Local Public Agency Certification Agenda October 12, 2022

8:00 am -Registration 8:30 am -Intro/Policy Statement/Certification Requirements (Local Government Coordination) 8:45 am -The Federal NEPA Process (Environmental Services) 9:45 am -Contract Advertisement and Award (FHWA) 10:05 am -Break 10:20 am -Federal Requirements (Civil Rights) 11:05 am -**Program Management** (Internal Review) 12:05 pm -Lunch 1:30 pm -Consultant Selection, Negotiation, and Contract Execution (Engineering Services) Land Acquisition 2:15 pm -(Right of Way) **Construction Contracting** 2:35 pm -(Local Government Coordination) 3:00 pm -Break 3:15 pm -Reimbursement (Local Government Coordination) 3:45 pm -Questions 4:15 pm -**Short Certification Exam** Training Wrap-up and Certificates 4:30 pm -5:00 pm -Departure

LPA Success Stories

Why we do what we do!

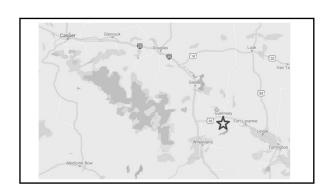
Local Public Agency Funding

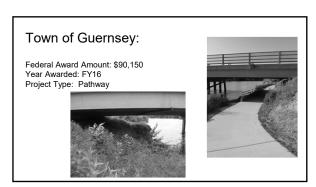
Fiscal Years 2015-2021

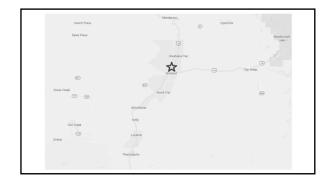
- \$128,388,484



Town of Alpine: Federal Award Amount: \$28,000 Year Awarded: FY18 Project Type: TAP - Planning







Washakie County Senior Center:

Federal Award Amount: \$192,000 Year Awarded: FY18 Project Type: Public Transportation - Bus Garage







City of Cheyenne

Federal Award Amount: \$274,071 Year Awarded: FY18 Project Type: Pedestrian Safety & Traffic Calming







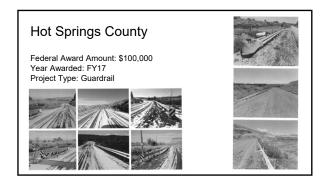
City of Gillette

Federal Award Amount: \$312,000 Year Awarded: FY17 Project Type: Underpass and Pathway











City of Green River

Federal Award Amount: \$140,000 Year Awarded: FY16 Project Type: ADA Upgrades







City of Laramie

Federal Award Amount: \$40,000 Year Awarded: FY18 Project Type: Design & Feasibility







Sweetwater County
Federal Award Amount: \$310,803 Year Awarded: FY20 Project Type: Chemical Dust Suppression



Map for each

Sponsor Name:	
Federal Award Amount: Year Awarded:	
Before and after pictures	
	1
Map for each	
	1
Sponsor Name:	
Federal Award Amount: Year Awarded:	
real Awarded.	
Before and after pictures	

	WYDOT	LGC Contact:	Email:	
	Pr	oject Number:	(***)=Conditional step th	hat may vary from project to project
F		ssment Level: Choose One		correspond to Project Form Tabs
				•
		Early Projec	t Planning	
Initials	Date	Milestone		Time Frame
		Project Approval Letter sent to Sponsor		Sent by November 1
		Lobbying Certification received by LGC	*	* Sponsor's Responsibility
		Right-of-Way form received by LGC	*	* Sponsor's Responsibility
		Unexecuted Agreement sent to Sponsor (If all pre-requisites a	are met)	Sent by December 1
		Sponsor Signed Agreements received by LGC Fully Executed Agreements recieved by LGC		* Sponsor's Responsibility Allow 30 business days
		Anticipated Project Start Date and Timeline Established (Milestones & Status	•
		Update Tab)		* Sponsor's Responsibility
		Risk-Assessment Letter sent to Sponsor		Allow 15 business days
		Risk-Based Monitoring dates completed		
		10% Authority For Expenditure (AFE) for PS&E Requested by	LGC [1]	Allow 45 business days
		10% AFE Received by LGC	4- C	Allow 15 business days
		FAIN Agreement Update letter and Executed Agreement sent		Allow 15 business days Available after issuance of 10% Notice to Proceed
		LPA Cost Reimbursement Form Activated by LGC (Hyperlink ***Evidence of Qualifications-Based Consultant Selection		Available after issuance of 10 % Notice to Froceed
		(if applicable)	-	k On annual a Danna and the William
		***Consultant Scope of Work received by LGC	*	* Sponsor's Responsibility
		***Consultant Information Form Received by LGC (if appl		
		***Consultant Information Form processed by LGC (if applical	ole) [3]	Allow 15 business days
		Executed Copy of Consultant Agreement	*	* Sponsor's Responsibility
		Notice to Proceed: PS&E and Environmental sent to Sponsor		Allow 15 business days
		Preliminary E	ngineering	
Initials	Date	Milestone		Time Frame
		Environmental Documentation recived by LGC	*	* Sponsor's Responsibility
		Environmental Documentation submitted by LGC to Environm	ental Services	Allow 15 business days
		Approved Caterigorical Exclusion received by LGC ***Public Interest Finding Received by LGC (If Force According to the content of the conten	unt work is proposed)	
		Bid Document Checklist with PS&E received by LGC	*	Sponsor's Responsibility
		Final Engi	neering	
Initials	Date	Milestone		Time Frame
		PS&E sent to WYDOT Review Team [4]		Allow 45 business days
		PS&E approved		
		100% AFE requested by LGC [5]		Allow 45 business days
		100% AFE received by LGC [6]		Allow 15 business days
		FAIN Agreement Update letter sent to Sponsor Notice to Proceed on Bid Advertisement Authorization sent to	Sponsor	Allow 10 business days
		•		
		Project Biddin	g and Award	
Initials	Date	Milestone		Time Frame
		Establish Pre-bid meeting date	*	Sponsor's Responsibility
		Pre-bid meeting attended by LGC (in-person or conference ca	all)	
		Bid Tabulation Form received by LGC [7]	*	* Sponsor's Responsibility
		Bid Tabulation reviewed by LGC Bid Tabulation and DBE information sent to WYDOT Civil Rig	hts Office	Allow 10 business days
		BIG TABUIAGOT AND DBE INIOTHAGOT SETT TO WITDO'T CIVIL RIG	ING OTHER	Allow 10 Dubiliess days
		Concurrence in Bid Award Letter sent to Sponsor		
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Local Public Agency Certification

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- To ensure a sub-recipient agency has a fundamental understanding of the requirements in executing state and Federal Highway Administration rules:
 - Rules and regulations are strictly adhered to.
 - July 2011 Office of Inspector General (OIG) audit

Requirement for Certification

- The Local Public Agency (LPA) must have a certified staff member before the application will be considered for funding.
 - Responsible Charge (23 CFR 635.105)
 Must be a full-time employee of the Sponsor
- Began with FY 2012 funds.
- A certified staff member is defined as one that has taken and passed the certification course and has the ability to advise on the execution of the project.

Programs

- Certification is relevant to projects that LPA is administering
 - Typical examples:
 - Transportation Alternatives Program (TAP)

 - Congestion Mitigation & Air Quality (CMAQ)
 High Risk Rural Road Program (HRRR)
 - ction Projects
 - Occasional examples:
 - Bridge Replacement Off System (BROS)
 - State Transportation Program Urban (STP-U)
 - Commission Road Improvement Program (CRIP)

Certification

- WYDOT's Local Government Coordinator will determine the need for recertification.
- Normal certification period is three years:
 - If no significant deficiencies are found, the certification may be extended by three additional years based on a letter submitted to WYDOT
 - Recertification may be required if serious deficiencies are found.
 - Only one extension will be granted.
 - If certified individual leaves a new staff member must attend
- Certification tracked by T2/LTAP

References

- Primary:
 - Title 23 Highways
 - Title 49 Transportation

 - 23 CFR Highways

 - 49 CFR Transportation
 2 CFR Part 200 Uniform Administrative Requirements
- · Good Reference:
 - County Road Fund Manual
 - Federal Aid Essentials: http://www.fhwa.dot.gov/federal-
 - Project Agreement

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	32	_		Final Environment	

Celebration of Knowledge
• End of the day;
Open-book, open-note;
Demonstrate basic understanding:
- 70% Correct to complete celebration;
- Multiple choice and true/false.
Ask questions and celebrate again;
Come hang out with us for another LPA class.
· ·

Introductions

Name
Agency you represent

WYDOT Environmental Form Instructions for Local Governments

General Information

- This form is used for federal-aid pass through funding for local governments and tribal authority.
- Based on the completion of the form, WYDOT will determine the Class of Action.
- Determinations of the Area of Potential Effect (APE), level of cultural investigation and determinations of eligibility are all made by the lead federal agency per 36 CFR 800. FHWA is the lead federal agency for WYDOT projects, including those with pass through funding. FHWA has designated WYDOT to make these determinations on their behalf.

Required Steps

- Prepare scoping letters with detailed proposed scope of work and location of project, including the Public Land Survey System description (PLSS).
 - Projects with only work on the existing road surface (i.e. dust suppression, striping, etc.) do not require scoping outside agencies. Contact Environmental Services for assistance regarding if your project is exempt from agency scoping.
- Send the scoping letters to the Wyoming Game and Fish Department, U.S. Army Corps of Engineers, U.S. Fish and Wildlife Service, at a minimum, and any other applicable agencies depending project specifics.
- <u>Do Not</u> scope the State Historic Preservation Office. Their role is to concur on determinations made by the lead federal agency or their designee (WYDOT).
- Send a letter to WYDOT Environmental Services (<u>Nick.Hines@wyo.gov</u> and <u>Stephanie.Lowe1@wyo.gov</u>) seeking cultural comments. Including the following information
 - a. Project Description, emphasizing ground disturbances
 - b. Project location and boundaries, using the PLSS down to quarter-quarter.
 - c. Map showing location and boundaries of project.
 - d. Identify any federal land managing agencies within the project area (e.g. BLM, US Forest Service, etc.)
- Follow subsequent guidance provided by WYDOT Environmental Services.
- Complete design plans to 35% (ex. grading plans) to determine the projects proposed impacts (Except for maintenance projects that do not have plans).
- Complete the attached environmental form.
- Once completed SEND THE FOLLOWING TO WYDOT'S LOCAL GOVERNMENT OFFICE
 - o Completed environmental form
 - o Figures
 - Agency letters and their responses
 - o At least 35% design plans
- Wait for a response from WYDOT before proceeding to the next step.



WYOMING Department of Transportation

"Providing a safe, high quality, and efficient transportation system"





DATE

Monica Gourdine Wyoming Division Administrator Federal Highway Administration 2617 E. Lincolnway, Suite D Cheyenne, WY 82001-5662 Project No.: Insert Project Number Insert Project Name Insert Project Location or Road Name Insert County Insert Type of Work

Pursuant to the requirements of the National Environmental Policy Act, the Wyoming Department of Transportation (WYDOT) submits this Categorical Exclusion (CE) on behalf of INSERT PROJECT SPONSOR for the above referenced project. Justification for the determination of minimal and temporary impacts is presented in the following sections.

DETERMINATION

WYDOT Environmental Service use only.	
Per the 2018 FHWA/WYDOT Programmatic Agreement for th actions classified as categorical exclusions for federal-aid h	
The attached document meets the requirements of a The attached document meets the requirements of a The attached document meets the requirements of a	WYDOT CE3.
Wyoming Department of Transportation	
Scott Gamo, Ph.D.	Date
This project is a Categorical Exclusion per FHWA approval	
Monica Gourdine	Date

Attachments:

LGC Environmental Form Site Location Map Proposed Improvements Map Agency Letters

- Letter to WYDOT Environmental Services requesting a Cultural Determination
- WYDOT Cultural Response Letter
- Letter to the USACE
- USACE Response Letter
- Letter to the Wyoming Game and Fish
- Wyoming Game and Fish Response Letter
- Letter to the U.S. Fish and Wildlife
- U.S. Fish and Wildlife Response Letter
- Design Plans (optional for maintenance type projects)
- If applicable, enter additional attachments here

LGC ENVIRONMENTAL FORM

PROJECT LOCATION

Describe the location of the project including roads, town/city, county and Section, Township and Range. Include as Figure 1 the project locations.

PURPOSE AND NEED

Describe what issue or problem you are intending to resolve with this project and why does the issue/problem need to be resolved. Do not state the solution or the scope of work.

PROPOSED IMPROVEMENTS

Describe all proposed improvements, including their locations. If applicable include width and surfacing material for any pathways or sidewalks. Include as Figure 2.

AFFECTED ENVIRONMENT / IMPACTS

** If answered Yes to any of the questions below further details are required.		No
Social Impacts		
 Land Use (New land development, redistribution of developments or changes in zoning) Will the proposed project lead to land development or redistribution of existing land development not already in a planning document? 		
If Yes, describe impacts here		
 Community Cohesion (The ability of people to communicate and interact with each other in ways that lead to a sense of community. Cohesion is reflected in the neighborhoods ability to function and be recognized as a singular unit.) Does the project have residential impacts and/or create a barrier between a residential community and social or commercial resources? 		
If Yes, describe impacts here		
 Relocation Potential (Relocation of private or commercial businesses, buildings or property) Are any residential or commercial properties going to be relocated? 		
If Yes, describe impacts here		

Churches and Schools (Potential impacts to physical property of a church or school or changes to how they are accessed.) • Will there be any impacts to church or school property including how they are accessed? If Yes, describe impacts here	
Controversy Potential (If individuals, groups or organizations are against the project.) • Is there any controversy with the project in the community or adjacent landowners? If Yes, describe impacts here	
 Energy Production (Potential impacts to oil, gas, coal, uranium extraction and production.) Will the project impact energy production or the recovery of materials in or adjacent to the project area? If Yes, describe impacts here 	
 Utility Lines (Potential impacts to telephone lines, fiber optic, electrical, water and sewer) Will any utility lines be moved or impacted due to the project? If Yes, describe impacts here 	
 Emergency Services (Potential impacts to designated emergency routes or impacts that may delay emergency services) Will the project impede emergency service access through the project or surrounding areas? If Yes, describe impacts here 	
 Environmental Justice (Compare the impacts on the minority and/or low-income populations with respect to the impacts on the overall population within the project area. Fair distribution of the beneficial and adverse effects of the proposed action is the desired outcome.) Is there fair distribution of the beneficial and adverse effects of the proposed action to all populations within the project area? *No additional information needed if checked "Yes". If No, provide justification here 	

 Public Transportation (Potential impacts to public transit operations, existing transit routes, transit facilities, etc.) Will the project impact public transportation operations or alter public transportation routes? If Yes, describe impacts here 	
Right-of-Way (Public rights of way used for transportation.) • Will the project require land that is currently not existing city, county or state transportation right-of-way? *All property acquisitions used in this project must comply fully with the Uniform Relocation Assistance and Real Property Acquisition Polices Act of 1970, as amended. If Yes, describe impacts here	
Construction Permits (Temporary construction easements or property used only during construction to allow equipment access or additional room to construct the project.) • Will there be temporary access on private, state, or federal land outside of the existing right-of-way for temporary use during construction? If Yes, describe impacts here	
Pedestrian and Bicycle (Potential impacts to existing pathways, sidewalks or other features used by pedestrians or bicyclists.) • Will there be any impacts to existing pedestrian or bicycle routes or pathways? If Yes, describe impacts here	
Archaeological and Historical Impacts	
Cultural/Archaeological/Historic Impacts (Contact WYDOT for a determination of additional cultural or Historical Studies need to be completed. *Insert WYDOT's response below and the SHPO concurrence letter in the applicant to the complete of the concurrence letter in the applicant to the concurrence letter in the concu	

 Section 4(f) (Section 4(f) of the DOT Act establishes the requirement for consideration of park and recreational lands, wildlife and waterfowl refuges and historic sites in transportation project development.) Will your project involve work on any of the following types of properties: fairgrounds, public open spaces, public parks, state game lands, or other recreation facilities fully open to the public? * If Yes, Contact WYDOT Environmental Services before submitting the final CE If Yes, describe impacts here 				
Natural Resources				
 Wetlands and other Waters of the U.S. (Potential impacts to open water, wetlands, creeks, dry channels, irrigation canals, etc.) Are there any impacts to Waters of the U.S. including wetlands, creeks, streams or rivers? Did the U.S. Army Corps of Engineers (USACE) indicate the project would impact Waters of the U.S. *Send scoping letter to the U.S. Army Corps of Engineers (USACE), attach scoping letter and USACE response in appendix.) If Yes, describe impacts here 				
 Water Quality (Potential impacts to existing impaired waters or sediment run off from the project.) Are there any Wyoming Department of Environmental Quality (WYDEQ) Class I, Class II or impaired waters in the project limits? Does the project require compliance or a permit with the Wyoming Pollutant Discharge Elimination System (WPDES)? If Yes, describe impacts here 				
 Wild and Scenic Rivers (Wild and Scenic Rivers Act was created to preserve certain rivers with outstanding natural, cultural and recreational values in a free-flowing condition for the enjoyment of present and future generations.) Are there any designated or proposed Wild and Scenic Rivers in or adjacent to the project area? *If Yes, contact WYDOT Environmental Services. 				

