in **Section 2.5**. District staff will conduct a local agency performance evaluation at the close of the project, which will be maintained on file with the District for consideration during future project-specific certifications or if the Local Agency pursues full certification status.

**Full certification expires three years from the initial certification date. If a local agency does not produce a project in that three year period for any reason, recertification will not be applicable. Recertification is dependent upon the Performance Management evaluation process described in Section 2.5.**

## 2.2.2 Initial Qualifications Screening Criteria

When an agency requests project-specific certification, certification or recertification, the District LAP staff initiates an initial screening of the agency based on the fundamental qualifications required for participation in LAP. Initial qualifications criteria are:

- Does the agency have experience managing federal awards and sufficient staff to satisfy accounting controls and adequate project delivery as described in the Stewardship Agreement? Central Office, with assistance from the Districts as needed, determines this through:
  - Review agency's financial statements via [SARA](#) (Single Audit Reporting Application) for the most recent audit year. If the agency exceeded the threshold for a single audit, the agency's profile will detail the results of the single audit review and a risk assessment. The risk assessment should be low in order to qualify for program participation.
  - If the agency was exempt from a single audit or the agency's financial statements are not available in [SARA](#), review agency's most recent financial report filed with the Auditor General and assess whether or not the agency

has experience managing federal awards with satisfactory accounting controls and project delivery systems.

- [Auditor General's Financial Audit Reports Index for Florida Counties](#)
- [Auditor General's Financial Audit Reports Index for Florida Municipalities](#)
- Does the agency have a Central Office approved Sub-recipient Compliance Assessment Tool demonstrating compliance with Title VI and other Nondiscrimination Acts? See **Chapter 3** for detailed information on how to obtain and complete the Tool.
- How many projects does the agency plan to apply for and also have the capacity to implement and produce within the three year certification cycle? District LAP Staff will use *this as a primary factor in deciding whether to offer full certification or project-specific certification.*

If the agencies' initial qualifications criteria are deemed sufficient, and the agency anticipates consistent project delivery over the three year certification cycle, the agency may be eligible to pursue **full certification**.

If the agencies' initial qualifications criteria are deemed sufficient, but the agency does not anticipate consistent project delivery over the three year certification cycle, the agency may be eligible to pursue **project-specific certification**. Consistency in this context means an agency is actively and consistently performing LAP projects/project administration over the 3 year period.

If the agencies' initial qualifications criteria are deemed insufficient, the agency will not be eligible for any type of certification until such time that approval(s) may be given

*Note: Denial of certification does not mean the agency cannot receive a Federal-Aid project. The FDOT may produce the project on behalf of the agency or another LAP certified agency may produce the project on behalf of the agency.*

## 2.3 CERTIFICATION REQUIREMENTS

The following areas of certification are available to Local Agencies:

- Planning
- Design

- Construction/Construction Administration

Local Agencies seeking certification in these areas must demonstrate their level of knowledge, skills, ability, and project experience identified on the **LAP Certification Qualification Tool**. The required experience referenced in **Table 1** is necessary whether the services will be performed by the Local Agency's own forces or by a consultant or contractor. Contract management, administration, and procurement knowledge and experience are critical to secure and ensure adequate oversight of consultants and contractors.

An agency may request or be assigned full certification limited to a specific project phase at the discretion of the District LAP Administrator.

<b>Table 1: Certification Areas and Requirements</b>	
<b>Certification Area</b>	<b>Minimum Qualifications</b>
Planning	Employees with knowledge of the Metropolitan Planning Organization transportation planning processes; experience with transportation planning studies; and transportation projects of a nature similar to those the agency intends to develop. Refer to <b>Chapter 14-75 of the Florida Administrative Code</b> for minimum planning qualifications required for SHS/NHS projects.
Design	Experience in design with various types of infrastructure projects, particularly projects of a nature similar to those the Local Agency intends to design with federal funds. Florida Professional Engineer registration is required if the Local Agency intends to design a project with its own forces. Training and knowledge of the American with Disabilities Act requirements <b>49 CFR 27, 49 CFR 37</b> , and per the <a href="#">Departments of Justice and Transportation Joint Technical Assistance Memo on Title II of the Americans with Disabilities Act Requirements</a> . Refer to <b>Chapter 14-75 of the Florida Administrative Code</b> for minimum design qualifications required for SHS/NHS projects.
Construction/ Construction Administration	Local Agency staff with experience in providing construction oversight of transportation projects (preferably federally funded), including but not limited to managing contract time, change orders, and construction invoicing. The Local Agency has a materials quality assurance process in place and a process for contract compliance; including but not limited to: Equal Opportunity, Disadvantage Business Enterprise tracking, and compliance with minimum wage rate decisions and payroll verification. Any inspection and oversight work on the SHS/NHS must comply with the qualifications of work group 10 of <b>Chapter 14-75 of the Florida Administrative Code</b> .  An approved design-build procedure is required if the Local Agency will administer a design-build project.

