

Partnering on Federal Project Delivery



Certification User Group

Annual Meeting
December 5, 2023

Downtown, 405 – Steve Szigethy, Capital Delivery
Division Manager, Portland Bureau of Transportation





CUG Co-Chairs

Tiffany Hamilton, ODOT

Ryan Crowther, Marion County



Objectives:

- Complete important business items
- Provide CUG program updates
- Discuss subcommittee progress during the year
- Provide opportunities to learn and network





Today's Agenda

TOPIC	TIME
Registration and Networking – Connect!	8:30
Welcome and Introductions	9:00
Policy and Funding Update	9:20
Break – Informal Networking	10:05
Standards Subcommittee Report	10:20
Process improvement & Training Subcommittee Report	10:35
Certification Program Updates	10:50
Lunch – Informal Networking	11:50
ADA Panel	1:00
Break – Informal Networking	2:15
Training Session: Certification Program Agreement	2:30
Closing Remarks	3:15





Introductions

- Welcome First Timers
- Agency roll-call





Introductions

Within your table or breakout room:

- Name, role and connection to the Certification Program
- One thing you hope to gain from attending today's meeting

As a full group:

- One person from your table/breakout room will share one of your group's hopes
- Each table will add to the list until we have a complete list of the groups' hopes





2023 CUG Steering Committee – Thank you!

- Tiffany Hamilton, ODOT (co-chair)
- Ryan Crowther, Marion County (co-chair)
- Katie Marwitz, City of Eugene
- Drake McKee, ODOT
- Kate Dreyfus, City of Gresham
- Greg Stellmach, ODOT
- Mahasti Hastings, ODOT
- Emily Miletich (for Jon Henrichsen), Multnomah County
- Ted Leybold, OR Metro
- Satvinder Sandhu, FHWA





CUG Business Meeting



CUG Business Meeting

Objectives:

- Recognize continued partnership
- Review CUG Mission & Goals
- Steering Committee Slate



OREGON
TRAVEL STUDY

Oregon Travel Study Logo

- Jessica Mumme, Senior Financial Analyst, Lane Council of Governments





Certification User Group Mission

Streamline and improve the delivery of certified local public agency federal aid transportation projects for Oregon by:

- Recommending and coordinating training to improve understanding of regulations, requirements, and processes;
- Providing a forum for sharing Information and best practices;
- Facilitating ongoing communication and further development of relationships within and among ODOT, federal agencies, and local public agencies; and
- Providing a means for ODOT and local public agencies (LPA's) to improve coordination and efficient use of resources.





Certification User Group Goals

1. Achieve a high percentage of projects completed on schedule.
2. Promote full obligation of program funds to projects.
3. Enable agencies to obtain and/or maintain certification.
4. Provide resources to support successful delivery of projects (tools, guidance, training, checklists, etc.)
5. Promote understanding of compliance issues and identify trends to increase success of local agencies.
6. Update and streamline standards to simplify compliance and reduce ODOT Oversight





CUG Steering Committee

Structure:

- 5 CLPA Representatives
 - 2 cities
 - 2 counties
 - 1 MPO
- 4 ODOT appointed reps.
- 1 FHWA representative (non- voting)
- Terms: staggered

Changes for 2024...

Interested in serving another term:

Drake McKee, ODOT

Emily Miletich, Multnomah

Kate Dreyfus, Gresham

Ted Leybold, Oregon Metro

New member:

Mark Hardeman, ODOT (replacing Mahasti Hastings)



Filling Steering Committee Vacancies: Proposed Slate



Drake McKee, ODOT, new term expires 12/31/2025

Emily Miletich, Multnomah, new term expires 12/31/2025

Kate Dreyfus, Gresham, new term expires 12/31/2025

Ted Leybold, Oregon Metro, new term expires 12/31/2025

Mark Hardeman, ODOT, term expires 12/31/2025





Access to CUG Documents

Microsoft Teams Pilot – Access to ODOT Certification User Group Channel

- Allows you to collaborate on CUG document reviews within the ODOT teams you have been added to.
- This means all comments can be made on the same document, rather than being passed around via email.

First step is to complete this [request form](#) with the information we need to request access from ODOT IT.

- Questions we can answer?
- Join your fellow CUG members!





Certification BINGO – Everybody can play along!

1. Bingo words will appear on slides throughout the day. They will not be highlighted on the slides in any way - it's up to you to notice them!
(Virtual participants – check your email for instructions to access your card.)
2. When you see a word(s) on your Bingo card, mark off that word(s) with a pen/marker.
3. If you make a Bingo (five squares in a row horizontally, vertically, or diagonally), raise your hand (virtually or in person) and a Bingo volunteer will come to verify your Bingo and provide a prize. Virtual participants – keep an eye on the chat for your prizes!
4. If you win a Bingo, you can continue to play for a blackout!



Policy and Funding Updates

Jeff Flowers, ODOT
Statewide Investment Management Section Manager





Agenda

- Staffing Updates
- Earmarks
- Working through federal direct projects
- Fund Exchange
- 27-30 STIP Process
- PL or PE
- Pre-IGA/Early funding project pilot



Staffing Updates (SIMS)

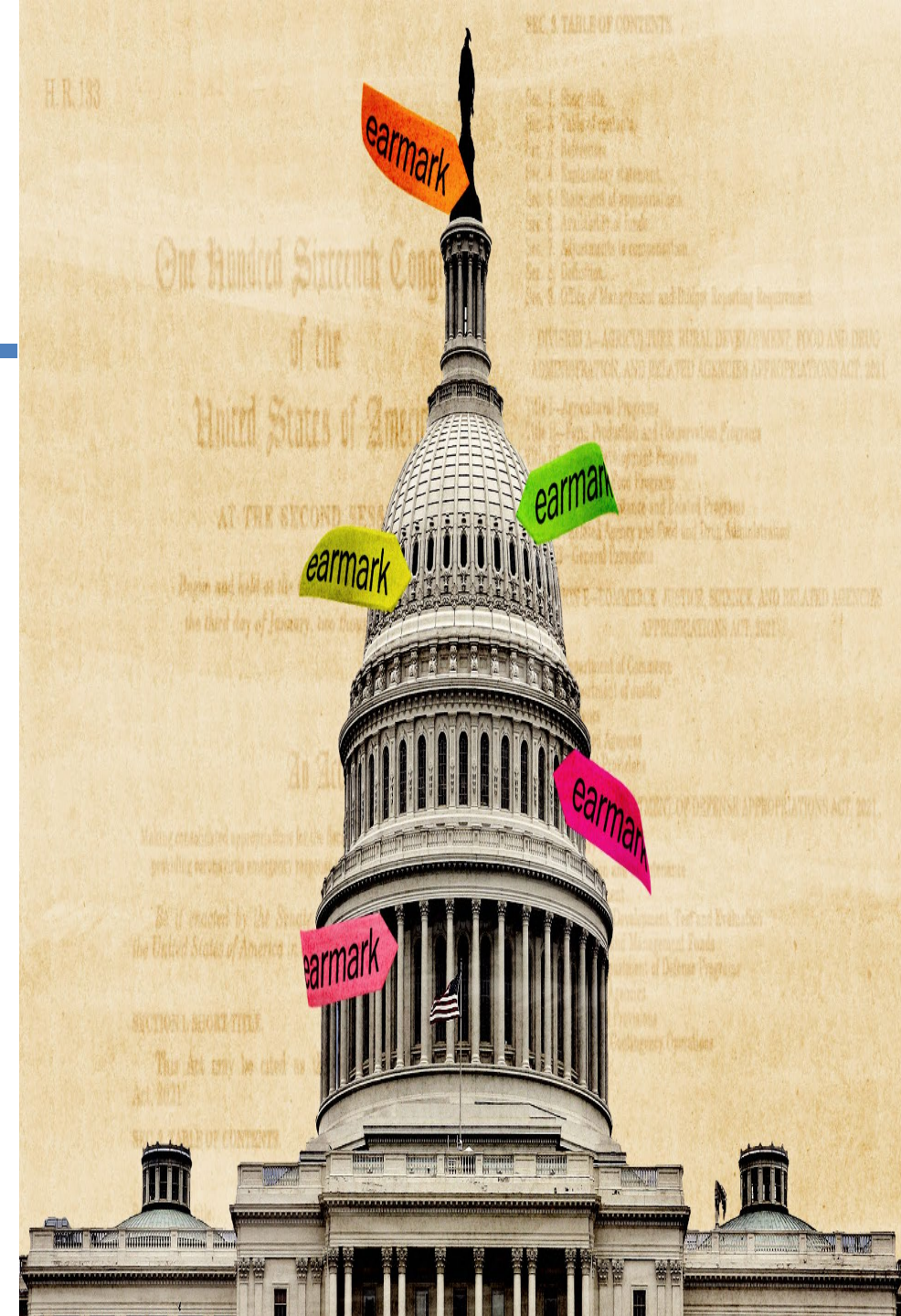
- Arlene Whitney
- Melissa Flores
- Jacque Carlisle