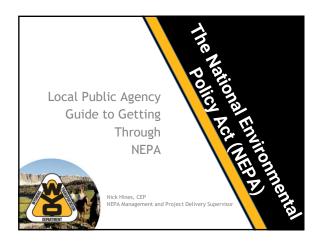
Floodplains (Floodplains are identified by the National Flood Insurance Program (NFIP) and the Federal Emergency Management Agency (FEMA.) • Is the project within an identified floodplain or will it encroach on a regulatory floodplain? *If Yes, contact the local Floodplain coordinator and include their response in the appendix. If Yes, describe impacts here						
Farmlands (The Farmland Protection Policy Act is intended to minimize the impact on the conversion of farmland to nonagricultural uses.) • Are you impacting any prime or unique farmland as defined by the Natural Resource Conservation Service? If Yes, describe impacts here						
Wildlife and Habitat (Potential impacts to state managed wildlife or wildlife habitat, Migratory Bird Treaty Act and the Bald and Golden Eagle Protection Act.) • Are there any raptor nests within one mile of the project area?						
Is the project located in Sage-Grouse Core Management Areas?						
Did the Wyoming Game and Fish Department have any recommendations or concerns with the project? *If Yes, identify which recommendations you will be implementing. *Include scoping letter to the Wyoming Game and Fish and their response in the appendix. If Yes, describe impacts here						
 Threatened and Endangered Species (Potential impacts to federal Species Of Concern or Threatened and Endangered species.) Did the U.S. Fish and Wildlife Service scoping letter indicate any concerns? *Include scoping letter to the USFWS and their response in the appendix. If Yes, describe impacts here 						

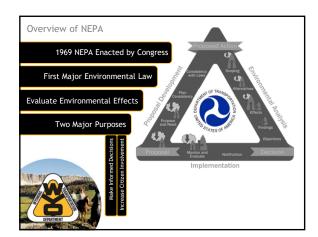
Vegetation (Potential impacts to special status plant species and preventing the spread of noxious and invasive species.) • Will the project impact any special status plant species? *Projects must have all disturbed (bare ground) areas seeded with commercially available native species at the end of construction to help control the spread of noxious and invasive species. Explain below if this will not happen. If Yes, describe impacts here					
Ecosystem (Potential impacts when considering all the various natural resource impacts to determine if combined they cause impacts to the regional ecosystem.) • Is the project expected to cause permanent regional ecosystem impacts? If Yes, describe impacts here					
Physical Impacts					
 Noise (Potential impacts caused by traffic noise increase to noise sensitive areas, including parks, amphitheaters, churches, schools, residential, businesses, etc.) After construction will the project increase noise at any noise sensitive areas within or adjacent to the project area? If Yes, describe impacts here 					
 Air Quality (Potential impacts to air quality from particulate matter and gas emissions) Is the project in a WYDEQ non-attainment area? Will there be any adverse long-term impacts to air quality from the project? If Yes, describe impacts here 					
 Hazardous Waste Sites & Contamination (Potential for the project to release or expose contamination from previous fueling stations, lube shops, dry cleaners, mechanic shops, industrial operations, refineries, etc.) Will the project impact any locations that could contain hazardous waste or is adjacent to facilities that may have been previously contaminated? If Yes, describe impacts here 					
 Visual (Potential impacts to areas that are known for their scenic views including National Scenic Byway, National Scenic Area, Wild and Scenic River, National Trails System, National Monument, cultural resources, etc.)? Will the project be seen by any areas known for their scenic views or will it block any areas known for scenic views? If Yes, describe impacts here 					

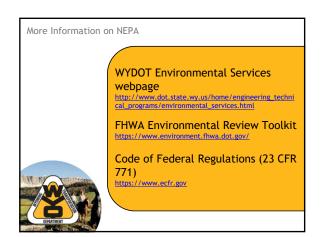
Plant Sites, Material Sources, Haul Roads (All disturbances related to the project including batch plants, hot plants, material sources, borrow sites and haul roads accessing these places need to be covered by this document.) • Will the project use borrow sources, waste areas and plant sites other than contractor furnished or commercially available sources? • Are there any other areas outside the project limits that will have work combined with this project that have not been discussed above? If Yes, describe impacts here							
Temporary Impacts (Describe any other temporary impacts that have not been							
will the project have any other additional temporary impacts that have not been addressed above?							
If Yes, describe impacts here							
PUBLIC PARTICIPATION Describe any opportunities that the public has had to provide comments on the project dates and a generalized public response. Can include council meetings and direct contact.		_					
ENVIRONMENTAL COMMITMENTS							
The contractor will become familiar with and adhere to all laws relevant to avoid minimizing damaging impacts to the environment.	oiding	and/or					
All property acquisitions used in this project are in full compliance with the Uniford Assistance and Real Property Acquisition Polices Act of 1970, as amended.	m Relo	cation					
All disturbed areas (even if previously bare ground) will be seeded with commercially available native species at the end of construction to help control the spread of noxious and invasive species.							
If any impacts, not discussed in this document, are discovered during construction, work should immediately stop until WYDOT Environmental Services has been notified and has evaluated the impact(s) to determine the proper measures to be taken to prevent further impact and provide guidance on how to mitigate any impacts that require mitigation.							

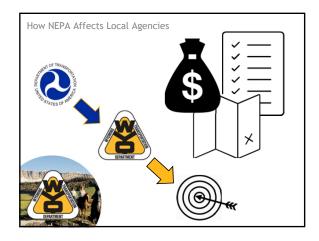
PREPARER Name, Title, Organization of Preparer I agree to comply with all commitments and conditions listed above. The information provided above is accurate to the best of my knowledge. DATE

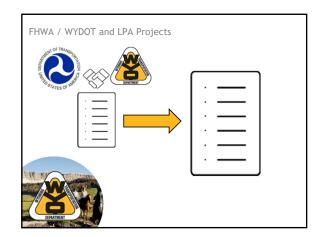
Name of Individual with Signatory Authority Title of Signatory

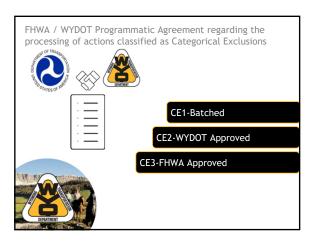


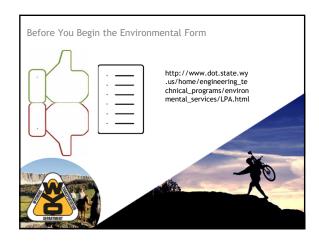








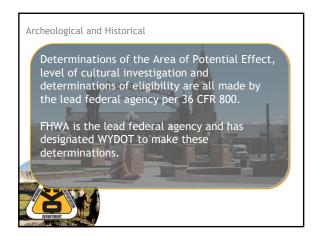


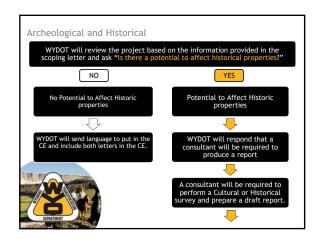




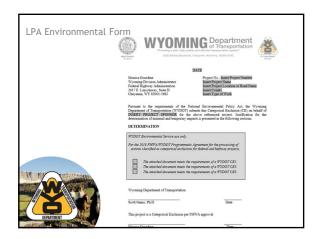


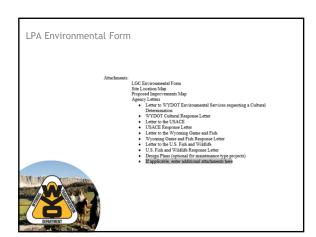


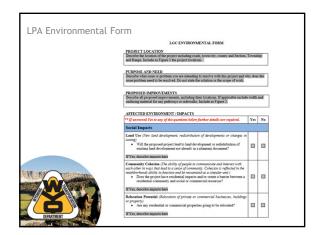












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	Churches and Schools (Potential impacts to physical property of a church or school or changes to how they are accessed.) • Will there be any impacts to church or school property including how they			
	was used of majores of cases of people y mesoning now any are accessed? If Yes, describe impacts here			
	Controversy Potential (If individuals, groups or organizations are against the		\vdash	
	project.) • Is there any controversy with the project in the community or adjacent landowners?			
	If Yes, describe impacts here			
	Energy Production (Potential impacts to oil, gas, coal, uranium extraction and production) • Will the project impact energy production or the recovery of materials in or			
	 Will the project impact energy production or the recovery of materials in or adjacent to the project area? 			
	If Yes, describe impacts here Utility Lines (Potential impacts to selephone lines, fiber optic, electrical, water		-	
	will any utility lines be moved or impacted due to the project?			
	If Yes, describe impacts here		Щ	
	Emergency Services (Potential impacts to designated emergency routes of impacts that may delay emergency services) Will the project impede emergency service access through the project or surrounding seesa?			
Entitle Contraction			-	
	If Yes, describe impacts here Environmental Justice (Compare the impacts on the minority and/or low-income	,	\dashv	
	Environmental Justice (Compare the impacts on the minority and/or low-income populations with respect to the impacts on the overall population within the project area Fair distribution of the beneficial and adverse effects of the proposed action is the desired outcome.)	,		
	 Is there fair distribution of the beneficial and adverse effects of the proposed action to all populations within the project area? No additional information meaded if checked "Yes". 			
DEPARTMENT	If No, provide justification here			
The state of the s			_	
PA Environmental	Form			
A LITVITOTITIETICAL	Public Transportation (Potential impacts to public transit operations, existing		_	1
	transit routes, transit facilities, etc.) Will the project impact public transportation operations or after public		_	
	transportation routes?			
	If Yes, describe impacts here Right-of-Way (Public rights of way used for transportation)	+	+	-
	Will the project regule land that is currently nog existing city, county or state transportation right-of-way? All properly ouguitions used in this project must comply fully with the Uniform Relocation Assistance and Real Property Acquisitions under 1970, as			
	*All property acquisitions used in this project must comply fully with the Uniform Relocation Assistance and Real Property Acquisition Polices Act of 1970, as			
	amended. If Yes, describe impacts here			
	Construction Permits (Temporary construction easements or property used on during construction to allow equipment access or additional room to construct the	b	+	1
	Will there be temporary access on private, state, or federal land outside of the existing right-of-way for temporary use during construction?	"	"	
	If Yes, describe impacts here	+	\vdash	
	Pedestrian and Bicycle (Potential impacts to existing pathways, sidewalks of their features used by pedestrians or bicyclists.)	P	_	
	 Will there be any impacts to existing pedestrian or bicycle routes a pathways? 	-	-	
	If Yes, describe impacts here	_	L	
	Archaeological and Historical Impacts Cultural/Archaeological/Historic Impacts (Contact WYDOT for a determination)	n of eft	lect or t	
	additional cultural or Historical Studies need to be completed. *Insert WYDOT's response below and the SHPO concurrence letter in the linest WYDOT response here.	append	x.	
	insert wYDOI response here			J
DEPARTMENT				
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	Section 4(f) (Section 4(f) of the DOT Act establishes the requirement for consideration of park and recreational lends wildlife and unstantual wilmes and			
	Section 4(f) Cercine 4(f) of the DOT Act statishibles the requirement for consideration of open dues recreated lands. Wallife and waterform refuges and historic sizes in insuspensation project development.) - Will your project involve work on any of the following types of properties: flargrounds, public sones spaces, public ratios, sixte panne lands, or other recreation facilities filing perion to the public.			
	fairgrounds, public open spaces, public parks, state game lands, or other recreation facilities fully open to the public?			
	* If Yes, Contact WYDOT Environmental Services before submitting the final CE			
	If Yes, describe impacts here			
	Natural Resources Wathards and other Waters of the U.S. (Potential imports to ones votes.)			
	Wetlands and other Waters of the U.S. (Potential impacts to open water, wetlands, creeks, dry channels, irrigation canals, etc.) • Are there any impacts to Waters of the U.S. including wetlands, creeks,			
	streams or rivers?		_	
	would impact Waters of the U.S.			
	*Send scoping letter to the U.S. Army Corps of Engineers (USACE), attach scoping letter and USACE response in appendix.)			
	If Yes, describe impacts here	\Box	_	
	Water Quality (Potential impacts to existing impaired waters or sediment run off from the project)			
	Are there any Wyoming Department of Environmental Quality (WYDEQ) Class I, Class II or impaired waters in the project limits? Does the project require compliance or a permit with the Wyoming Pollutant Discharge Elimination System (WPDES)?			
No.		-1	-	
	If Yes, describe impacts here	\perp	_	
	Wild and Scenic Rivers (Wild and Scenic Rivers Act was created to preserve certain rivers with outstanding natural, cultural and recreational values in a free- flowing condition for the enjoyment of present and future generations.)			
大人	adjacent to the project area? *If Yes, contact WYDOT Environmental Services.			
DEPARTMENT	If Yes, describe impacts here			

