



Toolkit Report

Local Public Agency Programs: State of the Practice Research in the Development of LPA Program Stewardship and Oversight Strategies

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Acronyms and Abbreviations

ALDOT	Alabama DOT
CFR	Code of Federal Regulations
DOT	Department of Transportation
EDC	Every Day Counts Initiative
ePM	Electronic Project Management
FDOT	Florida DOT
FHWA	Federal Highway Administration
GDOT	Georgia DOT
HEPR	Office of Real Estate Services
INDOT	Indiana DOT
LPA	Local Public Agency
LTAP	Local Technical Assistance Program
MassDOT	Massachusetts DOT
MPO	Metropolitan Planning Organization
NDOT	Nevada DOT
ROW	Right-of-way
SCDOT	South Carolina DOT
Toolkit	LPA Stewardship and Oversight Toolkit
TxDOT	Texas DOT
UDOT	Utah DOT
Uniform Act	The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended
WisDOT	Wisconsin DOT
WSDOT	Washington DOT



Executive Summary

Local Public Agencies (LPAs) own and operate the majority of the Nation’s highway system. When a State Department of Transportation (DOT) elects to have an LPA administer all or part of a Federally-funded project, it is the State DOT’s responsibility to ensure that the LPA complies with all applicable Federal laws and regulatory requirements.¹ Therefore, when LPAs receive Federal-Aid funding, they should begin working closely with their respective State DOT, which works with its respective Federal Highway Administration (FHWA) Division Office, to meet all Federal-Aid requirements. Accordingly, FHWA is making a concerted effort to bring more visibility to the LPA program area to help LPAs and State DOTs avoid non-compliance and improve how the complex issues involved in Federal-Aid projects are managed through stewardship and oversight. FHWA’s Office of Real Estate Services (HEPR) LPA research activities align with this effort and FHWA’s [August 14, 2014 Order](#) outlining official internal policy and procedures relative to stewardship and oversight of LPA-administered Federal-aid projects.

In November 2014, HEPR sponsored a peer exchange that brought together approximately 30 subject matter experts from Federal, State, and Local government to discuss stewardship and oversight of LPAs’ realty activities across the country. Conversations about challenges faced and solutions developed and implemented were at the core of the peer exchange. The event was a follow-up activity to a survey of the state of the practice in LPA realty stewardship and oversight that HEPR conducted earlier in the same year.

Now, HEPR is using the survey results and content of the peer exchange interactions as the foundation for an “LPA Stewardship and Oversight Toolkit” that is being developed. The envisioned Toolkit will be a clearinghouse of materials and resources that serves to strengthen the successful oversight of LPAs’ realty programs. Preferred Toolkit content and methods for making the Toolkit available as considered at the peer exchange are described in this report.

¹ 23 CFR 710.201(h)

Select highlights of suggested LPA Toolkit content include:

- **County managers and local city official handouts.** Peer exchange participants agreed it would be useful to have materials emphasizing the importance of the Uniform Act and its requirements that can be provided to local politicians and high-level administrators. The group suggested that the format might be a letter, brochure, or presentation for a city council or county administration meeting.
- **Georgia DOT's detailed cost estimate tool.** This electronic tool allows Georgia's LPAs to enter project-specific figures in order to calculate detailed cost estimates. GDOT also provides local agencies that receive Federal funds a CD containing checklists and a series of template letters that the LPAs can use in the implementation of the various right of way program phases.
- **Washington State DOT's (WSDOT) sufficient property rights flowchart.** WSDOT has created a flowchart to assist local agencies navigate regulatory permits associated with the realty process. A team of state, federal, local and private representatives collaborated to develop the flowchart, which was incorporated into WSDOT's Local Agency Guidelines Manual.
- **HEPR Training Video Modules.** HEPR has video recorded an abbreviated version of the course "Federal-Aid Right of Way Requirements for Local Public Agencies." The introductory course focuses on applying the Uniform Act and other Federal regulations. The videos are divided into six sessions ranging from 25 minutes to 1 hour and 45 minutes in length.

1. Introduction

This report synthesizes information gathered in support of developing a Local Public Agency Stewardship and Oversight Toolkit (Toolkit). Particular focus is given to a peer exchange that the Federal Highway Administration's (FHWA) Office of Real Estate Services (HEPR) convened in November 2014 in Cambridge, Massachusetts.

1.1 Background

FHWA has identified Local Public Agency (LPA) stewardship and oversight as a high-visibility and high-risk area given that each year State Departments of Transportation (DOTs) entrust the administration of approximately \$8B in Federal-aid highway program funds to LPAs for highway projects. Each FHWA Division Office is responsible for monitoring the effective and efficient use of Federal funds authorized and is required by law to periodically review State DOTs efforts to monitor projects where funds were provided to LPAs. Stewardship/Oversight Agreements describe how the State DOT will ensure that projects another agency carries out will be administered with financial integrity and in accordance with Federal-Aid requirements. In support, FHWA has undertaken a variety of initiatives aiming to strengthen State DOTs abilities to conduct successful stewardship and oversight of LPA programs.

One of these efforts is HEPR's work to compile information on challenges faced in effectively overseeing locally-administered Federal-aid realty activities and solutions to those challenges. This information will also be useful in establishing consistent performance metrics for stewardship and oversight of LPA realty activities. From a realty perspective, these effective efforts can be characterized by active involvement between state and local agencies, delivery of projects on schedule and within budget; and compliance with the Uniform Act and all other applicable Federal and State laws and regulations. As such, HEPR is developing an LPA Toolkit to help improve the quality of LPA stewardship and oversight. Based on information compiled from on-site trainings, a literature review, a survey of FHWA Division Offices, and a peer exchange of subject matter experts, HEPR is designing the Toolkit to inform practitioners of

approved current practices that can make stewardship and oversight of the LPA realty program easier while remaining compliant with federal laws, policies, and guidance.

1.2 Training

HEPR and FHWA's Resource Center are important resources to FHWA Division Offices for providing training and technical assistance on LPA stewardship and oversight, programs, and project implementation. Both have participated in program and process reviews with FHWA Division Offices and have presented training using a variety of formats. Debuting in 2010, the HEPR training course "Introduction to Federal-Aid Right-of-Way (ROW) Requirements for LPAs" has been offered consistently; it focuses on compliance with the Uniform Act and its implementing regulation, the Code of Federal Regulations (CFR) Title 49 Part 24. During 2013 and 2014, FHWA instructors ended the training sessions with a brief questionnaire requesting trainees provide their thoughts on what would be useful to include in the LPA Toolkit.² Feedback collected is integrated in "Section 5: Toolkit Recommendations."

Additionally, HEPR and the Resource Center video recorded an abbreviated version of the two-day course, dividing it into six modules. The videos, which are directed toward LPAs that acquire property for transportation projects, will be made available in the Toolkit for State DOTs and LPAs that are not able to participate in one of the in-person training sessions.

1.3 LPA Realty Oversight Literature Review

As a first step to creating the LPA Toolkit, HEPR compiled a literature review and annotated bibliography that builds upon the information identified in the 2011 National Cooperative Highway Research Program synthesis report "Effective Delivery of Small-Scale Federal-Aid Projects."³ The bibliography includes sources and summaries for relevant statutory, regulatory, and guidance materials; research reports; and training courses. Information on other tools including presentations, checklists, templates, and descriptions of different approaches to LPA certification and qualification are also provided in the bibliography. The literature review will be available as a standalone resource in the Toolkit.

² See Appendix A for a copy of the questionnaire.

³ The report is available at http://onlinepubs.trb.org/onlinepubs/nchrp/nchrp_syn_414.pdf.

1.4 FHWA Division Office Survey on Stewardship and Oversight of LPAs Realty Activities

Between February and April 2014, HEPR and the USDOT Volpe Center distributed a survey to FHWA Division Offices that sought information on the state of the practice, strengths, and weaknesses of current stewardship and oversight of LPA's realty programs. The survey included multiple-choice and open-ended questions designed to help HEPR, as well as FHWA generally, learn more about effective LPA stewardship and oversight, emerging effective practices, perceived barriers, and impacts resulting from stewardship and oversight of LPA realty programs. Results from the survey, which are detailed in a standalone report, will be made available in the Toolkit.

2. LPA Toolkit Peer Exchange

HEPR used information collected through its trainings, the literature review, and the survey on stewardship and oversight of LPA realty activities to determine which Federal, State DOTs, and local agencies would be selected to participate in a peer exchange. On November 5–6, 2014, HEPR brought together approximately 30 subject matter experts from these levels of government to discuss LPA stewardship and oversight from a nationwide perspective, as well as materials should be included in the Toolkit and the preferred method(s) of delivery for the Toolkit. The peer event provided HEPR Headquarters, FHWA Division Office, State DOT, and LPA staff the opportunity to share information on effective LPA stewardship and oversight practices and provide perspectives on how to maximize the Toolkit's utility. Participants included personnel from HEPR Headquarters; FHWA Division Offices in Alabama, Florida, Georgia, Indiana, Ohio, Wisconsin, Utah, Rhode Island, Texas, and Washington; the State DOTs in Florida, Georgia, Indiana, Massachusetts, Ohio, Texas, Utah, Wisconsin, and Washington; and St. John's County, Florida; Chatham County, Georgia; City of Georgetown, Texas; City of North Las Vegas, Nevada; and Thurston County, Washington. A full list of attendees and the meeting agenda are available in Appendix B.

The peer exchange featured state-specific presentations, small breakout group roundtable discussions, and facilitated group conversations. Generally, topics centered around three primary themes: challenges, solutions/takeaways, and Toolkit priorities. Discussion outcomes for each topic are detailed in the sections below, following overviews of the peer exchange agencies' LPA realty stewardship and oversight programs.

2.1 Peer State Profiles

Alabama (FHWA Division Office Participant)

Alabama DOT (ALDOT) is currently undergoing reorganization from a centralized agency to a decentralized agency. The reorganization is expected to be completed in 2015. Given that more of Alabama's LPAs than ever before are seeking Federal funds, ALDOT and the Alabama Division Office both believe there is a real opportunity to offer consistency in training in the

realty program area. The FHWA Division Office believes having an LPA ROW coordinator in each of ALDOT's five regions is feasible. In the interim, the FHWA Division Office believes a baseline assessment aimed at better understanding ALDOT staff's LPA stewardship and oversight needs would be beneficial. The outcome of such an assessment could be a checklist of improvement areas and ideas for more focused training.

Alabama DOT's "LPA Manual for Federal-aid Projects in Alabama: A Summary of State and Federal Requirements" is the primary resource document for local governments, state and federal agencies, consultants and contractors, Metropolitan Planning Organizations (MPOs), and the general public requiring information on administering LPA projects in Alabama. ROW is covered in Chapter 7. Alabama DOT's July 2013 LPA Project Guide, which is available at <https://cpmsweb2.dot.state.al.us/TransPlan/LPA/Docs/LPA%20Project%20Guide.pdf>, is a more detailed document than the LPA Manual and is intended for both practitioners and those unfamiliar with the jargon sometimes used in the realty discipline.

Florida (Florida DOT and County Government Participants)

Florida's broad eminent domain laws confer more rights to property owners than such laws in most other States. For example, the State agencies in Florida must pay for all costs associated with property acquisitions, including fees for the property owners' choice of attorney. Among the State's more than 1,000 LPAs, Florida DOT (FDOT) has qualified approximately 225 local agencies to carry out realty activities. Two main criteria that are used are (1) staff members are available to do the required work, and if not, (2) whether the agency is able to hire a consultant. Many LPAs in FL are very small and, despite FDOT training, do not have the staffing necessary to carry out large Federal-aid fund projects. When local agencies have projects with realty phase activities, FDOT reimburses the local salaries to carry out the realty activities.

Georgia (FHWA, Georgia DOT, and County Government Participants)

Georgia DOT (GDOT) assumes the State Secretary of Transportation's responsibilities for all Federal-aid projects in the State. Its responsibilities include ensuring local projects meet or exceed all applicable Federal and State laws, standards, and requirements. The GDOT supplies all LPAs with a CD that contains current versions of all the necessary ROW forms. The roles

and responsibilities of FHWA, GDOT, and local governments are defined in GDOT's LPA ROW Manual. The GDOT updated the manual at the end of 2014.

Currently, GDOT requires certification in order to administer Federal Aid projects and recertification is required every 3 years.

Indiana (FHWA and Indiana DOT Participants)

The mission of Indiana DOT's (INDOT) LPA Program is to empower LPAs through education and collaborative relationships to plan, build and maintain a transportation system that promotes economic growth, ensures safety, and complies with all regulations. The agency has published guidance that provides resources to help all parties involved fully understand the requirements of the LPA program and, when there is uncertainty, to be able to locate the appropriate resources and/or people to clarify and ensure accurate understanding and compliance.⁴

Between 2006 and 2012, the review and certification of LPA ROW projects in Indiana was handled individually by each of INDOT's six districts. The districts each had different expectations. The INDOT has revamped its oversight process, including recently updating its ROW manuals for both local and state agencies to clarify requirements. Before starting a project, all LPAs now sign a contract with INDOT agreeing that the project will be fiscally constrained. All ROW consultants engaged to work on LPA projects must be certified by INDOT.

INDOT has also worked to streamline and modernize the process. Using its Local Land Records System, the agency can electronically track project status, maintain records from engineering through to project certification, and monitor milestone dates, payment amounts, and work assignments among other data fields. Accordingly, INDOT has significantly improved successful local project delivery over the last two years. Currently, INDOT's local project team works directly with LPAs, with a Headquarters-based group of four staff available to review documentation.

⁴ The guidance is available at www.in.gov/indot/files/LPA_GuidanceDocument_2013.pdf.