Meet New People



Earmarks

- Congressionally-Directed Spending:
 - These are Title 23 pass-through funds (not eligible for direct recipient status)
 - Who/how/when are they programmed into the STIP?
 - When – **AS SOON AS POSSIBLE**
 - How – just like any other federal aid project
 - Who – your regional STIP Coordinator





Federal Direct Projects

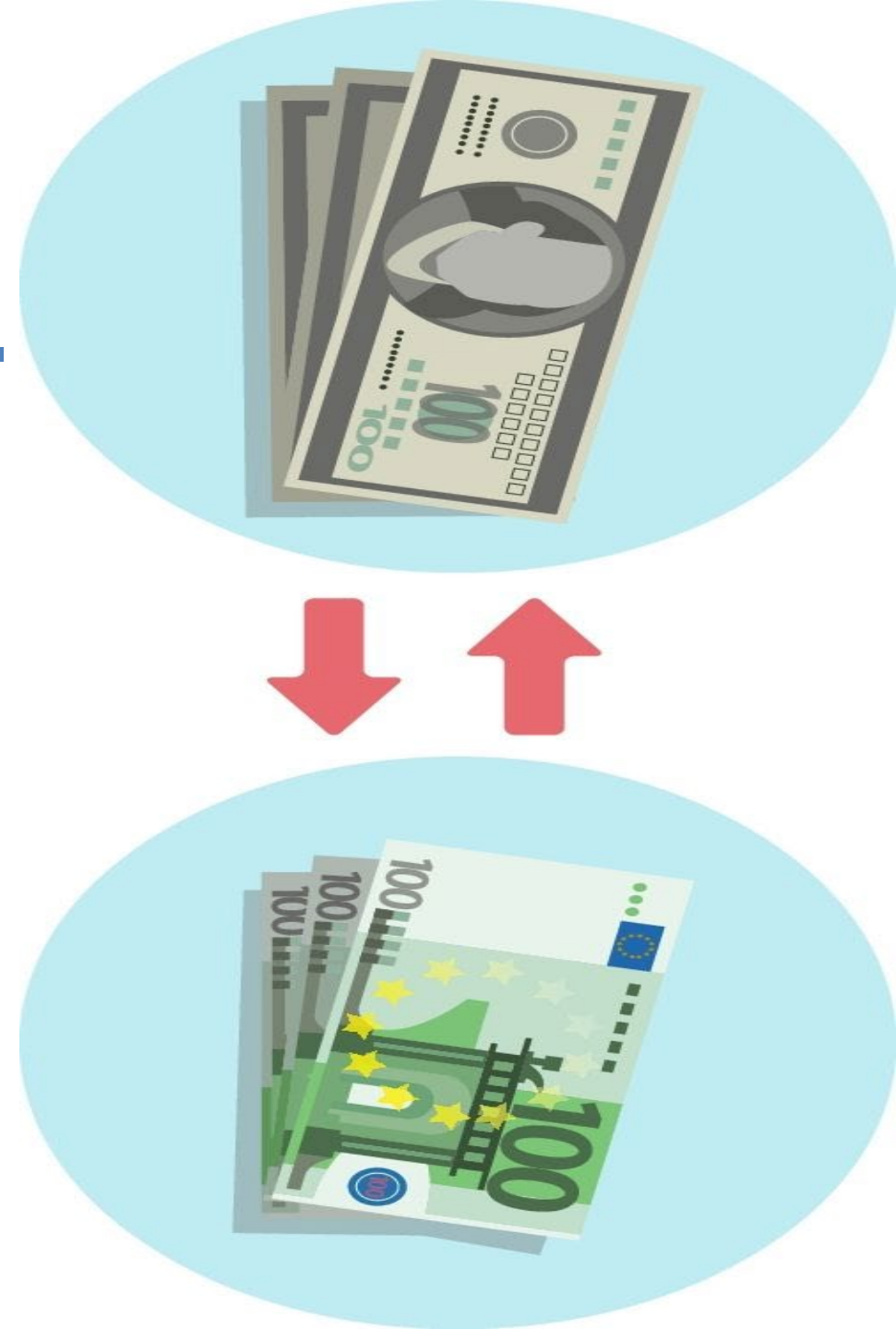
- Competitive Grant Programs
- Allows local agency to work directly with FHWA – No ODOT oversight
- ODOT can still do work to help local agency