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LI A LIIVII OIIIIIEIILAI	Flandalsins (Flandalatus are identified by the Matianal Fland Insurance Programs			
	(NFIP) and the Federal Emergency Management Agency (FEMA.) • Is the project within an identified floodolain or will it encroach on a			
	regulatory floodplain? "If Yes, contact the local Floodplain coordinator and include their response in the appendix.	_		
	If Yes, describe impacts here Farmlands (The Farmland Protection Policy Act is intended to minimize the			
	Impact on the conversion of farmland to nonagricultural uses.) • Are you impacting any prime or unique farmland as defined by the Natural Resource Conservation Service?			
	Resource Conservation Service? If Yes, describe impacts here	_		
	Wildlife and Habitat (Potential impacts to state managed wildlife or wildlife habitat, Migratory Bird Treaty Act and the Bald and Golden Eagle Protection			
	habitat, Migratory Bird Treaty Act and the Bald and Golden Eagle Protection Act.) • Are there any raptor nests within one mile of the project area?			
	Is the project located in Sage-Grouse Core Management Areas?	_		
	 Did the Wyoming Game and Fish Department have any recommendations or concerns with the project? If Yaz, identify which recommendations you will be implementing. 			
	*Include scoping letter to the Wyoming Game and Fish and their response in the appendix.			-
	If Yes, describe impacts here			
	Threatened and Endangered Species (Potential impacts to federal Species Of Concern or Threatened and Endangered species.) Did the U.S. Fish and Wildlife Service scoping letter indicate any			
	 Did the U.S. Fish and Wildlife Service scoping letter indicate any concerns? *Include scoping letter to the USFWS and their response in the appendix. 			
	If Yes, describe impacts here			
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	Vepturion, (Posterial Impacts to special status plant species and preventing the species of entirons and sensitive species.) "Project of entirons and sensitive species, and the special status points specially "Project impact have of distributed (lower prosults materially areas sended with commercially available nature species at the end of construction to help control the spread of Unitation and Hermiter species. Explaint below of the wife of happens.	Т		-
	 Will the project impact any special status plant species? *Projects must have all distributed (bare ground) areas seeded with commercially probabilities and the status of the seeded with commercially probabilities. 			
	naxious and treative species. Explain below if this will not happen.			
	If Yes, describe impacts here Ecosystem (Potential impacts when considering all the various natural resource)	+	-	
		0 0	0	
	If Yes, describe impacts here			
	Physical Impacts Noise (Potential impacts caused by truffic noise increase to noise sensitive areas,	T		
	Noise (Potential impacts caused by traffic noise increase to noise sensitive areas, including parks, amphilheaters, churches, schools, residential, businesses, etc.) • After construction will the project increase noise at any noise sensitive areas within or adjacent to the project area?	0 0		
	areas within or adjacent to the project area? If Yes, describe impacts here			
	Air Quality (Potential impacts to air quality from particulate matter and gas emissions)	T		
	Is the project in a WYDEQ non-attainment area? Will there be any adverse long-term impacts to air quality from the project?	0 0		
	If Yes, describe impacts here	\perp	_	
toff Confession	Hazardeus Waste Sites & Centamination (Potential for the project to release or expose contamination from provious fueling stations, take shops, dry cleaners, mechanic shops, industrial operations, repleness, each joint contain hazardous waste or is adjuncted to Entities that may have been previously contaminated?			
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	If Yes, describe impacts here Visual Constitut impacts to once that one brown for their count visual includes	+		
	Visual (Potential impacts to arous that are known for their scenic visus including National Scenic Byway, National Scenic Arou, Till and Scenic Row, National Third System, National National Scenic Arous Assuments, calabrat converse, etc.) Will the project be seen by any areas known for their scenic views or will it block any areas known for tente views.	_	_	
DEPARTMENT	 Will the project be seen by any areas known for their scenic views or will it block any areas known for scenic views? 	0	9	
	If Yes, describe impacts here			
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	Plant Sites, Material Sources, Haul Roads (4ll disturbances related to the			
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	contractor furnished or commercially available sources? • Are there any other areas outside the project limits that will have work combined with this project that have not been discussed above?	9 0	1	
	If Yes, describe impacts here			
	Temporary Impacts (Describe any other temporary impacts that have not been	†		
	covered.) Will the project have any other additional temporary impacts that have not been addressed above?	0 0	1	
	If Yes, describe impacts here			-
	BUDLIC BARTICTS ATION		_	
	PUBLIC PARTICIPATION Describe any opportunities that the public has had to provide comments on the project, dates and a generalized public response. Can include council meetings and direct is	includ	ing ser	
	Experience of the second secon			
	ENVIRONMENTAL COMMITMENTS			
	The contractor will become familiar with and adhere to all laws relevant to avoids minimizing damaging impacts to the environment.			
To all the second	All property acquisitions used in this project are in full compliance with the Uniform F Assistance and Real Property Acquisition Polices Act of 1970, as amended.	Relocati	ion	
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	species.			
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LPA Environmental Form	
PREPARER	
Name, Title, Organization of Preparer	
I agree to comply with all commitments and conditions listed above. The information provided above is accurate to the best of my knowledge.	
Name of Individual with Signatory Authority DATE	
Title of Signatory	-
W W TO THE WAY	
DEPARTMENT	
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Questions	
- Adesirons	

The National Environmental Policy Act (NEPA)

Local Public Agency Guide to Getting through NEPA

Presented by: Nick Hines, CEP

NEPA Management and Project Delivery Supervisor (307) 777-4156

Nick.Hines@wyo.gov

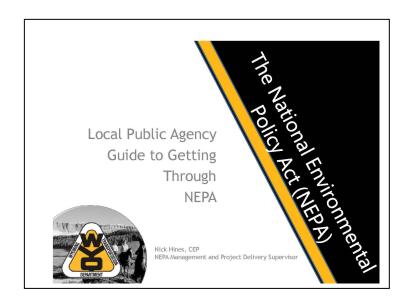


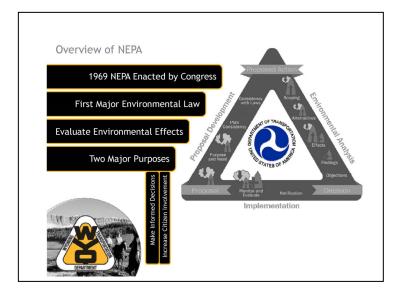
For Cultural Questions Contact:

Stephanie Lowe Cultural Resources Specialist (307) 777-4364

Stephanie.Lowe1@wyo.gov

(When corresponding with Stephanie, please cc Nick as well.)

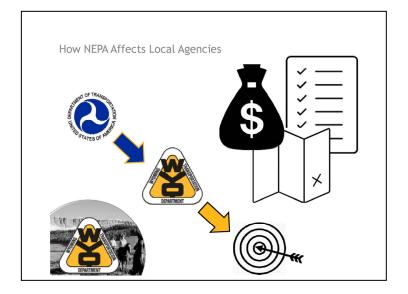


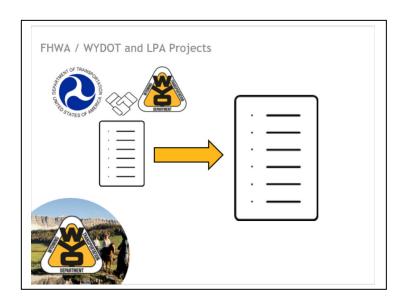


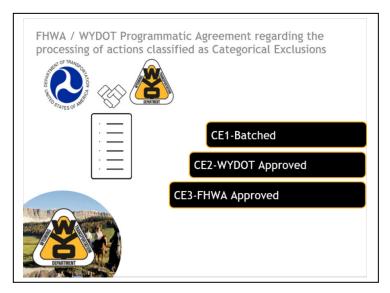
My Notes:

My Notes:



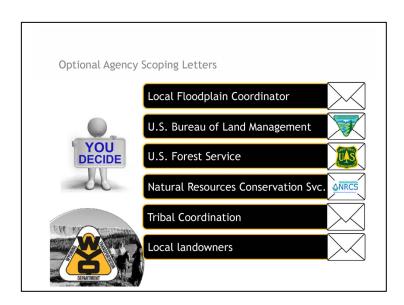






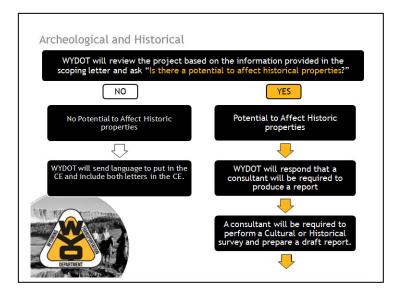
Before You Begin the Environmental Form http://www.dot.state.wy .us/home/engineering_te chnical_programs/environ mental_services/LPA.html







Determinations of the Area of Potential Effect, level of cultural investigation and determinations of eligibility are all made by the lead federal agency per 36 CFR 800. FHWA is the lead federal agency and has designated WYDOT to make these determinations.



Archeological and Historical WYDOT will review the project based on the information provided in the scoping letter and ask "Is there a potential to affect historical properties?" YES Consultant/LPA will SEND A DRAFT report of their findings to WYDOT for review and comment. WYDOT will make a determination and will consult with SHPO. Once the SHPO concurrence letter is received WYDOT will send language to put in the CE. Include letters in the CE.



Public Participation

Describe any opportunities that the public has had to provide comments on the project. Include any public meetings, council meetings or direct landowner contact.

WYDOT's current Public Involvement Handbook can be found on the WYDOT website.

http://www.dot.state.wy.us/home/news_info/public_i nvolvement.html



WYDOT Environmental Form Instructions for Local Governments

General Information

- This form is used for federal-aid pass through funding for local governments and tribal authority.
- Based on the completion of the form, WYDOT will determine the Class of Action.
- Determinations of the Area of Potential Effect (APE), level of cultural investigation and determinations of eligibility are all made by the lead federal agency per 36 CFR 800. FHWA is the lead federal agency for WYDOT projects, including those with pass through funding. FHWA has designated WYDOT to make these determinations on their behalf.

Required Steps

- Prepare scoping letters with detailed proposed scope of work and location of project, including the Public Land Survey System description (PLSS).
 - Projects with only work on the existing road surface (i.e. dust suppression, striping, etc.) do not require scoping outside agencies. Contact Environmental Services for assistance regarding if your project is exempt from agency scoping.
- Send the scoping letters to the Wyoming Game and Fish Department, U.S. Army Corps of Engineers, U.S. Fish and Wildlife Service, at a minimum, and any other applicable agencies depending project specifics.
- <u>Do Not</u> scope the State Historic Preservation Office. Their role is to concur on determinations made by the lead federal agency or their designee (WYDOT).
- Send a letter to WYDOT Environmental Services (<u>Nick Hines@wyo.gov</u>) and <u>Stephanie Lowe1@wyo.gov</u>) seeking cultural comments. Including the following information
 - a. Project Description, emphasizing ground disturbances
 - b. Project location and boundaries, using the PLSS down to quarter-quarter.
 - c. Map showing location and boundaries of project.
 - Identify any federal land managing agencies within the project area (e.g. BLM, US Forest Service, etc.)
- Follow subsequent guidance provided by WYDOT Environmental Services.
- Complete design plans to 35% (ex. grading plans) to determine the projects proposed impacts (Except for maintenance projects that do not have plans).
- Complete the attached environmental form.
- Once completed SEND THE FOLLOWING TO WYDOT'S LOCAL GOVERNMENT OFFICE
 - o Completed environmental form
 - Figures
 - o Agency letters and their responses
 - At least 35% design plans
- Wait for a response from WYDOT before proceeding to the next step.



WYOMING Department of Transportation



5300 Bishop Boulevard, Cheyenne, Wyoming 82009-3340

DATE

Monica Gourdine Wyoming Division Administrator Federal Highway Administration 2617 E. Lincolnway, Suite D Cheyenne, WY 82001-5662 Project No.: Insert Project Number Insert Project Name Insert Project Location or Road Name Insert County Insert Type of Work

Pursuant to the requirements of the National Environmental Policy Act, the Wyoming Department of Transportation (WYDOT) submits this Categorical Exclusion (CE) on behalf of INSERT PROJECT SPONSOR for the above referenced project. Justification for the determination of minimal and temporary impacts is presented in the following sections.

DETERMINATION

WYDOT Environmental Service use only.	
Per the 2018 FHWA/WYDOT Programmatic Agreement for the pro- actions classified as categorical exclusions for federal-aid highw	
This CE meets the requirements of a WYDOT CE2.	
This CE meets the requirements of a WYDOT CE3.	
Wyoming Department of Transportation	
Scott Gamo, Ph.D. This project is a Categorical Exclusion per FHWA approval	Date
Monica Gourdine	Date

Attachments:

LGC Environmental Form Site Location Map Proposed Improvements Map Design Plans Agency Letters

- · Letter to WYDOT Environmental Services requesting a Cultural Determination
- WYDOT Cultural Response Letter
 Letter to the USACE
- USACE Response Letter
- Letter to the Wyoming Game and Fish
 Wyoming Game and Fish Response Letter
- · Letter to the U.S. Fish and Wildlife
- U.S. Fish and Wildlife Response Letter
- If applicable, enter additional attachments here

LGC ENVIRONMENTAL FORM

PROJECT LOCATION

Describe the location of the project including roads, town/city, county and Section, Township and Range. Include as Figure 1 the project locations.

PURPOSE AND NEED

Describe what issue or problem you are intending to resolve with this project and why does the issue/problem need to be resolved. Do not state the solution or the scope of work.

PROPOSED IMPROVEMENTS

Describe all proposed improvements, including their locations. If applicable include width and surfacing material for any pathways or sidewalks. Include as Figure 2.

AFFECTED ENVIRONMENT / IMPACTS

** If answered Yes to any of the questions below further details are required.	Yes	No
Social Impacts		
Land Use (New land development, redistribution of developments or changes in zoning) • Will the proposed project lead to land development or redistribution of existing land development not already in a planning document? If Yes, describe impacts here		
Community Cohesion (The ability of people to communicate and interact with each other in ways that lead to a sense of community. Cohesion is reflected in the neighborhoods ability to function and be recognized as a singular unit.) • Does the project have residential impacts and/or create a barrier between a residential community and social or commercial resources? If Yes, describe impacts here		
Relocation Potential (Relocation of private or commercial businesses, buildings or property) • Are any residential or commercial properties going to be relocated? If Yes, describe impacts here		

Churches and Schools (Potential impacts to physical property of a church or school or changes to how they are accessed.) • Will there be any impacts to church or school property including how they are accessed? If Yes, describe impacts here		
Controversy Potential (If individuals, groups or organizations are against the		
project.) Is there any controversy with the project in the community or adjacent landowners? 		
If Yes, describe impacts here		
Energy Production (Potential impacts to oil, gas, coal, uranium extraction and		
Will the project impact energy production or the recovery of materials in or adjacent to the project area?		
If Yes, describe impacts here		
Utility Lines (Potential impacts to telephone lines, fiber optic, electrical, water and sewer) • Will any utility lines be moved or impacted due to the project?		
If Yes, describe impacts here		
Emergency Services (Potential impacts to designated emergency routes or impacts that may delay emergency services) • Will the project impede emergency service access through the project or surrounding areas?		
If Yes, describe impacts here		
 Environmental Justice (Compare the impacts on the minority and/or low-income populations with respect to the impacts on the overall population within the project area. Fair distribution of the beneficial and adverse effects of the proposed action is the desired outcome.) Is there fair distribution of the beneficial and adverse effects of the proposed action to all populations within the project area? *No additional information needed if checked "Yes". 		
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Public Transportation (Potential impacts to public transit operations, existing transit routes, transit facilities, etc.) • Will the project impact public transportation operations or alter public transportation routes? If Yes, describe impacts here	
Right-of-Way (Public rights of way used for transportation.) • Will the project require land that is currently not existing city, county or state transportation right-of-way? *All property acquisitions used in this project must comply fully with the Uniform Relocation Assistance and Real Property Acquisition Polices Act of 1970, as amended. If Yes, describe impacts here	
Construction Permits (Temporary construction easements or property used only during construction to allow equipment access or additional room to construct the project.) • Will there be temporary access on private, state, or federal land outside of the existing right-of-way for temporary use during construction? If Yes, describe impacts here	
Pedestrian and Bicycle (Potential impacts to existing pathways, sidewalks or other features used by pedestrians or bicyclists.) • Will there be any impacts to existing pedestrian or bicycle routes or pathways? If Yes, describe impacts here	
Archaeological and Historical Impacts	
Cultural/Archaeological/Historic Impacts (Contact WYDOT for a determination additional cultural or Historical Studies need to be completed. *Insert WYDOT's response below and the SHPO concurrence letter in the applicant WYDOT response here	 - 1

Section 4(f) (Section 4(f) of the DOT Act establishes the requirement for consideration of park and recreational lands, wildlife and waterfowl refuges and historic sites in transportation project development.) • Will your project involve work on any of the following types of properties: fairgrounds, public open spaces, public parks, state game lands, or other recreation facilities fully open to the public? * If Yes, Contact WYDOT Environmental Services before submitting the final CE	
Natural Resources	
Wetlands and other Waters of the U.S. (Potential impacts to open water, wetlands, creeks, dry channels, irrigation canals, etc.) • Are there any impacts to Waters of the U.S. including wetlands, creeks, streams or rivers? • Did the U.S. Army Corps of Engineers (USACE) indicate the project would impact Waters of the U.S. *Send scoping letter to the U.S. Army Corps of Engineers (USACE), attach scoping letter and USACE response in appendix.) If Yes, describe impacts here	
<u> </u>	
Water Quality (Potential impacts to existing impaired waters or sediment run off from the project.) • Are there any Wyoming Department of Environmental Quality (WYDEQ) Class I, Class II or impaired waters in the project limits? • Does the project require compliance or a permit with the Wyoming Pollutant Discharge Elimination System (WPDES)?	
If Yes, describe impacts here	
Wild and Scenic Rivers (Wild and Scenic Rivers Act was created to preserve certain rivers with outstanding natural, cultural and recreational values in a free-flowing condition for the enjoyment of present and future generations.) • Are there any designated or proposed Wild and Scenic Rivers in or adjacent to the project area? *If Yes, contact WYDOT Environmental Services.	