### 2.3.1 Environmental and Right of Way Certifications

The Department does not delegate the ***National Environmental Policy Act (NEPA)*** class of action determination, environmental certification or right of way certification. Consequently, NEPA class of action determination, environmental, and right of way phases are specifically excluded from the general certification discussion as these areas are addressed on a project-by-project basis. The Director of Transportation Development, in consultation with the District Environmental Administrator and the District Right of Way Manager will determine the method of delivering these phases and the Local Agency's level of involvement. District staff considers the minimum qualifications contained in ***Table 3, Section 2.9*** to determine the Local Agency's involvement.

## 2.4 RESPONSIBLE CHARGE

FHWA issued a [Memorandum](#) on August 4, 2011 to more clearly define "responsible charge" of Federal-aid projects. The federal requirement is located in [23 CFR 635.105-Supervising Agency](#), but the Memorandum further defines the requirements of the position and the duties as applicable to local agencies.

The person in "responsible charge" **shall be a full time employee of the local agency**. A Local Agency's responsible charge does not need to be an engineer, but is expected perform the following duties per the 08/04/2011 Memorandum:

- *Administers governmental project activities, including those dealing with cost, time, adherence to contract requirements, construction quality and scope of Federal-Aid projects;*
- *Maintains familiarity of the day to day project operations, including project safety issues;*
- *Makes or participates in decisions about changed conditions or scope changes that require change orders or supplemental agreements;*
- *Visits and reviews the project(s) on a frequency that is commensurate with the magnitude and complexity of the project(s);*
- *Review financial processes, transactions and documentation to ensure that safeguards are in place to minimize fraud, waste, and abuse; and*
- *Directs project staff, agency or consultant, to carry out project administration and contract oversight, including proper documentation.*
- *Is aware of the qualifications, assignments and on-the-job performance of the agency and consultant staff at all stages of the project.*

There is no restriction on sharing the duties above or delegating project activities as

needed. The FDOT expects the local agency to maintain a responsible charge as the primary point of contact for the agency. The primary point of contact information must be entered into the **Local Agency Program Information Tool** or **LAPIT** web-based application (**Section 2.7**) and the FDOT must be notified as soon as possible if and when the designated responsible charge changes. The Local Agency's Responsible Charge is expected to complete LAP training sessions, attend project and coordination meetings, and be responsive to requests for project information from the Department or other government agencies.

#### **2.4.1 Consultant Staff Support for Local Agencies**

The Local Agency's certification package may include consultant staff used to augment Local Agency forces; however, this does not relieve the Local Agency of its responsible charge obligations. It should be noted the services of a consultant in this capacity are not eligible for federal reimbursement and all consultants executing project tasks on behalf of a local agency must adhere to **LAP Bulletin 03-14: LAP Conflict of Interest Procedure**.

## **2.5 LOCAL AGENCY PROGRAM CERTIFICATION QUALIFICATION TOOL**

Once the initial screening is complete, Local Agency staff completes the [Local Agency Program Certification Qualification Tool](#). This form is a risk assessment of the Local Agency entering or remaining in the LAP program. The form identifies categories of responsibility associated with different phases of transportation projects funded under the Federal-Aid Highway Program (FAHP). The form also identifies training and documentation requirements associated with each category of responsibility.

After the agency uploads the **LAP Certification Qualification Tool** to LAPIT, the District LAP Administrator and the necessary Department experts will review the application and interview the Local Agency to determine the Local Agency's level of certification. The Tool shall be signed by both the District LAP Administrator and the Responsible Charge at the conclusion of the interview. The District will not approve certification if any information is missing from the application, additional details are needed, or the information contained within the Tool demonstrates the agency is currently a high risk to the program.

#### **2.5.1 Full Certification**

All items identified in the **LAP Certification Qualification Tool** are required of the Agency to achieve (and maintain) full certification status. Additionally, the Local Agency may be required to submit specifications, procurement procedures, or other process

documents upon request of the District. All training requirements identified in **Section 2.5.4** shall be met and maintained.