Fund Exchange Updates

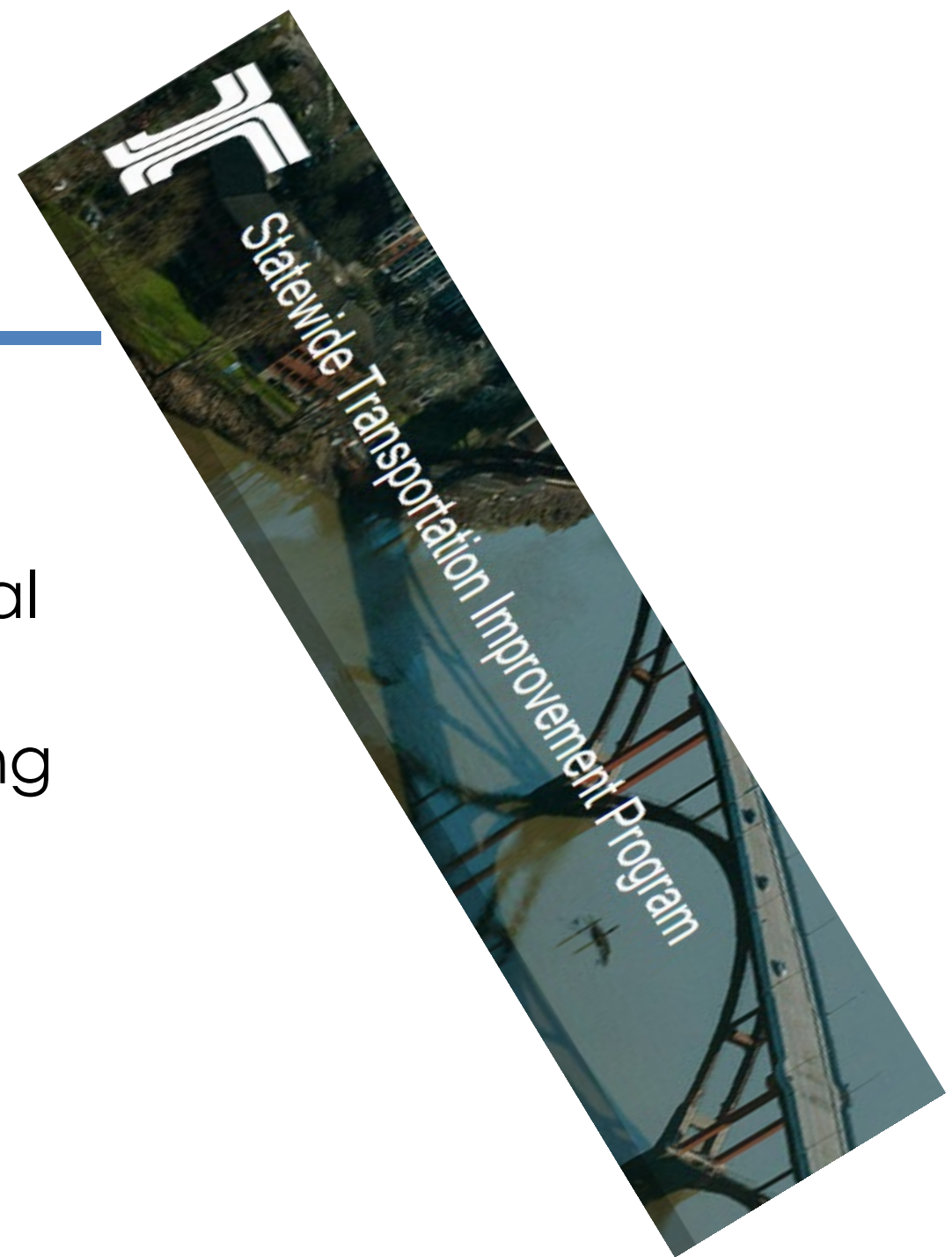
- HB 2101 – Passed in June of 2023
- Allocates \$35M per year of HB 2017
 - State funding
- Agency splits determined by AOC/LOC
- No more IGAs, just payments to cities and counties
- Small MPO funding a little different





27-30 STIP Process – Part 1

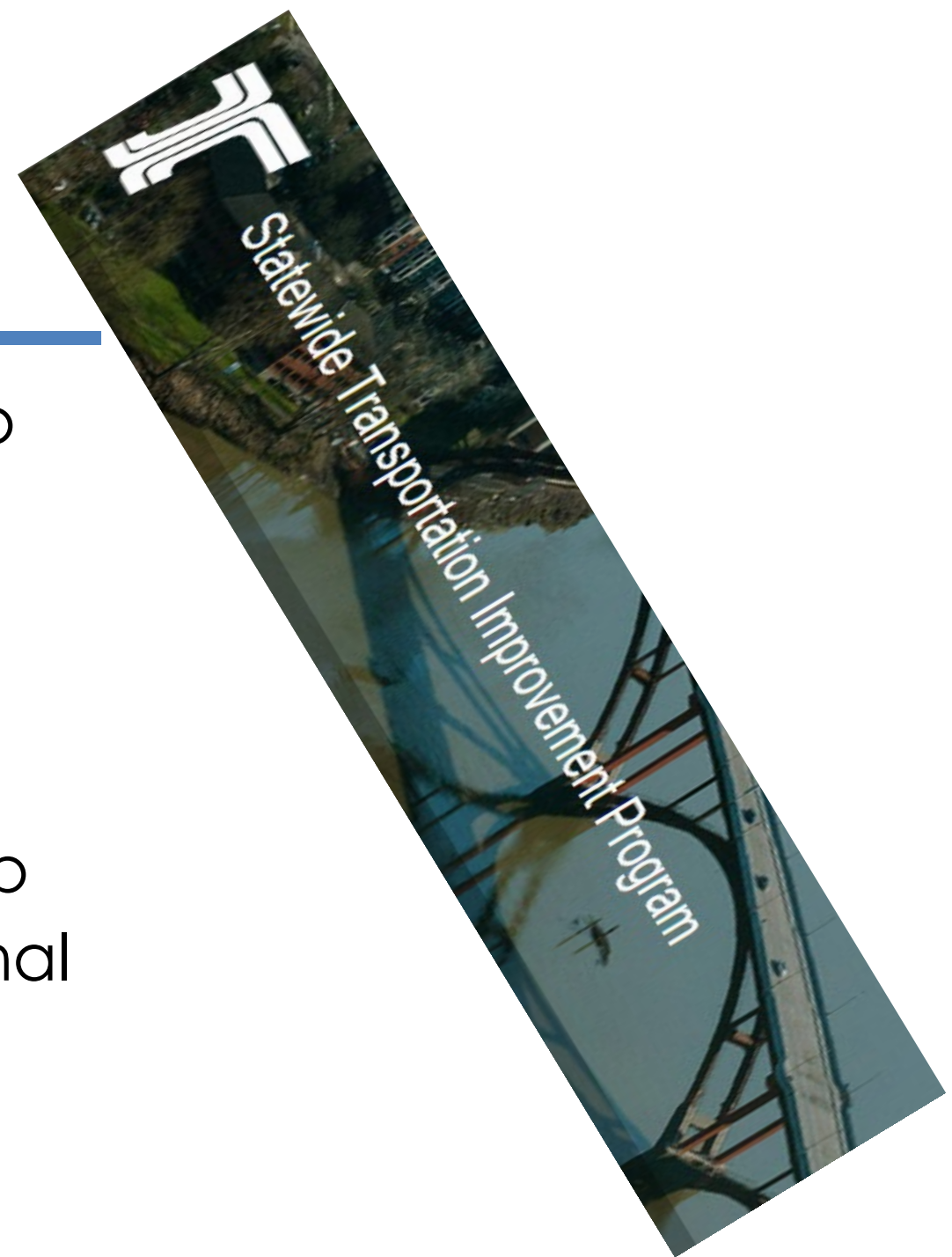
- November 2023 – Funding allocations approved by OTC
- December '23 – June '24 – internal work for scoping preparation
- July '24 – March '25 – Field Scoping
- April '25 – July '25 – Final project selection





27-30 STIP Process – Part 2

- August '25 – December '25 – Prep Draft STIP
- January '26 – OTC approval of Draft STIP
- February '24 – March '25 – Public Comment period
- April '25 – May '25 – Final STIP prep
- June/July '25 – OTC approved Final STIP & federal submittal
- September '25 – 2027-2030 STIP Approved by FHWA/FTA



PL or PE?