Floodplains (Floodplains are identified by the National Flood Insurance Program (NFIP) and the Federal Emergency Management Agency (FEMA.) • Is the project within an identified floodplain or will it encroach on a regulatory floodplain? *If Yes, contact the local Floodplain coordinator and include their response in the appendix. If Yes, describe impacts here Farmlands (The Farmland Protection Policy Act is intended to minimize the impact on the conversion of farmland to nonagricultural uses.) • Are you impacting any prime or unique farmland as defined by the Natural Resource Conservation Service? If Yes, describe impacts here Wildlife and Habitat (Potential impacts to state managed wildlife or wildlife habitat, Migratory Bird Treaty Act and the Bald and Golden Eagle Protection Act.) • Are there any raptor nests within one mile of the project area? • Is the project located in Sage-Grouse Core Management Areas? • Did the Wyoming Game and Fish Department have any recommendations or concerns with the project? *If Yes, identify which recommendations you will be implementing. *Include scoping letter to the Wyoming Game and Fish and their response in the appendix. If Yes, describe impacts here Threatened and Endangered Species (Potential impacts to federal Species Of Concern or Threatened and Endangered species.) • Did the U.S. Fish and Wildlife Service scoping letter indicate any concerns? *Include scoping letter to the USFWS and their response in the appendix.		
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Vegetation (Potential impacts to special status plant species and preventing the spread of noxious and invasive species.) • Will the project impact any special status plant species? *Projects must have all disturbed (bare ground) areas seeded with commercially available native species at the end of construction to help control the spread of noxious and invasive species. Explain below if this will not happen. If Yes, describe impacts here	
Ecosystem (Potential impacts when considering all the various natural resource impacts to determine if combined they cause impacts to the regional ecosystem.) • Is the project expected to cause permanent regional ecosystem impacts? If Yes, describe impacts here	
Physical Impacts	
Noise (Potential impacts caused by traffic noise increase to noise sensitive areas, including parks, amphitheaters, churches, schools, residential, businesses, etc.) • After construction will the project increase noise at any noise sensitive areas within or adjacent to the project area?	
If Yes, describe impacts here	
Air Quality (Potential impacts to air quality from particulate matter and gas emissions) Is the project in a WYDEQ non-attainment area? Will there be any adverse long-term impacts to air quality from the project?	
If Yes, describe impacts here	
Hazardous Waste Sites & Contamination (Potential for the project to release or expose contamination from previous fueling stations, lube shops, dry cleaners, mechanic shops, industrial operations, refineries, etc.) • Will the project impact any locations that could contain hazardous waste or is adjacent to facilities that may have been previously contaminated?	
If Yes, describe impacts here	
Visual (Potential impacts to areas that are known for their scenic views including National Scenic Byway, National Scenic Area, Wild and Scenic River, National Trails System, National Monument, cultural resources, etc.)? • Will the project be seen by any areas known for their scenic views or will it block any areas known for scenic views?	
If Yes, describe impacts here	

Plant Sites, Material Sources, Haul Roads (All disturbances related to the project including batch plants, hot plants, material sources, borrow sites and haul roads accessing these places need to be covered by this document.) • Will the project use borrow sources, waste areas and plant sites other than contractor furnished or commercially available sources? • Are there any other areas outside the project limits that will have work combined with this project that have not been discussed above? If Yes, describe impacts here		
Temporary Impacts (Describe any other temporary impacts that have not been covered.) Will the project have any other additional temporary impacts that have not been addressed above? If Yes, describe impacts here		

PUBLIC PARTICIPATION Describe any opportunities that the public has had to provide comments on the project, including dates and a generalized public response. Can include council meetings and direct landowner contact. ENVIRONMENTAL COMMITMENTS The contractor will become familiar with and adhere to all laws relevant to avoiding and/or minimizing damaging impacts to the environment. All property acquisitions used in this project are in full compliance with the Uniform Relocation Assistance and Real Property Acquisition Polices Act of 1970, as amended. All disturbed areas (even if previously bare ground) will be seeded with commercially available native species at the end of construction to help control the spread of noxious and invasive species. If any impacts, not discussed in this document, are discovered during construction, work should immediately stop until WYDOT Environmental Services has been notified and has evaluated the impact(s) to determine the proper measures to be taken to prevent further impact and provide guidance on how to mitigate any impacts that require mitigation.

PREPARER

Name, Title, Organization of Preparer

I agree to comply with all commitments and conditions listed above. The information provided above is accurate to the best of my knowledge.

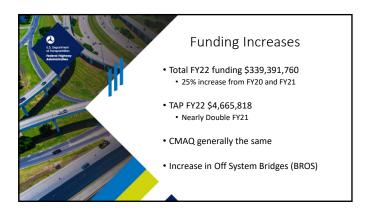
DATE

Name of Individual with Signatory Authority Title of Signatory

- Include reports that are used to support your CE, which can include Aquatic Resources Inventory Report (Wetland Delineation) if you identify wetlands on the project or biological reports.
- Leave out Cultural Reports in the CE (they contain confidential information).
- Be sure the CE matches cultural and historical language in the letter from SHPO.
- Wait until after the CE has been approved to complete the Final Design Plans.
- Be sure to use the most recent CE template on the website.
- Attach all agency letters both to and from outside agencies.
- Include all figures that accurately describe your project.
- Include at least grading or 35% plans for review with the CE.
- Be consistent and forthright in your CE.
- Include a clear and concise project description.
- Be sure that CE and agency response letters match.
- Make sure you send your CE to WYDOT and NOT FHWA.







Funding Catego	ory Changes
Pre-BIL Population Categories	Post BIL Population Categories
TA for any area	 TA for any area (\$1,912,985)
• Areas < 5k	• Areas < 5k (\$1,056,373)
 5k ≤ Areas ≤ 200k 	• 5k ≤ Areas < 50k (\$1,021,783)
 Areas > 200k 	• 50k ≤ Areas ≤ 200k (\$674,677)
	• Areas > 200k (\$0)

BIL Grant Op	portu	nities
Program Name		
Safe Streets for All	\$6 Billion	Provides funding directly to local and tribal gov to support advancement of "vision zero"
Rebuilding American Infrastructure with Sustainability and Equity (RAISE)	\$15 Billion	Surface transportation projects of local and/or regional significance
Infrastructure or Rebuilding America (INFRA)	\$14 Billion	Offer needed aid to freight infrastructure for projects of regional or national significance
Federal Transit Administration (FTA) Low and No Emission Bus Programs	\$5.6 Billion	Expands program for state and local goc to purchase or lease zero or low emission busses and build supporting facilities
FTA Buses + Bus Facilities Competitive Program	\$2 Billion	Replace, rehabilitate, and purchase buses and related equipment and/or construct bus-related facilities



Q. U.S. Depoinment of transpontation federal Highway	BIL Grant O _l	oportur	nities	
Administration	Program Name	Amount	Additional Info	
	FHWA competitive grants for nationally significant and other bridges	\$15.77 Billion	Rehabilitate or replace bridges/culverts. Large projects and bundling of smaller bridges are eligible	
	FTA All Station Accessibility Program	\$1.75 Billion	Funding for legacy transit and commuter rail to upgrade existing station to ADA standards	
	Charging and fueling infrastructure	\$2.5 Billion	Charging infrastructure where people live, work, and shop	
	Reconnecting Communities Pilot Program	\$1 Billion	Planning, design, demolition, and reconstruction or street grids, parks, or other infrastructure	
	FHWA Nationally Significant Federal Lands and Tribal Projects	\$1.78 Billion	Construction, reconstruction, and rehabilitation of nationally-significant projects within, adjacent to, or accessing Federal and tribal lands.	
				1

Revolutionizing Transportation (SMART)	State, local, and tribal governments for projects that improve transportation safety and
Pural Surface Transportation \$2 Billion	efficiency
Grant Program	mprove and expand infrastructure in rural areas ncreasing connectivity, improving safety and eliability of moving people and freight, and generate regional economic growth
Information from: https://www.transportation.gov/s	tes/dot.gov/files/2022-01/BIL_Wyoming.pdf





BIL Grant Opportunities

A few application tips

- A consultant is not needed to write a good application
- Address every criteria
- Focus on going above and beyond for each criteria
- Get the broadest range of stakeholders possible
- Private funding goes along way
- Planning grants are scored based on the proposed benefit of your entire wish list
- Construction grants are held to the items listed in your application



TAP Projects Lessons Learned

- Communication
 - $\bullet \ \ \text{Most issues stem from poor or mis...}$
- Application
 - Has to be competitive
 - Project needs to remain in scope
 - More than one project is okay
- Project Development
 - Moving forward without concurrence

TAP Projects Lessons Learned

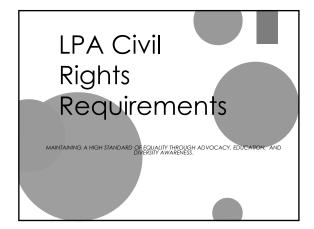
- Construction
 - Paying the Contractor without supporting documentation
- Project Closeout
 - Timeliness for re-obligation
- Schedule
 - Projects are taking too long
 - Money is only available for 4 years

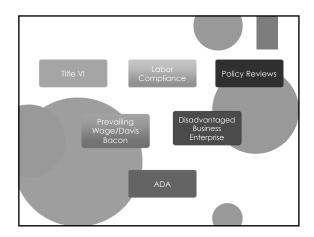












Title VInon-discrimination regarding access to programs and services

What are the Title VI Assurances?

- ▶ The written commitment to comply with Title VI of the Civil Rights Act of 1964, 49 CFR, part 2, and all related regulations and directives. The LPA assures that no person shall on the grounds of race, color, national origin, gender, age or disability be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program, activity or service.
- ▶ 1052.A FHWA Title VI Assurances

Why is Title VI Required?



- ➤ To receive Federal financial assistance, any Federal dollars that are assigned to the LPA to support any program and activity, by way of grant, loan or contract, other than a contract of insurance or guaranty, assurances must be in place prohibiting discrimination.
- ► All public entities (counties, cities etc.) are required to have a Title VI plan.

Good News:



- ▶ At a minimum the form 1052.A must be signed and attached
- We have created a Title VI template that is approved by FHWA for fulfillment of the regulations.
- ► Template is very user friendly and assures that the correct information is being identified.

EEO Officer Identification

- ▶ Every local agency must identify an EEO Officer
- ▶ The EEO officer is responsible for dealing with Title VI (discriminatory) issues that may arise within the agency receiving the funds.

LEP and EJ-Limited English Proficiency and Environmental Justice

Limited English Proficiency (LEP), and Environmental Justice (EJ).

- ▶ LEP is required if and when information is requested.
- ► Environmental Justice is a requirement of executive order 12898. Meaningful involvement of all people regardless of race, color, national origin, or income with respect to development within a community.

Davis Bacon-Prevailing Wage	
Prevailing Wage- Davis Bacon	
Prevailing wage determinations are attached to each contract.	
▶ Pay-Rolls must be submitted weekly. (No two week pay periods)	
Overtime is calculated as 1.5 base rate and fringe benefits are added back into calculation (No OT on fringe)	
	-
Prevailing Wage Requirements	
Employees must be paid the prevailing wage listed in the contract.	
► Wages are Updated Annually	
► Strongly encourage firms to take part in survey	

Employee Job Site Interviews

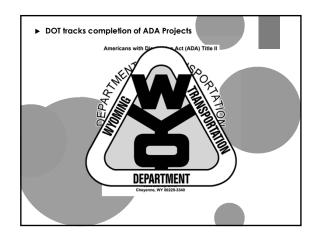
- ▶ Interviews should be conducted on 100% of workforce
- ➤ If issues are discovered, the contractor should be notified promptly
- ▶ LEP Wage determination and interview questions



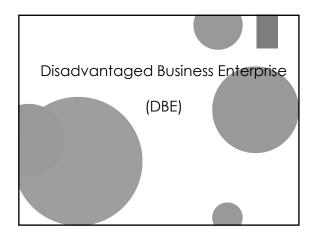
Americans with Disabilities Act (ADA)
JUI AMERICANS WITH DISABILITIES ACT IS ENOUGH
NOTICE

Guidance for ADA is Americans with Disabilities Act Accessibility Guidelines (ADAAG) and Public Rights-of-Way Accessibility Guidance (PROWAG) The Wyoming Department of Transportation has adopted the Public Rights-of-Way Accessibility Guidance (PROWAG) as its standard for implementing the Americans with Disabilities Act on the State Highway system with in Wyoming. Proposed Accessibility Guidelines for Pedestran Facilities in the Public Right-of-Way or Pedestran Facilities (PROWAG) as its standard for implementing the Americans with Disabilities Act on the State Highway system with in Wyoming.	
National Highway System: Wyoming	
What authority requires public agencies to make public right-of-way accessible for all pedestrians with disabilities? Titleel Ref table Ratignic Aas of illy 203ce 5 & idition A504 of 1990 (Seb 2) 179. § \$.12.187942 164)	

➤ Entities should have ADA Transition Plans in place	
 Required of government entities with greater than 50 employees (combined full and part-time) 	
 Less than 50 employees, public entities still need to evaluate programs for discriminationbut no Transition Plan 	
WYDOT's grievance procedure	
► IDENTIFICATION The procedure to the a giference is an tollines.	
Identify the O 1.4 brain atting synapses about the field on Alth Greeners from An ord greeners in TCR1001 OF The care be the by contract plant in a footbase and the mission of the missio	
The name, address, any discussion among of the pipcon fing the pressure. The name, address, any discussion among of the pipcon fing the pressure.	
A SCHEDULE TO SELECT PROPERTY PLAN	
A prioritized schedule of when barriers will be eliminated and	
25.15U[3][3][III]] In WY Angulia buth himself the lite companion to complete if only to produce of complete if only to produce of complete if only to produce of complete in the lite of the the lite o	
A CESCRIPTION and the second s	
facilities acception and make a find determination when 10 days from the fing of the impact for reconsideration.	
	1
► ADA PROJECT REVIEWS	
We will choose Projects within the WYDOT rights-of-way	
once complete for inspection. We will look at running, cross and counter slopes, widths, turning space, clear space, curb ramps, detectable warnings and grade brakes among	
other-things for ADA compliance.	
Tarries Sacre Sacr	
Carl burg. Continge Mich. Street.	
Burning stops I. R. max Counter Stops SN max	







Disadvantaged Business Enterprise

- ► The DBE program is intended to ensure nondiscrimination in the award and administration of DOT-assisted contracts
- ► Program objectives include:
 - ► Create a level playing field
 - ▶ Remove barriers
 - ▶ Provide promotion, development and opportunities

DBE Requirements

- ▶ DBEs must be solicited for all subcontracting opportunities
 - ► Documented solicitation (E-91-LPA)
 - ► Firm availability/directory

http://www.dot.state.wy.us/home/business with wydot/contractors/Disadvantaged Business Enterprise.html

- ▶ DBE firms cannot be removed from a project after award for pro-forma reason
 - ▶ Notification/Intent to Subcontract

DBE Requirements

- ► Commercially useful function (CUF) verification
- ▶ Prompt payment
- ► Final attainment
- ► Annual Goal 5.29%



Policy Reviews



- ▶ The Civil Rights Office will conduct compliance reviews
- ► Ensuring non-discrimination throughout organization policies and procedures.

Example of compliant policy statement:

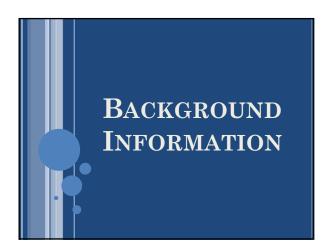
Example of Compliant point's statement.

