

Read Section B. and review Section C. of the [Local Agency Guidelines for Certified Local Public Agencies \(LAG for Certified LPAs\)](#) before completing the application below.

A. Applicant Information	
Local Public Agency (LPA)	
LPA Address	
Primary Contact to the Certification Program	
Name	
Title	
Phone Number	
E-Mail	
Functional Areas of Certification Requested	
<i>Select all areas that may apply on applicant LPA's federal-aid projects:</i>	
Consultant Selection and Contract Administration	
<input type="checkbox"/> Direct Appointment/Small Purchase A&E Services (lesser of up to \$100,000 or LPA's limit)	
<input type="checkbox"/> Informal A&E Services (lesser of up \$250,000 or LPA's limit)	
<input type="checkbox"/> Formal A&E Services (over \$250,000)	
<input type="checkbox"/> Intermediate Non-A&E Planning or Personal Services (lesser of up \$150,000 or LPA's limit) and	
<input type="checkbox"/> Formal Non-A&E Planning or Personal Services (over \$150,000)	
Project Development and Delivery	
<input type="checkbox"/> Planning/Consultant Contracting Only	
<input type="checkbox"/> Full Transportation Project Delivery Functional Areas: Design (excluding Bridge Design); construction contract advertisement, bid and award procedures; construction contract administration (including inspections and QA/QC documentation)	
<input type="checkbox"/> Bridge Design (in-house) or <input type="checkbox"/> Consultant Bridge Design	
B. Federal Highway Administration (FHWA) Funded Projects	
1. Number and total value of LPA's FHWA funded <u>projects</u> in the current STIP . <i>(MPO planning/consultant contracting only applicants, indicate the total value of the current UPWP.)</i>	# \$
2. Does LPA typically have two or more FHWA funded projects in each STIP cycle, or at least one FHWA funded project underway at any given time?	<input type="checkbox"/> Yes <input type="checkbox"/> No Comments:
3. Estimated number of FHWA funded <u>contracts</u> (consultant and/or construction) LPA expects to award in the next 3 years:	

C. Financial Management

<p>1. Accounting: Is LPA's accounting system (a) automated, (b) manual, or (c) combination?</p>	<p>Comments:</p>
<p>2. Federal Requirements: To meet the requirements of 2 CFR 200 Subparts D and E for federal-aid awards, does LPA have a financial management system that provides for <u>all</u> of the following?</p> <ul style="list-style-type: none"> a. Identification of all federal awards received and expended and the federal programs under which they were received. b. Accurate, current, and complete disclosure of the financial results of each federal award or program. c. Records that adequately identify the source and application of funds for federally funded activities. d. Effective control over, and accountability for, all funds, property, and other assets. e. Comparison of expenditures with budget amounts for each federal award. f. Written procedures to implement the requirements of 2 CFR 200.305 Payment. g. Written procedures for determining allowable costs in accordance with Subpart E. <p>If not, please explain whether LPA is willing and able bring its financial management system into compliance with 2 CFR 200 Subparts D and E within a reasonable time (prior to executing a Master Certification Agreement).</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If no, please explain:</p>
<p>3. Single Audit Act Compliance: Does the LPA comply with the Single Audit Act? If yes, were there any findings? Last filed: Findings:</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Comments:</p>
<p>4. Federal Audits: Has the LPA been audited by the Federal government in the prior three years? If yes, were there any findings? Audit date: Findings:</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Comments:</p>
<p>5. Indirect Costs: LPA has an approved indirect cost allocation plan and rates for overhead rates? (See CPO Bulletin 101 42 for overview.) Expiration date:</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Comments:</p>