- Planning (PL)
 - Full alternatives analysis
 - We do not know where or what is happening yet?
Need to study
- Preliminary Engineering (PE)
 - Scope refinement and design
 - We know we are fixing the road at this location, but we are designing to figure out the right action



East Portland Access to Employment & Education – Steve Szigethy,
Capital Delivery Division Manager, Portland Bureau of Transportation





MPO Obligation Targets

- 2023 = SUCCESS!!!!
- Amounts shared:
 - Portland - \$6,733,072
 - Salem - \$1,006,799
 - Eugene - \$1,049,387





Pre-IGA/Early Project Funding Pilot

- What is it?
 - Early access to some PE funding
- Why are we doing this?
 - To provide access to funding to finalize the preliminary work of the project sooner than we have before
- Who is eligible?
 - Goal = all certified agencies



Hollywood Drive CLPA project, Marion County and City of Salem. New ADA walks, ramps, signals, left turn lane and bike lanes.
-Mark Foster, Marion County



Questions



Aerial photo of the SE 242nd/Hogan NE Burnside – E Powell (Gresham) Project (K191200 STP-3125(55))
-Mike Green, Project Manager, City of Gresham



CUG Subcommittee Reports

- Standards
- Process Improvement and Training



CUG Subcommittee Updates

Standards:

Leads:

- Tiffany Hamilton, ODOT
- Olaf Sweetman, Lane County

Liaison: Tiffany Hamilton, ODOT

Process Improvement & Training

Leads:

- Paul Rudwick, City of Portland
- Hanne Eastwood, ODOT

Liaison: Mahasti Hastings, ODOT

Standards Subcommittee Work Plan

Completed 2023

- Construction Contracting Templates
 - ✓ 2024 CLPA General Conditions Template and related process updates (June/July)
 - ✓ 2023 Boilerplate updates to 2024 General Conditions Template (redline revisions) (Nov)
- Certification Program Agreement Overhaul
 - ✓ Review/comment on drafts
- CLPA Statement of Work Templates
 - ✓ Prioritized templates to update
 - ✓ Updated Environmental/HazMat task
 - ✓ Revised review checklist and process document

In Progress/Planned for 2024

- Local Agency Guidelines (LAG) Manual Update
 - Assemble the team
 - Plan a kick-off meeting
 - Review and update by Dec 2024
- Construction Contracting Templates
 - 2024 Boilerplate updates to General Conditions Template (redline revisions)
- CLPA SOW Templates (continued)
 - Bridge Preservation
 - Public Involvement
 - Right of Way

You can volunteer for a Work Group by contacting
odotcertification@odot.oregon.gov

We need your help updating the LAG!



2024 LAG Manual Update Survey

The ODOT Certification Program Office collaborates with our Certified LPAs to update the LAG manual. This survey will assess your desired level of participation and identify the areas you would like to collaborate on.

We are flexible in how your agency would like to respond. If you are unsure of your agency's capacity to assist in each area, please forward this survey to others as multiple responses are permitted.

* Required

1. First Name *

Enter your answer

2. Last Name *

Enter your answer

3. Agency *

5. Subject Matter *

Please select areas of the LAG manual that you or your agency are willing to participate in updating:
Select all that apply.

- Our agency does not have the capacity to assist at this time.
- I or my agency will assist as needed, no area of preference.
- Section A: Overview of Federal-Aid Project Delivery Options for Local Public Agencies, Including Certification
- Section B: Local Public Agency Certification, Compliance and Oversight
- Section C: Delivering Federal-Aid Projects as a Certified Local Public Agency (*All Chapters*)
- Section C - Chapter 1: Introduction
- Section C - Chapter 2: Planning & Program Development
- Section C - Chapter 3: Project Technical Scope Sheet
- Section C - Chapter 4: Agreements
- Section C - Chapter 5: Progress Billing
- Section C - Chapter 6: NEPA & Environmental

7. Capacity *

Please identify your agency's capacity to assist in the following:
Select all that apply.

- Review All
- Review Topic
- Review Final Format
- Other Resources Input
- Participate in Focus Group
- Our agency does not have the capacity to assist at this time.



Comments or suggestions on the LAG?

Local Agency Guidelines for Certified Local Public Agencies

The Local Agency Guidelines for Certified Local Public Agencies, or LAG for Certified LPAs, is updated as needed. Updates will be summarized in a change log and posted for user reference. **Please refer to this website for the most updated version.**

[LAG Manual full version](#)

- [Section A](#): Overview of Federal-Aid Project Delivery Options for Local Public Agencies, Including Certification
- [Section B](#): Local Public Agency Certification, Compliance and Oversight
- [Section C](#): Delivering Federal-Aid Projects as a Certified Local Public Agency
 - [Chapter 1](#): Introduction
 - [Chapter 2](#): Planning & Program Development
 - [Chapter 3](#): Project Technical Scope Sheet
 - [Chapter 4](#): Agreements
 - [Chapter 5](#): Progress Billing
 - [Chapter 6](#): NEPA & Environmental
 - [Chapter 7](#): Right of Way
 - [Chapter 8](#): Civil Rights
 - [Chapter 9](#): General Design Requirements

Contact

✉ [Tiffany Hamilton](#)

Local Program Certification Manager

☎ 503-551-6277

Submit a comment or suggestion for updating the LAG by completing this short comment form.



LAG Manual Update Web Form

This form serves as a collection point for suggestions for edits to the Local Agency Guidelines for Certified Local Agencies (LAG manual). Suggested edits are collected and reviewed for inclusion during the regular review cycle. Questions? Contact odotcertification@odot.oregon.gov

* Required

1. First Name *

Enter your answer

2. Last Name *

Enter your answer

3. Email Address *

Enter your answer

4. Agency *

Select your answer

5. Which section of the LAG manual does your comment or suggestion relate to? *

- Section A: Overview
- Section B: Certification, Compliance & Oversight
- Section C: Delivering Federal-Aid Projects as a Certified LPA
- Section D: Resources Directory
- General

6. Enter your suggestions below. **If the comment is in relation to a specific topic or identifies a typo, please include the chapter, section, and page reference (if applicable).** *

Enter your answer

Submit



<https://forms.office.com/g/nkCEmkg4ft>



Process Improvement & Training Subcommittee Report

2023 Work Plan Focus: Training Framework

- Summer Work Session recap:
 - Used a round robin session to focus on several content areas, including PS&E, Scoping, Construction, Ad/Bid/Award, and Environmental/ROW/Utilities.
 - Ranked content areas to establish priorities.
 - Next slide is an example of the outcome of the Summer Work Session.