Massachusetts (Massachusetts DOT Participant)

Local agencies own most of the roads in Massachusetts, and they typically spend their own funding on the ROW phase of projects; Federal funding is generally used for the construction phase. While local agencies perform all acquisition work for highway projects, relocations are infrequent, occurring approximately every two to three years. When relocations do occur, Massachusetts DOT's (MassDOT) relocation personnel work with the local agencies to carry the relocations out.

Ohio (FHWA Participant)

One of the Ohio DOT's (ODOT) main objectives in the ROW phase of locally-administered projects is to explain the roles and responsibilities of all parties involved. To help accomplish this, ODOT has added several LPA ROW Coordinators. The agency is also rolling out several LPA training courses in areas including Right-of-Way, Construction, Finance, etc., that will be offered across the state. The ODOT ROW Coordinators and LPAs are holding roundtable conferences (teleconferences) to address project issues in a timely fashion. The ODOT also recently created a chapter in the State's LPA Manual on ROW certification, based on the findings from a recent ODOT review of the local agency program.

Texas (FHWA, Texas DOT, and City Government Participant)

Texas DOT (TxDOT) has a centralized relocation program that coordinates ROW activities across 25 districts covering Texas' 254 counties. In recent years, the agency has begun transitioning from being an engineering-focused agency to a more interdisciplinary agency. As part of this shift, TxDOT is now focused on building new and better relationships with LPAs, which have received an increasing amount of funding over the same time period. Example activities include:

- Creating a standalone local government project office to be the first point of contact for local agencies. The office has developed a Local Government Project Procedures [manual](#) to support the LPAs.
- The Local Government Project Procedures manual provides specific cross-references and citations to TxDOT's ROW manual volumes that offer more detailed information and requirements than those found in local government manual.

- Adding information about the relocation requirements to the manual.
- Breaking down a 12-hour course that covers all phases from project conception/planning to construction into three different courses each with varying degrees of Uniform Act specificity. This will enable high-level LPA officials to receive an overview of the Act, while allowing ROW managers and lead real estate staff to obtain more focused information.
- Improving TxDOT's internal stewardship and oversight efforts to allow staff members to refer LPAs to the correct subject matter experts.
- Conducting ROW Program presentations at meetings of the State Municipal League and meetings of MPOs.

From a realty perspective, TxDOT's ROW activities are largely consultant-driven at present. TxDOT maintains a pre-certified appraisers list; 34 firms are currently available on a 2-year contract. Additionally, State legislation enacted in 2011 (Senate Bill 18) has had two major impacts:

1. Added days to final offer; required disclosure of appraisal reports prepared within the last 10 years on a property to be acquired, including draft reports that have not necessarily been accepted or approved by the agency; allowed people to talk about negotiations with whomever they choose.
2. Amended Texas Property Code 21.046 to require the state or any political subdivision of the state to conform to UA standards when acquiring real property. This requirement, which is not exclusive to transportation projects.

Nevada (FHWA and City Government Participant)

Each project completed under Nevada DOT's (NDOT) LPA Program is done through an agreement between NDOT and the LPA. NDOT retains the responsibility to provide FHWA with certification that the completed project complied with applicable Federal laws and regulations. The main objective of NDOT's LPA Program is to assist LPAs in completing each project successfully with as little administrative oversight as possible, while ensuring Federal and state requirements are fulfilled.

The City of North Las Vegas has five staff members in the ROW section, two of whom are real property agents (the manager being one). Over 108 properties have been acquired requiring relocation activities for three phases of one project representing \$33 million total.

Utah (FHWA and Utah DOT Participant)

Utah DOT (UDOT) makes an effort to ensure that local government agency projects receive the same attention that state projects receive. UDOT and LPAs act as partners in the successful completion of locally-administered projects. In Utah, the Federal Aid Agreement is a legally binding document between UDOT and the LPA that estimates the project costs and outlines each agency's project responsibilities. It also estimates the LPA's matching funds. In the case that an LPA in Utah uses Federal funds to assist with the purchase of ROW for a project, UDOT requires a modification to the Federal Aid Agreement. The Federal Aid Agreement Modification for ROW estimates the ROW appraisal and acquisition costs associated with the project, and it outlines each agency's responsibility for the costs.

UDOT uses software called Electronic Program Management ([ePM](#)) and ProjectWise to track information on the planning, funding, scheduling and staffing of UDOT design projects. The ePM has a ROW module, which allows users to track parcels throughout a project's lifecycle. LPAs are given access to the system for their projects. UDOT requires appraisers to submit both a hard copy and an electronic copy of all acquisition documents, including appraisal reports, using the database.

Washington (FHWA, Washington State DOT, and County Government Participants)

Washington State DOT (WSDOT) has had a local program since the 1980s. During the first few years, FHWA conducted baseline assessments and made suggestions to the former WSDOT program manager for improvement. However, a few subsequent projects had trouble meeting the requirements of the Uniform Act. Additional FHWA reviews revealed that FHWA's technical assistance was exceeding expectations, but its LPA stewardship and oversight was lacking. Since then, the FHWA Division Office and WSDOT have partnered to create

what they believe to be a model LPA stewardship and oversight program. WSDOT HQ Local Programs and FHWA implemented the following oversight and stewardship activities:

- Weekly FHWA meetings
- Monthly local agency coordinator meetings
- Monthly Local Programs/FHWA coordination meetings
- Annual LPA meetings in each region
- Regular training
- Sharing of information real time via our LPA webpage.

WSDOT has a local agency coordinator in each of its six regional offices—two of whom work full-time and four of whom work part-time on LPA projects. The Local Program Real Estate function is in the Local Program Office at the WSDOT headquarters' office. There are currently over 1,100 open local projects, representing \$250M in Federal-aid. The agency allows conditional ROW certification and can usually complete ROW certification reviews in 1–2 days. WSDOT does not require 100 percent of project files from all of the local projects. Instead, WSDOT reviews project files based on the LPAs' levels of experience and how frequently they have had problems in the past.

Wisconsin (FHWA and WisDOT Participant)

In 2010, FHWA conducted a review of Wisconsin DOT's (WisDOT) real estate local program projects and found 16 issues that it believed needed to be addressed. In response, WisDOT established an action plan and made a number of changes to its policies and procedures to better serve the program. Some of the changes to establish a more proactive approach to LPA oversight include:

- Improving education opportunities for local agencies about importance of ROW
- Adding ROW questions to the required application for local program project State and Federal funding
- Developing an LPA Real Estate Toolbox that includes items such as a basic ROW acquisitions policy checklist; an appraiser function checklist; a guide for preparing appraisals; a nominal parcel report; and a waiver appraisal template form. WisDOT also

has a “Sponsor’s Guide to Non-Traditional Transportation Project Implementation” that provides information and instructions to LPAs (sponsors) to help them successfully address the procedures required to deliver a project through a local letting process.

- Offering more LPA training opportunities

WisDOT maintains two regional LPA real estate coordinators, in conjunction with five regional management consultants to help coordinate and oversee all LPA real estate related activities. The LPA RE Coordinators and the MCs are available to assist the LPAs and other entities that acquire property for Federal-Aid transportation projects. WisDOT also has a list of approved consultants to help entities that do not have sufficient, qualified staff to acquire properties in compliance with both State and Federal laws and regulations.

3. Challenges

This section describes the main challenges FHWA Division Office, State DOT, and LPA peer exchange participants described regarding Uniform Act compliance and local agency real estate activity oversight.

Agencies highlighted the challenges their programs face during state-specific presentation, breakout groups, and facilitated discussions. Agencies were encouraged to share how they have addressed these challenges. Those strategies are described in Section 3: Solutions/Takeaways.

Challenges included:

LPAs sometimes struggle to reconcile Uniform Act requirements and state processes for real estate activities.

Staffing limitations, lack of resources, complicated processes, infrequent real estate project and program activities, and changing state regulations all can challenge LPAs trying to understand when and how to implement the Uniform Act. Staff turnover at the local level and an infrequent use of Federal funds can leave a local agency with a lack of knowledge and experience necessary to follow Federal and State laws, regulations, guidance and processes or the inability to adequately oversee a consultant hired to perform the work. For example, regulations require that an agency official be involved in the development of an Appraisal Scope of Work and in establishing the agency's estimate of just compensation. However, relatively few LPAs across the country have personnel with appraisal expertise. Local officials therefore often recommend an appraiser's opinion of value for just compensation without question if the value was developed by a qualified licensed or certified appraiser. Some State DOTs provide lists of approved appraisers to LPAs, but the lists are not always up to date. Additionally, when project changes related to other project development disciplines (e.g., environment) trigger changes to ROW plans, LPAs can be faced with having ROW plans returned multiple times, creating workflow challenges they may not be well-equipped to manage.

Local agency organizational hierarchies and political structures can complicate Uniform Act compliance.

Often local officials and senior management need to be informed about the importance of complying with the Uniform Act and all other applicable Federal and State laws and regulations regarding Federal-aid projects. For example, in some States, a board or commission has to approve any acquisition. These groups can be heavily politicized, and thus their members may be reluctant to follow processes they do not understand. In many cases, they may be unaware of the potential consequences of non-compliance.

Succession planning is a serious problem among many government transportation agencies.

Several LPAs noted that high staff turnover rates and ineffective succession planning at the State DOT level sometimes leave them without points of contact to which they can direct questions. Some FHWA Division Offices also struggle with program area consolidation and staffing issues related to attrition.

Limited communication among disciplines can cloud stewardship and oversight efforts.

In some States, separate departments or bureaus interact separately with LPAs. This, along with communication lapses between departments, can make it difficult for State ROW Programs to remain current on all realty activities at the local level. For example, one State DOT described a past situation where its ROW staff would sometimes not learn about a project from its engineering office until a ROW request was made, preventing proactive stewardship and oversight.

Lack of consistency in both LPA real estate activities and State DOT guidance can complicate Uniform Act compliance and program stewardship and oversight.

State DOTs noted that LPAs do not always provide information with the quality and consistency that State DOTs expect. Similarly, LPAs added that State DOTs do not always provide uniform reviews and communication, making compliance challenging.

Reactive stewardship and oversight can be a source of delay.

Some peer exchange participants noted that in the past some State DOTs would wait for LPAs to submit all documentation related to an acquisition before any comments or corrections were made. The peer group agreed that an alternative approach where State DOTs proactively reach out to LPAs throughout the process to determine whether there are issues or questions would help avoid unnecessary delay.

4. Solutions/Takeaways

This section describes the lessons learned and effective practices that FHWA Division Office, State DOT, and LPA peer exchange participants have used to address the challenges described in Section 2.

Peer exchange participants provided insights on the lessons learned and effective practices they use or have used to ensure the successful stewardship and oversight of LPA real estate activities. The group summarized the discussed solutions in a conversation about peer exchange takeaways held at the peer exchange's conclusion. Effective practices described include:

Start building relationships early on in a project.

State DOTs agreed that early involvement with local agency staff is important to ensuring ROW concerns are considered as soon as possible in a project and to building a strong working relationship between agencies. For example, INDOT requires MPO planners to attend meetings about ROW as soon as projects are placed in their Transportation Improvement Program. ROW staff use these meetings as opportunities to discuss ROW issues that could arise. Similarly, MassDOT gets involved early in local projects so it can more fully consider environmental justice concerns, and alignment issues.

Local agency participants also recommended ROW staff get involved in a project as soon as possible for similar reasons. Some LPA staff noted that they try to get involved in projects early so they are aware as soon as possible of any engineering issues that may impact the ROW phase.

Provide specific resources that guide local agencies through state regulatory and Uniform Act compliance.

Participating State DOTs and FHWA Division Office personnel have developed a variety of creative and useful resources to clearly define the critical compliance issues. Particularly useful resources are those that give step-by-step overviews of processes and responsibilities, act as templates for specific activities, and lay out responsibilities in a user-friendly manner. For

example, MassDOT created a document that outlines each phase of the average transportation project for an LPA, and MassDOT's compliance officer uses this schedule to develop an agency-specific plan with each local agency at the beginning of each project. The peer exchange participants added that no resources can completely replace personal interactions and proactive stewardship and oversight on the part of the State DOT and FHWA Division Offices.

Make communication and proactive stewardship and oversight with LPAs a priority.

Peer exchange participants agreed that State DOTs must provide predictable, continuous guidance to LPAs from a project's beginning to its end. State DOTs had a variety of methods to provide this guidance but overall noted the importance of clarifying roles, responsibilities, and expectations, and of being only a "phone call away" to answer questions. Some examples of innovative relationship-building include:

- Holding quarterly, discipline-specific roundtables for open discussion (INDOT)
- Convening district conferences every 1.5 months with realty administrators and LPA coordinators (ODOT), and
- Bringing in speakers to discuss ROW policies and State standards (WisDOT).

Similarly, some FHWA Division Offices hold periodic check-in meetings to provide a forum for discussion and questions.

Many agencies have also developed programs that emphasize proactive stewardship and oversight. Each agency participating in the peer exchange had a unique organizational structure and process to do so. GDOT, for example, conducts annual local agency quality assurance and quality control reviews in its seven districts, reviews all ROW plans and issues notices to proceed, audits all projects, and requires local agency recertification through training every three years.

Consider using technology to develop a more efficient record keeping systems.

A number of peer exchange State DOTs use electronic systems to maintain project records and collect data. For example, INDOT's Local Land Records System stores project records, and it allows State and local agencies to enter relevant information (e.g., payment amounts and

personnel assignments). INDOT uses the system to collect data for the annual fiscal year report that FHWA requires. Similarly, UDOT combines ROW templates with a record keeping system in the local agency section of its electronic Project Management ROW module (ePM) and ProjectWise.

Develop and communicate process to track and address compliance issues.

Peer exchange participants suggested that agencies conducting stewardship and oversight clearly communicate their expectations, as well as the consequences of failure to comply. They also suggested that a transparent system to track and remediate non-compliance issues be developed. For example, WSDOT tracks ROW acquisition remedial actions as well as the tasks performed that accomplished the remediation in its “Corrective Actions Report.” Connecticut DOT requires LPAs to develop a ROW acquisition plan which they are required to follow or risk losing their funding.