D. Authorities, Staffing, and Training

<p>1. Certified LPA Approval Authorities: LPA agrees to identify and document its program and project approval authorities by position title on Certified LPA Approval Authority Form (734-5084); and LPA agrees the named positions and individuals identified in the Certified LPA Key Qualified Staff Form (734-5091) (see below) have authority to bind Certified Agency as documented on said forms.</p> <p><i>Please prepare and submit a draft version of the on Certified LPA Approval Authority Form with this application.</i></p>	<input type="checkbox"/> Yes <input type="checkbox"/> No Comments:
<p>2. Key Qualified Staff: LPA agrees to develop and maintain sufficient expertise, qualified staff, and the capability to perform and supervise all project phases and functional areas in which LPA seeks certification (Consultant Selection; Design; Bridge Design; Ad, Bid and Award; and Construction Contract Administration, as applicable); and LPA agrees to identify and document its key staff by name and title on Certified LPA Key Qualified Staff Form (734-5091). Any individual who signs any agreement, contract, quality assurance, or other project document on behalf of LPA shall do so in accordance with LPA’s most current forms 734-5084 and 734-5091.</p> <p><i>Please prepare and submit a draft version of the on Certified LPA Key Qualified Staff Form with this application. Also, submit organizational chart(s) that show key qualified staff and their position titles.</i></p>	<input type="checkbox"/> Yes <input type="checkbox"/> No Comments:
<p>3. Portfolio and Project Management: LPA commits to providing sufficient staff and resources (in-house and consultant resources permitted) to schedule and manage its portfolio of STIP projects to ensure that federal fund obligation deadlines are met for each programmed phase of a project.</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No Comments:
<p>4. LPA Certification Program Liaison: LPA agrees to assign a full-time employee to be the primary point of contact for the LPA’s certification program.</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No Comments:
<p>5. Person in Responsible Charge: LPA agrees to assign a full-time employee to be in “responsible charge” for each project it administers through the Certification Program. This requirement applies even when consultants are providing construction engineering or project management services. Note, the person in “responsible charge” of LPA administered projects does not have to be a registered professional engineer.</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No Comments:
<p>6. Quality Control Coordinator: LPA agrees to assign a quality control coordinator to coordinate the LPA’s Certification Program quality control activities. Note, in many cases the LPA’s Certification Program Liaison serves in this role.</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No Comments:
<p>7. Training: LPA agrees to work with the Certification Program to develop and implement a training plan including the following, <i>prior</i> to ODOT entering into a Master Certification Agreement or supplement project agreement with LPA:</p> <p>a. Federal-aid Related: Key Qualified Staff members must take FHWA’s “Federal Aid Essentials” training, engage in on-going federal-aid project delivery training</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No Comments:

to maintain proficiency and must be familiar with FHWA's Contract Administration Core Curriculum Manual.

- b. **Consultant Selection/Procurement:** Special training relative to consultant selection and A&E contracting is also required. This training, offered by ODOT or DAS, consists of statement of work writing, negotiating contracts, contract administration and invoice review. A contract administration training course, offered by the Oregon Department of Administrative Services, is required as well.
- c. **LPA reporting:** LPA agrees to manage, track and report staff training and professional or technical certifications to the Certification Program Office on an annual basis.

E. Foundational Documents

LPA agrees to develop or update and receive ODOT approval or acceptance of the following program foundational documents, as described in Section B of the LAG for Certified LPA, *prior* to ODOT entering into a Master Certification Agreement or supplement project agreement with LPA:

1. Title VI Program & Plan***
2. ADA Title II Transition Plan & Self-Assessment (as applicable) ***
3. Quality Program Plan***
4. General Specifications for Construction (LPA's section 00100: General Conditions of the Oregon Standard Specifications for Construction)
5. Construction Bid Documents and Contract Templates
6. Formal/Informal Consultant Selection Templates*

ODOT has developed templates, outlines, and samples for most foundational documents, many of which are required or recommended for use on Certified LPA projects. However, please note in the comments if LPA already has one or more existing foundational documents and the version date.

Yes No

Comments:

F. Consultant Selection

ODOT and DOJ developed written consultant selection procedures and solicitation and contract templates that include the required provisions for Architecture and Engineering (A&E) and related services and non-A&E personal services contracts on federal-aid projects. The templates have areas each LPA may modify to include provisions required by the LPA, provided the provisions are not in conflict with state and federal requirements.