PS&E Example: Fully Describe Learning Objectives

Topic Area	Learning Objectives – Participants will be able to . . .	Full Description – The topic area needs to include . . .
Checklist and Submittal	Prepare the ODOT PS&E Checklist for certified LPAs, and the documentation for submittal to ODOT for PS&E approval	<p>Required Submittals If Applicable</p> <ul style="list-style-type: none"> • Design Exceptions – how to determine what is needed, planning for them in the project timeline • Public Interest Findings – ensure LPIFs for anticipated items (process improvement potential); resources, examples, and templates • “Pointers” to help LPAs see when an item <i>is</i> applicable (e.g., mobility – impact on/along the state highway when the project is near a ramp)
	Handle mid-stream changes	<p>Variations in what is required based on the kind of change and the timing of the change</p> <ul style="list-style-type: none"> • Explore what can be improved in the process • Get greater clarification on common concerns

Tasks after Summer Work Session

Fully Describe Learning Objectives

Identify Learning Resources

Set the Plan and Timeline



- Consult with subject matter experts to refine topics
- Identify where process improvements could meet needs
- Explore options beyond the classroom

- Determine what it would take to create/provide resources
- Prioritize for 2024 roll out

October - December

January

PI&T 4th Quarter Subcommittee Meeting

Discussed the learning objectives developed at Summer Work Session and refined through consultation with subject matter experts.

PS&E DISCUSSION GROUP

Learning Objective 1: PS&E Submittal Request Checklist

Areas to Focus on . . .	Target Participants	Resources Available Today
Design exceptions – how to determine what is needed, and plan for them in the project timeline <ul style="list-style-type: none"> • When they are applicable • Where to find info on federal requirements • Determining when ODOT must approve the exception, when the local agency can approve, or when you need both 	Program Manager Project Manager (Design) Project Manager (Construction) Procurement	<ul style="list-style-type: none"> • LAG • PS&E Submittal Request Checklist • ODOT General Design Exception Request Form • LPIF Guide, Templates, and Examples
Public Interest Findings <ul style="list-style-type: none"> • When they are necessary (including anticipated items in Section 5a) • Various types/applications of LPIFs • How to make a request after project bid let date • Templates and examples 		

For Discussion



1. While much of the PS&E Submittal Completeness Checklist is straightforward, it has been noted that there are a few items such as Design Exceptions and Public Interest Findings that can lead to questions. Do the “Areas to Focus on” listed above meet the priority needs for this Learning Objective?
 - *What is most challenging about preparing the PS&E Checklist and supporting documentation?*
 - *Are there things that could be improved in the process or the checklist that would address the Learning Objective?*
2. What are your go-to resources when you need to complete the checklist (e.g., when you are determining whether an LPIF is applicable)?

PI&T 4th Quarter Subcommittee Meeting Take-Aways

1. Existing resources are good, *but*
 - Need to understand where to find guidance and how to navigate the various manuals and resources.
2. There is a lot of existing human expertise, *but*
 - Need to be able to identify who the experts are and facilitate connections.
3. There is a lot of information in the LAG and associated resources, *but*
 - A more visual representation of critical paths and timeline, showing interdependencies between areas would be beneficial.



2024 Next Steps

- Priority based on subcommittee work:
 - Develop a critical path / timeline resource for project delivery of federal-aid projects.
- ODOT/Pivotal to develop a plan to complete this task in 1st Quarter 2024
 - May seek ad hoc input from subcommittee members
 - Will report on progress and seek further input at 1st Quarter 2024 subcommittee meeting (date TBD)





Certification Program Updates

Tiffany Hamilton, Local Agency Certification Program Manager

Hanne Eastwood, Certification Compliance Coordinator

Melissa Flores, Certification Coordinator

Hollywood Drive: Silverton Road to Greenfield Ln

Added bike lanes, sidewalks, and a left turn lane to enhance many modes of travel.

- Mark Foster, Consultant Project Manager, Marion County Public Works



Certification Program Updates Overview

- Certification Program Participant Summary
- Bulletins issued since July 2023
- Bulletins anticipated Dec 2023 and in 2024
- Program work planned for 2024



Certification Program Overview

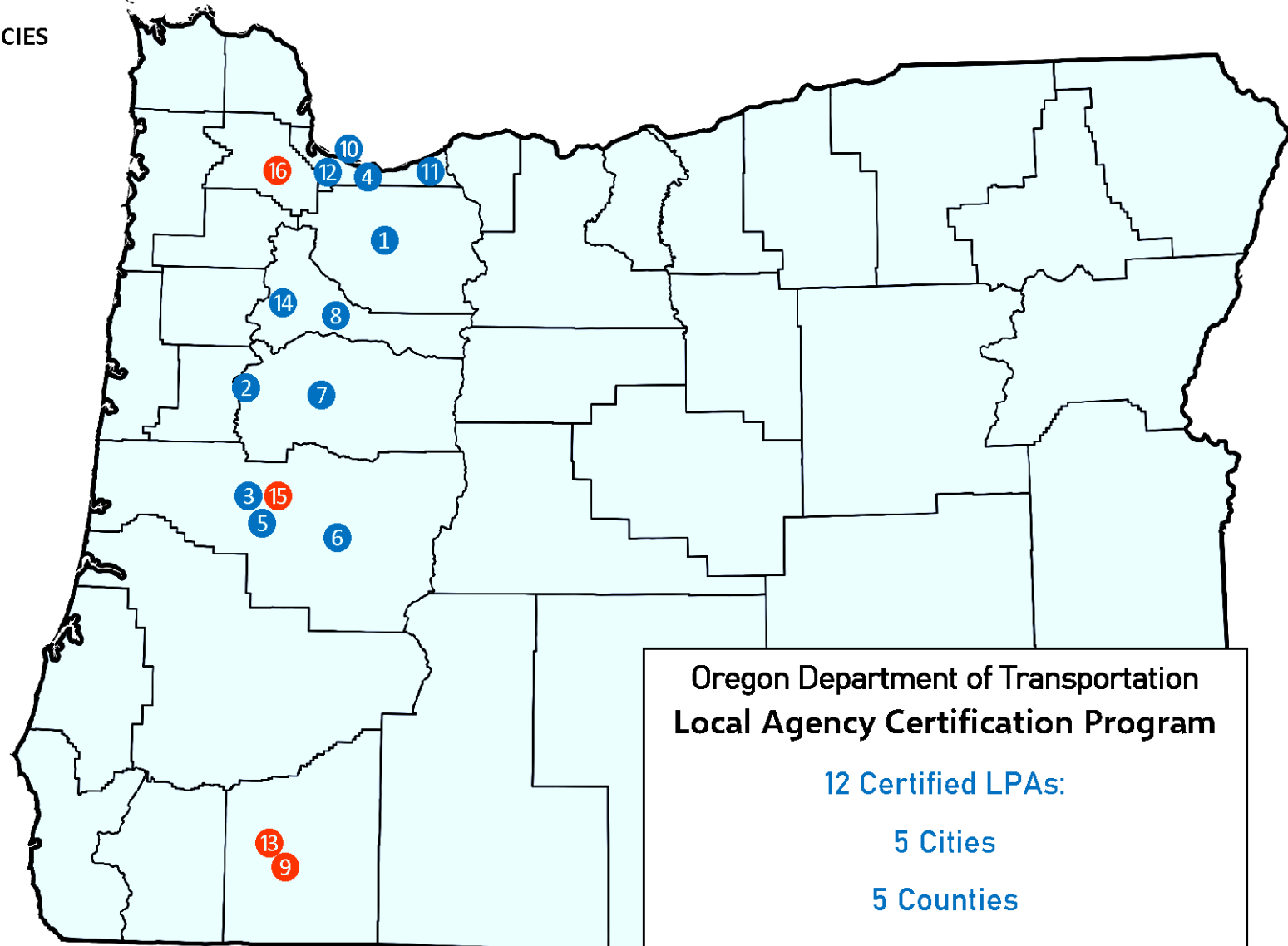
2024-2027 STIP Projects

- 95 Certified LPA
- 5 COBO
- \$516.9M

STIP-FP data as of 12/04/23

PARTICIPATING LOCAL AGENCIES

1. Clackamas County (P)
2. Corvallis (P)
3. Eugene (P)
4. Gresham (P)
5. Lane COG (C)
6. Lane County (P)
7. Linn County (PB)
8. Marion County (P)
9. Medford
10. Metro MPO (C)
11. Multnomah County (P)
12. Portland (PB)
13. Rogue Valley COG
14. Salem (P)
15. Springfield
16. Washington County