5. Toolkit Recommendations

This section describes materials that could be included in the LPA Toolkit. It specifies whether the recommended resource(s) currently exist or would need to be created, while also offering several options for delivering the resources to Toolkit users as discussed among peer exchange participants.

To conclude the peer exchange, meeting participants had several conversations about what content they believed should comprise the Toolkit, what form the Toolkit should take, and the characteristics of successful deployment. Their vision for a best case scenario for the Toolkit entailed having many State transportation agencies and LPAs engaged and sharing useful information that could improve overall communication between DOTs and LPAs generally and Uniform Act compliance specifically. Peer exchange participants commented that partnerships between FHWA and other transportation and ROW organizations (e.g., the International Right of Way Association, Transportation Research Board, American Association of State Highway and Transportation Officials, the League of Cities, etc.) could be beneficial to announcing the Toolkit's release and encouraging its use. The Toolkit will provide educational resources, enhance interagency communication, and help agencies build stronger relationships, making it the “go-to” resource for those involved in LPA stewardship and oversight.

5.1 Toolkit Content

Throughout all phases of the research project, the project team collected a variety of materials that could populate the Toolkit. Materials were gathered during on-site trainings, during the literature review (see Appendix C), as part of the FHWA Division Office survey, and leading up to and during the peer exchange (see Appendix D). This section organizes the potential Toolkit content



Practitioners discuss LPA stewardship and oversight at a peer exchange held in Cambridge, MA on November 4–5, 2014.

by resource type (e.g. template, flowchart, training, innovative practice) and by whether the resource already exists or would need to be developed—giving particular attention to the materials that peer exchange participants believed would be especially useful to include in the Toolkit. It is not necessarily a comprehensive of all content that could comprise the Toolkit; the envisioned Toolkit will be a “living” resource that FHWA plans to continue to update over time. The items presented here are those discussed in the lead up to and during the peer exchange.

5.1.1 Existing resources

Resource Type	Resource	Description
Tools	FHWA Order on Stewardship and Oversight of Federal-aid Projects Administered by LPAs	This order , which was issued on August 14, 2014, outlines official internal policy and procedures relative to stewardship and oversight of LPA-administered Federal-aid projects. It defines State roles and responsibilities, establishes a uniform methodology for assessing risk in the State’s stewardship and oversight, and establishes a uniform methodology for ensuring compliance with Federal requirements.
	FHWA Real Estate Acquisition Guide for LPAs	This guide, which is available on HEPR’s website and as a course on the NHI website, is intended to serve as a basic reference for LPAs and others who receive Federal-aid highway funds for projects involving the acquisition of real property. Peer exchange participants agreed that the Toolkit should include a way for visitors to request hard copies of the guide. It is currently linked from the Federal-aid Essentials for LPAs website.
	GDOT detailed cost estimate tool	The tool, available electronically, allows LPAs to plug in project-specific figures to calculate detailed cost estimates.
	County managers and local city official handouts	Peer exchange participants agreed it would be useful to have materials emphasizing the importance of the Uniform Act and its requirements that can be provided to local politicians and high-level administrators. The group suggested that the format might be a letter, brochure, or presentation for a city council or county administration meeting. MassDOT implements the innovative practice of sending the highest elected official in each municipality that receives Federal funding a letter that explains Uniform Act requirements. MassDOT’s letter could be an example included in the Toolkit.
	TxDOT “Acquiring Land for Federal-Aid Transportation Projects” brochure	TxDOT developed a trifold handout that describes background for the basic requirements of the Uniform Act. The brochure is a resource for LPAs and other stakeholders who have little or no experience with the Uniform Act.
	UDOT parcel tracking database	UDOT uses software called ePM to track information on the planning, funding, scheduling and staffing of UDOT design projects. The ePM has a ROW module, which allows users to track parcels throughout a project’s lifecycle. The software is available and UDOT will provide it to other agencies at no cost.

	WSDOT corrective action report	WSDOT tracks ROW acquisition remedial actions by WSDOT region. Among other metrics tracked, WSDOT keeps a record of the required remedial action as well as the task(s) performed to accomplish the requirement. The peer exchange group believed WSDOT's corrective action tracking table could be an example template for others to review and potentially modify for their own use as necessary.
	WSDOT sufficient property rights flow chart	At an April 23, 2014 Local Agency Workshop in Spokane, WA, a discussion about the use of mutual benefit permits arose. It was suggested that WSDOT create a flowchart to assist local agencies in determining when a mutual benefit permit can be used. A team of state, federal, local and private representatives was formed to develop clear guidance. The flowchart was completed by fall 2014 and is incorporated into Chapter 25 of WSDOT's LAG Manual.
	ALDOT LPA Example Forms	Alabama DOT provided several example checklists and letters that its LPA use during the ROW process, including: <ul style="list-style-type: none"> • Example LPA ROW Project Requirement Checklist • Example LPA Donation Letter • Example Written Offer Appraisal • Example Written Offer No Appraisal • Example Local Public Agency ROW Project Certification Requirement Checklist • Example ROW Certification Form
Training	FHWA Webinar on ROW Procedures, Tools, and Techniques for LPAs	In July and October 2013, HEPR hosted webinars on ROW procedures, tools, and techniques for LPAs. Over 200 people attended the webinars. Recordings of the sessions are available here .
	UDOT project manager training	In September 2014, UDOT held a project manager retreat focused on the local government process in Utah. The presentation UDOT used for the retreat could be a model for others to use at similar meetings in their respective States.
	HEPR Introduction to the Uniform Act Training Video Modules	Over time, financial constraints and other issues have significantly impacted the ability of LPAs to send staff to professional ROW training courses. At the same time, due to staff reductions, many State DOTs are unable to address this issue. This is not to say that the State DOTs do not have LPA training programs; rather, it is an acknowledgement that the availability of such training is often very limited and does not keep pace with staffing

and other changes within LPAs. For this reason, FHWA has video recorded its introductory course on the Uniform Act. The videos are divided into six sessions ranging from 25 minutes to 1 hour and 45 minutes in length.

**FHWA Resource Center
Workshops**

FHWA's Resource Center is available to provide technical assistance and training. Information on workshop offerings is available at www.fhwa.dot.gov/resourcecenter/teams/environment/7376_nhi_rwcourseflyers.pdf.

Any of the individual workshops, which are listed below, can be customized to meet the needs of the host:

- Negotiations Workshop-Success in Right-of-Way
- Right-of-Way 101 Workshop
- Appraisal Principles and Procedures Under the Uniform Act
- Highway Beautification and Outdoor Advertising Workshop
- Residential and Business Relocation Workshop
- NEPA and Right-of-Way Integration Workshop
- Essentials for Right-of-Way Program Manager Workshop
- Essential Requirements of the Uniform Act Workshop

**FHWA's LPA ROW Videos
and Presentations**

FHWA had developed a series of introductory videos and PowerPoint presentations that practitioners can reference to access information on specific aspects of the ROW process. Materials available include:

Videos

- Introduction to ROW and Uniform Act
- Project Development
- ROW Property Management
- Relocation Assistance
- Valuation
- ROW Acquisition and Negotiation

Presentations

- [Introduction to ROW Requirements](#)
- [The Uniform Act and Other Federal Requirements](#)

- [Acquisition and Negotiation](#)
- [Valuation](#)
- [Relocation Assistance](#)
- [Property Management](#)
- [Project Delivery and Administrative Matters](#)

Innovative Practices	INDOT Kitchen Table Meetings	INDOT created the concept of “ Kitchen Table Meetings ” for its I-69 Section 4 project, a 27-mile new road segment through Greene and Monroe counties. During the construction of previous sections of I-69, property owners raised concerns over field investigations impacting their properties during the design phase and the land acquisition process. The Kitchen Table Meetings were meetings held at the homes of property owners or at a project office designed to proactively improve the information provided to affected property owners. Complaints by property owners dropped by 36 percent compared to previous I-69 projects.
	GDOT CD of Materials	GDOT provides to local agencies receiving Federal funds a CD-ROM containing checklists and a series of template letters that the local agencies can use in their interactions with property owners.
	South Carolina DOT (SCDOT) LPA Qualifications Evaluation	Upon receipt of an LPA’s request to administer in full or in part a Federally-funded project, LPAs in South Carolina are required to complete the LPA Qualifications Evaluation Form. The SC Division Office submitted this form during the LPA Toolkit survey response period for potential inclusion in the Toolkit.
	WisDOT Toolbox	WisDOT has created a LPA Toolbox that contains helpful hints for ROW acquisition as well as samples of filled out forms. The Toolbox website is currently being redesigned and will be made available to the public at a later date.
	WSDOT use of LTAP Newsletter	WSDOT sometimes sends its stakeholders LPA realty program updates through the State LTAP’s quarterly newsletter .
	WSDOT Local Program Website	WSDOT has received positive feedback about its Local Program Website from local agencies. The site features a “local project search” capability, information on “hot topics,” and updates on accountability and performance, among other topics.
	MassDOT “project schedule” for LPAs	MassDOT provides LPAs with a schedule detailing each project phase of the typical transportation project.

Suggested Effective Practices	<ul style="list-style-type: none">• The peer exchange group suggested that a best practice for State DOTs would be to define “early involvement” as it relates to ROW as discussion of ROW issues in the planning stage. Another approach the group suggested was to define “early” as being whenever the first meeting for a given project occurs. LPAs should be involved and ROW discussed during the first meeting.• Peer exchange participants agreed that points of contact for LPA coordinators at the state level should be kept as up-to-date as possible.• Peer exchange participants believed schedules for file reviews should be developed and communicated as early as possible when a local project gets underway.• Open communication between the State DOT and LPA is an important element of proactive stewardship and oversight. Senior LPA management and elected official buy-in is likely facilitated through regular face-to-face meetings.• A supportive versus an authoritative approach to LPA oversight has been effective. For example, INDOT has implemented an “open-door policy” that makes INDOT’s subject matter experts available to consultants and LPAs. This approach helps to ensure that INDOT gives consistent direction, guidance, and forms for LPAs to use.• A baseline assessment of LPA realty activities is critical in order to measure performance.• State DOTs that have formed local government project offices have found the practice to be effective.
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5.1.2 Resources that would need to be created

Resource Type	Resource	Description
Guidelines	FHWA Expectations for Reporting on LPAs	Some peer exchange participants believed it would be useful for States to have a list of what FHWA expects (e.g., content, timing) in terms of reporting on LPA program metrics. This would enable States to improve the quality of any annual ROW information for LPA projects that they already collect.
	Training Plans	Peer exchange participants thought guidance on how to plan trainings more proactively would be a useful Toolkit resource. The group was interested in creating training calendars for an entire year. The group also suggested that making training mandatory for all LPAs before they can receive funding may be an effective practice to consider. Some states, such as Wisconsin, already require it: LPAs that are awarded a project must attend a training class. Additionally, if an LPA in Wisconsin wants to complete an acquisition itself, it must have already taken or take a mandatory online FHWA Uniform Act course.
	Managing Lists of Approved Consultants	The subject matter experts suggested that guidance on managing their lists of approved consultants would be helpful. For example, the group indicated that it often struggled to answer questions such as, “How frequently do we update the lists?” or “What should we do if there are performance issues?” or “What are best practices for pre-qualifying consultants?”
	Appraisal Review Standards	Peer exchange participants described a challenge in finding, testing, and qualifying appraisal reviewers. They suggested that FHWA might coordinate with AASHTO or other partners to make a policy statement on this topic.
	Developing Certification Requirements	The peer group agreed that guidelines for States to consider when developing certification requirements for their LPAs would be a useful Toolkit resource, if possible. A supplement to such guidelines would be a checklist for review certification that includes references to the CFR and allows State DOTs to add state-specific regulatory citations.
	Right-of-Entry	Peer exchange participants identified a need for guidance on “right of entry” in order that LPAs can better understand what the term means and when it can be used.
	“Federally Compliant” Definition	Some peer exchange participants stated a need for a consistent definition of “Federally compliant” as the term applies to LPAs. State DOTs and LPAs have sometimes found it challenging to get local elected officials to understand the

		importance of and what it means to fully comply with the Uniform Act.
Meeting Materials	City Council Presentation Template	The group commented that FHWA could develop a presentation or training for LPA coordinators to give at on-the-record city council meetings and/or at internal meetings with the city/county. The presentation would help address any disconnect between the mayor, city council, local engineers, and others who are working on the Federally-funded project. It would also describe the history of the Uniform Act so that viewers might better understand what the government has done to correct past acquisition and relocation practices.
		Some peer States noted similar practices they currently use. In Indiana, if LPAs are awarded a project or grant, a meeting with city staff—sometimes including the mayor—must be conducted before a notice to proceed is granted. INDOT uses the meeting as an opportunity to provide city staff and review with them a checklist of requirements. This helps to shift project risk from an LPA’s consultant (who will work with the State directly) to the LPA. Wisconsin DOT also takes a proactive approach. WisDOT is now automatically added to city meetings and trainings to discuss ROW issues. ROW personnel insert themselves into engineering meetings. Each year, WisDOT also has a mandatory training on requirements and expectations of LPAs that are awarded projects. Participants include local project managers and their consultants. Local project engineers are invited.
Training	Adaptation of WSDOT’s Administrative Settlements Course	WSDOT has developed an e-learning course focused on how to approve administration settlements on LPA projects. It is not currently ADA accessible, but the peer exchange group thought FHWA or its partners (e.g., NHI) could potentially work with WSDOT to adapt the course to meet accessibility requirements.
	FHWA’s Introduction to the Uniform Act for LPAs	Peer exchange participants agreed that FHWA’s in-person training course “Introduction to Federal-Aid ROW Requirements for LPAs” is a vital tool in preparing LPAs for implementing Federally-funded projects. They suggested that in the future the course could be tailored more to the State in which it was being given and/or targeted more toward local public leaders.
Technology	Mobile App	One of the peer exchange’s breakout groups commented that FHWA might consider developing a mobile app that includes resources for LPAs. The envisioned app could feature resources such as State DOTs’ ROW manuals, LPA manuals, and template letters to property owners. The concept was well-received among other peer exchange participants although some suggested that an alternative approach could be to make existing webpages where these

		resources are already available more device agnostic than they currently may be.
	Telephone “Hotline”	Some peer exchange participants indicated that a useful Toolkit resource might be a telephone “hotline” that provides State DOT ROW personnel with contact information for an FHWA Headquarters-level point of contact in each time zone. The group acknowledged that FHWA Division Offices are very responsive but that sometimes out of office schedules or sick leave can create a gap that having a backup point of contact might alleviate.
Case Studies	Organizational Frameworks	According to the group, a useful resource to have in the Toolkit would be case study examples of how oversight of LPA programs is carried out under different organizational frameworks (e.g., centralized vs. decentralized organizations).
	Best/worst Case Scenarios	The peer exchange participants noted that case studies on best/worst case scenarios of LPA oversight would be illuminating for States and LPAs. Examples of both clear successes and clear failures could be integrated into existing training offerings. Specific topics for case studies noted by the group include residential/business relocation and developing appraisal scope of work.