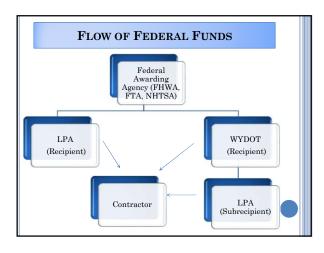
LPA is ensuring that no person shall on the grounds of race, color, national origin, sex, age or disability as provided by the Civil Rights act of 1964 and the Civil Rights Restoration Act of 1987, be excluded from participation in the denied the benefits of, or be otherwise subjected to discrimination under any program or activity. WDOT further assures every effort will be made to ensure nondiscrimination in all of it's programs and activities, whether those programs and activities are federally funded or not. (continues)



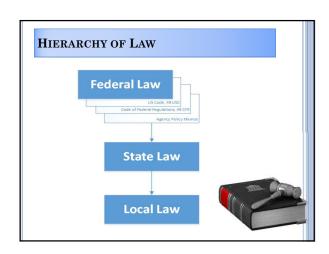
Question Comme	
Lisa Fresquez Civil Rights Program Manager (307) 777-4457 Lisa.Fresquez@wyo.gov Travis Saner ADA Program Coordinator (307) 777-4359	Tiffanie Williams DBE Program Coordinator (307) 777-4268 Tiffanie Williams@wyo.gov
<u>Iravis.Saner@wyo.gov</u>	







FDA#	Program Title	Amount Provided To Subrecipients
20.106	Airport Improvement Program	45,813,269
20.205	Highway Planning and Construction	6,979,051
20.500	Federal Transit Capital Investment Grants	0
20.505	Metropolitan Transportation Planning	62,313
20.509	Formula Grant for Rural Areas	9,617,010
20.513	Enhance Mobility of Seniors & Individuals with Disabilities	187,226
20.516	Job Access & Reverse Commute Program	0
20.526	Bus & Bus Facilities Formula Program	5,906,096
20.600	State and Community Highway Safety	561,667
20.602	Occupant Protection Incentive Grants	0
20.607	Alcohol Open Container Requirements	388,676
20.616	National Priority Safety Programs	315,437
20.933	National Infrastructure Investments	0
	Total Federal funds pass-through WYDOT to subrecipients	69,830,745





2 CFR 200 DEFINITIONS

• Period of Performance

- The total estimated time interval between the start of an initial Federal award and the planned end date, which may include one or more funded portions, or budget periods.
 - This is the time period during which the sponsor expects the awardee to complete all award activities and incur and expend funds

Budget Period

- The time interval from the start date of a funded portion on an award to the end date of that funded portion during which recipients are authorized to expend the funds awarded, including any funds carried forward or other revisions pursuant to 2 CFR 200.308
 - These are specific time intervals for authorized spending (typically 12 months but may be longer or shorter).

2 CFR 200 GENERAL PROVISIONS

o 2 CFR 200.112 Conflicts of interest

- Subrecipients $\underline{\mathbf{must}}$ disclose in writing any potential conflict of interest to WYDOT

\circ 2 CFR 200.113 Mandatory disclosures

 Subrecipient <u>must</u> disclose, in a timely manner, in writing to WYDOT all <u>violations</u> of federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the federal awards

2 CFR 200 PRE-AWARD REQUIREMENTS

o 2 CFR 200.214 Suspension and Debarment

- Restricts awards, subawards, and contracts with certain parties that are suspended or debarred from participation in Federal assistance programs or activities.
 - ${\bf o}$ www.sam.gov is the website that you can use to determine suspension and debarment.
 - o It is a good idea to print out a copy of the search that shows the entity that will be used is not suspended or debarred to keep for your records.

2 CFR 200 Pre-award requirements

- 2 CFR 200.216 Prohibition on certain telecommunications and video surveillance services or equipment
 - Applies to recipients and subrecipients
 - Cannot procure, obtain, extend, renew or enter into a contract to obtain telecommunication equipment or services from the following specific manufacturers.
 - \circ List of manufacturers changes so if purchasing this type of equipment verify entities are not on this list.
 - If you need help determining if an entity is on this list reach out to your grant administrator or Internal Review and we can help.



2 CFR 200.302 FINANCIAL MANAGEMENT



- o Financial management system $\underline{\text{must}}$ be sufficient to:
 - · Permit the preparation of required reports; and
 - Trace funds to a level of expenditures adequate to establish that such funds have been used appropriately
- o Financial management system $\underline{\text{must}}$ provide the following:
 - Identification, in its accounts, of all federal awards received & expended;
 - Accurate, current, and complete disclosure of financial results;
 - Records that adequately identify source & application of funds;
 - Effective control over, and accountability for, all funds, property, & other assets;
 - Comparison of expenditures with budget amounts; and
 - Written procedures for determining the allowability of costs

2 CFR 200.303 Internal Controls



- Subrecipients <u>must</u>:
 - Establish & maintain effective internal control over subaward
 - Comply with Federal statutes, regulations, and the terms & conditions of subaward
 - · Evaluate & monitor compliance
 - Take prompt action when instances of noncompliance are identified
 - Take reasonable measures to safeguard protected personally identifiable information (PPII) & other information designated as sensitive

2 CFR 200.305 PAYMENT

- WYDOT pays on a reimbursement basis which means the following:
 - Subrecipients must pay all employees, contractors, consultants, etc. prior to requesting reimbursement from WYDOT
 - WYDOT must make payment to subrecipient within 30 calendar days after receipt of the reimbursement request, unless request is determined to be improper



2 CFR 200.306 Cost Sharing or Matching

- Any shared costs or matching funds and all contributions must meet the following criteria:
 - · Are verifiable from records;
 - Are not included as contributions for any other award;
 - Are necessary and reasonable;
 - Are allowable;
 - Are not paid by the Federal government under another Federal award;
 - $\bullet\,$ Conform to other provisions of 2 CFR 200.306



2 CFR 200.317-.327 PROCUREMENT

- Highlights
 - The non-Federal entity must have and use <u>documented</u> procurement procedures that conform to 2 CFR 200.317-327
 - Procurement transactions must be conducted in a manner providing full and open competition (200.319)
 - Methods of procurement (200.320)
 - o Informal
 - o Micro-Purchase (under \$10,000)
 - o Small Purchase (under \$250,000)
 - o Formal
 - o Sealed Bid (over \$250,000)
 - o Competitive Bid (over \$250,000)
 - Noncompetitive
 - o Sole Source

2 CFR 200.317-.327 PROCUREMENT

- Highlights Cont.
 - The non-Federal entity must take all necessary affirmative steps to assure that minority businesses, women's business enterprises, and labor surplus area firms are used when possible (200.321)
 - The non-Federal entity should, to the greatest extent practicable under a Federal award, provide a preference for the purchase, acquisition, or use of goods, products, or materials produced in the United States (including but not limited to iron, aluminum, steel, cement, and other manufactured products) (200.322)

2 CFR 200.317-.327 PROCUREMENT

- Regardless of the size of the purchase:
 - The purchase must comply with the non-Federal entity's documented procurement procedures
 - The purchase must be necessary to carry out the Federal award
 - The purchase must be made with open competition to the extent required $% \left(\mathbf{r}\right) =\left(\mathbf{r}\right)$
 - The organization is in compliance with their conflict of interest policy
- Subrecipients MUST
 - Incorporate a clear & accurate description of the technical requirements for the material, product or service to be procured; and
 - Identify all requirements which the offerors must fulfill & all other factors to be used in the decision

2 CFR 2 CFR 200.317-.327 PROCUREMENT

Entity must maintain records sufficient to detail the history of procurement.

This includes but is not limited to:

- Rationale for the method of procurement
- · Selection of contract type
- Contractor selection or rejection
- Basis for contract price

Entity must have a written procurement policy that includes the requirements of 2 CFR 200.317-327



2 CFR 200.332 REQUIREMENTS FOR WYDOT

- As the pass-through entity, WYDOT must:
 - Clearly identify the subaward in the documentation and include:
 - o Federal award identification information
 - \circ Requirements imposed by pass-through entity
 - o If requested, negotiate indirect cost rate
- ${\color{blue} \bullet}$ Evaluate each subrecipient's risk of noncompliance
- o Impose specific subaward conditions, if necessary
- Monitor the activities of the subaward
- Consider results of subrecipient audits, on-site reviews or other monitoring
- Consider taking enforcement action for noncompliance



2 CFR 200.334 RETENTION REQUIREMENTS FOR RECORDS

Financial records, supporting documents, statistical records & all other records pertinent to subawards <u>must</u> be retained for 3 years from the date of the submission of the final expenditure report



2 CFR 200.337 Access to records

Federal awarding agency, Inspectors
General, the Comptroller General of the
United States, and WYDOT <u>must</u> have the
right of access to any documents, papers, or
other records which are pertinent to the
subaward.

The right also includes timely & reasonable access to personnel for interviews & discussion related to documents.

2 CFR 200.339 REMEDIES FOR NONCOMPLIANCE

- If WYDOT determines that noncompliance cannot be remedied by imposing additional conditions, WYDOT may take on or more of the following actions:
 - Temporarily withhold payment pending correction of deficiency
 - Disallow all or part of the cost of the activity not in compliance
 - Wholly or partially suspend or terminate the subaward
 - · Initiate suspension or debarment proceedings
 - Withhold further subawards
 - Take other remedies that may be legally available



2 CFR 200 SUBPART E COST PRINCIPLES

2 CFR 200.402 COMPOSITION OF COSTS

- Direct Costs
- + Indirect Costs
- Applicable Credits

Total Cost of Federal Award



2 CFR 200.403

FACTORS AFFECTING ALLOWABILITY OF COSTS

- Cost must meet the following criteria to be allowable:
 - Necessary
 - Reasonable
 - Allocable
 - Legal
 - Consistent treatment
 - In accordance with GAAP
 - Not duplicated
 - Net of applicable credits
 - · Adequately documented



2 CFR 200.404 REASONABLE COSTS

- ${\color{blue} \circ}$ What is a reasonable cost?
 - Ordinary/necessary
 - Restraints and requirements
 - Comparable prices
 - Prudent acts
 - Established practices



2 CFR 200.405 ALLOCABLE COSTS

• What is an allocable cost?

- Incurred specifically for the Federal award
- Cost benefit relationship
- Is necessary
- Appropriate amount
- Cost shifting
- · Cost allocation plan



2 CFR 200.406 APPLICABLE CREDITS

• What are applicable credits?

- They refer to those receipts or reduction of an expenditure that offsets or reduces the expense.
 - o Discounts and rebates
 - Recoveries of losses
 - Refunds
 - \circ Corrections of overpayments or errors
- Federal receipts or finance activities
- To the extent that such credits relate to allowable costs, they must be credited to the federal award as a cost reduction or refund.

2 CFR 200.407 PRIOR WRITTEN APPROVAL

- Prior Approval may be sought in advance of incurring costs:
 - Reasonableness and allocability are difficult to determine
 - Avoid disallowance or dispute by getting advance approval from WYDOT



2 CFR 200.414 INDIRECT COSTS

- Options for charging indirect cost rates to subawards:
 - ${\bf 1.}\ \ Develop\ and\ submit\ an\ indirect\ cost\ rate\ proposal\\ and\ cost\ allocation\ plan.$
 - $2.\,$ Use the 10% de minimis Indirect Cost Rate





Note: if you choose to charge an indirect cost rate, the amount of your subaward does not change!

APPLICATION OF INDIRECT COSTS

\$100,00 total award with 80/20 match



	With 10% Indirect Cost Rate	Without 10% Indirect Cost Rate
Federal Share	80,000	80,000
Available for Construction	72,000	80,000
Indirect Cost Paid	8,000	0
Local Share	20,000	20,000
Total Award	\$100,000	\$100,000

2 CFR 200.414 INDIRECT COSTS

- o Benefits to claiming indirect costs
 - · Flexibility with local funds
 - · Cash management tool
- o "Pitfalls" of claiming indirect costs
 - Less federal dollars for projects
 - Administratively burdensome



2 CFR 200.415 REQUIRED CERTIFICATIONS

- All subrecipients <u>must</u> provide the following two certifications:
 - $1. \ \, {\rm Expenditures} \ \, {\rm are} \ \, {\rm proper} \ \, {\rm and} \ \, {\rm in} \ \, {\rm accordance} \ \, {\rm with} \ \, {\rm the} \ \, {\rm terms} \ \, {\rm and} \ \, {\rm conditions} \ \, {\rm of} \ \, {\rm the} \ \, {\rm award}.$
 - 2. Indirect Cost Plans include only costs that are allowable under the Uniform Guidance (2 CFR 200) and allocable to the Federal award.



2 CFR 200.420 – 476 GENERAL PROVISIONS FOR SELECTED ITEMS OF COST

- List of selected items of cost is not all inclusive
- Apply whether or not an item is direct or indirect
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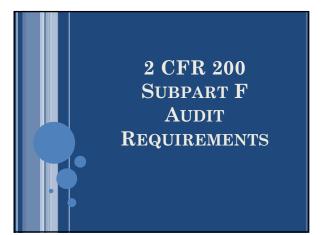


2 CFR 200.420 - 476

GENERAL PROVISIONS FOR SELECTED ITEMS OF COST

- Selected Items of Cost (not all inclusive)
 - Advertising and Public Relations (2 CFR 200.421)
 - Alcoholic Beverages (2 CFR 200.423)
 - Depreciation (2 CFR 200.436)
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 - Travel (2 CFR 200.475)
- Review 2 CFR 200.403 (factors determining allowability) if there are difficulties determining if a cost is allowed





2 CFR 200 SUBPART F AUDIT REQUIREMENTS

If subrecipient expends \$750,000 or more in **combined** Federal dollars during their **fiscal year** they are required to hire a qualified CPA to conduct Single Audit

2 CFR 200.508 AUDITEE RESPONSIBILITIES

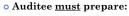
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 - · Procure for the audit
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 - · Promptly follow up and take corrective action on audit findings
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2 CFR 200.509 AUDITOR SELECTION

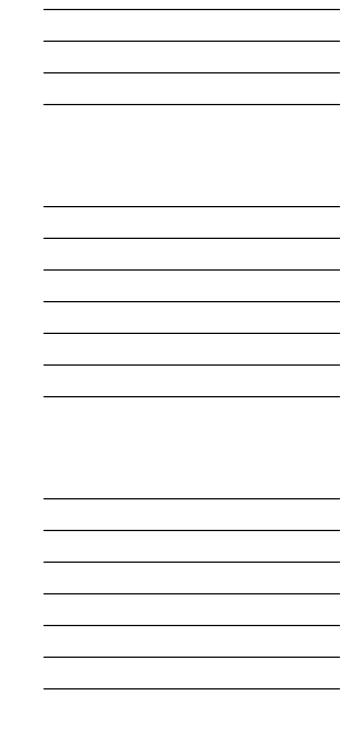
- o Factors to be considered in evaluating a $\ensuremath{\mathsf{CPA}}$ firm when reviewing proposals:
 - · Responsiveness to the RFP,
 - · Relevant experience,
 - · Availability of staff with professional qualifications & technical abilities,
 - The results of peer review & external quality control reviews, and
- $\circ\,$ The objective is to obtain a high-quality audit that
- conforms to the requirements of a Single Audit

 A CPA who prepares the entities indirect cost allocation plan may not also be
 selected to perform the Single Audit when the entity recovered indirect costs
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2 CFR 200.510 FINANCIAL STATEMENTS



- · Financial Statements
- · Schedule of Expenditures of Federal Awards (SEFA) at a minimum must include:
 - o List individual Federal programs by Federal agency
 - o The name of the pass-through entity & indentifying number assigned by the pass-through, if applicable
 - \circ Total Federal awards expended for each individual Federal program and the Assistance Listing number (old CFDA #) This number can also be found on SAM.gov.
 - Notes that describe significant accounting policies used in preparing the schedule, and note whether or not the 10% de minimis cost rate was elected



