



OREGON DEPT OF TRANSPORTATION

LAG Manual –Section A

Chapter 5 – Local Public Agency (LPA) Force Projects

ODOT Certification Program Office

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1. Document Revision History

This document was originally issued on 07/14/2015. The following revisions have been approved and issued:

Changes to this document must be approved by CPM.

Revision Date	Revision Details (only the last ten revisions are retained)
	Original Issue 07/14/2015
	Revised Sections xxxxxxxx

2. Overview

This chapter addresses the project requirements for Local Public Agencies (LPAs) using Local Public Agency (LPA) forces for construction of federal-aid projects. Reference CFR 635.203 - .205

The United States Congress has determined that competitive bidding is the preferred method of delivering federally funded projects. Therefore, LPAs desiring to use their own forces, materials, or equipment to construct federally funded projects, must first request through a public interest finding (PIF) that this would be in the public interest and substantially the most appropriate, such as an emergency, or cost effective method.

The request for approval of a public interest finding based on cost effectiveness shall include the following information:

- Kinds of work to be performed;
- Two cost estimates or other types of justifications; one for contracted work, and one for work by LPA forces; and
- A public interest finding stating reason(s) why the work to be performed by LPA forces is considered to be in the best interest of the public.

The cost estimate for the competitive bidding work may be based on unit prices, including any related engineering and administrative costs necessary to prepare, monitor, and close the project. The unit prices shall be based on competitive bidding on comparable construction work in the same general locality. The requesting LPA shall submit the request to the ODOT LAL. ODOT then will send a recommendation to FHWA along with the PIF if ODOT concurs.

Additional details are available in FHWA's Contract Administration Core Curriculum Manual Section III.B.c.ii. A public interest finding request must be submitted by the LPA and approved by FHWA prior to the LPA commencing public force work on a federal-aid project. Examples of public interest finding letters can be found at ODOT's [Office of Pre-letting "Forms"](#) website.

The development of a federal-aid project for non-emergency construction by LPA forces follows a similar process as for a competitive bid contract through the right of way acquisition process, environmental process and developing plans and estimates, but there is no ad, bid and award, civil rights goals or construction contract.

3. Plans Specifications and Estimates

The requirements outlined in the Plans, Specifications and Estimates chapters in Section B and Section C, as appropriate, will apply to the design, development and approval of LPA force projects.

4. Fund Authorization

Construction work by local forces shall not start until a contract number has been obtained from ODOT's LAL. The contract number that the Liaison assigns, should be the same as the project intergovernmental agreement (IGA) number. A Notice to Proceed letter will be sent from ODOT, and an Expenditure Account (EA) number will also be assigned prior to commencing work.

5. CONSTRUCTION

5.1 Overview

FHWA and ODOT are responsible for the proper expenditure of FHWA funds on LPA projects. In this capacity, the ODOT LAL will consult and work with LPAs to ensure that proper project construction procedures are followed. General guidelines for construction shall be administered in accordance with Section B, Chapter 16 and Section C, Chapter 16 of this *LAG Manual* as appropriate.

5.2 Quality Control

The quality of materials and workmanship on the project must conform to the project plans and specifications so that the public funds expended will have purchased a safe, economical, and fully functional transportation facility.

5.3 Documentation

Materials will be measured, recorded and accepted in accordance with ODOT's [Construction Manual](#) , the Manual of Field Testing Procedures and this *LAG Manual* unless otherwise approved by ODOT.

The LPA Project Engineer must document the work performed on the project. Documentation consists of any 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, approved time slips, etc., when they are a basis of payment for work performed or material furnished. Photographs or video before, during, and after construction could be useful, especially if care is taken to show any unusual conditions, equipment, or procedures.

5.4 Progress Billings

Progress billing must be based on all work performed. Costs of the labor, equipment, and material must be documented, as described in Section B, Chapter 4 and Section C, Chapter 5, as appropriate.

5.5 Completion of Construction

Completion of construction and project closure shall be accomplished according to the requirements of Section C Chapter 17 as appropriate.

5.6 Final Inspection

Within 15 calendar days after completion of the work by LPA forces, the LPA Project Engineer shall notify the ODOT LAL with a request for final inspection and acceptance. Refer to Chapter 17 for additional details.

5.6.1 Final Reports

A construction project is complete when the LPA submits the items listed below to the ODOT LAL or the approving authority:

- *Final Billing* (approving authority file)
- *Final Records* (approving authority file)
Final records shall be retained as specified in Section C, Chapter 17.

- *Record of Material Samples and Tests*
Records of samples and tests will be retained by the LPA for at least six years following acceptance of the project by ODOT.
- *Materials Certification*
The intent of material certification is to ensure that the quality of all materials incorporated into the project is in conformance with the plans and specifications and thus ensures a service life equivalent to the design life. This material certification shall be completed and retained by the LPA in accordance with this *LAG Manual*.
- *“Buy America”*
All steel and iron must meet the “Buy America provisions” of 23 CFR 635.410. Use the ODOT [Certificate of Materials Origin](#) Form to document compliance. See FHWA’s [Buy America](#) website for additional information.