*For Consultant Selection we request your agency adopt ODOT's written procedures and templates. You may request an exception to use alternate written procedures if the LPA's procedures are currently in compliance with 2 CFR 200, 23 CFR Part 172 and applicable state and local laws. Exceptions will be reviewed and approved on a case by case basis and only after a thorough review by ODOT and DOJ. Please be aware the exception process can extend the time to determine eligibility for the Certification Program.

Review ODOT's procedures in the *LPA A&E Requirements Guide* and the *ODOT Statement of Work Writing Guide* before agreeing to adopt ODOT's procedures. Also review ODOT's most current templates for FHWA funded A&E procurements and ORS 279A before agreeing to use ODOT's template and to comply with ORS 279A.

- [23 CFR Part 172 and related federal laws and regulations](#)
- [LPA A&E Requirements Guide](#)

- [LPA Non-A&E PSK Requirements Guide](#)
- [ODOT Statement of Work Writing Guide](#)
- [ODOT templates for FHWA funded A&E procurements](#)
- [ORS 279A](#)

<p>1. Local Procurement Limits:</p> <p>a. LPA’s threshold limit for Direct Appointment consultant selection:</p> <p>b. LPA’s threshold limit for Informal consultant selection:</p>	<p>\$</p> <p>\$</p> <p>Comments:</p>
<p>2. Required Templates: LPA understands the use of ODOT's most current templates for FHWA funded A&E or non-A&E planning or personal services procurements, as applicable, is a requirement of Consultant Selection Certification. LPA has reviewed ODOT’s templates and ORS 279A and agrees to their use on federal-aid certification projects.</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Comments:</p>
<p>3. Conflicts with Federal Requirements: ORS 279A states that when conflicts exist between local, state and federal regulations and policies, federal requirements prevail on procurements that include federal funding. LPA understands and agrees to comply with this requirement.</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Comments:</p>
<p>4. Written Procedures: LPA has reviewed ODOT’s procedures in the LPA A&E Requirements Guide and LPA Non-A&E PSK Requirements Guide other guidance listed above and agrees to adopt them for their use on federal-aid certification projects.</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Comments:</p>

G. Project Development and Delivery

<p>1. Demonstration Project: Certified Agency agrees to demonstrate competency in each functional area of certification requested in Section A of this application and as required by Section B of the LAG for Certified LPAs. Projects are to be developed in consultation with LPA’s assigned Regional Transportation Project Manager-Local Agency Liaison and according to Section C of the LAG for Certified LPAs.</p> <p>LPA shall present its processes, procedures, and documentation to the Certification Program Office and applicable subject matter resources according to the following schedule:</p> <p>a. Consultant Selection: after selection and negotiation formal/informal and direct appoint/small purchase, but prior to contract execution***</p> <p>b. Design: after the Submittal of the plans, specifications and estimate (PS&E), but prior to authorization to advertise**</p> <p>c. Advertisement, bid, and award: after the award of construction contract, but prior to execution</p> <p>d. Construction Contract Administration: after substantial completion (2nd Note) of construction, but prior to final acceptance and payment</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Comments:</p>
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<p>** Note, if LPA seeks certification in Bridge Design, two bridge demonstration projects as well as additional review with the ODOT Local Bridge Section may be required. The Certification Program Office will coordinate a meeting with LPA and ODOT Local Bridge to develop an individualized certification plan.</p> <p>*** <i>MPO planning/consultant contracting only applicants: Only item a. in this section applies.</i></p>	
<p>2. Certification Program Project Delivery Authorities & Checklists: LPA agrees to consult and document adherence to Certification Program project delivery requirements using the following guidance and checklists:</p> <p>a. Approval Authority Matrix for Certified LPA Projects (Form #734-5191)^A ***</p> <p>b. Bridge Design Qualifications and Coordination Requirements for Certified LPAs Not Certified in Bridge Design^{B and E}</p> <p>c. Consultant Selection Evaluation Checklists^{D and E} ***</p> <ul style="list-style-type: none"> ▪ Formal ▪ Informal ▪ Direct Appoint/Small Purchase ▪ Consultant Contract Administration <p>d. Civil Rights Tracking Sheet (Form #734-5192)^{A or E}</p> <p>e. PS&E Submittal & Completeness Checklist (Form #734-5182)^A</p> <p>f. Advertising, Bid and Award Checklist (Form #734-5193)^{D and E}</p> <p>g. Construction Contract Administration Checklist (Form #734-5194)^{D and E}</p> <p>^A Required for use on <u>All</u> Certification Program projects. ^B Required when LPA hires a consultant to perform <u>Bridge design</u>. ^D Required for use and submittal to ODOT on <u>Demonstration</u> projects, but recommended for use as part of LPA’s Quality Program Plan. ^E LPA may develop an <u>Equivalent</u> set of quality assurance and quality controls to ensure adherence to applicable requirement, which must be incorporated into LPA’s approved Quality Program Plan.</p> <p>*** <i>MPO planning/consultant contracting only applicants: Only items a. and c. in this section apply.</i></p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Comments:</p>
<p>3. ODOT Retained Responsibilities: LPA understands and agrees that while ODOT certifies LPAs to deliver full projects, ODOT is not currently authorized to delegate the project responsibilities listed below. Certified LPAs must comply with ODOT’s programs and processes within the following specified project areas:</p> <p>a. Civil Rights: ODOT is responsible for developing the Civil Rights programs including Disadvantaged Business Enterprises (DBE), Equal Employment Opportunity (EEO), and On the Job Training (OJT)/Apprenticeship. Certified LPAs are responsible for complying with and enforcement of those programs during project delivery. Certified LPAs are also responsible for Title VI (Civil Rights Act of 1964) Program or Non-Discrimination Agreement, ADA Title II Transition Plans and Labor Compliance. Civil Rights programs apply to all federal project delivery phases. ***</p> <p>b. Environmental Processes: ODOT retains authorization over the National Environmental Protection Act (NEPA) process in coordination with state and</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Comments:</p>