2 CFR 200.511 AUDIT FINDINGS FOLLOW-UP

- Auditee is responsible for follow-up and corrective action on all audit findings
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 - Name(s) of the contact person(s) responsible for corrective action
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 - · Anticipated completion date
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- Audit <u>must</u> be completed and the data collection form & reporting package <u>must</u> be submitted to the Federal Audit Clearinghouse (FAC) within the earlier of:
 - 30 calendar days after receipt of the auditor's report(s), or
 - 9 months after the end of the audit period
- Reporting package <u>must</u> include:
 - Financial statements & SEFA
 - Summary schedule of prior audit findings
 - · Corrective action plan

2 CFR 200.521 MANAGEMENT DECISIONS

- Management Decision issued by Internal Review:
 - · Certification letter
 - Obtain copy of subrecipient audit reports if findings pertain to WYDOT funding:
 - ${\color{blue} \circ}$ Review audit report for accuracy
 - ${\circ}$ Review corrective action plan for reasonableness
 - Issue a management decision to subrecipient clearly stating:
 - Whether or not the audit finding is sustained
 - o Reason for the decision
 - Expected auditee action to repay disallowed costs, make financial adjustments, or take other action





COMMON ISSUES FOUND

- Common issues found with Single Audit Reports
 - Inaccurate SEFA
 - o This usually happens because the financial system did not identify all federal funds or they are incorrectly identified
 - Corrective action plan does not include who will take corrective action and by when
 - Not obtaining an audit and submitting required information to FAC by required deadlines
 - Not having a written procurement policy





SUBRECIPIENT MONITORING

- Per 2 CFR 200 WYDOT is required to conduct oversight monitoring which could include the following:
 - $\bullet \ \ {\rm Review \ subrecipient \ reimbur sement \ requests}$
 - · Review subrecipient reports/documents
 - · Review single audits
 - Schedule site visits
 - Conduct subrecipient audits based on risk
 - Project inspections by WYDOT or Federal Agencies
 - Approval for certain activities
 - Provide technical assistance & training
 - Communicate (phone, email, etc.)
 - Follow subrecipient coverage in news



SUBRECIPIENT MONITORING

- Project Delivery Systems & Internal Control Questionnaire required for subrecipients:
 - Questionnaire must be filled out by new subrecipients prior to award $\,$
 - WYDOT Internal Review & Planning must both approve ICQ
 - Approval on ICQ is good for 4 years & then must be updated



Purpose: The purpose of	this form is to assist W roject delivery system a equirement under 23US	YDOT in determi	Control Questionnaire ning that the sub-recipient of Federal ounting controls to manage Federal-aid
funds has an adequate pr funds. This is a Federal n	roject delivery system a equirement under 23US	and sufficient acco	
funds. This is a Federal r	equirement under 23US		ounting controls to manage Federal-aid
Entity Name:		UIEG DALL TIGH	
	ENTITY	INFORMATION	Fiscal Year Ending:
			(MM/DD/YYYY) / /
Street Address:			EIN #:
			DUNS #:
City:	State:		Zip:
Contact Name:	1	Title:	
Phone:	Fax:		Email:
	A. GENI	ERAL INFORMA	TION
1 Does your entity have	e written nerconnel nol	iciae to addrage t	he following topics per 2 CFR 200?
1. Does your criticy nov	e written personner por	icies to address t	YES NO
a. Hiring			
b. Compensation			
c. Leave			
d. Performance Ma	nagement		
	st		

SUBRECIPIENT RESPONSIBILITY

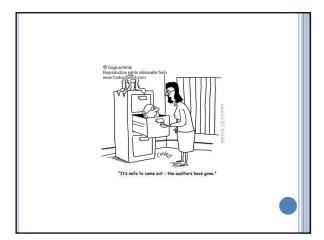
- o Follow the subaward agreement
- o Develop internal policies and procedures
- Ensure the organization has a financial management system
- o Establish a budget
- Keep abreast of changes in policies, procedures or requirements
- o Request prior approvals when necessary
- o Make the most of site visits by WYDOT
- Prepare necessary reports
- Communicate
- Permit WYDOT access to records



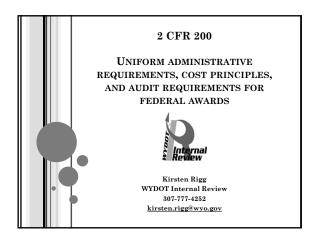
FINAL THOUGHTS

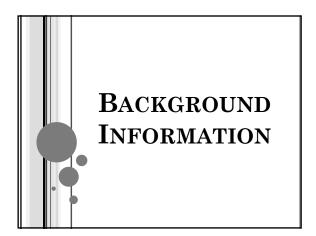
- Read and understand the terms and conditions of subaward agreement & revisit frequently
- ${\color{red} \circ}$ Read & understand 2 CFR 200
- Familiarize all staff with provisions, regulations and program policies and procedures
- ${\color{blue} \circ}$ Maintain active status on sams.gov
- Ensure supporting documentation is present
 - If it isn't documented, it didn't happen!
- Attend WYDOT training when available

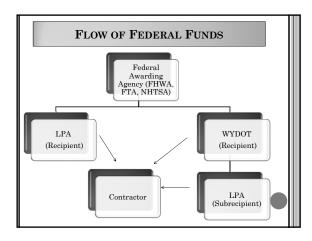




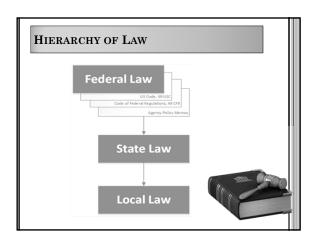








FDA#	Program Title	Amount Provided To Subrecipients
20.106	Airport Improvement Program	45,813,269
20.205	Highway Planning and Construction	6,979,051
20.500	Federal Transit Capital Investment Grants	C
20.505	Metropolitan Transportation Planning	62,313
20.509	Formula Grant for Rural Areas	9,617,010
20.513	Enhance Mobility of Seniors & Individuals with Disabilities	187,226
20.516	Job Access & Reverse Commute Program	C
20.526	Bus & Bus Facilities Formula Program	5,906,096
20.600	State and Community Highway Safety	561,667
20.602	Occupant Protection Incentive Grants	C
20.607	Alcohol Open Container Requirements	388,676
20.616	National Priority Safety Programs	315,437
20.933	National Infrastructure Investments	
	Total Federal funds pass-through WYDOT to subrecipients	69,830,745



2 CFR 200 DEFINITIONS

o Period of Performance

- The total estimated time interval between the start of an initial Federal award and the planned end date, which may include one or more funded portions, or budget periods.
 - This is the time period during which the sponsor expects the awardee to complete all award activities and incur and expend finds.

o Budget Period

- The time interval from the start date of a funded portion on an award to the end date of that funded portion during which recipients are authorized to expend the funds awarded, including any funds carried forward or other revisions pursuant to 2 CFR 200.308
- These are specific time intervals for authorized spending (typically 12 months but may be longer or shorter).

2 CFR 200 GENERAL PROVISIONS

o 2 CFR 200.112 Conflicts of interest

 • Subrecipients $\underline{\mathbf{must}}$ disclose in writing any potential conflict of interest to WYDOT

\circ 2 CFR 200.113 Mandatory disclosures

 Subrecipient <u>must</u> disclose, in a timely manner, in writing to WYDOT all <u>violations</u> of federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the federal awards

2 CFR 200 PRE-AWARD REQUIREMENTS

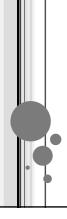
\circ 2 CFR 200.214 Suspension and Debarment

- Restricts awards, subawards, and contracts with certain parties that are suspended or debarred from participation in Federal assistance programs or activities.
 - ${\bf o}$ www.sam.gov is the website that you can use to determine suspension and debarment.
 - It is a good idea to print out a copy of the search that shows the entity that will be used is not suspended or debarred to keep for your records.

2 CFR 200

PRE-AWARD REQUIREMENTS

- o 2 CFR 200.216 Prohibition on certain telecommunications and video surveillance services or equipment
 - Applies to recipients and subrecipients
 - Cannot procure, obtain, extend, renew or enter into a contract to obtain telecommunication equipment or services from the following specific manufacturers.
 - List of manufacturers changes so if purchasing this type of equipment verify entities are not on this list.
 - If you need help determining if an entity is on this list reach out to your grant administrator or Internal Review and we can help.



2 CFR 200 SUBPART D ADMINISTRATIVE REQUIREMENTS

2 CFR 200.302 FINANCIAL MANAGEMENT



- o Financial management system $\underline{\mathbf{must}}$ be sufficient to:
 - $\bullet\;$ Permit the preparation of required reports; and
 - Trace funds to a level of expenditures adequate to establish that such funds have been used appropriately
- \circ Financial management system \underline{must} provide the following:
 - Identification, in its accounts, of all federal awards received & expended;
 - $\bullet \ \ Accurate, current, and complete disclosure of financial \ results;$
 - Records that adequately identify source & application of funds;
 Effective control over, and accountability for, all funds, property, & other assets;
 - Comparison of expenditures with budget amounts; and
 - Written procedures for determining the allowability of costs

sts	

2 CFR 200.303 INTERNAL CONTROLS



\circ Subrecipients <u>must</u>:

- Establish & maintain effective internal control over subaward
- \bullet Comply with Federal statutes, regulations, and the terms & conditions of subaward
- Evaluate & monitor compliance
- Take prompt action when instances of noncompliance are identified
- Take reasonable measures to safeguard protected personally identifiable information (PPII) & other information designated as sensitive

2 CFR 200.305 PAYMENT

- WYDOT pays on a reimbursement basis which means the following:
 - Subrecipients must pay all employees, contractors, consultants, etc. prior to requesting reimbursement from WYDOT
 - WYDOT must make payment to subrecipient within 30 calendar days after receipt of the reimbursement request, unless request is determined to be improper



2 CFR 200.306 Cost Sharing or Matching

- Any shared costs or matching funds and all contributions must meet the following criteria:
 - Are verifiable from records;
 - Are not included as contributions for any other award;
 - Are necessary and reasonable;
 - Are allowable;
 - Are not paid by the Federal government under another Federal award;
 - Conform to other provisions of 2 CFR 200.306



5		

2 CFR 200.317-.327 PROCUREMENT

o Highlights

- The non-Federal entity must have and use ${\bf documented}$ procurement procedures that conform to 2 CFR 200.317-327
- Procurement transactions must be conducted in a manner providing full and open competition (200.319)
- Methods of procurement (200.320)
 - o Informal
 - o Micro-Purchase (under \$10,000)
 - o Small Purchase (under \$250,000)
 - o Formal
 - ${\sf o}$ Sealed Bid (over \$250,000)
 - ${\sf o}$ Competitive Bid (over \$250,000)
 - Noncompetitive
 - o Sole Source

2 CFR 200.317-.327 PROCUREMENT

o Highlights Cont.

- The non-Federal entity must take all necessary affirmative steps to assure that minority businesses, women's business enterprises, and labor surplus area firms are used when possible (200.321)
- The non-Federal entity should, to the greatest extent practicable under a Federal award, provide a preference for the purchase, acquisition, or use of goods, products, or materials produced in the United States (including but not limited to iron, aluminum, steel, cement, and other manufactured products) (200.322)

2 CFR 200.317-.327 PROCUREMENT

- ${\bf o}$ Regardless of the size of the purchase:
 - The purchase must comply with the non-Federal entity's documented procurement procedures
 - The purchase must be necessary to carry out the Federal award
 - The purchase must be made with open competition to the extent required

 The purchase must be made with open competition to the extent required.

 The purchase must be made with open competition to the extent required.
 - The organization is in compliance with their conflict of interest policy

${\bf o}$ Subrecipients MUST

- Incorporate a clear & accurate description of the technical requirements for the material, product or service to be procured; and
- Identify all requirements which the offerors must fulfill & all other factors to be used in the decision

2 CFR 2 CFR 200.317-.327 PROCUREMENT

Entity must maintain records sufficient to detail the history of procurement.

This includes but is not limited to:

- · Rationale for the method of procurement
- Selection of contract type
- Contractor selection or rejection
- · Basis for contract price

Entity must have a written procurement policy that includes the requirements of 2 CFR 200.317-327

2 CFR 200.332 REQUIREMENTS FOR WYDOT

- As the pass-through entity, WYDOT must:
 - Clearly identify the subaward in the documentation and include:
 - ullet Federal award identification information
 - \circ Requirements imposed by pass-through entity
 - o If requested, negotiate indirect cost rate
- ${\bf o}$ Evaluate each subrecipient's risk of noncompliance
- ${\bf o}$ Impose specific subaward conditions, if necessary
- Monitor the activities of the subaward
- ${\bf o}$ Consider results of subrecipient audits, on-site reviews or other monitoring
- Consider taking enforcement action for noncompliance

2 CFR 200.334 RETENTION REQUIREMENTS FOR RECORDS

Financial records, supporting documents, statistical records & all other records pertinent to subawards must be retained for 3 years from the date of the submission of the final expenditure report



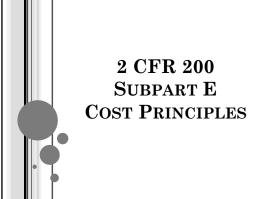
2 CFR 200.337 ACCESS TO RECORDS

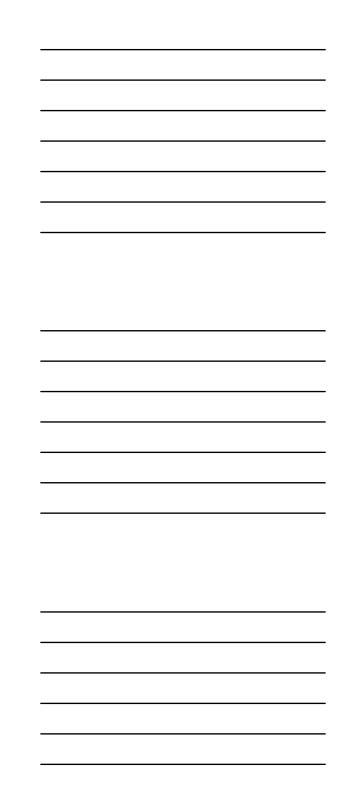
Federal awarding agency, Inspectors
General, the Comptroller General of the
United States, and WYDOT <u>must</u> have the
right of access to any documents, papers, or
other records which are pertinent to the
subaward.

The right also includes timely & reasonable access to personnel for interviews & discussion related to documents.

2 CFR 200.339 REMEDIES FOR NONCOMPLIANCE

- o If WYDOT determines that noncompliance cannot be remedied by imposing additional conditions, WYDOT may take on or more of the following actions:
 - Temporarily withhold payment pending correction of deficiency
 - $\bullet\,$ Disallow all or part of the cost of the activity not in compliance
 - Wholly or partially suspend or terminate the subaward
 - $\bullet\,$ Initiate suspension or debarment proceedings
 - Withhold further subawards
 - $\bullet\,$ Take other remedies that may be legally available





2 CFR 200.402 COMPOSITION OF COSTS

Direct Costs
+ Indirect Costs
- Applicable Credits

Total Cost of Federal Award



2 CFR 200.403

FACTORS AFFECTING ALLOWABILITY OF COSTS

- Cost must meet the following criteria to be allowable:
 - Necessary
 - Reasonable
 - Allocable
 - Legal
 - Consistent treatment
 - In accordance with GAAP
 - Not duplicated
 - · Net of applicable credits
 - Adequately documented



2 CFR 200.404 REASONABLE COSTS

o What is a reasonable cost?

- Ordinary/necessary
- Restraints and requirements
- Comparable prices
- Prudent acts
- Established practices



2 CFR 200.405 ALLOCABLE COSTS

- o What is an allocable cost?
 - $\bullet\,$ Incurred specifically for the Federal award
 - Cost benefit relationship
 - Is necessary
 - · Appropriate amount
 - Cost shifting
 - Cost allocation plan

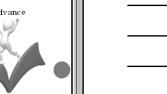


2 CFR 200.406 APPLICABLE CREDITS

- o What are applicable credits?
 - They refer to those receipts or reduction of an expenditure that offsets or reduces the expense.
 - o Discounts and rebates
 - o Recoveries of losses
 - \circ Refunds
 - ${\bf \circ}$ Corrections of overpayments or errors
 - Federal receipts or finance activities
- To the extent that such credits relate to allowable costs, they must be credited to the federal award as a cost reduction or refund.