**Oregon Department of Transportation
Local Agency Certification Program**

12 Certified LPAs:

- 5 Cities
- 5 Counties
- 2 MPOs

4 Pending Certification

CERTIFICATION TYPE:

- (P) Project Delivery
- (PB) Project Delivery plus Bridge Design
- (C) Consultant Selection for Planning Services only



Certification Program Updates December 2023

Bulletins Issued since June 2023

July

- 101_65: 2024 Certified LPA General Conditions Template and Process Updates

Aug.

- 101_47 (Rev. 4): Title VI Plan and AAR Guidance

Sept.

- Updates 101_53 (Rev. 2): Indirect Costs Rate Approvals

Oct.

- 101_61 (Rev. 1): Form FHWA-1273 Update

Dec.

- 101_66: 2024 Certified LPA General Conditions Template: Redline of 2023 Boilerplate



Certification Bulletin Summary Update 2023

Certification Guidance and Forms

The Oregon Department of Transportation Certification Program issues policies and guidance for certification. This guidance is primarily housed in the Local Agency Guidelines, or LAG, Manual. The manual provides information on how to use Federal Highway Administration funding for local transportation-related projects through the Federal-aid program. ODOT issues bulletins to supplement LAG Manual guidance as needed.

[Local Agency Guidelines Manual](#)

Certified LPA Bulletins

Bulletins provide temporary guidance on certification process and policies. Bulletins are cancelled when they are incorporated into permanent guidance.

[Bulletin Status Summary](#)

Sort ▾

Document Title	Number
Build America Buy America – ACTION REQUIRED	101-62
Form FHWA-1273 Update - Action Required	101-61
Certified LPA Self-Audit 2022	101-60

GUIDANCE

- Local Agency Guidelines
- Governance
- Forms Library
- Certified Local Agency Resources for Consultant Selection

CERTIFICATION

- About the Program
- Certification Guidance and Forms
- Certified Local Public Agencies
- Certified LPA Review Schedule

ENGAGEMENT



Certification Program Bulletins Planned for 2023 - 2024

Dec. 2023

- ADA Title II Transition Plan Requirements
- Build America, Buy America Updates

Jan. 2024

- New Certification Program Agreement Template Implementation

May 2024

- Annual Self-Audits

Aug. 2024

- Title VI / Annual Accomplishments Reports

Sept./Oct.
2024

- Indirect Cost Allocation Plan / Rates

Nov./Dec.
2024

- LAG Manual Update

Anticipated release dates are approximate.

Certification Program Work Underway for 2023 - 2024

ADA Title II Transition Plan Evaluation Criteria

Category Name	Summary	Reference
Official Responsible for Implementation	Identify an ADA Coordinator by name and position, with contact guidance; may also include delegation by agency director or equivalent.	§28 CFR 35.107(a)
Inventory of Barriers	Includes results of inventory and assessments for at least two ADA-related features (best practice minimum: sidewalks and curb ramps or curb ramps and pedestrian signals); may include summary of inventory methodology.	§28 CFR 35.105
Modification Schedule	Plan shows some commitment toward upgrading ADA elements identified in the inventory of barriers in the short term (planned capital improvement projects) and a recognition of priority of curb ramps at walkways serving entities covered by the ADA. May include some planning for elimination of other barriers over time.	§28 CFR 35.150(d)(2) §28 CFR 35.150(d)(3)
Accessibility Methods	Describe most of the Methods that will be used to make the facilities accessible; identify primary standards that will be applied (i.e., 2010 ADAAG, PROWAG).	§28 CFR 35.150(d)(3)
Public Involvement in Transition Planning	Other ADA Requirements: Public Involvement – Description of process to allow public to readily access and submit comments for both inventory self-evaluation and transition plan.	§28 CFR 35.150(d)(1) §28 CFR 35.105(b)
ADA Policy Statement	Development of an ADA Policy or similar nondiscrimination assurance statement, inclusive of persons with disabilities, and posted publicly on the agency’s website and facility bulletin boards.	§28 CFR 35.106
Complaint/ Request/ Grievance Process	Basic information included to help an individual know how to submit a request for accommodation, report a barrier, or file a formal ADA complaint, with link to form or other submittal method.	§28 CFR 35.107(b)



Certification Program Areas of Focus in 2024



Compliance Trends & Tips



Staff turnover



Build America Buy America (BABA)



Temporary Pedestrian Accessible Routes (TPAR)



Lunch & Networking



Rivergate Bridge – Steve Szigethy, Capital Delivery Division Manager, Portland Bureau of Transportation



ADA Panel

Sharing Lessons Learned



Panel Discussion: ADA

Ryan Crowther, Moderator

Planned Topics:

- New Rules
- Engaging the Community
- Accountability, Partnership, and Leadership
- Lawsuits and Settlements

Open Discussion:

Use index cards or chat for questions or comments





Clackamas County's South End Rd at Milepost 3.8 project. This is an FHWA Emergency Relief funded project. The first picture is drilling the hole for the retaining wall's soldier piles and the second picture is the project completed.
- Joel Howie, P.E., Civil Engineering Supervisor, Clackamas County

Training Session: Certification Program Agreement

Tiffany Hamilton
Certification Program manager





Local Agency Certification Program Agreement Overhaul

OVERVIEW

1. Background
2. Update process
3. Overview of final changes to program and project templates
4. Quick reference:
Agreement Structure Chart



Local Agency Certification Program Agreement Overhaul

Background: PROJECT TEAM

Core Team:

- Tiffany Hamilton, ODOT Certification Program Manager
- Heather Hamilton (now Arlene Whitney), ODOT Statewide Programs Analyst
- Mary Cole, ODOT Contract Coordinator and Team Lead
- Zac Cartwright, ODOT Risk and Compliance Analyst
- Jennifer O'Brien, DOJ Assistant Attorney General

Extended Team:

- Subject Matter Experts (SMEs)
- CUG Members (CLPAs, LALs, FHWA)



Background: Why overhaul the Local Agency Certification Program Agreement?

- Prepare to formalize certification status updates for several agencies.
- Reflect current program requirements and processes.
- Bring standards and legal references current.
- Incorporate all project agreements elements (design, right of way, construction, maintenance) into one agreement.
- Reduce the number of projects that require multiple agreements.
- Minimize duplicative, potentially conflicting provisions.
- Reduced DOJ review time and expense.
- Ensure all project elements have been considered prior to entering into a project agreement.