Agencies with full certification shall resubmit the **LAP Certification Qualification Tool** at a minimum once every three years to maintain program eligibility. The Tool must be updated when the agency's Responsible Charge changes. The District LAP staff also reserves the right to request an updated Tool as needed. For example, when the agency experiences multiple staff turnovers mid-certification cycle or when the agency changes a fundamental business practice that may be in conflict with the LAP program the District may deem it essential to update the Local Agency's Certification file.

### **2.5.2 Project Specific Certification Requirements**

A Local Agency seeking project certification requirements based on the Initial Screening must submit the Certification Tool form. The District may instruct the Local Agency to skip sections of the form not applicable to the project. Not all training courses are required for project-specific certification. The District LAP Administrator will notify the Local Agency of the courses required in writing no later than the date the Certification approval letter is issued.

Agencies with a project specific certification will complete the LAP Certification Qualification Tool each time they request a new certification. The Tool must be updated when the agency's Responsible Charge changes.

### **2.5.3 Certification Approval**

Upon completion of the District's assessment and the Local Agency's interview, the District LAP Administrator will notify the Local Agency of the certification decision by letter. If the Local Agency is eligible for certification, the letter states the certification type and any special conditions identified in Section 13 of the Tool. If certification is denied, the letter states the reasons for denial and the steps the agency may pursue to reapply at a later date. The notice of LAP Certification letter shall be signed by the District Secretary.

### **2.5.4 Training Requirements**

Knowledge of current federal and state requirements is required to successfully complete a LAP project. In order to provide your agency with the maximum support and skills to achieve compliance with federal (and state) requirements, the Department implemented a comprehensive training program for LAP in Fiscal Year 2015. Training courses are offered by the Federal Highway Administration and the department.

Training must be completed by each agency designated employee (or employees requested by the District Local Program Administrator) prior to Initial Certification and/or within 12 months of LAP Recertification approval letter date. **Failure to complete all required training courses as indicated will effectively terminate your agency's LAP Certification and may affect future program participation and reimbursement of project funds.** Course attendance requirements are identified in **Table 2**.

Face-to-face training courses will be offered as indicated in each District or an equivalent training course will be offered. Consult the [LAP Training Directory](#) for course listings, dates offered, and additional course information. The agency may satisfy attendance at the face-to-face courses with a minimum of one employee, unless otherwise instructed by the District LAP Administrator.

Web- or Computer-Based Training courses may be applicable to multiple employees depending on the program area. The Computer Based Training courses listed in **Table 2** are free and available 24 hours a day; therefore, the agency must meet the completion requirements for these courses in full to maintain certification status.

The Department reserves the right to update, add, or delete training courses required for Certification as needed. The agency may be allowed up to 12 months to satisfy any training requirements added to the program.

TABLE 2: LOCAL AGENCY PROGRAM MINIMUM TRAINING REQUIREMENTS			
COURSE NAME / DESCRIPTION	COURSE IDENTIFICATION NO.	REQUIRED MINIMUM ATTENDEES	COMPLETION TIMEFRAME
<a href="#">NHI Federal-Aid Essentials for Local Public Agencies</a>	WBT 310115	Each employee identified on the Certification Tool (or substitution) must complete this course once.	One time prior to Certification approval and as new staff enter program
<a href="#">FDOT LAP Certification</a>	CBT	Each employee identified on the Certification Tool (or substitution)	One time prior to Certification approval and as new staff enter program
<a href="#">LAPIT CBT</a>	CBT	RC and all LAPIT users	One time prior to Certification approval and as new staff enter program