2 CFR 200.407 PRIOR WRITTEN APPROVAL

- o Prior Approval may be sought in advance of incurring costs:
 - Reasonableness and allocability are difficult to determine
 - Avoid disallowance or dispute by getting advance approval from WYDOT



2 CFR 200.414 INDIRECT COSTS

- ${\bf o}$ Options for charging indirect cost rates to subawards:
 - 1. Develop and submit an indirect cost rate proposal and cost allocation plan.
 - $2.\,$ Use the 10% de minimis Indirect Cost Rate





Note: if you choose to charge an indirect cost rate, the amount of your subaward does not change!

APPLICATION OF INDIRECT COSTS \$100,00 total award with 80/20

match

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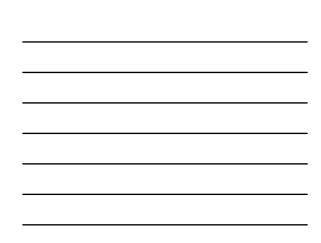
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2 CFR 200.420 - 476

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2 CFR 200 SUBPART F **AUDIT** REQUIREMENTS

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 - Price
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2 CFR 200.510



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14

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 - · Summary schedule of prior audit findings
 - Corrective action plan

Federal Audit Clearinghouse Report Pokr

2 CFR 200.521 MANAGEMENT DECISIONS

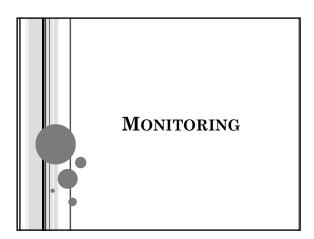
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De	partment of	Iransp	ortation	3
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	SECTION A -	- Entity Informa		
Entity Name:			Fiscal Year Ending: (MM/DDYYYY) / /2017	
Street Address:			EN#:	
City:	State:		Zp:	
Contact Name:		Title:		
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in total Federal Award Management Letters Clearinghouse reporti Date audit report is e	Our entity is subject to the Sin is for the fiscal year end noted is required to be sent to WYC ing package enty if you have f expected to be issued:	gle Audit requireme above. Note: Sub IOT Internal Review Indings that pertain	ents. Our entity expended \$750,000 or mission of your Single Audit Report any v at the time you submit your Federal to WYDOT funding.	nd any
	SECTION D - Exempt fr			***
Our entity expe	nded less than \$750,000 in toll for-profit organization and is no not required to submit any of sudit.	al Federal Awards t subject to the Sin her documentation	. However, you are required to have	
I am this artity's represen	SECTION E - S		CTION Ints. I certify that we are in compliance	se with
			orrect to the best of my knowledge.	
Representative Signature	K	Dat	·	_
	ame:			

COMMON ISSUES FOUND

- o Common issues found with Single Audit Reports
 - $\bullet \ \ Inaccurate \ SEFA$
 - \circ This usually happens because the financial system did not identify all federal funds or they are incorrectly identified
 - Corrective action plan does not include who will take corrective action and by when
 - Not obtaining an audit and submitting required information to FAC by required deadlines
 - Not having a written procurement policy



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т	U

SUBRECIPIENT MONITORING

- o Per 2 CFR 200 WYDOT is required to conduct oversight monitoring which could include the following:
 - Review subrecipient reimbursement requests
 - · Review subrecipient reports/documents
 - Review single audits
 - Schedule site visits
 - Conduct subrecipient audits based on risk
 - Project inspections by WYDOT or Federal Agencies
 - · Approval for certain activities
 - Provide technical assistance & training
 - Communicate (phone, email, etc.)
 - Follow subrecipient coverage in news



SUBRECIPIENT MONITORING

- o Project Delivery Systems & Internal Control Questionnaire required for subrecipients:
 - $\bullet\,$ Questionnaire must be filled out by new subrecipients prior to award
 - WYDOT Internal Review & Planning must both approve ICQ
 - Approval on ICQ is good for 4 years & then must be undated.



			C
Project Deli	very Systems an	id internal	Control Questionnaire
			ning that the sub-recipient of Federal sunting controls to manage Federal-aid
	al requirement under 23U		unung controls to manage receiar aid
	ENTITY	INFORMATION	
Entity Name:			Fiscal Year Ending: (MM/DD/YYYY) / /
Street Address:			EIN #: DUNS #:
City:	State:		Zip:
Contact Name:		Title:	
Phone:	Fax:		Email:
	A. GEN	ERAL INFORMAT	TON
1. Does your entity	have written personnel pol	licies to address th	he following topics per 2 CFR 200?
			YES NO

SUBRECIPIENT RESPONSIBILITY

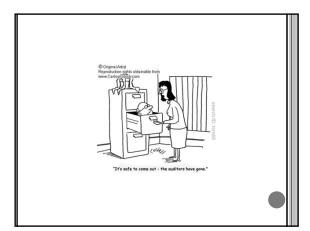
- o Follow the subaward agreement
- ${\bf o}$ Develop internal policies and procedures
- Ensure the organization has a financial management system
- ${f o}$ Establish a budget
- ${\bf o}$ Keep abreast of changes in policies, procedures or requirements
- ${\bf o}$ Request prior approvals when necessary
- ${\bf o}$ Make the most of site visits by WYDOT
- \circ Prepare necessary reports
- o Communicate
- ${\bf \circ}$ Permit WYDOT access to records



FINAL THOUGHTS

- o Read and understand the terms and conditions of subaward agreement & revisit frequently
- o Read & understand 2 CFR 200
- ${\bf o}$ Familiarize all staff with provisions, regulations and program policies and procedures
- ${\bf o}$ Maintain active status on sams.gov
- ${\bf o}$ Ensure supporting documentation is present
 - If it isn't documented, it didn't happen!
- ${\bf o}$ Attend WYDOT training when available





CONTACT INFORMATION

o Kirsten Rigg Internal Review 307-777-4252 <u>kirsten.rigg@wyo.gov</u>



• IR website <u>www.dot.state.wy.us/home/administration/internal_revi</u> <u>ew.default.html</u>

o 2 CFR 200 www.ecfr.gov/cgi-bin/textidx?tpl=/ecfrbrowse/Title02/2cfr200_main_02.tpl

RIGHT OF WAY PROGRAM 5300 Bishop Blvd., Cheyenne, WY 82009



Scott Henderson, Review Appraiser

Email scott.henderson@wyo.gov Office (307) 777-4218 Toll Free 1-888-570-9908

Background Information



Why Am I Here

- To provide a basic understanding for local public agencies and others who receive Federal-aid Highway funds for projects involving the acquisition of real property.
 - The Federal Highway Administration (FHWA) provides funds to State DOT's for highway projects. These funds are used for activities related to building, improving and maintaining designated public roads.
 - The DOT's pass on those federal funds to local governments. Eligibility to receive those funds depend upon compliance with Federal and State laws, regulations and policies.

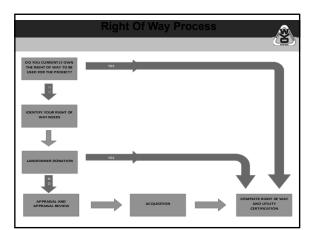
Federal & State Laws, Regulations And Policies



- The 5th Amendment of the U.S. Constitution states "Not person shall.. be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use without just compensation."
- The 14th Amendment extends to the States the requirement of following due process when the acquire privately owned property.
- Article 1 of the Wyoming Constitution also states "Private property shall not be taken or damaged for public or private use without just compensation."
- The State Dot's (WYDOT), as a steward of the funding, and the Federal Government (FHWA) must ensure that;
 - That due process and just compensation are met when property owners are affected by Federal Aid Projects
 - That the property is acquired without delaying the project for which it is needed.
 - That the Federal tax dollars used to fund public improvement projects are spent in an appropriate fashion

Federal & State Laws, Regulations And Policies

- Real Estate Acquisition and Valuation Statutes and Regulations include:
 - The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended. Commonly called the Uniform Act. This is the primary law for acquisition and relocation activities on Federal or federally assisted projects and programs.
 - United States Code Title 23 Highways
 - United States Code Title 49 Transportation
 - Code of Federal Regulations 23 Part 710
 - Code of Federal Regulations 49 Part 24
 - Wyoming Eminent Domain Act W.S. 1-26-501 through 1-26-817



Right Of Way Process Identify Right Of Way Needs What is the need and purpose of project What is your justification of the needed property for the project Right Of Way for the needed project must be clearly identified

- Can be done with:
 - Survey
 - Plat
 - Legal Description
 - Engineering Plan Set
 - This is something that should be completed by an engineer or land surveyor to ensure accuracy



Identify Right Of Way Needs

- 49 CFR 24.102 (b) <u>Notice to Owner</u> As soon as feasible, the Agency shall notify the owner in writing of the Agency's interest in acquiring the real property and the basic protections provided to the owner by law and this part.
- Wyoming State Statute 1-26-504(c) When a public entity determines that there is a reasonable probability of locating a particular public project on specifically identifiable private property and that the project is expected to be completed within two (2) years of that determination, the public entity shall provide written notice of the intention to consider the location and construction of the project to the owner as shown on the records of the county assessor. The notice shall include a description of the public interest and necessity of the proposed project. The public entity shall provide an opportunity for the private property owners to consult and confer with representatives of the public entity regarding the project.

Right Of Way Process



Appraisal & Appraisal Review

- 49 CFR 24.102(c) Appraisal, waiver thereof, and invitation to owner Before the initiation of negotiations the real property to be acquired shall be appraised, except as provided in 24.102 (c)(2), and the owner or owner's designated representative shall be given an opportunity to accompany the appraiser during the appraiser's inspection of the property.
- 49 CFR 24.102 (c)(2) An appraisal is not required if:
 - The owner is donating the property and releases the Agency from its obligation to appraise the property - OR -
 - The Agency determines that an appraisal is unnecessary because the valuation problem is uncomplicated and the anticipated value of the proposed acquisition is estimated at \$10,000 or less, based on a review of available data (Waiver Valuation)

Right Of Way Process



Landowner Donation

- When a private party wishes to donate all or a portion of his or her property, he or she <u>MUST</u> be fully informed of the right to receive just compensation for the property.
- You <u>MUST</u> provide the owner an explanation of the acquisition process.
 The explanation should be given in a manner that is non-technical and easily understood.
- You <u>MUST</u> inform them of their right to an appraisal. The property owner may waive the right to an appraisal.
- · Having an appraisal done is advantageous for both parties
 - Agency / Value used as a credit against their matching share of project cost
 - Landowner / Tax Purposes, IRS requires appraisal done if claiming on tax return
- Donation Forms
 - Appraisal Waived
 - Standard Donation



Appraisal & Appraisal Review

- If a waiver valuation becomes a viable option for you Please contact my office for further guidance. I recommend that for the type of projects that you are doing go ahead and have an appraisal done.
- What is an appraisal ??? The 1987 amendments to the Uniform Act provided a definition of an appraisal
 - The term "appraisal" means a written statement independently and impartially prepared by a qualified appraiser setting forth an opinion of defined value of an adequately described property as of a specific date, supported by the presentation and analysis of relevant market information.
- 49 CFR 24.103 contains the requirements for appraisals for federally assisted programs.
- Make sure that your appraiser is qualified to do the assignment.

Right Of Way Process



Appraisal & Appraisal Review

- If you get an appraisal, you must have that appraisal reviewed. The
 Uniform Act requires that the estimate of just compensation be not less
 than the agency's estimate of fair market value for the recommended
 appraisal. An appraisal becomes "recommended" through an appraisal
 review.
- 49 CFR 24.104 contains the requirements for appraisal review. The regulations require that acquiring agencies have an appraisal review process

Right Of Way Process



Acquisition

- Acquisition is where the Uniform Act and Wyoming Statute differ ...
- 49 CFR 24.102 Basic Acquisition Policies
 - The Agency shall make every reasonable effort to acquire the real property expeditiously by negotiations
 - Personally contact, if feasible, each real property owner or the owner's designated representative, if feasible in order to explain the acquisition process.
 - Provide the owner a written offer of the approved estimate of just compensation for the real property to be acquired and a summary statement of the basis for the offer
 - Give the property owner a reasonable opportunity to consider the offer and present material which the owner believes is relevant to determining the value of the property and to suggest modification in the proposed terms and conditions of the purchase



Acquisition

WS 1-26-509 (c)(iii) An initial written settlement offer that shall include:
 A description of the general location and extent of the property sought, with sufficient detail for reasonable identification;

An offer that, at the condemnee's request, a representative of the condemnor will tour the property sought with the condemnee or the condemnee's representative at a mutually agreeable time prior to the deadline for the condemnee's response to the initial written offer to discuss issues related to the property sought and the initial offer;

An estimate of the fair market value of the property sought and the general basis for such estimate;

A discussion of the reclamation planned by the condemnor for the property disturbed by the condemnor's project;

1

Right Of Way Process



Acquisition

An offer to acquire the property sought, allowing the condemnee up to sixty-five (65) days from the date the initial written offer was sent via certified mail to respond or make a counter-offer in writing; and

A written notice that the condemnee is under no obligation to accept the initial written offer but if the condemnee fails to respond to the initial written offer the right to object to the good faith of the condemnor may be waived under W.S. 1-26-510(a), that the condemnor and the condemnee are obligated to negotiate in good faith for the purchase of the property sought, that formal legal proceedings may be initiated if negotiations fail and that the condemnee has a right to seek advice from an attorney, real estate appraiser, or any other person of his choice during the negotiations and any subsequent legal proceedings.

A written response from the condemnor to any counter-offer made in writing by the condemnee to the initial written offer pursuant to subparagraph (iii)(E) of this subsection.

Right Of Way Process



Acquisition

The written notice required under subsection (c) of this section shall be given to the condemnee of record as shown on the records in the county assessor's office at the time, no less than ninety (90) days prior to commencement of a condemnation action

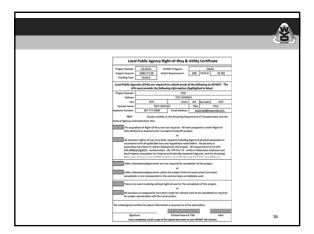
The condemnor shall send by certified mail, return receipt requested, a notice of final offer at least fifteen (15) days prior to commencing a condemnation action.