Background: New Certification Program Agreement Structure

Base document organizational structure:

- I. RECITALS
- II. DOCUMENT OVERVIEW & INFORMATION
- III. EXHIBITS ATTACHED AND INCORPORATED, ORDER OF PRECEDENCE
- IV. CERTIFICATION TERMS AND CONDITIONS
- V. PROJECTS
- VI. OTHER FEDERAL PROVISIONS
- VII. GENERAL PROVISIONS





Background: Supplemental Project Authorization Structure:

A. Project Details Table

- Project information (name, key number, description)
- Funding information
- Project End Date
- Applicable Provisions (Exhibits)

B. Terms

- Project terms not included in Program Agreement
- Period of performance, useful life
- Any project-specific special provisions or attachments, which may supplement or modify terms of the Program Agreement

C. Project Contacts





Certification Program Agreement Overhaul Process



2022

August: Workshop #1

First draft released (no RW exhibit) & survey circulated

September: Workshop #2

Reviewed & discussed survey results; Revised drafts

October: Workshop #3

Nov/Dec: Reviewed revisions with ODOT subject matter resources



2023

January: ODOT Maintenance requests revisions to Hwy exhibit

April: RW exhibit first draft & survey released

May: “Final” redline review of Program Agreement, SPA, most exhibits & survey

August: RW exhibit second draft; second “final” review of Program Agreement, SPA & survey

September: Updated RW exhibit, Program Agreement, and SPA per reviewer comments

October: FHWA requests revisions to RW exhibit; ODOT updates Federal Transparency exhibit and Hwy approach provisions

November: Final DOJ & OPO reviews

December: Final clean-up; OPO & DOJ approvals



2024

January+: Prepare new Certification Program Agreements

Circulate to CLPAs for final review and execution

Train Agreement Writers

Following Execution of Program Agreements: Begin use of new Supplemental Project Authorizations





Local Agency Certification Program Agreement Overhaul

Summary of Noteworthy Changes (overall and since last survey)

Document	Noteworthy Updates
Certification Program Agreement	<ul style="list-style-type: none">• Omitted Exhibit A-1 COBO.• Revised ODOT costs provision (V.3.g).• Added CLPA funding responsibilities (V.3.j).• Added back repayment requirement if no construction is started within 20 years of federally funded right of way acquisition.• Revised records retention period for construction contract provisions to align with Oregon Standard Specification (VII.2.c).• Revised termination provisions to provide CLPAs with more options to terminate (VII. 13): d. permits CLPA to terminate for ODOT failure to meet obligations (requires written notice and 30 days to cure); e. permits CLPA to terminate for failure to receive sufficient funding, appropriations, limitations, or other expenditure authority.

Local Agency Certification Program Agreement Overhaul

Summary of Noteworthy Changes (overall and since last survey)

Document	Noteworthy Updates
Exhibit A: Supplemental Project Authorization	<ul style="list-style-type: none">• Project Details Table to show project information.• Consolidated instructions, moved to top of relevant section (to make editing easier for Agreement Writers).• Added fields to Project Details Table to capture CLPA's Unique Entity Identifier (UEI) and whether Federal Transparency Act reporting is required.• Attachment 2: State Highway Requirements:<ul style="list-style-type: none">• Substantially updated from current Certified Supplemental Project Agreement templates.• New requirement to receive technical review by District Office prior to execution.• Revised Approach Permits provision to expressly require use of ODOT Access Management procedures on state highways per state law.
Exhibit B: Standard Provisions – Federal Transparency Act Subaward Reporting	<ul style="list-style-type: none">• Significantly reorganized this exhibit.• Updated DUNS to UEI.• Updated links to regulations and reporting threshold.• Added link to an online ODOT subaward information reporting form.
Exhibit C: Contract Insurance	<ul style="list-style-type: none">• Minor updates.

Local Agency Certification Program Agreement Overhaul

Summary of Noteworthy Changes (overall and since last survey)

Document	Noteworthy Updates
Exhibit D: Standard Provisions - ADA Compliance	<ul style="list-style-type: none">• Substantially like ADA provisions included in most current CLPA project agreements.• Includes provisions that apply to projects that are limited to planning or preliminary engineering phases only.
Exhibit E: Special Provisions - Local Bridge Projects	<ul style="list-style-type: none">• Like Local Bridge attachment included in most current CLPA bridge project agreements.• Includes language to clarify Local Bridge Program’s policy on reimbursing approach work.• Updated Project Change Request form # to reference new consolidated ODOT PCR form.
Exhibit F: Supplemental Provisions - Right of Way Services	<ul style="list-style-type: none">• Substantial change in process from current CLPA project agreements,• Exhibit F replace the need for a separate Right of Way Services Agreement.• Requires ODOT RW technical review, approval, and execution.• Updated to clarify “Qualified Individuals” and “Staffing Plan” requirements and to address CLPA, FHWA, and ODOT reviewer comments.• Updated citations and requirements in provision on disposition of real property acquired with federal funds.

AGREEMENT STRUCTURE FOR CERTIFIED LOCAL PUBLIC AGENCIES

Local Agency Certification Program Agreement (“Program Agreement”)

- Includes the following provisions:

- TOC, Recitals, Abbreviations
- Exhibits Attached and Incorporated:
 - A: Supplemental Project Authorization (unexecuted form)
 - B: Standard Provisions – Federal Transparency Act Reporting
 - C: Standard Provisions – Contract Insurance
 - D: Standard Provisions – ADA Compliance
 - E: Standard Provisions – Local Bridge
 - F: Standard Provisions – Right of Way Services
- Certification Terms And Conditions
- Project Requirements: Funding, cancellation, invoicing, reporting, technical standards, professional and technical services, civil rights, etc.
- Other Federal Provisions
- General Provisions

Signed once by both parties.

Each SPA is incorporated into the Program Agreement.

*An executed SPA is a project agreement and is not referred to as “Exhibit A” in that context.

Supplemental Project Authorization (SPA)

- Issued under authority of the Program Agreement.

Using Exhibit A* as the required template, the SPA (project agreement), includes the following:

- Project details: KN, name, scope, schedule, budget, etc.
- Incorporates terms/conditions of Program Agreement.
- Incorporates Standard Provisions Exhibits from Program Agreement, as shown in Project Details Table.
 - Exhibits B, C, and D apply to all projects.
 - Exhibit E applies to Local Bridge projects.
 - Exhibit F applies when right of way certification is required.
- Incorporates any Special Provisions, as shown in Project Details Table. May include:
 - Attachments (map, State Highway Special Provisions, other).
 - Project-specific modifications to standard provisions of the Program Agreement, including any of the Exhibits.

Signed by both parties for each project. *May require signature of ODOT discipline-specific managers, depending on which Exhibits/Attachments apply.*

Certification Program Agreement Overhaul Process



2022

August: Workshop #1

First draft released (no RW exhibit) & survey circulated

September: Workshop #2

Reviewed & discussed survey results; Revised drafts

October: Workshop #3

Nov/Dec: Reviewed revisions with ODOT subject matter resources



2023

January: ODOT Maintenance requests revisions to Hwy exhibit

April: RW exhibit first draft & survey released

May: “Final” redline review of Program Agreement, SPA, most exhibits & survey

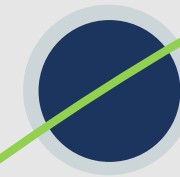
August: RW exhibit second draft; second “final” review of Program Agreement, SPA & survey

September: Updated RW exhibit, Program Agreement, and SPA per reviewer comments

October: FHWA requests revisions to RW exhibit; ODOT updates Federal Transparency exhibit and Hwy approach provisions

November: Final DOJ & OPO reviews

December: Final clean-up; OPO & DOJ approvals



We're almost there!