**TABLE 2: LOCAL AGENCY PROGRAM MINIMUM TRAINING REQUIREMENTS**

<b>COURSE NAME / DESCRIPTION</b>	<b>COURSE IDENTIFICATION NO.</b>	<b>REQUIRED MINIMUM ATTENDEES</b>	<b>COMPLETION TIMEFRAME</b>
FDOT LAP Workshop	BT-05-0151 (8 hours)	RC and all delegates in each program area- <i>Agency may satisfy this course with a minimum of one attendee from the list provided.</i>	Once every two years
LAP Title VI Sub-recipient Compliance  <i>*May be offered with BT-05-0062 as an 8hr course</i>	BT-05-0153 (4 hours)	RC, Title VI Coordinator, ADA Coordinator- <i>Agency may satisfy this course with a minimum of one attendee from the list provided.</i>	Once every three years
ADA for Design and Construction-General  <i>*May be offered with BT-05-0152 as an 8hr course</i>	BT-05-0062 (4 hours)	RC, ADA Coordinator, Project Managers- <i>Agency may satisfy this course with a minimum of one attendee from the list provided.</i>	Once every three years- (may use as a substitute for NHI ADA Training listed below)
<a href="#">NHI ADA Pedestrian Facility Design</a>	NHI-142045 (1.5 days)	Design project managers	Once prior to certification and as new staff enter program- <b>as offered by FHWA</b> ( <i>see Table 4 for additional substitutes</i> )
LAP SCAT	CBT	RC, Title VI Coordinator, ADA Coordinator	Once every three years and as new staff enter program
FDOT LAP Checklists Training Courses	BT-05-0152 (8 hours per LAP Checklist)	RC, project managers, and procurement staff- <i>Agency may satisfy this course with a minimum of one attendee from the list provided.</i>	Annually
<a href="#">LAP Professional Services CBT</a>	CBT	RC, project managers, procurement staff	One time prior to Certification approval and as new staff enter program

<b>TABLE 2: LOCAL AGENCY PROGRAM MINIMUM TRAINING REQUIREMENTS</b>			
<b>COURSE NAME / DESCRIPTION</b>	<b>COURSE IDENTIFICATION NO.</b>	<b>REQUIRED MINIMUM ATTENDEES</b>	<b>COMPLETION TIMEFRAME</b>
<a href="#">Mutual Gains Negotiation CBT</a>	CBT WI-01-0032	Negotiations committee members for consultant contracts	One time prior to certification and as new staff enter program
<a href="#">Resident Compliance Specialist CBT</a>	CBT	Resident Compliance Specialists and Contract Compliance Oversight staff.  Recommended for construction project managers	One time prior to Certification approval and as new staff enter program
<a href="#">Equal Opportunity Compliance CBT</a>	CBT	Resident Compliance Specialists and Contract Compliance Oversight staff	One time prior to Certification approval and as new staff enter program
<a href="#">ERC Application User Guide</a>	CBT	Design project managers	One time prior to Certification approval and as new staff enter program
<b>*WBT = Web Based Training    BT = Face to Face Training    CBT = Computer Based Training</b>			

Additional recommended or substitute training courses are provided in **Table 4** in **Section 2.10** of this Chapter.

## 2.6 PERFORMANCE MANAGEMENT

Performance management is a tool used to enhance the efficiency and effectiveness of the Local Agency Program. Performance management is used to assess risk, track performance, and acknowledge exemplary performance. When the Department certifies a Local Agency and enters a LAP Agreement, a commitment is made to deliver the subject project. The Department is a results-driven organization and measures the progress made towards this commitment. Consequently, Local Agencies are evaluated in the following areas:

- Overall Performance
- Project cost, scope, and schedule
- Communication and Cooperation
- Invoicing

- Each Project Phase
- Construction/Administration
- Equal Opportunity Contract Compliance

### **2.6.1 Quality Assurance Reviews of LAP Projects**

Performance management is conducted by the Department through the program level quality assurance review process for each Local Agency established within the LAP Manual. Monitoring of the requirements set forth in this manual by the district LAP Administrators fulfills the requirement to conduct quality assurance reviews of the Local Agencies certified in the program. Utilization of the LAP Checklists and other available tools outlined in this manual provides adequate information to assess programmatic performance of each Local Agency. Quality assurance reviews directly inform the recertification or certification removal of a Local Agency.

### **2.6.2 Performance Evaluations of LAP Agencies**

As described in **Section 2.2**, recertification occurs once every three years and is in part based on the local agency's performance evaluations conducted by the District LAP staff at the close of each project administered by the Local Agency. Recertification provides an opportunity for the Department and the Local Agency to evaluate their partnership. Additionally, as a part of the recertification review process a Local Agency may be recertified to a different certification type or have the certification removed. The Department and the Local Agency should determine what aspects of the Local Agency's efforts are working well, what needs to be improved and whether the LAP certification should continue.

### **2.6.3 Local Agency Project Evaluation Form**

Performance evaluations are completed using the [Local Agency Performance Evaluation](#). The evaluations are used to provide information about oversight needs and aid in determining the outcome of the recertification process. The District LAP Administrator completes the evaluation based on input from the Department's project managers. Once the District LAP Administrator completes the evaluation, the evaluation is reviewed and signed by the District Program Management Administrator. Evaluations are submitted to the Local Agency's Responsible Charge or designee as part of the project closeout process. The Department provides the evaluation to the Local Agency no more than 30 days after final acceptance.