5.2 Toolkit Delivery Options

Peer exchange participants generally agreed that the Toolkit should be (1) web-based and (2) provide content in a simple and clear manner. They believed the variety of resources it offers should be in a centralized place and small in file size, and maximize interaction with the user. Accordingly, peer exchange participants discussed three possible options for deploying the Toolkit. Each option is described below with notes about its pros and cons.

Option 1. Capitalize on existing Federal-aid Essentials for LPAs website (or other similar FHWA website)

The first idea the peer exchange participants generated for Toolkit delivery was to enhance the quality and depth of information on the ROW portion of FHWA's [Federal-aid Essentials for LPAs website](#). The Federal-aid Essentials website offers a central online library of informational videos and resources, designed specifically to help local agency professionals navigate the overall Federal-aid Highway Program. The site's videos address topics by condensing the complex regulations and requirements of the Federal-aid Highway Program into easy-to-understand, plain language concepts and illustrated examples. Currently, the centerpiece of the website's ROW section is six videos that provide an introduction to ROW requirements and the Uniform Act. A printable script of the video is provided as a companion resource. There are also several links to guidance and FAQs hosted on HEPR's website. FHWA's Office of Technical Services leads a group of subject matter experts across FHWA to maintain the website.

Under this option, HEPR would coordinate with the Office of Technical Services to post Toolkit content. The Toolkit resources would be organized by ROW sub-topics—for example, appraisal/appraisal review, relocation, negotiation, property management, condemnation, certification, and documentation. Depending on FHWA website requirements and constraints, the resources could be made available to users via drop-down boxes that link to files from a backend (hidden from users) database or through links on a static, flat webpage(s). HEPR would also encourage States to provide information, including links to their own ROW tools already

online, that could be added to the map and database of “State Resources” located at www.fhwa.dot.gov/federal-aidessentials/stateresources.cfm.⁵

The potential upsides to this approach are:

- The website already exists and was created to be a centralized, reference library for LPAs to consult regarding information on the Federal-aid program for all of FHWA’s disciplines. Minimal web-development activities would be necessary.
- Some of the peer exchange participants’ suggested Toolkit resources are already posted on the site.
- The website’s structure is conducive to expansion through the addition of new resources to the ROW page.
- States and LPAs may already be aware of the site.

Potential downsides include:

- It may be necessary to overcome an existing belief among some agencies that the site “does not work.” Information technology issues related to video restrictions at State and local agencies have prevented potential website users from viewing the site’s videos (the videos are stored and displayed from YouTube). These issues are beyond FHWA’s control and only pertain to the ability to view the videos at agencies blocking video-streaming websites. However, using the site as the home for the Toolkit may require HEPR and its partners to reinvigorate their promotional efforts to convince users to return to a site at which they have had a negative past experience.
- HEPR does not have direct control over the website and would likely have to work through other FHWA offices to post new material.
- The Federal-aid Essentials for LPAs website content is intended to provide resources for LPAs, not necessarily staff at State DOT and FHWA Division Offices responsible for LPA stewardship and oversight. FHWA has an LPA Stewardship and Oversight [website](#)

⁵ Table 2 in NCHRP’s [Synthesis 414, Delivery of Small-Scale Federal-Aid Projects](#), includes a list of select resources and trainings offered by State. A more detailed matrix of available materials could be synthesized from the information collected for the LPA Toolkit research project and added to the map on the Federal-aid Essentials website.

and a website for its [Every Day Counts \(EDC\) Initiative](#), either of which could also be a home for the Toolkit. The former site, however, does not currently organize its resources by FHWA program area. Having multiple websites that are somewhat related to each other could be a source of confusion for some users. Similarly, using the EDC website for the Toolkit could present a problem if the ongoing status of EDC Initiative changes in future years.

Option 2. Create New Website Organized by the ROW Workflow

The second Toolkit option devised and discussed by peer exchange participants was for HEPR to create a new, device-agnostic (i.e., viewable on various devices) website—or alternatively new webpages on HEPR’s existing site—that organized information based on the ROW workflow. The site, which HEPR could market as a Toolkit separately from other sites, would lead users through a series of questions that they answer to return related resources. A first question in the portal might be: “Do you need ROW?” Depending on the answer to that question, then the Toolkit would lead users through a workflow describing who they should work with at each step and providing associated examples and best practices that had been uploaded.

Pros of this approach are:

- The Toolkit itself would be a standalone tool that users consult to find and select resources customized to their situations.

Negative aspects of this approach are:

- The workflow steps and hierarchy have not been developed.
- The high information technology costs associated with developing the necessary web logic are likely higher than other Toolkit options.
- Potential toolkit content currently collected does not necessarily lend itself to efficient delivery via this approach.
- Some potentially useful resources may be “lost” if users never select a workflow scenario that returns the resources in question.

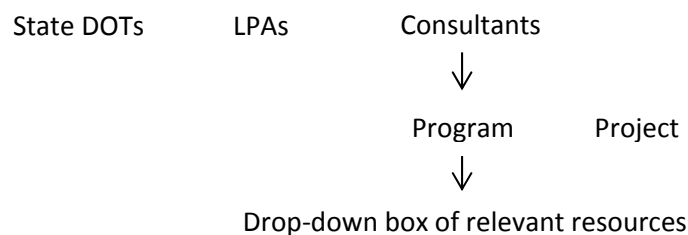
Option 3. Create New Website Organized by Stakeholder Type

The last Toolkit option devised and discussed by peer exchange participants was to develop a new, device-agnostic website centered on the type of user who was visiting. For example, the website could have navigation links specifically for:

- State DOTs
- LPAs
- Consultants

Under each of these links, Toolkit content could be organized into two categories of resources: those related to specific projects and those related to the overall LPA stewardship and oversight program. In the envisioned option, a database would house the Toolkit content assembled. Users would click on their user category and then whether they were interested in information that was project-specific, for example information about an actual ongoing project, or program-specific, for example high-level information about Uniform Act requirements. They would then be able to access relevant resources (e.g., sample forms, FAQs, contact information) from the database. See Figure 1.

Figure 1. Example Navigation for LPA Toolkit Option 3



Potential upsides to using this approach are:

- The Toolkit would filter content for the user, presumably returning only the most relevant materials.

- The Toolkit itself would be a standalone tool that users consult to find and select resources customized to their roles.

Potential downsides to using this approach are:

- The navigation, which would be “stacked in time” versus “adjacent in space” like a map, could become complex and lead users away from potentially useful content.
- Judgments about which user categories might want to view which Toolkit resources currently collected would need to be made.
- Project-specific information would require frequent and on-going website maintenance

5.3 Conclusion

Figure 2 summarizes the upsides and downsides of the three Toolkit options that peer exchange participants discussed. Based on the pros and cons of each option, *Option 1 Capitalize on existing Federal-aid Essentials for LPAs website*, currently seems to offer the top candidate for Toolkit implementation. HEPR plans to consider the available options in coordination with peer exchange participants before proceeding with Toolkit implementation.

Figure 2. Pros and Cons of Different LPA Toolkit Options

Option	Pros	Cons
<i>Capitalize on existing Federal-aid Essentials for LPAs website (or other FHWA website, e.g., EDC or LPA Stewardship and Oversight)</i>	<ul style="list-style-type: none"> • Site exists • Centralized reference for LPAs on Federal-aid program for all FHWA disciplines • Some resources identified for Toolkit already posted here • Minimal web development • Structure conducive for adding more content • State and local awareness 	<ul style="list-style-type: none"> • Some may have had negative past experience with site’s videos • HEPR does not directly update site
<i>Create new website organized by the ROW workflow</i>	<ul style="list-style-type: none"> • Toolkit would be a standalone tool that provides customized content 	<ul style="list-style-type: none"> • The workflow has not been developed • IT costs likely higher than other options • Useful resources potentially “lost”

<i>Create new website organized by stakeholder type</i>	<ul style="list-style-type: none"> • Potentially streamlined content discovery • Toolkit would be a standalone tool that provides customized content 	<ul style="list-style-type: none"> • Likely not best fit for currently assembled Toolkit content • Complex navigation • Judgments about who wants to see what necessary • Useful resources potentially “lost”
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Appendix A. LPA Training Wrap-Up

FHWA is working to develop an LPA Toolkit that will contain information on effective oversight practices and techniques in the realty program area. Please take a minute to answer a few brief questions; your responses will help FHWA determine how to best support LPA oversight.

1. What are the biggest challenges you encounter in the realty program area?
2. Where do you typically go to access information concerning the realty program?
3. What resources would you most like to see in an LPA Toolkit (e.g., training, links to webinars, web pages and publications)?
4. Have you used FHWA's Federal-Aid Essentials for LPAs website or similar information or other resources provided by the State DOT? If yes can you list which you have used?
 - a. Are there any improvements or changes you can recommend?

Appendix B. LPA Peer Exchange Participants and Meeting Agenda

Local Government	Mary Ann Blount	St. John's County, FL
	Terri Calhoun	City of Georgetown, TX
	Lorena Candelario	City of North Las Vegas, NV
	Pamela Ditloff	Thurston County, WA
	William Gordon	Chatham County, GA
State Government	David Harrah	TxDOT
	Mike Jett	INDOT
	Ruthie Jones	GDOT
	Joe Jordan	FDOT
	Pamela Marquis	MassDOT
	Trevor Mills	INDOT
	Dianna Nausley	WSDOT
	James Olschewski	UDOT
	Kerry Paruleski	WisDOT
Federal Government	Joel Batha	FHWA Wisconsin Division Office
	Marsha Bayer	FHWA Texas Division Office
	Michael Butler	FHWA Rhode Island Division Office
	Paige Colton	FHWA USDOT Volpe Center
	Abraham Geevarghese	FHWA Ohio Division Office
	Hugh Haddock	FHWA Utah and Nevada Division Offices
	Elizabeth Healy	FHWA Washington Division Office
	Carolyn James	FHWA HEPR
	Mike Jones	FHWA HEPR
	Tammy Keeley	FHWA Alabama Division Office
	Carson Poe	USDOT Volpe Center
	Neosha Price	FHWA Georgia Division Office
	Rachael Sack	USDOT Volpe Center
	Colleen Smith	FHWA Indiana Division Office
Marshall Wainright	FHWA Resource Center	

AGENDA
November 5-6, 2014

Goals: *Share challenges and best practices relating to the stewardship and oversight of LPA realty projects; garner expert input on the information to include and delivery approach for an "LPA Toolkit."*

Effective LPA oversight can be characterized by active involvement between state and local agencies; delivery of programs on schedule and within budget; and compliance with the Uniform Act; among other merits. The final product of this research effort will be an LPA Stewardship and Oversight Toolkit intended to help improve the quality of LPA oversight. The toolkit is intended to enhance and improve stewardship and oversight of the LPA Realty Program. This objective can be accomplished by disseminating information on current effective practices, knowledge, and research that will guide users through the LPA process and in evaluating whether procedures used are compliant with federal laws, policies, and guidance and meet the requirements of stewardship and oversight mandated by 23 CFR 630.112(a).

DAY 1: Wednesday, November 5th

7:00 am – Meet in hotel restaurant for breakfast.

7:30 am – Meet in hotel lobby to leave.

8:00	Welcome, Introductions, and Purpose	<i>FHWA and the Volpe Center</i>
8:45	FHWA LPA Stewardship and Oversight Survey Results	<i>Volpe Center</i>
9:00	State Spotlight 1	<i>Florida, Georgia, and Ohio</i>

10:05 – Break

10:15	Facilitated Group Discussion: Defining a Successful Program	
11:15	State Spotlight 2	<i>Massachusetts, New England, and Indiana</i>

12:15pm – Lunch on your own

1:15	Morning Re-Cap	<i>Volpe Center</i>
1:30	Roundtable 1: Challenges & Lessons Learned	
2:45	Report Back on Roundtable 1	<i>All Groups</i>

4:05 – Break

4:15	State Spotlight 3	<i>Wisconsin and Nevada/Utah</i>
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5:00 Day 2 Overview; Adjourn

5:30 Optional, informal dinner at Legal Seafoods, Kendall Square

DAY 2: Thursday, November 6th

7:00 am – Meet in hotel restaurant for breakfast.

7:30 am – Meet in hotel lobby to leave.

