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SECTION C

CERTIFIED AGENCY

Chapter 1

Introduction

This chapter describes local agency certification program requirements, processes and benefits.

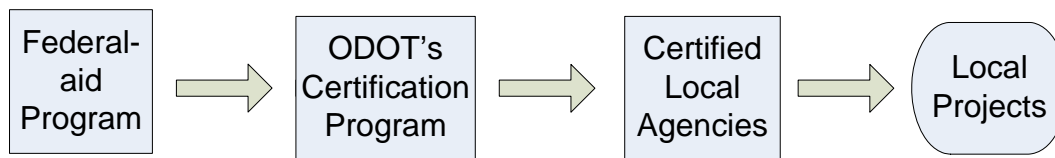
A. OVERVIEW

What is the local agency Certification Program?

The local agency Certification Program enables certified local agencies to retain optimum approval authority and control at the local level when delivering federally funded, Non-National Highway System transportation projects.

Why is ODOT involved?

ODOT is responsible to ensure that expenditure of federal funds on local agency projects, under [23 CFR 635.105](#), meets all federal and state requirements. As described in [ODOT's Stewardship Agreement with FHWA](#), ODOT can share the authority for delivery of local agency projects but cannot abdicate this responsibility.



In order to optimize the process for local agencies to utilize federal transportation funding, ODOT has worked with FHWA and local agencies to develop and implement a local agency Certification Program. Through this program, certified local agencies will have increased authority and autonomy, using their own approved processes to develop and construct their federal-aid projects. ODOT will fulfill its oversight responsibilities via audits of certified agency projects and by providing ongoing advice, counseling and training to certified agencies.

B. LOCAL AGENCY CERTIFICATION PROGRAM - VISION

Excellent local agency projects resulting from a vibrant, responsive and collaborative local agency Certification Program that:

- Meets all federal requirements;
- Fulfills ODOT's Stewardship responsibilities; and
- Provides local agencies optimum authority and autonomy, using their own approved processes for the development and delivery of their federal-aid projects.

C. LOCAL AGENCY CERTIFICATION PROGRAM - MISSION

Recognizing that local agency certification is a partnership among ODOT, FHWA and local agencies that will result in more cost-effective and autonomous delivery of state and federally funded local agency transportation projects, the mission of the local agency Certification Program is to accomplish the following:

- Put in place the plans, people, processes and products that will enable the implementation of local agency certification in a timely and cost-effective manner
- Continually monitor and improve the Local Agency Certification Program over time.

In this way, ODOT, FHWA and local agencies will realize benefits in the areas of accountability, communication, risk management and financial efficiency.

D. FEDERAL-AID PROJECT DELIVERY OPTIONS

There are three options available to local agencies for their development and delivery of their federal-aid projects. These options are:

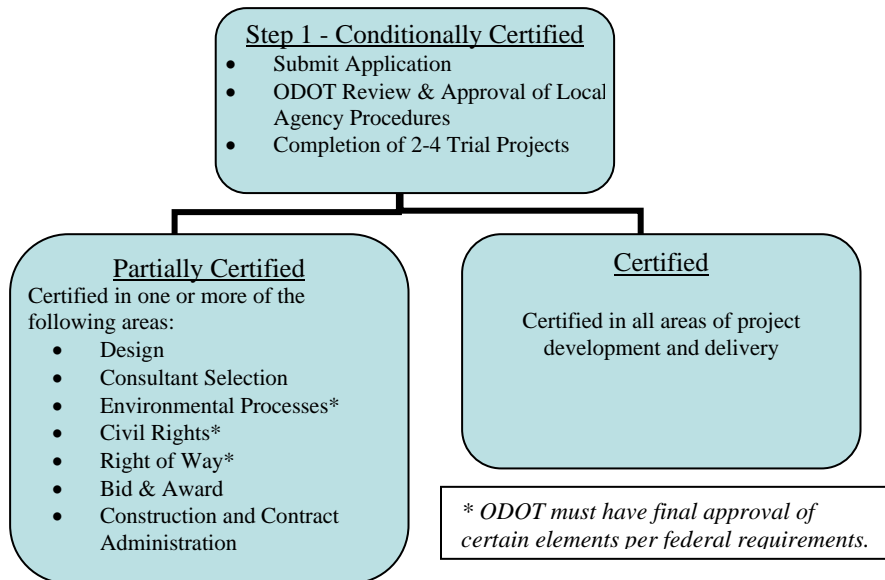
- Non-Certified Agency
- Certified Agency
- Partially Certified Agency