2024

January+: Prepare new Certification Program Agreements

Circulate to CLPAs for final review and execution

Train Agreement Writers

Following Execution of Program Agreements: Begin use of new Supplemental Project Authorizations



Local Agency Certification Program Agreement Overhaul

Q&A





Next Steps

- Complete LAG Manual Survey (if you haven't already!)
- Meeting notes will be published on the Certification User Group page within the next few weeks.
- Draft 2024 Schedule – following slide





CUG DRAFT SCHEDULE 2024

CUG Events	Steering Committee	Standards Subcommittee	Process Improvement & Training Subcommittee
<p>2024 Training Series: TBD</p> <p>Summer Work Session: June 25, 2024</p> <p>Annual Meeting: December 3, 2024</p>	<p>General schedule: Quarterly, Thursday afternoons</p> <p>Jan 18, 2-3:30pm April 11, 2-3:30pm July 11, 2-3:30pm Oct 10, 2-3pm</p>	<p>General schedule: Quarterly, Monday afternoons</p> <p>Mar 11, 3:30-5pm June 25, 2024 (@ Summer Session) Sept 16, 3:30-5pm Nov 25, 3:30-5pm</p>	<p>General schedule: Quarterly, Wednesday or Thursday afternoons</p> <p>Feb 28, 3-4:30 June 25, 2024 (@ Summer Session) Sept 10, 3-4:30 Nov 20, 3-4:30pm</p>





Partnering on Federal Project Delivery

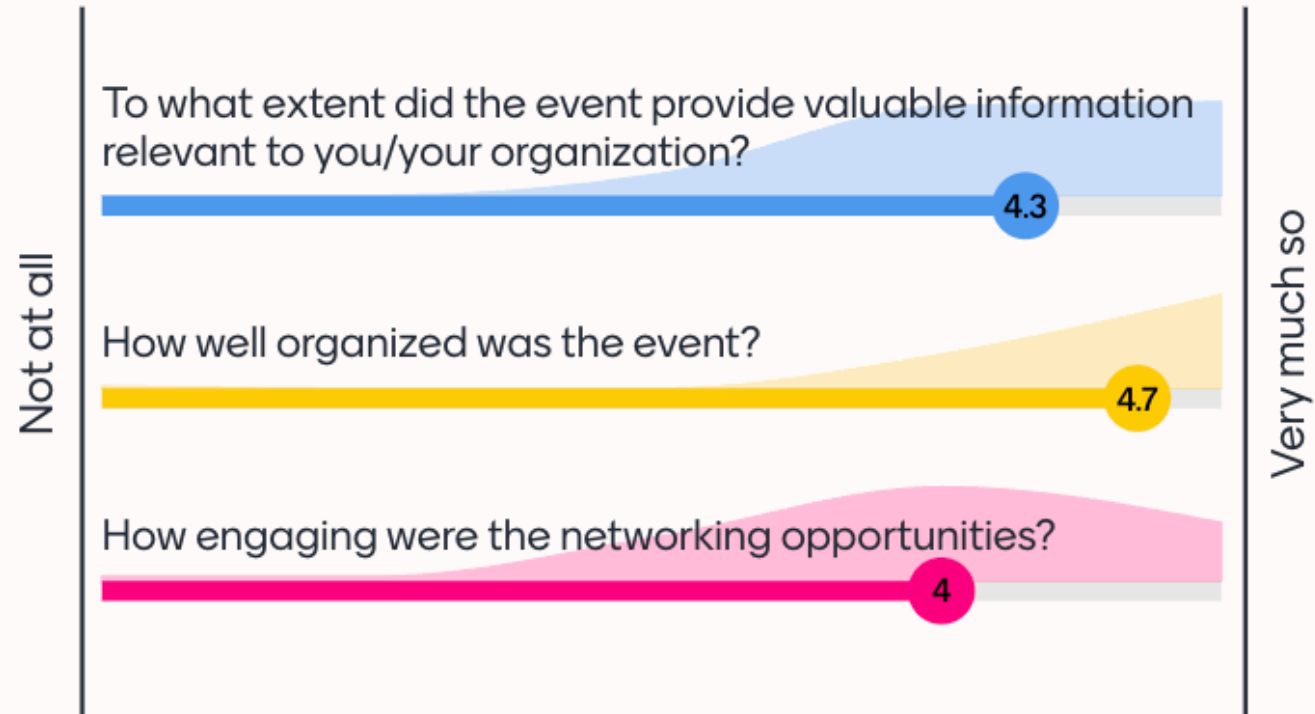


Live Event Evaluation Results

Downtown, 405 – Steve Szigethy, Capital Delivery
Division Manager, Portland Bureau of Transportation



Please respond to the following questions on a scale of 1 - Not at All to 5 - Very much so



What were the three most valuable sessions or activities for you today?



Informal networking



CUG Business Meeting



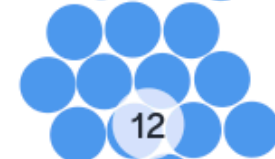
Policy and Funding Updates



Standards Subcommittee Updates



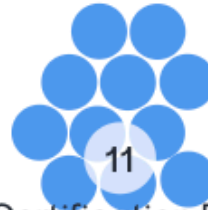
PI&T Subcommittee Updates



Certification Program updates



ADA Panel



Training Session: Certification Program Agreement



Bingo

What could we do better next time? (Can submit multiple responses)

Regarding Topics & Activities

- *More stuff like the ADA panel.*
- *Certified people sit on panel to help uncertified people.*
- *A better mix of slow talks with engaging discussions.*
- *Mini group activities.*
- *Would like some more opportunities to network. Forced networking opportunities.*
- *Federal updates with federal reps also railroad and utility review and resources.*

Regarding Slide Content

- *More interaction with PowerPoints.*
- *Less slides with tons of text.*
- *The Certification Agreement update details at the end were helpful but maybe weren't the best use of a conference setting.*
- *The certification program agreement training could've been summarized in an email.*
- *Please do not read off slides.*



What could we do better next time? (Can submit multiple responses)

Regarding Venue & Logistics

- *Outside/road noise at this location was kind of distracting.*
- *Coffee ASAP :P. Serve tea.*
- *The room was too warm at times.*
- *More cohesive virtual experience.*
- *Assure everyone speaking can be heard; it was hard to hear some of the presenters throughout the day.*
- *Loved the bingo game definitely keep it or include other games.*
- *More breakout rooms for virtual attendees.*
- *I still recommend moving this meeting to a different time of year for better weather and daylight.*
- *Half day meeting.*

Other Comments

- *The meeting exceeded my expectations. Thank you very much.*
- *I think this was a great meeting.*
- *All good, thanks for the hard work!*
- *Bingo was a great idea.*
- *Bingo, not all words were used.*
- *There were 100% bingo words that were not on slides, haha.*