8:00 **Day 1 Recap and Day 2 Overview**

Volpe Center and FHWA

8:15 **State Spotlight 3**

Alabama, Texas, Washington

9:15 **Roundtable 2: Brainstorming Toolkit Content**

10:20 – Break

10:30 **Report Back on Roundtable 2**

All Groups

12:00pm – Lunch on your own

1:00 **Morning Re-Cap**

Volpe Center

1:15 **Facilitated Group Discussion: Toolkit Priorities**

2:30 – Break

2:45 **Facilitated Group Discussion: Toolkit Priorities/Next Steps** *All Participants*

4:00 **Research Project and FHWA Next Steps**

Volpe Center and FHWA

4:15 **Peer Exchange Feedback**

All Participants

4:45 – Adjourn

Appendix C. Literature Review

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Acronyms and Abbreviations

AASHTO	American Association of State Highway and Transportation Officials
CFR	Code of Federal Regulations
DOT	Department of Transportation
FHWA	Federal Highway Administration
HEPR	Office of Real Estate Services
LPA	Local Public Agency
LTAP	Local Technical Assistance Program
MAP-21	Moving Ahead for Progress in the 21 st Century
NCHRP	National Cooperative Highway Research Program
NHI	National Highway Institute
OIG	Office of Inspector General
OPCD	Office of Professional and Corporate Development

ROW	Right-of-way
STA	State transportation agency
Toolkit	Local Public Agency Stewardship and Oversight Toolkit
TTAP	Tribal Technical Assistance Program
USC	United States Code

Executive Summary

Federal Highway Administration (FHWA)’s Office of Real Estate Services (HEPR) is developing an LPA Stewardship and Oversight Toolkit (Toolkit) that will contain information on effective LPA oversight practices and techniques in the realty program area. The Toolkit is intended to assist State Department of Transportation (DOT) and LPA practitioners in meeting their Right of Way (ROW) responsibilities and addressing the challenges they face within the Federal-Aid program.

The literature review and annotated bibliography presented here serves as a foundation for the Toolkit. It builds upon the information identified in the 2011 National Cooperative Highway Research Program synthesis report “Effective Delivery of Small-Scale Federal-Aid Projects,”⁶ organizing resources pertaining to LPA realty oversight that are currently available. The bibliography includes source and summary information for relevant statutory, regulatory, and guidance materials; research reports; and training courses, such as HEPR’s “Introduction to Federal-Aid ROW Requirements for LPAs” which debuted in 2010 and has been consistently offered since. Information on other tools including presentations, checklists, templates, and descriptions of different approaches to LPA certification and qualification are also provided in the bibliography. Currently, most available resources related to LPA oversight describe:

- **Recommendations to improve LPA oversight.** Resources in this category include reports and best practice case studies that analyze and make general recommendations on how FHWA and State DOTs can improve their oversight of LPA programs. Most of these resources can be found in Section 2 of this report, “Resources from Federal Government Sources.”
- **State-specific LPA oversight practices and policies.** These resources typically consist of oversight-related agreements and manuals or guidance documents that designate various States’

⁶ The report is available at http://onlinepubs.trb.org/onlinepubs/nchrp/nchrp_syn_414.pdf.

oversight responsibilities and processes. This group of resources also includes the tools provided by the Local Technical Assistance Program (LTAP) and Tribal Technical Assistance Program (TTAP). The LTAP/TTAP programs consists of a network of centers – one in every state, Puerto Rico and regional Centers serving tribal governments – that enable LPAs to improve their roads and bridges by supplying them with a variety of training programs, an information clearinghouse, new and existing technology updates, personalized technical assistance and newsletters. The majority of resources available to LPAs fall into this category; they can found in Section 3, “State-specific Resources on LPA Stewardship and Oversight.”

- **Templates, checklists, and certification procedures.** Both FHWA and State DOTs provide a variety of resources that are intended to provide guidance to LPAs on how to better develop, implement, and manage Federal-Aid projects. The templates, checklists, and certification procedure examples included in this literature review were developed to help increase LPAs’ capacity to successfully carry out Federal-Aid projects. Wisconsin DOT, for example, offers LPAs a basic ROW acquisitions policy checklist; an appraiser function checklist; a guide for preparing appraisals; a nominal parcel report; and a waiver appraisal template form. These resources can be found in this report’s Section 3.2, “Templates, Checklists, and Other Resources.”

1. Regulatory Information

As specified in 23 CFR 630.112(a), when a state transportation agency (STA) signs a project agreement the STA agrees to comply with the applicable terms and conditions in title 23, U.S.C., the regulations issued pursuant thereto, FHWA policies and procedures relative to the designated project covered by the agreement, and all other applicable Federal laws and regulations. The following section provides contextual legislative and regulatory information key to the administration of LPA programs.

23 USC 106 – Project Approval and Oversight

Each FHWA Division Office is responsible for monitoring the effective and efficient use of funds authorized to carry out Title 23 and is required by law to periodically review the monitoring of sub-

recipients by State transportation agencies. Section 106 of Title 23, Project Approval and Oversight, requires an agreement between the Secretary of Transportation and the State relating to the extent to which the State assumes FHWA responsibilities for projects under Title 23 for project development (plans, specifications and estimates), contract awards, and inspections/final acceptance of Federal-aid highway projects.

Some states have either developed or are in the process of developing a stewardship/oversight agreement that describes how the State will monitor projects carried out by another agency (e.g., LPA). A periodic review that examines whether the State DOT is adequately monitoring locally administered projects shall be conducted in accordance with 23 U.S.C. 106(g)(4)(B).

49 CFR 18 – Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments

49 CFR 18 is known as “the Common Grant Rule.” This part establishes uniform administrative rules for Federal grants and cooperative agreements and sub-awards to State, local, and Indian tribal governments, ensuring that they are adequately staffed and suitably equipped to undertake the Federal-aid projects; to provide the supervision and inspection required to complete each project in conformance with the approved plans and specifications; and to ensure that all federal requirements are met. If the situation warrants, an LPA or State DOT can be declared “high risk” under the authority of 49 CFR. 18.12.

Public Law 91-646, the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (Uniform Act)

The Uniform Act is the primary legislation for land acquisition and relocation activities on Federal or federally assisted projects and programs. The Act, via its statute (42 United States Code (USC) 61) and implementing regulations (49 CFR 24), provide the basic requirements for projects using Federal funding where real property is acquired or persons are displaced as a result of acquisition, demolition, or rehabilitation. In some cases, Federal-aid projects that LPAs undertake require the acquisition of real property. When this happens, LPAs must ensure the accurate implementation and administration of the requirements of the Uniform Act.

23 CFR 710 – Right-of-Way and Real Estate

Agencies receiving funds from the FHWA, directly or through a State DOT, are subject to the regulations found in 23 CFR, "Highways." These regulations are found at various locations in 23 CFR, primarily in Part 710, *Right-of-Way and Real Estate*. These regulations address highway-related issues not covered by the Uniform Act. In particular, 23 CFR 710.201(c) requires the State DOT to have a ROW operations manual that the FHWA Division Office has approved. The State DOT is responsible for establishing the appraisal, acquisition, and relocation program requirements and procedures for Federal-aid transportation projects in its state. An LPA has the option of accepting the State DOT's procedures or submitting its own to the State DOT for approval, if it wishes to deviate from the state's FHWA-approved manual.

Moving Ahead for Progress in the 21st Century (MAP-21)

The MAP-21 legislation revised Stewardship/Oversight requirements for Federal-Aid programs implemented by States and LPAs, which FHWA clarified in questions and answers.⁷ Section 1503 of MAP-21 expanded States' oversight responsibilities to include reconstruction projects along the Interstates in excess of \$1M, in addition to those along the National Highway System, but prohibited FHWA Division Offices to transfer to States oversight for high-risk projects.

2. Resources from Federal Government Sources

Various Federal agencies have taken active roles in improving both the capacity of LPAs to undertake Federal-aid projects and of State DOTs to oversee LPA actions on these projects. This section catalogs resources related to LPA oversight that the Federal government has produced. Where relevant, a synopsis of major conclusions is provided.

Note: Except where otherwise noted, all resources from here forward are presented in reverse chronological order beginning with the most recent.

2.1 Policies, Guidance, and Manuals

Discussion of Office of Inspector General (OIG) Recommendations on Transactions with High Levels of Noncompliance

⁷ FHWA Stewardship and Oversight Questions and Answers are available at www.fhwa.dot.gov/map21/qandas/qastewardship.cfm.

Author(s)	David Nicol, FHWA Office of Program Administration
Date	February 13, 2012
Source	
Web link	www.fhwa.dot.gov/federalaid/lpa/120213.pdf
<p>Purpose: To provide guidance to divisions on project activities the OIG determined to have a high incidence of noncompliance</p> <p>Abstract: This memorandum provides guidance to Division Offices on project activities the OIG determined to have a high incidence of noncompliance, including change orders and claims, project bidding/contractor selection/unbalanced bid analysis, utility agreements and reimbursements, consultant selection and billings, construction pay quantities and progress payments, project reporting and tracking, and quality assurance procedures. FHWA encouraged State DOTs to review their stewardship programs and to include the memo’s suggested activities and reviews as needed to ensure compliance with requirements in the cited areas.</p> <p>Synopsis of Major Conclusions: FHWA recommended that Division Offices should, among other actions:</p> <ul style="list-style-type: none"> • Work with their State DOT to agree on a method and the level of detail required for conducting cost analyses for negotiated contract changes. • Ensure that State DOT LPA program guidance requires a cost analysis for each negotiated contract change for LPA projects on the NHS. • Encourage their State DOT to adopt procedures comparable to those in 23 CFR 635.120(e) for projects off the NHS to maintain a uniform change order process. • Ensure that State LPA program guidance has bid analysis procedures that apply to LPA projects. • Ensure that State LPA program guidance includes requirements for LPAs to document that they have reviewed utility invoices to ensure reasonableness. • Ensure that State LPA program guidance includes requirements to document within project diaries that the required utility work was performed and determined to be acceptable. 	

Federal-Aid Highway Program Stewardship and Oversight Agreement Guidance	
Author(s)	FHWA
Date	March 2014
Source	
Web link	www.fhwa.dot.gov/federalaid/stewardship/140328_so.pdf
<p>Purpose: This guidance provides information the FHWA Division Offices and State DOTs need to develop implementing Stewardship & Oversight Agreements tailored to the needs of each State and consistent with Federal requirements.</p> <p>Abstract: The Federal-aid Highway Program (FAHP) is a federally-assisted program of State-selected projects. The Federal Highway Administration (FHWA) and the State Departments of Transportation (State DOTs) have long worked as partners to deliver the FAHP in accordance with Federal requirements. In enacting Title 23, United States Code (U.S.C.), Section 106(c), as amended, Congress recognized the benefit of giving the State DOTs more authority to carry out project responsibilities traditionally handled by FHWA. Congress also recognized the importance of a risk-based approach to FHWA oversight of the FAHP, establishing requirements in Section 106(g) of Title 23, United States Code (Section 106). This “Stewardship and Oversight Agreement Guidance: Documenting State Assumption of Federal-aid Project Oversight and FHWA Program Oversight Measures” (S & O Agreement Guidance) provides the information the FHWA Division Offices and State DOTs need to develop implementing S&O Agreements tailored to the needs of each State and consistent with Federal requirements.</p>	

Real Estate Acquisition Guide for Local Public Agencies	
Author(s)	FHWA

Date	2009
Source	
Web link	www.fhwa.dot.gov/real_estate/practitioners/uniform_act/program_administration/lpa_guide/index.cfm
<p>Purpose: To serve as a basic reference for LPAs and others who receive Federal-aid highway funds for projects involving the acquisition of real property</p> <p>Abstract: FHWA’s Real Estate Acquisition Guide for LPAs provides a compendium of the federal laws and regulations, explains how the laws and regulations work, and charts the real estate acquisition process as an integral part of the overall project development process. It is intended to serve as a basic reference for LPAs and others who receive Federal-aid highway funds for projects involving the acquisition of real property. In addition to making the guide available online, to date, the FHWA has distributed a significant number of copies of the guide to the FHWA Division offices, conference attendees, State DOTs, Federal Transit Administration and Federal Aviation Administration offices, and to other stakeholders.</p>	

2.2 Reports

FHWA’s Oversight of Federal-Aid and Recovery Act Projects Administered by Local Public Agencies Needs Strengthening	
Author(s)	Office of Inspector General
Date	July 15, 2011
Source	Project ID: MH-2011-146
Web link	www.oig.dot.gov/library-item/5596
<p>Purpose: To assess (1) the extent of LPA compliance with Federal requirements and (2) the effectiveness of FHWA's actions in ensuring that states have adequate LPA oversight programs.</p> <p>Abstract: In 2011, as part of FHWA’s oversight of American Recovery and Reinvestment Act projects, the U.S. DOT’s OIG initiated an audit to determine whether FHWA had taken actions to reduce risks identified with locally administered highway projects. Results suggested that FHWA faces a significant challenge in ensuring LPAs are appropriately expending Federal funds. This report details those challenges and makes four recommendations to improve the effectiveness of FHWA’s LPA oversight, each of which FHWA concurred.</p> <p>Synopsis of Major Conclusions: The OIG found at least one instance of noncompliance with Federal requirements in 88 percent of the 59 LPA projects reviewed in four states and identified \$5 million in unsupported costs. Most prevalent were shortcomings related to construction management requirements. To strengthen oversight of LPA projects, OIG recommended that FHWA:</p> <ul style="list-style-type: none"> • Implement a policy establishing uniform procedures and criteria for Division Offices to use when assessing the ability of states to ensure LPAs meet Federal requirements. • Develop a Headquarters process to assess the effectiveness of Division Office and State LPA corrective action plans to ensure deficiencies are promptly resolved. • Develop a Division Office-based plan that will increase state oversight in the seven project activities in which a high level of noncompliance with Federal requirements. • Assess the project transactions related to the \$5 million in unsupported project costs we identified in California and Texas and review similar transactions within these projects for unsupported costs. 	