federal resource agencies and FHWA. NEPA applies to the federal project development and construction phases.

- c. **Final Certification of Right of Way Transactions:** ODOT retains authorization over Right of Way activities, such as co-signing the Right of Way Certificate. This signed certificate ensures that Right of Way work complies with the Uniform Act.
- d. **Final Certification for Utilities:** ODOT retains authorization over Utility activities, such as co-signing the Utility Certificate. This signed certificate ensures that all utility notifications and relocation work complies with ODOT's Oregon Utility Relocation Manual.
- e. **Public Interest Finding Determinations:** Patented, proprietary, owner designed, or sole-source products must follow ODOT's approval process.
- f. **Project Final Acceptance:** ODOT retains Final Acceptance authority for each certified project.

**** MPO planning/consultant contracting only applicants: Depending the applicant's projects, not all of the items above will apply. However most of the civil rights requirements in item a. will apply.*

H. Compliance and Oversight

- 1. **Certification Compliance Plan:** LPA agrees to cooperate fully with the Certification Program compliance and oversight plan set out in Section B of the LAG for Certified LPAs, including self-audits and program and project reviews. *******
- 2. **Corrective Action:** If deficiencies are identified by ODOT in LPA's program or project documentation or procedures, LPA agrees to participate in the corrective action process set out in Section B of the LAG for Certified LPAs, as required by ODOT.

**** MPO planning/consultant contracting only applicants Note: The Certification Program Office will work with MPO applicants to adapt the compliance review and self-audit processes to minimize duplication of existing administrative and reporting requirements.*

Yes No

Comments:

I. Manuals and Documents

Certified LPAs are required to have on-hand or available electronically appropriate manuals and guidance for use in the development and delivery of federal-aid projects, including but not limited to the publications listed below. Indicate below LPA's usage of the following publications:

- **A** – Already in use by LPA
- **B** – LPA will acquire and develop familiarity as needed
- **C** – LPA has its own equivalent or supplemental standard, guidance, or manual and intends to seek approval for use on federal-aid projects
- **NA** – Not Applicable to LPA's projects or functional areas of certification

AASHTO Policies and Design Guides: Please list those publications LPA has available for use:

FHWA's Contract Administration Core Curriculum Manual

Local Agency Guidelines for Certified Local Public Agencies

Manual on Uniform Traffic Control Devices (MUTCD) and Oregon Supplements

	National Association of City Transportation Officials Bikeway Design Guide
	ODOT ADA Curb Ramp Process (Required for LPA work on or along State Highway)
	ODOT Bicycle & Pedestrian Design Guide
	ODOT Bridge Design Manual
	ODOT Construction Manual
	ODOT Geotechnical Design Manual
	ODOT Highway Design Manual
	ODOT Hydraulics Manual
	ODOT LPA A&E Requirements Guide (Certified LPA Consultant Selection)***
	ODOT LPA Non-A&E PSK Requirements Guide (Certified LPA Consultant Selection) ***
	ODOT Procedure for Transportation Facility Plan Adoption Process
	ODOT Right of Way Manual
	ODOT Transportation System Plan (TSP) Guidelines
	ODOT Utility Manual
	Oregon Standard Specifications for Construction
	Oregon Temporary Traffic Control Handbook
	Oregon Transportation Plan (OTP) and Mode and Topic Policy Plans
	Oregon Transportation Planning Rules
	Other:
	Other:
	Other:
	Other:

J. Other LPA Comments

Submission Checklist:

Please submit your completed application and the following additional documents via email to ODOTCertification@odot.state.or.us. We will confirm receipt of your application within two business days.

- Certified LPA Approval Authorities (734-5084):** Completed in *draft* (no signature needed yet)
- Key Qualified Staff (734-5091):** Completed in *draft* (no signature needed yet)
- Current Organizational Chart(s):** Organizational charts should show approval authority position titles as well as key qualified staff who fill those positions.

The Certification Program Office will review LPA’s application and determines if minimum requirements are met. If preliminarily approved, the Certification Program Office will coordinate an initial meeting with the LPA to review LPA’s application materials and program requirements in more detail. If the Certification Program Office and LPA are in agreement with moving forward, an acceptance to enter the Certification Program will be granted by letter. The application process should take approximately 6 weeks, but may vary significantly based the applicant’s readiness to move forward.

Applicant Signature _____ **Date:** _____

Certification Program Reviewer

Comments:

Date:

Eligibility Requirements Overview (To be completed by ODOT Certification Program Office)

- ✓ The LPA must meet the following minimum requirements prior to being approved to participate in the Certification Program:

Volume of Projects	Generally, a minimum of two to three federal-aid projects in most STIP cycles is required to warrant becoming certified.
STIP Portfolio Management	The LPA must be able to manage, schedule and adequately staff their portfolio of STIP projects to ensure that federal fund obligation deadlines are met for each programmed phase of a project.
Program Liaison	LPA must assign a full-time employee to be the single point of contact for the LPA's certification program.
Person in Responsible Charge	For locally administered projects, the person in responsible charge must be a full-time employee of the LPA. The person in "responsible charge" of LPA administered projects need not be a registered professional engineer. This requirement applies even when consultants are providing construction engineering services.
Quality Control Coordinator	The primary responsibilities of this person are to coordinate the LPA's certification quality control activities. In many cases, the Certified LPA's Program Liaison serves in this role.
Qualified Staff	The LPA shall have sufficient expertise, qualified staff, and the capability to perform and supervise all project phases for which they are certified; i.e. Consultant Selection, Design, Ad, Bid, and Award and Construction Contract Administration.
Publications	The LPA shall have appropriate guidance on hand or available electronically, which may include, but is not limited to: <ul style="list-style-type: none"> • AASHTO Policies and Design Guides • Local Agency Guidelines for Certified Local Public Agencies • Manual on Uniform Traffic Control Devices (MUTCD) and Oregon Supplements • Oregon Temporary Traffic Control Handbook • ODOT's Highway Design Manual • National Association of City Transportation Officials Bikeway Design Guide • ODOT's Bicycle & Pedestrian Design Guide • ODOT's Hydraulics Manual • ODOT's Right of Way Manual • ODOT's Utility Manual • ODOT's Construction Manual • Oregon Standard Specifications for Construction • FHWA's Contract Administration Core Curriculum Manual • ODOT's LPA A&E and Non-A&E PSK Requirements guides • Oregon Transportation Planning manuals and guides