14

Right Of Way And Utility Certificate

- Required by 23 CFR 635.309 (b)(c)(g) & (h)
- Included as a tab in your Project Forms document from LGC contact
- If Right-of-Way was already owned, can skip straight to this step
 - If ANY right-of-way was purchased with the intent of using it for the project – even if it was several years ago – ALL steps must be followed
- MUST be submitted to LGC prior to advertisement of the project for construction

15



QUESTIONS

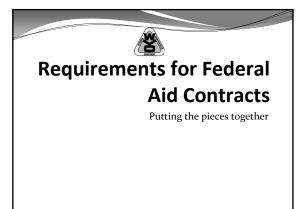


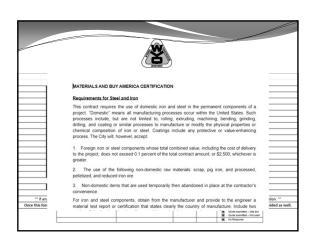
All items must be included in the bid documents. Indicate page number in Column "B".					
Verified by LGC	Page Number	Clause/ Certification	LGC Review Comments		
		Guidance Only			
	The following	ng are to serve as guidance only for the required clause - they should not be inse	erted into your bid documents.		
		Engineer's Estimate			
		Invitation to Bid			
		Method of Measurement and Basis of Payment			
		Patented/Proprietary Materials and Products			
		Extra Work and Change Orders			
		Mandatory Verbatim Clauses			
The following	are required to be	e included in their entirety. Please ensure any standard clauses similar in intent h	nave been removed to avoid conflicting language.		
		FHWA 1273 (This must be incorporated in bid documents in its entirety)			
		Supplemental Information to FHWA 1273			
		Disadvantaged Business Enterprise (DBE)			
		Disadvantaged Business Enterprise (DBE) Certification			
		Changed Conditions Clause			
		Bidder Preference			
		Federal Wage Rate Determination			
		<u>Title VI/EEO Requirements</u>			
		Contractor's Required Participation (Subcontracting)			
	•	Template Clauses			
	The following	clauses are required, however they do not need to be verbatim and a standard c	lause can be used in their place.		
		Acceptance of Contract Work Materials			
		Competitive Bidding Reserved to Private Contractors			
		Contractor Provided Labor, Materials and Equipment			
		Job Site Posters			
		Buy America			
		Specific Equal Employment Opportunity Responsibility			
		Non-collusion Statement			
		Lobbying Certification			
		Suspension and Debarment Certification			
		Prompt Payment for Satisfactory Performance of Work and Retainage			

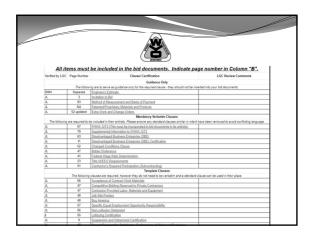
	Bid Rigging
	Registration with the Secretary of State
	Wage Compliance Statement
	Bidder Certification
	Traffic Control
	NEPA stipulations included in agency letters addressed
	·
** If any of the boxes	s are filled with red, action is required. Once the page number has been entered, the box will turn white indicating resolution. **

if any of the boxes are lined with red, action is required. Once the page number has been entered, the box will turn write indicating resolution.

Once this form is completed, notify your WYDOT LGC Contact. An electronic copy of the Plans, Specifications and Bid Documents must be provided as well.







Advertisement & Award

□Proof of Advertisement □DBE Certification Information □Verification of non-suspension/debarment □Open and Read at a Public Meeting

Contract Administration

- $\hfill \square$ Have someone who knows Contract Administration
- ☐ NEPA Stipulations addressed
- ☐ Contract Language
 ☐ Review / Get to Know the Plans & Contractor
 ☐ Special Provisions / Specifications
- ☐ Details / specific notes on plan sheets ☐ Relationship with the Contractor

Local Programs "How To"

Sara B. Janes-Ellis

Local Government Coordinator Sara. Ellis@wyo.gov

Dave Herdt

Local Programs Coordinator David.Herdt@wyo.gov

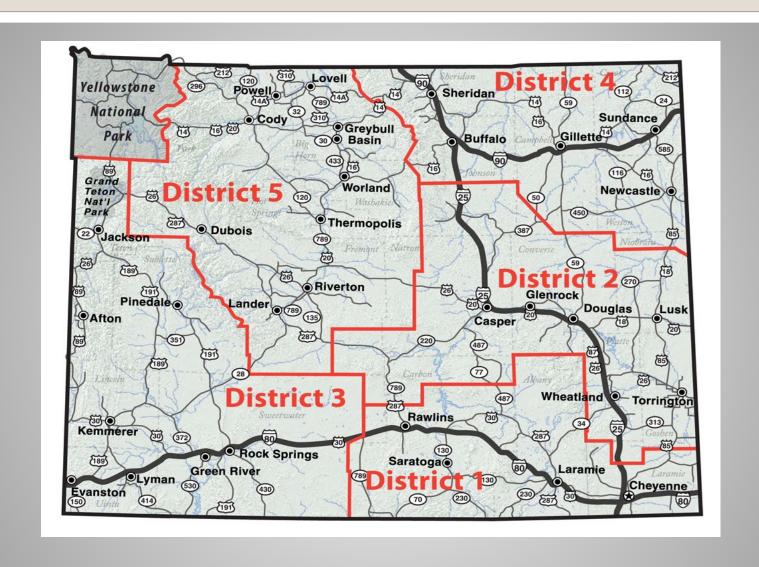
Kelley Shepp Local Government Specialist Kelley.Shepp@wyo.gov

Tarryn DeMers
Local Government Specialist
Tarryn.DeMers1@wyo.gov

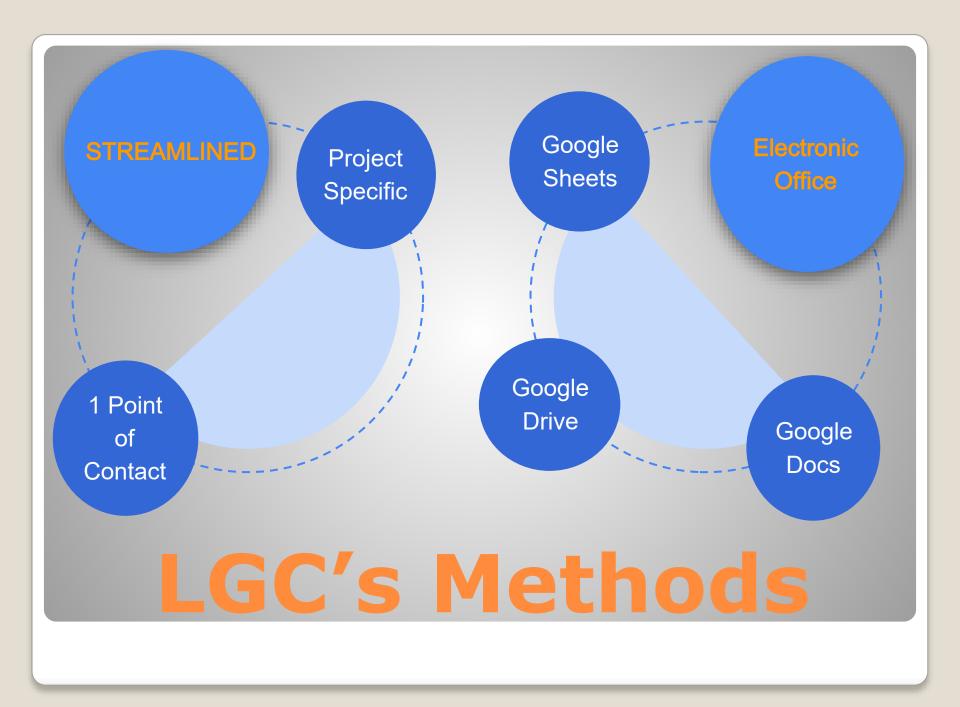
Leanna Humble
Transit Program Coordinator
Leanna.Humble@wyo.gov

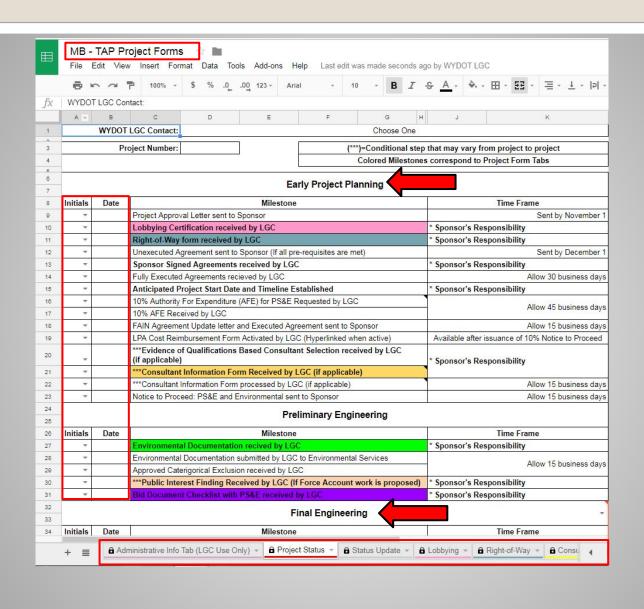
Kenny Sisson Local Government Specialist Kenneth.Sisson@wyo.gov

Joni Kithas-Harlan Transit Fiscal Consultant JKH@rtconnect.net



District Map





Project Forms Sample

Call/email your LGC Contact.

DO NOT DO ANYTHING WITHOUT A NOTICE TO PROCEED!

If you're not sure...ask!

Things you're going to hear a lot

F

Planning Study

Coordinate w/District Engineering Staff

Ensure Matching Funds

- Highly encouraged
- Can apply for funds to create a planning document
- Should be reviewed and updated every 3-5 years

• Do this BEFORE you submit an application

Initial Project Planning

Consultant Selection

Environmental Document

Preliminary Design

- Must be qualificationsbased
- In-house design can be done; engineer MUST
 be a full-time employee
 of the sponsor
- Complete this first, so any issues can be addressed in design
- Submit preliminary
 project design and
 draft bid documents
 to your LGC
 representative for
 review and comment

DO NOT DO ANYTHING FURTHER UNTIL YOU RECEIVE A NOTICE TO PROCEED

Preliminary Engineering



Submit Final Plans/Bid Docs

Notice to Proceed on Bid Advertisement

- Should address any environmental concerns
- Should incorporate any suggestions/changes from LGC review

• Will be is sued by LGC contact

DO NOT DO ANYTHING
FURTHER UNTIL YOU RECEIVE
A NOTICE TO PROCEED

Final Engineering



Project Advertised

Bid **Tabulation** Received

Along with all

signed documents

Send Bid Tabs and

Concurrence and Bid Award

Executed Contract with Contractor

Project should be advertised for minimum of 3 weeks (21 days)

Best practice is to

- attachments via email to LGC advertise for 4 weeks contact
- LGC will review Bid Tabs and attachments
- Will send a letter awarding concurrence, then you can award the project
- Email LGC contact a copy of your signed contractor agreement
- Attach FHWA 1273 to contract

Plans must be available for the 3 week (21 day) period

Project Bidding and Award



Notice to Proceed on Construction

Monitor the Project

Wage Interviews

- CONSTRUCTION CANNOT
 BEGIN UNTIL NOTICE TO
 PROCEED WITH
 CONSTRUCTION IS
 RECEIVED FROM LGC
 CONTACT
- The engineer will
 ensure project
 stays on schedule
 and is being
 constructed as
 designed
- 100% of workers at least one time during construction must complete a wage interview

Construction



LPA Submits Final Acceptance & Evaluations

WYDOT Issues Final Acceptance

WYDOT Processes Final Reimbursement

- LPA's responsibility to make sure all requirements were met
- Contract is between
 LPA and Contractor
- Evaluations completed

- WYDOT will do a brief
 inspection of the
 project and sign off
- Follow-up with LPA, if requested or necessary regarding evaluations.
- Final 10% of the total project cost is reimbursed once the LPA and WYDOT have accepted the project

Project Final Acceptance



Reimbursement Request Submitted to LGC

• Bills must be paid prior to submission of request

Reimburs ement Completed

Copies of cancelled checks and/or EFTs must be provided.

All programs are reimbursement based

One Reimbursement per quarter

LGC Review

- Verifies that the numbers add up
- Ensures reimbursement items are eligible

Budget Office Reviews LGC Submits Request to Budget Office

Reimbursements



Reimbursement Supporting Documentation

Cost Reimbursement Form

> found in a link in **Project** Status Tab

Copies of
Proof of
Payment
for the
invoices

Reimbursement Requests

Copies of Project Invoices

received from Contractor or other vendors



Project Monitoring by LGC

				_	
		Adminst	rative Docume	nts	
Initials	Required Documentation	Date Monitored	Corrective Action Required	Comments	Corrective Action Completed
	Project Application	Ž	Choose One ▼		Choose One
	Signed Resolution	Į.	Choose One ▼		Choose One
	Completed Title VI/EEO Form		Choose One ▼		Choose One
	Updated/Completed Consultant Services Policy		Choose One ▼		Choose One
	Internal Review Questionnarre (General File)		Choose One ▼		Choose One
	Project Award Letter		Choose One ▼		Choose One
	Signed E-113		Choose One ▼		Choose One
	Signed Lobbying Certification Form		Choose One ▼		Choose One
	Signed Right-of-Way and Utilities Certification For	<mark>m</mark>	Choose One ▼		Choose One
	Fully Executed Agreement		Choose One ▼		Choose One
	10% AFE		Choose One ▼		Choose One
	100% AFE		Choose One ▼		Choose One
	Award Update Letter 1 (after 10% AFE)	1	Choose One ▼		Choose One
	Award Update Letter 2 (after full AFE)		Choose One ▼		Choose One
	Certified Payrolls		Choose One ▼		Choose One
	Consultant Selection Form (if applicable)		Choose One ▼		Choose One
	Determination of Consultant Audit (if applicable)	1	Choose One ▼		Choose One
	▼ Completed General Provisions		Choose One ▼		Choose One
	▼ Draft Agreement with Consultant		Choose One ▼		Choose One
	▼ FAPIIS.gov Verification	V.	Choose One ▼		Choose One
	Executed Consultant Agreement		Choose One ▼		Choose One
		Rei	mbursements		
	<u> </u>	Т	Corrective		Correctiv
		Date	Action		Action
Initials	Required Documentation	Monitored	Required	Comments	Complete
	Reimbursement Request		Choose One ▼		Choose One
	▼ Complete Cost Reimbursement Form		Choose One ▼		Choose One
	▼ Detailed Invoices		Choose One ▼		Choose One
	▼ Proof of Payment		Choose One ▼		Choose One
	▼ Certified Payroll		Choose One -		Choose One



End of Project Evaluations

Consultant
Performance
Review
by LPA

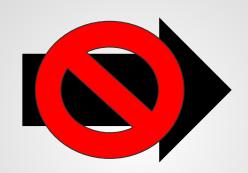
Process
Review
by LPA

LPA
Performance
Review



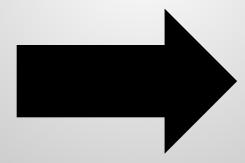
#10
Sending documents to anyone other than your LGC
Contact











LGC CONTACT



Sending Bid Tabs for Concurrence without the DBE Form

☐ Bidder does not intend to subcontract

DISADVANTAGED BUSINESS ENTERPRISE PARTICIPATION CERTIFICATION

The Bidder has contacted the following Disadvantaged Business Enterprises (DBE) to solicit quotations for work to be subcontracted or for materials to be used on this project. If one DBE firm is contacted as a supplier of materials and for other subcontract work (i.e. furnish sign materials as a supplier and performing flagging and traffic control as a subcontractor) the firm must be shown twice, once as a supplier and once for the subcontract work.

Information from all DBE firms that submitted quotes, whether solicited or not solicited, must be retained in the project file.

Disadvantaged Business Entity	Specific Subcontract Work or Materials Requested	Contact Method	Contact Date	Contact Result
				□ No Response ○ Not Interested ○ Not quoting on this project □ Quote submitted – See Bid □ Quote submitted – Not used
				No Response Not interested Not quoting on this project Quote submitted – See Bid Quote submitted – Not used



NO DBE FORM



Not submitting any Reimbursement Requests until the project is complete



#7 Final design without environmental clearance



In any event, we can work around it."

#6 Asking for forgiveness instead of permission





No contact with us until something goes wrong



Sending in a request for reimbursement without a copy of the cancelled check or EFT.



Advertising on Saturday, Sunday, and the next Sunday and calling it 3 weeks

Your LGC contact should not have to get creative with counting to figure your 3 weeks of advertising

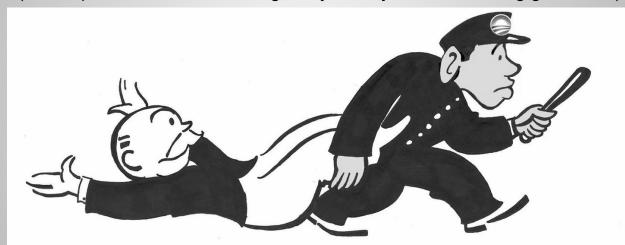


#2
Do ANYTHING without a Notice to Proceed



Constructing the project before completing any other steps

(Actual photo of the Feds taking away money for not following guidelines)



DO NOT PASS GO, DO NOT COLLECT \$200