Legal and Regulatory Provisions Related to Oversight of Subrecipients of Federal-aid Funds	
Author(s)	FHWA
Date	2007

Source	
Web link	http://narc.org/uploads/File/LPA%20Program%20Memo%20Information%20-%20background%201.pdf
Purpose: To list the regulatory provisions related to the oversight of LPAs and other subgrantees	
Abstract: This document summarizes the legislative and regulatory basis for the responsibilities State DOTs have in overseeing sub-recipients of Federal-aid funds (e.g., local governments, MPOs, universities, non-profit entities). The white paper asserts that the State DOT should determine the type and extent of reviews or other oversight activities conducted based upon the complexity or uniqueness of the project, the experience of the subgrantee's staff, subgrantee performance on previous projects, and other risk factors the State deems appropriate.	

The Administration of Federal-aid Projects by LPAs: National Review	
Author(s)	FHWA
Date	2006
Source	
Web link	www.oregon.gov/ODOT/CS/OPO/docs/aepage/federal_aid_projects_local_public_agencies.pdf
Purpose: To assess the administration, stewardship, and oversight of Federal-aid projects administered by LPAs	
Abstract: In December 2005, the Office of Professional and Corporate Development (OPCD) asked the FHWA Division Offices and other units of FHWA to rank the FHWA programs that warranted review at the national level. The result was that the administration of Federal-aid projects by LPAs ranked as the highest interest by a considerable margin, most likely due to the perceived risk in this area. This concern led the OPCD to designate the administration of Federal-aid projects by LPAs as the first area to be addressed under the national review program. As a result, an LPA review team was formed to conduct a national review of the LPA Program in February of 2006. The outcomes of the review team's efforts are documented in this report.	
Synopsis of Major Conclusions: One of the most common findings was that the LPAs lacked knowledge of the processes and procedures for establishing and administering Federal-aid projects, as well as the Federal and state requirements that need to be met in order to secure and maintain federal funding. The team also suggested that the LPA administration of Federal-aid projects appeared to lack a systematic or comprehensive oversight approach.	

Domestic Scan on Right-of-Way Oversight of Local Public Agencies, Dearborn, Michigan	
Author(s)	FHWA
Date	2005
Source	Office of Real Estate Services
Web link	www.fhwa.dot.gov/real_estate/practitioners/right-of-way/program_administration/scans/dearfreport.cfm
Purpose: To foster peer-to-peer interactions and to share experiences and best practices among State DOT officials in the area of ROW oversight.	
Abstract: HEPR held a domestic scan on ROW oversight of LPAs on September 14—15, 2005, in Dearborn, Michigan. The scan allowed FHWA the opportunity to learn how it can assist state ROW staffs in their efforts to ensure that the Federal ROW program is administered in an efficient and effective manner and in accordance with relevant regulations and guidelines. Scan participants included 29 officials from 12 State DOTs and the FHWA. Specific topics addressed included how State DOT real estate staffs train their counterparts in LPAs, how they determine whether LPAs are qualified to perform ROW work, and how they	

assist smaller or more rural LPAs in complying with Federal and state laws and regulations.

Synopsis of Major Conclusions: Scan participants identified numerous ways in which they fulfill their stewardship and oversight responsibilities, including:

- Conducting formal and/or informal training for LPA staff
- Monitoring and conducting reviews during the project process
- Providing technical advice and guidance through regional office staff
- Communicating and maintaining contact with LPAs
- Coordinating with LPAs early in the project process
- Conducting final reviews prior to certification
- Auditing completed projects and providing feedback
- Providing resources to LPAs, including manuals and forms
- Performing work for or loaning staff to LPAs
- Entering into project agreements with LPAs
- Employing consultants to assist with oversight
- Providing contracting services to LPAs
- Certifying qualified LPA staff and/or consultants

Scan participants overwhelmingly stated that the Scan met their expectations and that the objectives of the Scan were met. Moreover, numerous participants indicated that they planned to take new ideas back to their states and to implement some of the best practices discussed during the Scan.

Quality Improvement Process Review: Local Public Agency Right of Way Operations

Author(s) Dave Leighow (FHWA), Tim Haugh (FHWA), and Galen Wright (WSDOT)

Date June 2002

Source FHWA and Washington State DOT

Web link www.fhwa.dot.gov/wadiv/row/02lparev.cfm

Purpose: To evaluate the effectiveness of local public agency right-of-way program implementation of the requirements of the Uniform Relocation Act in Washington and to identify and share best practices.

Abstract: The scope of the review consisted of five LPAs-Pierce County, City of Everett, City of Spokane, Spokane County, and Yakima County. The joint FHWA/WSDOT review team interviewed local agency staffs and performed a sample review of selected projects and parcels. Entrance and exit interviews were conducted at all review sites. Upon completion of the interviews and file reviews, the team conducted an exit meeting with the local agency real estate staff. The team reviewed preliminary findings and informed the staff of any items of concern which were noted along with opportunities for improvements and identified best practices. The team committed to provide a formal written follow-up to the local agency staff detailing its findings and recommendations

Synopsis of Major Conclusions: Based on the findings of this review, the Team offers several recommendations to further enhance the local agencies' capabilities in managing and implementing their right-of-way programs, including:

- WSDOT and FHWA should work together to develop both a curriculum and a schedule of courses that will be available to local agencies on a continuing basis.
- The LAG Manual should be reviewed and revisions made which will better enable local agencies to comply with Uniform Act requirements while recognizing their unique needs and structures.
- The T2 center at WSDOT should be utilized to assist in distributing current information to local agencies about training opportunities and other essential information
- The Office of Real Estate Services should ensure that the Region local coordinators are notified on a timely basis of training, conferences, workshops, and revisions of forms and procedures, and that the Region local coordinators make timely distribution of this information to the local agencies within their Regions.

- Joint reviews should be made a routine function of the FHWA-WSDOT Stewardship Agreement and resulting reports from the reviews be distributed to all local agencies.
- The WA Division Office should consider adding a "case studies" feature to its website and use this as one means of communicating to locals how different procedures and practices are applied to "real world" situations.

Right-of-Way Local Public Agency Program	
Author(s)	Deborah Peters, Quality Environmental Professionals, Incorporated
Date	May 31, 2000
Source	Prepared for FHWA Office of Real Estate Services
Web link	www.fhwa.dot.gov/real_estate/practitioners/right-of-way/research/lpabest/index.cfm
Purpose: To understand how WSDOT and its Local Public Agencies (local agencies) developed a mutually beneficial working relationship that resulted in maximizing Federal funds.	
Abstract: This research report examines ROW management practices of the Washington State DOT (WSDOT) in assisting LPAs. The study summarizes key elements and benefits of the quality management models WSDOT uses to implement its ROW program among its LPAs. It provides other agencies with best practice methodology, identifying four specific areas that States could evaluate as opportunities for improvement: (1) funding for a local agency coordinator position; (2) development of regional business scheduling plans; (3) development of customer surveys; and, (4) development of performance indicators for feedback.	
Synopsis of Major Conclusions: The sharing of ROW process knowledge between WSDOT and its local agencies provides all involved with an understanding of each organization's prime directives. WSDOT and its local agencies have shared visions and goals, and therefore established relationships based on mutual understanding, respect, and trust while maximizing federal-aid.	

Good Practices for the Oversight of Federal-Aid Projects Administered by LPAs	
Author(s)	Local Technical Assistance Program
Date	
Source	
Web link	www.ltap.org/resources/lpa/downloads/LPAGoodPractices.pdf
Purpose: To provide effective practices in defining the roles and responsibilities of FHWA, the state transportation agency, and the LPA in administering Federal-aid projects consistent with current statutory and regulatory authority	
Abstract: As the recipient (grantee) of Federal-aid funds for the state, the State Transportation Agency (STA) is responsible for ensuring that all Federal-aid funds are expended in accordance with applicable laws and regulations. The STA is not relieved of this responsibility in cases where the funds are passed through to another State agency, local government agency, MPO, State university, or non-profit entity (where such entity is an eligible sub-recipient under State law). This paper provides good practices in defining the roles and responsibilities of FHWA, the STA and the Local Public Agency (LPA) in administering Federal-aid projects consistent with current statutory and regulatory authority.	
Synopsis of Major Conclusions: Appropriate State transportation agency (STA) staffing is important to ensure that satisfactory project delivery systems and sufficient accounting controls are in place to properly manage federal funds for LPA-administered projects and to accomplish its stewardship responsibilities imposed by 23 U.S.C. 106 (g)(4)(A). Good practices include demonstrating a commitment to adequate staffing, a State monitoring program which may be described in the STA/FHWA Stewardship Agreement or in a separate document and a description of the staffing dedicated to monitoring subrecipients of Federal funds including such specifics as the number, location, titles, and duties of the State staff devoted to the	

various program elements discussed in this document.

2.3 Training

In 2004, the FHWA began offering a series of LPA training workshops through the National Highway Institute (NHI) to ensure that LPA officials understood the basic statutory and regulatory requirements that apply when acquiring real estate for Federal-aid projects. The LPA Workshop materials were designed to facilitate DOT personnel in leading sessions to train LPA officials and others. Over time, these training offerings have evolved to ensure that they continue to adequately address LPA training needs. The current NHI training courses are sometimes supplemented by FHWA and LTAP field trainings, often via webinar and/or web-based/on-line packages to reduce the cost to the States and LPAs. This section reviews the training opportunities regarding LPA oversight of realty programs that are available at present.

Right-of-Way Procedures, Tools, and Techniques, Part 1 and Part 2	
Author(s)	FHWA
Frequency	Held on July 9, 2013 and October 23, 2013
Source	Office of Real Estate Services
Web link	https://connectdot.connectsolutions.com/p3ua4xqrndt/ https://connectdot.connectsolutions.com/p3g3pgtjtm/ Case Study: Advance Acquisition Program for the Pyramid/McCarran Intersection Improvement Project
Abstract: On July 9, 2013, FHWA held a national webinar on integrating ROW procedures into the project development process. Learning outcomes included (1) understanding the project development procedure for ROW projects; (2) understanding the relationship between other program areas and ROW; and (3) stating the requirements of a ROW Certification Statement.	
On October 23, 2013, FHWA held a national webinar on integrating acquisition ROW procedures into the project development process. Learning outcomes included (1) understanding the Acquisition and Negotiation Phase of the ROW process ; (2) understanding other alternative means to acquire property; and (3) understanding the concept of Early Acquisition and the LPAs with additional information presented through a Case Study.	

Real Estate Acquisition under the Uniform Act: An Overview, Web-based	
Author(s)	National Highway Institute
Frequency	Self-directed
Source	FHWA-NHI-141045
Web link	www.nhi.fhwa.dot.gov/training/course_search.aspx?sf=0&course_no=141045
Abstract: This self-paced training provides an overview of the Uniform Act's three key elements: valuation, acquisition, and relocation. It underscores the importance of following Uniform Act requirements when acquiring property for a Federally-funded transportation project. Participants can take this course before attending the instructor-led session. Upon completion of the course, participants will be able to: <ul style="list-style-type: none"> • Provide an overview of the Uniform Act • Discuss the three key elements of the Uniform Act: valuation/appraisal, acquisition, and relocation • Explain how to develop an estimate of just compensation using the appraisal process or appraisal waiver procedure(s) • Identify relocation benefits and services required by the Uniform Act 	

- List places to obtain relevant resource documents and materials

Length: 6 hours

Cost: Free

Advanced Relocation under the Uniform Act

Author(s)	National Highway Institute
Frequency	Variable throughout the year
Source	FHWA-NHI-141030
Web link	www.nhi.fhwa.dot.gov/training/course_search.aspx?tab=0&key=141030&course_no=141030&res=1

Abstract: This training goes beyond the basic functional areas of relocation assistance and concentrates on areas of specific concern, such as mortgage differential payments, settlement costs, and partial acquisitions. Other topics, including comparability, last resort housing, multiple use, tenants, and nonresidential moves -- including businesses, are also covered. The training is designed to allow flexibility in adjusting course materials to meet the needs of the requesting agency. Prerequisites: Completion of FHWA-NHI-141029 Basic Relocation and the Web-based training FHWA-NHI-141045 Real Estate Acquisition Under the Uniform Act: An Overview or approximately one year of experience working in the relocation program. Upon completion of the course, participants will be able to:

- Explain the principles that govern relocation provisions of the Uniform Relocation and Real Property Acquisition Policies Act of 1970 (Uniform Act) and implementing regulations
- Describe at least three factors involved in difficult relocation subject areas
- Describe issues that may arise when developing advisory assistance plans for difficult relocation areas
- Determine eligibility for certain relocation payments in difficult relocation cases
- Determine challenging issues when calculating complex nonresidential moving costs
- Calculate complex nonresidential moving costs

Length: 3 days

Cost: \$500/participant

Local Public Agency Real Estate Acquisition, Web-based

Author(s)	National Highway Institute
Frequency	Self-directed
Source	FHWA-NHI-141047
Web link	www.nhi.fhwa.dot.gov/training/course_search.aspx?tab=0&key=141047&res=1#course_search.aspx?tab=0&key=141047&sf=0&course_no=141047

Abstract: This training is designed for those who are unfamiliar with Federal requirements when acquiring real property for Federally-assisted transportation projects. This training provides participants with a working knowledge of these Federal requirements when acquiring real property, including relocation guidance related to individuals and businesses. Comprised of seven distinct learning modules, this self-paced, web-based training provides an overview on real estate acquisition authority, the Uniform Act, and related regulations. Additional modules include project development and administrative matters; valuation; acquisition and negotiation; relocation; and property management. This training also includes case studies, important resources, and suggestions for other companion courses.

Length: 6 hours

Cost: Free

Introduction to Federal-aid Right-of-Way Requirements for Local Public Agencies

Author(s)	National Highway Institute
Frequency	Variable throughout the year
Source	FHWA-NHI-141050
Web link	www.nhi.fhwa.dot.gov/training/course_search.aspx?tab=0&key=141050&res=1#course_search.aspx?tab=0&key=141050&res=1

[arch.aspx?tab=0&key=141050&sf=0&course_no=141050](#)

Abstract: This course is designed to provide participants with a working knowledge of Federal requirements and procedures for acquiring property for federally assisted transportation projects. The course is hands-on and highly interactive. Course instructors present case studies of agencies acquiring real properties and encourage participants to comment and share ideas relative to the acquisition, valuation, and relocation processes. Additionally, the instructors facilitate role-playing exercises to demonstrate real-life interactions between landowners and LPAs.