## 2.6.4 Performance Evaluation Ratings

Each performance evaluation will result in one of three ratings:

- **Unsatisfactory Performance** means the Local Agency failed to develop the project in accordance with applicable federal and state regulations, standards and procedures, required excessive District involvement/oversight, or required corrective actions by the Department to complete the project.
- **Satisfactory Performance** means the Local Agency developed the project in accordance with applicable federal and state regulations, standards and procedures, with minimal District involvement/oversight.
- **Above Satisfactory Performance** means the Local Agency developed the project in accordance with applicable federal and state regulations, standards and procedures, without District involvement/oversight.

The District should determine which functions can be further delegated to Local Agencies that continuously earn Satisfactory and Above Satisfactory evaluations. The delegation process should be linked to the program level quality assurance reviews. The District LAP Administrator and District Program Administrator/Engineer in consultation with the Local Agency will agree to which functions can be further delegated and Department monitoring of the Local Agency's delegated functions will continue via the quality assurance review process. Delegated functions are subject to Department discretion and Local Agency performance. Local Agency responsibility for delegated functions may be revoked by the Department if warranted.

The Districts provide assistance to Local Agencies earning an unsatisfactory evaluation to improve their performance to a satisfactory level. If the District exercises due diligence in assisting the Local Agency in improving performance, but the Local Agency continues to earn unsatisfactory results, the District shall amend the Local Agency's certification type as applicable or initiate certification removal.

## 2.7 CERTIFICATION REMOVAL

A Local Agency's certification may be removed for failure to comply with State and Federal regulations, the requirements of the **LAP Manual**, the Local Agency Program Agreement, and/or not meeting the minimum training requirements identified in **Section 2.4**. Certification removal may also occur if the local agency receives an unsatisfactory performance evaluation, which includes, but is not limited to: failure to deliver projects, and failure to meet the commitments of the Local Agency Program.

The District LAP Administrator and District Program Administrator/Engineer will recommend certification removal to the District Secretary. The recommendation will include performance reports and documentation of any factors relevant to the decision. A Local Agency will be notified in writing of the Certification removal and the reason(s) for removal. The State LAP Administrator and appropriate Central Office Managers should be copied on the letter. A Local Agency may appeal the certification removal through the District Secretary.

Violation of state or federal requirements may cause certification to be terminated mid-project(s) and may affect the Local Agency's reimbursement eligibility. If an agency's certification is terminated mid-project, per the terms of the LAP Agreement Form No. 525-010-40 the Local Agency shall not be reimbursed for non-compliant work and may be required to pay back the Department for any projects found to be non-compliant.

## 2.8 LAPIT

The **Local Agency Program Information Tool** or **LAPIT** web-based application is the primary tool for the Department and the Local Agencies to share and track project information and related documentation. The Agency shall use the Department's Local Agency Program Information Tool and applicable information systems as required (see Section 2.05 of the LAP Agreement Form No. 525-010-40). The minimum required documents that shall be uploaded and use of LAPIT is outlined in each chapter of the **LAP Manual** for both the Local Agencies and Department staff.

Adding a new agency in LAPIT requires the agency to submit their State and Florida Vendor Identification number and their Dun & Bradstreet (D-U-N-S) number. Vendor identification provided here should be the primary ID for the agency with the correct mailing address for payments from the FDOT to your agency. DUNS numbers are required for reporting federal grants under the Federal Funding Accountability and Transparency Act (FFATA) and may be obtained free of charge at the following link: <http://fedgov.dnb.com/webform>.

Local Agency users of LAPIT are able to manage their staff information and level of access staff and consultants have to project information in LAPIT. Levels of access are as follows:

- LAPIT Administrator access level gives the user the ability to view and edit agency contact information, add or delete other agency users, and upload documents.
- LAPIT Update access level gives the user the ability to view all agency project information and upload documents for any project.
- LAPIT Project access level gives the user the ability to view information limited to

the assigned project and upload project specific documents only. (Recommended access level for consultants performing CEI on behalf of the agency.)

The Department reserves the right to request local agencies to upload or add additional information, above the minimum identified in the **LAP Manual**, to LAPIT as applicable.