1. Non-Certified Agency Project Delivery

Non-certified local agencies are those agencies that have not attained either full or partial certification status. Non-certified local agencies do not have the authority to perform their own project development and delivery work. To complete their federally funded projects, non-certified local agencies must contract with ODOT or a certified local agency to secure project development and delivery services. See the Non-Certified Section of this manual for a more detailed description of non-certified local agency project delivery processes.

2. Certified Agency Project Delivery

The process for local agencies to become certified is shown in the following graph.



For detailed information regarding the local agency certification process, see Chapter 2, Becoming Certified, in the Certified Section of this *LAG Manual*.

a. Conditional Certification

Conditional Certification is the first step for a local agency to become either a partially or fully certified agency. During this phase, the local agency’s project development and delivery processes and procedures are collaboratively reviewed by the local agency and ODOT. The goal of this review is to ensure that local agency processes and procedures meet federal and state legal requirements. Any process that does not meet these requirements will need to be revised. After approval of their processes, the local agency can then proceed with trial projects, using it’s own agreed upon processes and working with close ODOT support.

The process of conditional certification includes the following steps:

1. preliminary interview in which ODOT reviews the agencies existing capabilities and clarifies the requirements for certification;
2. local agency program modification during which time the local agency modifies any processes or procedures as required to meet federal and state laws and requirements;
3. submittal of an application to ODOT outlining local agency positions, qualifications and experience responsible for certified functions;
4. review and negotiation in which ODOT reviews the local agency’s procedures and addresses or clarifies areas of concern; and
5. notice of Conditional Certification in which ODOT provides a formal acknowledgement that the agency is prepared to go ahead with trial projects.

b. Full Certification

This status is gained after a local agency has successfully completed between two and four test projects as a conditionally certified agency. Once a local agency has received certified local agency status it will have the autonomy to deliver its own projects, financed with federal funds, using its own processes and procedures.

3. Partial Certification

Local agencies may also be certified in one or more areas such as consultant selection, design, bid and award and construction contract administration.

E. BENEFITS OF CERTIFICATION

1. Local Agencies

- Savings in time and money since local agencies have optimum authority and autonomy to use their own mutually agreed upon processes to develop, advertise, award and manage their own federal-aid projects.
- Greater flexibility in delivering its projects with ODOT's role less focused on approval and administration.
- An avenue for building a more cohesive partnership with ODOT hence improving project delivery efficiency and effectiveness.
- Focused training and technical assistance from ODOT to local agencies based on needs identified through performance measurements or as requested by the local agency.
- Certification establishes local agencies as qualified to perform federal projects and thus lowers the risk of losing federal funds and increases the likelihood of meeting project objectives and goals within identified scope, schedule and budget.

2. FHWA

- Collaborative effort ensures that federal funds are utilized in the most efficient and effective means possible.
- Local agency project development and delivery processes and procedures, as well as ODOT oversight processes and procedures, are well defined and documented. This provides clarity in roles and responsibilities and a highly functional method to monitor appropriate use of federal funding.

- Partnership with local agencies and ODOT builds collaboration, communication and trust. This leads to open and frank discussions and ultimately better projects.

3. ODOT

- Savings in time and money since local agencies have the authority to use their own processes to develop, advertise, award and manage their federal-aid projects.
- Documented processes and procedures allow ODOT to fulfill its stewardship responsibilities with FHWA while providing local agencies optimum autonomy in the development and delivery of their projects.
- An avenue for building a more cohesive partnership between with local agencies hence improving project delivery efficiency and effectiveness.
- Focuses ODOT resources that support local agency project delivery, to the areas of training and technical assistance.
- Certification establishes local agencies as qualified to perform federal projects and thus lowers the risk of losing federal funds and increases the likelihood of meeting project objectives and goals within identified scope, schedule and budget.