Participants learn how to explain the legal basis for land acquisition by a governmental entity, assess the impact of a roadway project as it relates to the Uniform Act, sequence the ROW process within the overall project development process, and determine the appropriate valuation process for ROW acquisition. They also learn how to apply the Uniform Act requirements for ROW acquisition and relocation assistance, and determine their agency's responsibilities for managing real property. The course is relevant for LPAs and those individuals responsible for overseeing LPAs' Federal-aid projects. However, the course content also is appropriate for any Federal, State, and local personnel responsible for acquiring ROW for transportation projects using Federal funds.

Length: 2 days

Cost: \$400/participant

Certificate of Accomplishment: Relocation Under the Uniform Act

Author(s) National Highway Institute

Frequency Began September 26, 2006

Source N/A

Web link www.nhi.fhwa.dot.gov/downloads/other/certif_relocation.pdf

Abstract: In 2006, NHI launched a Certificate of Accomplishment Program, which recognizes individuals who have successfully completed and achieved passing grades in selected groupings of related NHI course offerings. The Certificate Program features suites of complementary NHI courses bundled together to enable participants to enhance their depth and breadth of knowledge and expertise in specific disciplines or topic areas. The Certificate of Accomplishment in Relocation under the Uniform Act features three NHI courses (FHWA-NHI-141029—Basic Relocation under the Uniform Act; FHWA-NHI-141030—Advanced Relocation under the Uniform Act; FHWA-NHI-141031—Business Relocation under the Uniform Act) and is targeted at transportation and relocation professionals from FHWA and other Federal agencies, State DOTs, MPOs, local governments, and the private sector who work with or are interested in relocation issues.

Local Technical Assistance (LTAP)/Tribal Technical Assistance Program (TTAP) Resources Database

Author(s) LTAP/TTAP

Date N/A

Source Sponsored by FHWA

Web link www.ltap.org/resources/searchresults.php

Abstract: The LTAP/TTAP is composed of a network of 58 Centers – one in every state, Puerto Rico and regional Centers serving tribal governments. The centers enable local counties, parishes, townships, cities and towns to improve their roads and bridges by supplying them with a variety of training programs, an information clearinghouse, new and existing technology updates, personalized technical assistance and newsletters. Through these core services, Centers provide access to training and information, on topics such as LPA right-of-way administration, which may not otherwise be accessible. The LTAP/TTAP resources database allows users to search and view information on all upcoming LTAP/TTAP courses and conferences.

Federal Aid Requirements and LPA Stewardship

Author(s) Rutgers Center for Advanced Infrastructure and Transportation

Frequency	November 5, 2013
Source	Rutgers University; NJ LTAP
Web link	http://cait.rutgers.edu/cait/fed-aid-lpa
<p>Abstract: This training course reviewed the cradle to grave process of Federal-aid programs, from planning and project concept, plans, specifications, estimates and bidding, and construction. The intent of this course is was to assist local agencies with proper Federal-aid compliance.</p> <p>Length: 1 day</p> <p>Cost: Free</p>	

2.4 Internet Resources

Federal Aid Essentials for LPAs	
Author(s)	FHWA
Date	N/A
Source	FHWA Office of Technical Services
Web link	www.fhwa.dot.gov/federal-aidessentials/#
<p>Abstract: FHWA's Federal-aid Essentials of LPAs website offers information about key aspects of the Federal-aid program on a single public website in order to help LPAs meet their Federal-aid requirements. The website features a resource library of more than 80 videos and related materials. The short videos focus on a single topic in the most critical areas of Federal-aid, including ROW, and are narrated in non-technical language. The website also offers visitors numerous companion materials, including a written, printable script of each video, information on applicable regulations, helpful references, and links to additional online resources.</p>	

Office of Real Estate Services Website	
Author(s)	FHWA
Date	N/A
Source	FHWA Office of Real Estate Services
Web link	www.fhwa.dot.gov/real_estate
<p>Abstract: The website for FHWA's Office of Real Estate Services is a resource on FHWA programs and activities for property owners and occupants, transportation improvement program professionals, and highway ROW and other public acquisition program professionals.</p>	

Every Day Counts Website	
Author(s)	FHWA
Date	N/A
Source	N/A
Web link	www.fhwa.dot.gov/everydaycounts/#
<p>Abstract: FHWA's Every Day Counts (EDC) initiative is designed to identify and deploy innovation aimed at reducing the time it takes to deliver highway projects, enhance safety, and protect the environment. The EDC website supplements the initiative by serving as a clearinghouse for effective practices in streamlining project delivery. Two resources on the EDC website that are specific to the administration of LPA programs are:</p> <ul style="list-style-type: none"> <p>LPA Resources Webpage. The LPA EDC2 page describes FHWA's three-pronged strategy to aid LPAs through the complexities of the Federal-aid Highway Program's requirements and processes. www.fhwa.dot.gov/everydaycounts/edctwo/2012/local.cfm. This information is also available in printable factsheet format at www.fhwa.dot.gov/everydaycounts/edctwo/2012/pdfs/edc_la.pdf.</p> 	

2.5 Presentations

Stewardship and Oversight of LPAs	
Author(s)	FHWA
Date	2011
Source	FHWA Office of Real Estate Services
Web link	http://fhwa.adobeconnect.com/p1196bqvl8l/
Abstract: The “Stewardship and Oversight of LPAs” presentation, which FHWA’s Carolyn James gave on May 24, 2011, focuses on the background that led to an elevated interest at FHWA in LPA administered Federal-aid projects. Information on how practitioners can develop a common understanding of the issues and concerns pertaining to LPAs and the Federal-aid Highway Program is offered, as well as relative initiatives and interest groups regarding the oversight of LPA administered projects.	

The Administration of Federal-aid Projects by Local Public Agencies	
Author(s)	FHWA
Date	June 6, 2008
Source	FHWA
Web link	Available upon request.
Abstract: This presentation, which was made by FHWA's Mike Morrow at an LPA certification workshop in Portland, OR, describes Federal requirements applicable to LPA oversight, details of FHWA's National Review of locally administered projects, and recommendations for assessing the effectiveness of existing LPA oversight practices.	

3. State-Specific Resources on LPA Stewardship and Oversight

Many State DOTs have programs for providing realty assistance and guidance to LPAs. Their coordination with LPAs is designed to assist LPAs in complying with Federal and state requirements. Some of the methods used include:

- Designating an LPA real estate coordinator within the State DOT organization to provide information and coordinate with other State DOT staff
- Providing training for LPA personnel, especially in the acquisition and relocation
- Providing a guidance manual to assist with local projects
- Monitoring LPA activity on a regular and ongoing basis
- Providing technical service to LPAs that require such assistance
- Providing advisory service, brochures, forms, and sample letters developed to meet Federal and state requirements

This section lists and summarizes various state-specific tools and resources available to ensure LPA programs are administered efficiently and effectively.

3.1 Policies, Manuals, and Guides

Some State DOTs have local project stewardship agreements with LPAs that are a supplement to the overall State DOT–FHWA Stewardship/Oversight agreement. They may take the form of an appendix or addendum to the Stewardship/Oversight agreement, and establish roles and responsibilities that are tailored to and recognize the LPA’s experience and capabilities. They provide a means for a State to describe the processes, documents, and approvals necessary to administer local transportation projects using Federal-aid funds. The LPA manual in particular is a compilation of information from many sources and is a reference source for administrative and field personnel in any governmental agency. To serve the needs of local agencies, the manual may describe development requirements and outline procedures for obtaining approval when local conditions warrant departures from adopted standards. The needs in each State will vary significantly and the content of a LPA manual will be commensurate with the size of the Local Agency Program. This sub-section consists of state-specific policies, manuals, and guides available to State DOTs and LPAs.

Note: These resources are provided in alphabetical order, by State.

Alabama DOT LPA Manual for Federal-aid Projects in Alabama: A Summary of State and Federal Requirements	
Author(s)	Alabama DOT
Date	December 2011; Revised June 2012
Source	Bureau of Transportation Planning and Modal Programs
Web link	https://cpmsweb2.dot.state.al.us/TransPlan/LPA/Docs/LPA%20Manual.pdf
Abstract: This LPA Manual is a primary resource document for local governments, state and federal agencies, consultants and contractors, MPOs, and the general public requiring information on administering Local Public Agency Projects in Alabama. ROW is covered in Chapter 7. Alabama DOT’s July 2013 LPA Project Guide, which is available at https://cpmsweb2.dot.state.al.us/TransPlan/LPA/Docs/LPA%20Project%20Guide.pdf , is more detailed than the LPA Manual. The Project Guide is intended for general use by both practitioners and those unfamiliar with the many acronyms and abbreviations common in government.	

California DOT Local Assistance Procedures Manual	
Author(s)	Caltrans
Date	Continuous updates since 1998
Source	Caltrans Division of Local Assistance
Web link	www.dot.ca.gov/hq/LocalPrograms/lpp/lpp1r1.htm
Abstract: Caltrans’ Local Assistance Procedures Manual has been continuously updated through Local Programs Procedures since its original release in February 1998. It describes the various procedures required to process Federal and State funded local transportation projects. Portions of the manual and procedures have been superseded by Division of Local Assistance Office Bulletins, which Caltrans periodically releases online. Local program procedures for ROW are available at www.dot.ca.gov/hq/LocalPrograms/lpp/LPP04-06.pdf .	

Colorado DOT Local Agency Manual	
Author(s)	Colorado DOT
Date	2006
Source	CDOT Project Development Branch
Web link	www.coloradodot.info/business/designsupport/bulletins_manuals/2006-local-agency-manual
Abstract: The primary purpose of the CDOT Local Agency Manual is to assist LPA personnel involved in the design, construction and management of State and Federally-funded projects. The Manual is also recommended for CDOT personnel who manage LPA projects. Chapter 5 focuses on ROW issues.	

Connecticut DOT Local Bridge Program Manual	
Author(s)	ConnDOT
Date	2011
Source	ConnDOT Local Bridge Program
Web link	www.ct.gov/dot/lib/dot/documents/dbridgepubs/FY_2011_Local_Bridge_Program_Manual.pdf
Abstract: ConnDOT’s Local Bridge Program Manual guides municipalities through the process of developing bridge projects and applying for grants and loans under the Local Bridge Program. It is aimed at those with non-technical orientations, such as mayors and selectmen, as well as those with technical backgrounds, such as engineers and public works directors. The guide provides an overview of the program, with additional coverage given to those subjects that have proven troublesome, confusing, or have resulted in frequent questions. The manual is updated annually to incorporate new information, updated procedures, and lessons learned over previous years.	

Florida DOT Procedures for Locally Administered Federal-aid Projects Manual	
Author(s)	FDOT
Date	February 10, 2012
Source	FDOT Local Agency Program
Web link	www.dot.state.fl.us/projectmanagementoffice/lap/LAP_TOC.shtm
Abstract: This FDOT manual describes the various processes and documentation required for local agencies to progress federally funded local transportation projects. The manual is written for and intended to be used by local officials and their consultants. Chapter 8 of the manual includes an example of a State quality assurance program. FDOT also has a quick reference guide for LPAs that summarizes key points in the manual available at www.dot.state.fl.us/projectmanagementoffice/LAP/pdfs/LAPQuickReferenceGuide.pdf .	
Of note, FDOT has developed a Local Agency Program “Community of Practice” that is facilitated by FDOT’s LAP Project Review Section. The community of practice group of 28 individuals statewide who review technical issues applicable to the LAP processes and procedures. Common questions and answers, as well as relevant documentation and process maps are also available on FDOT’s local agency website.	

Georgia DOT Local Administered Project Manual	
Author(s)	GDOT
Date	2009; Revised October 2011
Source	N/A
Web link	www.dot.ga.gov/localgovernment/fundingprograms/documents/lapmanual.pdf
Abstract: The purpose of the Local Administered Project Manual is to establish uniform practices for authorizing qualified LPAs to manage certain core activities for Federal-aid funded projects in Georgia. Georgia DOT assumes the responsibilities of the Secretary of Transportation for all Federal-aid projects, and its stewardship includes the responsibility to assure local projects meet or exceed all applicable Federal and State laws, standards and requirements. The roles and responsibilities of the FHWA, GDOT, and Local	

Governments are defined in this LAP Manual.

Iowa DOT Office of Local Systems Website

Author(s)	IA DOT
Date	N/A
Source	IA DOT Office of Local Systems
Web link	www.iowadot.gov/local_systems/index.htm

Abstract: Iowa DOT’s Office of Local Systems works with LPAs in Iowa to provide guidance in the development and implementation of projects to ensure compliance with state and Federal requirements. The Office’s website includes a comprehensive set of publications and instructional memoranda geared toward LPAs in the state.

Idaho Transportation Department Guidelines for Local Public Agency Projects

Author(s)	Idaho Transportation Department
Date	July 2011
Source	N/A
Web link	www.itd.idaho.gov/manuals/Manual%20Production/LPA/lpa_cover.pdf

Abstract: ITD’s Guidelines for LPA Projects offers a user-friendly document to help clarify the process and constraints of Federal and state regulations.

ITD also has “Quality Assurance Guidelines for Local Federal-aid Projects Administered by the Local Highway Technical Assistance Council” (September 19, 2011) available at http://lhtac.org/wp-content/uploads/2011/12/LHTAC-Quality-Assurance-Guide-9_16-2011-approved.pdf. The intent of these guidelines, which are based on the *LPA Guidelines*, are to provide an outline of the Quality Assurance process utilized by the Local Highway Technical Assistance Council when administering projects for LPAs on behalf of ITD.