## 2.9 FORMS

Local Agency Certification Qualification Tool  
 Sub-recipient Compliance Assessment Tool (SCAT)  
 Local Agency Performance Evaluation Form

## 2.10 ADDITIONAL INFORMATION

**Table 3: Certification Requirements for Environmental and Right of Way Activities** provides supplementary information if a Local Agency decides to pursue environmental or right of way activities under LAP. Contact your District LAP Administrator for additional information.

Table 3: Certification Requirements for Environmental and Right of Way Activities	
Activity	Minimum Qualifications
Environmental	<p>Per Chapter 14-75 of the Florida Administrative Code, this work group requires a professional engineer, a natural scientist, and a social scientist. The professional engineer must be registered with the Florida State Board of Professional Engineers, must have managed, and completed at least one Project Development and Environment (PD&amp;E) study or similar study, including roadway design and environmental engineering. This experience must include conducting environmental studies for transportation projects involving highway projects and public involvement issues.</p> <p>The natural scientist must have a four-year college degree and experience in a natural science such as ecology, biology, environmental science, or wildlife management and have completed at least one PD&amp;E study or similar study in a natural science area such as defined above.</p> <p>The social scientist must have a four-year college degree and experience in a social science such as psychology, sociology, statistics, political science, geography, urban planning demographics, archeology, or economics and have completed at least one PD&amp;E study or similar study in a social science area such as defined above.</p>

Table 3: Certification Requirements for Environmental and Right of Way Activities	
Activity	Minimum Qualifications
	A member of the Local Agency oversight and/or project staff must complete the Department PD&E process training.
Right of Way	<p><b>Acquisition, Negotiation, Closing, and Order of Taking Qualification Requirements:</b> Consultants employed by a Local Agency are required to be registered with the Florida Real Estate Commission and, at a minimum, have one real estate broker and one real estate salesperson licensed by the State of Florida, Department of Business and Professional Regulation. These employees each must have at least three years of demonstrated experience in transportation acquisition projects. Although employees of a Local Agency are statutorily exempt from the registration requirement with the Florida Real Estate Commission, similar qualifications should be considered when evaluating the expertise and capabilities of the Local Agency's Right of Way program.</p> <p><b>Relocation Assistance Qualification Requirements:</b> Consultants performing this type of work requires a minimum of one full time employee with a minimum of three years of demonstrated current experience in administering and providing relocation assistance for transportation projects under the provisions of the <i>Uniform Relocation Assistance and Real Property Acquisition Policies Act and 49 C.F.R., Part 24</i>. Local Agency employees performing similar right of way activities should possess comparable qualifications.</p> <p>Reference Chapter 14-75 of the Florida Administrative Code for additional details.</p>

The training courses provided in **Table 4** may be recommended by the District LAP Administrator as applicable. Additionally, any local agency staff that has an interest may complete the training courses listed below.

TABLE 4: LOCAL AGENCY PROGRAM RECOMMENDED TRAINING REQUIREMENTS			
COURSE NAME / DESCRIPTION	COURSE IDENTIFICATION NO.	RECOMMENDED ATTENDEES	RECOMMENDED COMPLETION TIMEFRAMES
<a href="#">Consultant Performance Evaluations</a>	CBT	RC and consultant evaluators	N/A
FDOT Engineering	CBT	RC, project managers, and	Prior to design-build

<b>TABLE 4: LOCAL AGENCY PROGRAM RECOMMENDED TRAINING REQUIREMENTS</b>			
<b>COURSE NAME / DESCRIPTION</b>	<b>COURSE IDENTIFICATION NO.</b>	<b>RECOMMENDED ATTENDEES</b>	<b>RECOMMENDED COMPLETION TIMEFRAMES</b>
Academy- <a href="#">Design Build 101</a>		procurement staff	process approval and as new staff enter the program
<a href="#">FHWA Emergency Relief Program Overview</a>	WBT	RC, project managers, procurement staff	Recommended if ERP reimbursement is required
FHWA Pedestrian Road Safety Audit Workshop	BT	RC, project managers, design staff	Recommended as a substitute for ADA Pedestrian Facility Design course
<a href="#">Value Engineering Reporting System</a>	CBT	VE team members	Prior to beginning VE
<b>Florida Certified Contract Manager Training</b>	BT- provided by DMS	Contract managers	May be required by DMS once every two years once the course becomes available.
<b>*WBT = Web Based Training    BT = Face to Face Training    CBT = Computer Based Training</b>			