Indiana DOT LPA Project Development Process Guidance Document for Local Federal-Aid Projects

Author(s)	INDOT
Date	Revised August 2013
Source	INDOT LPA Program
Web link	www.in.gov/indot/files/LPA_GuidanceDocument_2013.pdf

Abstract: The mission of INDOT’s LPA Program is to empower LPAs through excellent education and collaborative relationships, to plan, build and maintain a superior transportation system that promotes economic growth, ensures safety, and complies with all local, state, and federal regulations. The purpose of this guidance document is to provide information and resources to help all parties involved fully understand the requirements of the LPA program and when there is uncertainty, to be able to locate the appropriate resources such as guidance materials and/or resource people to clarify and ensure accurate understanding and compliance.

Iowa DOT Right of Way Information Packet (LPA manual)

Author(s)	IA DOT
Date	June 2007
Source	IA DOT Property Management Section, Office of Right of Way
Web link	www.iowadot.gov/rightofway/propertymanage/infopak.pdf

Abstract: Using plain language, IDOT’s ROW Information Packet guides readers through all steps of the ROW process. It is directed toward LPAs managing projects receiving state and/or federal highway funding in any portion of the project. IDOT notes that the agency maintains the manual electronically so that updates and modifications can be made quickly, and it encourages readers to contact IDOT’s ROW section early and often during projects where property is to be acquired.

Kansas DOT LPA Administered Projects: KDOT Responsibilities	
Author(s)	KDOT
Date	N/A
Source	KDOT Bureau of Local Projects
Web link	www.ksdot.org/burlocalproj/LPA/Requirements/LPAKDOTrespons.pdf
Abstract: This one-page document enumerates the 16 minimum LPA oversight responsibilities that Kansas DOT and FHWA have agreed KDOT should assume.	

Louisiana Department of Development and Transportation LPA Manual for Accessing Federal and State Transportation Funds Through DOTD	
Author(s)	LaDOTD
Date	July 2011; Revised May 2012
Source	N/A
Web link	www.dotd.la.gov/administration/lpa/documents/LPA_Final_Manual_05-2012.pdf
Abstract: The purpose of the LPA Manual is to familiarize the public agencies with the programs that are available to them through the DOTD for local transportation and public works projects. It is also intended to help Louisiana’s public agencies fulfill the requirements of planning, environmental clearance, design, ROW purchase, construction and maintenance of transportation facilities using state or federal funds.	

Maryland State Highway Administration Federal Highway Bridge Program Guidelines for Local Governments	
Author(s)	MDSHA
Date	N/A
Source	MDSHA Office of Structures
Web link	www.roads.maryland.gov/OBD/Local_Government_Guidelines.pdf
Abstract: The purpose of this document is to provide guidance for local governments in Maryland in the development of bridge projects utilizing Federal Highway Bridge Program funds. It covers project development from initiation of design through concurrence in award of a construction project.	
MDSHA has also developed a “Highway Project Primer on Basic Federal-aid Requirements” available at www.mdot.maryland.gov/Office_of_Planning_and_Capital_Programming/Economic_Recovery/Documents_2/FederalFundingRequirements_021009.pdf . The document details the major requirements that are necessary to receive reimbursement of Federal funds.	

Massachusetts DOT. ROW Manual, Chapter 8	
Author(s)	MassDOT
Date	N/A
Source	MassDOT Highway Division Right of Way Bureau
Web link	www.mhd.state.ma.us/downloads/row/rowmanual.pdf
Abstract: Chapter 8 of MassDOT’s ROW Manual identifies and clarifies the responsibilities of any political subdivision of the Commonwealth of Massachusetts that is undertaking a highway infrastructure project that will utilize Federal-aid in any phase of the project. The chapter also outlines the proper procedures required in order to assure compliance with property owner rights defined under the Uniform Act.	

Mississippi DOT Project Development Manual for Local Public Agencies	
Author(s)	Mississippi DOT
Date	Revised January 2013
Source	Mississippi DOT Local Public Agency Division
Web link	http://mdot.ms.gov/documents/mdot%20lpa/Manuals/PDM%20Manual.pdf
Abstract: Mississippi DOT’s Project Development Manual for LPAs establishes the basic requirements for	

the planning, design, and construction of LPA projects that utilize Federal funds appropriated by the FHWA or the FTA and are under the oversight of MDOT. The manual offers a number of “example” documents and forms throughout that LPAs can use in completing projects.

Missouri DOT Missouri Land Acquisition Process, from the Engineering Policy Guide

Author(s)	MoDOT
Date	On-going update
Source	N/A
Web link	http://epg.modot.org/index.php?title=236.18_Local_Public_Agency_Land_Acquisition
Abstract: Missouri DOT's “Engineering Policy Guide” (EPG), which contains information on the land acquisition process in Missouri, provides a single reference for all engineering and engineering-related guidance by combining the former Right of Way, Design, Bridge, Construction, Traffic and Maintenance manuals. MediaWiki, the engine behind the Wikipedia on the World Wide Web, is the software delivering the EPG. Millions of hits on the EPG endorse this format to be easy to navigate and read.	

Montana Department of Transportation Local Agency Guidelines

Author(s)	Montana Department of Transportation
Date	Revised September 2013
Source	N/A
Web link	www.mdt.mt.gov/other/cdb/external/lag_manual/lag_manual.pdf
Abstract: The “Local Agency Guidelines” manual is intended to help Montana’s public agencies in Billings, Great Falls, and Missoula plan, design, construct, and maintain transportation facilities. The manual is a compilation of information from many sources and is a reference source for administrative and field personnel in the local agency. The manual also describes development requirements and outlines procedures for obtaining approval when local conditions warrant departures from adopted standards. Additional guidance is provided in the “MDT Right-of-Way Operations Manual” at www.mdt.mt.gov/other/rw/external/manual/chapter_1.pdf in order to assure that all Federal and state requirements are met.	

Nebraska Department of Roads LPA Guidelines Manual for Federal Aid Projects (Version 1.00)

Author(s)	NDOR
Date	January 2013
Source	NDOR Local Projects Division
Web link	www.dor.state.ne.us/gov-aff/lpa/lpa-guidelines.pdf
Abstract: NDOR’s LPA guidelines manual provides compliance guidance for LPA's in planning, organizing, administering, designing, constructing and maintaining their Federally-funded transportation and related projects. The manual clarifies the LPA's roles and responsibilities throughout the Federal-aid project. It also identifies the required documents, authorizations, approvals and certifications required to maintain a Federally-funded transportation project. Chapter 7 focuses on ROW issues.	

Nevada DOT Local Public Agency Manual

Author(s)	Nevada DOT
Date	April 2010
Source	Nevada DOT Design Division
Web link	www.nevadadot.com/uploadedFiles/NDOT/About_NDOT/NDOT_Divisions/Engineering/Design/2010_04_April_LPA_Manual.pdf
Abstract: Each project completed under Nevada DOT’s LPA Program is done through an agreement between NDOT and the local public agency. NDOT retains the responsibility for providing FHWA with certification the project was completed in conformance with applicable federal laws and regulations. The main objective of NDOT’s LPA Program is to assist local public agencies in completing each project successfully with as little administrative oversight as possible, while ensuring Federal and state requirements	

are fulfilled. This delegation is documented in this manual by defining the procedures NDOT and the local public agency must follow to comply with the intent of the State's Stewardship Agreement.

New Jersey DOT Summary of Project Management Eligibility Requirements for Locally Administered Federal Aid Highway Projects

Author(s)	NJDOT
Date	December 5, 2012
Source	NJDOT Division of Local Aid
Web link	http://tinyurl.com/lslepsy

Abstract: This document is intended to be used as a guide by LPA's in New Jersey in the development and implementation of procedures for projects using FHWA funds. It provides a summary of the federal requirements that must be met to establish an LPA's eligibility for funds. Each LPA seeking federal-aid funds must also complete NJDOT's Division of Local Aid's Federal Aid Highway Program Administrative Questionnaire. This questionnaire was developed to assess the LPA's accounting controls and administrative management systems.

New Hampshire DOT Local Public Agency Manual for the Development of Projects

Author(s)	NHDOT
Date	March 2012
Source	NHDOT Bureau of Planning and Community Assistance
Web link	www.nh.gov/dot/org/projectdevelopment/planning/documents/LPAManual.pdf

Abstract: This manual communicates all program processes and requirements to NHDOT's LPA program recipients. The manual includes Gantt Chart schedules, contact information for key staff, and templates for LPAs to use for the various states of project delivery.

New York State DOT Procedures for Locally Administered Federal Aid Projects, Chapter 11 Right of Way

Author(s)	NYSDOT
Date	Revised March 2009
Source	NYSDOT
Web link	https://www.dot.ny.gov/divisions/operating/opdm/local-programs-bureau/locally-administered-federal-aid-projects

Abstract: The Procedures for Locally Administered Federal Aid Projects manual was developed to assist New York State municipalities, non-governmental organizations, and their consultants to understand the steps, activities, approvals, and other requirements needed to ensure that Federally-aided projects are developed, designed and constructed in accordance with Federal and State requirements. Chapter 11, "Right of Way", describes the procedures required to acquire right of way for a Federal-aid project.

North Dakota DOT ROW Acquisition Procedures for LPA Federal Aid Projects

Author(s)	NDDOT
Date	December 2010
Source	NDDOT Environmental Services Division and Local Government Division
Web link	www.dot.nd.gov/manuals/environmental/local-row-acquisition/rofmanualtag.pdf

Abstract: This manual is a guide to ROW acquisition procedures that LPA representatives must observe in the acquisition of road ROW in North Dakota. Information and procedures discussed in the manual pertain to all North Dakota road projects that involve the participation of federal funding, regardless whether federal monies are used in the actual project right of way costs.

Ohio DOT ODOT LPA Audit Guidance and LPA Manual

Author(s)	Ohio DOT
Date	June 18, 2013

Source	Ohio DOT Office of External Audits
Web link	www.dot.state.oh.us/Divisions/Planning/LocalPrograms/Documents/LPACostRecoveryGuidance.pdf
<p>Abstract: This guidance details processes and procedures LPAs must follow to recover labor and overhead costs associated with internal labor forces performing contract work on Federally-funded projects. ODOT's Local-let Manual of Procedures is available at www.dot.state.oh.us/Divisions/Planning/LocalPrograms/Pages/Manual_of_Procedures.aspx. It is intended to assist LPAs and their Project Engineers in the administration of local-let transportation projects, as well as to provide consistency on a statewide basis. The information in it was compiled from numerous sources and is intended to give a broad overview of local-let activities. ODOT's goal for the document is for it to be a guide for users to deliver local projects expeditiously and lawfully.</p>	

Oregon DOT Local Agency Guidance Manual	
Author(s)	Oregon DOT
Date	Revised September 2012
Source	Oregon DOT Statewide Programs Unit
Web link	www.oregon.gov/ODOT/HWY/LGS/Pages/lag_manual.aspx
<p>Abstract: ODOT's Local Agency Guidelines document provides information and guidance to help LPAs to access FHWA funding for local transportation-related projects through the Federal-aid Highway Program. In general, the LAG Manual does not include discussion of state programs for LPAs.</p>	

South Carolina DOT Procedures for Local Public Agency Project Administration	
Author(s)	SCDOT
Date	Continuous updates
Source	SCDOT
Web link	www.scdot.org/doing/localPublicAdmin.aspx
<p>Abstract: SCDOT's LPA website offers a number of useful resources including a flowchart of the process to be followed in the administration of LPA projects; templates for LPAs to use throughout the project development phase; and requirements that LPAs must meet.</p>	

Tennessee DOT Local Government Guidelines for the Management of Federal and State Funded Transportation Projects – Fourth Edition	
Author(s)	TDOT
Date	February 1, 2011
Source	TDOT
Web link	www.tdot.state.tn.us/local/Documents/LocalGovernmentGuidelines.pdf
<p>Abstract: TDOT's LPA manual is intended to provide local governments with the procedures that are required by law, regulation, rule, policies and standard for the use of FHWA and State Highway funds for transportation projects. If the procedures included in this manual are not followed, Federal and/or state funding may be withdrawn from the project.</p>	

Texas DOT Real Estate Acquisition Guide for Local Public Agencies	
Author(s)	TxDOT
Date	August 1, 2011
Source	TxDOT Right of Way Division
Web link	http://onlinemanuals.txdot.gov/txdotmanuals/lpa/introduction.htm
<p>Abstract: This guide was originally created to provide a brief guide for LPAs on real estate acquisition and, thereby, to enhance cooperation between the LPAs TxDOT in the ROW acquisition process. Due to new State and Federal laws/regulations and the recent increase in State cost participation with LPAs, it has been necessary to revise and expand its contents. The purpose of the guide is to:</p> <ul style="list-style-type: none"> • Provide a basic understanding of the right of way acquisition process; 	

- Provide a reference for persons involved in the acquisition of private property for public purposes;
 - Identify various State regulations that must be followed in the acquisition process; and
 - Identify various Federal laws and regulations governing projects where Federal-aid is involved.
- Sample and actual template forms are accessible throughout the guide for saving, opening, or downloading.

Utah DOT Local Government Guide	
Author(s)	UDOT
Date	March 2010
Source	UDOT Project Development
Web link	www.udot.utah.gov/main/uconowner.gf?n=200603020738251
Abstract: The purpose of UDOT's Local Government Guide is to assist local governments in obtaining and properly utilizing Federal and state funds.	

Vermont Agency of Transportation Local Transportation Facility Guide to the Right-of-Way Phase	
Author(s)	VTrans
Date	January 2006
Source	VTrans
Web link	http://vtransengineering.vermont.gov/sites/aot_program_development/files/documents/ltf/LTFROW_GuideVer17.pdf
Abstract: This VTrans' guide was developed to help municipalities, consultants, and any other groups or individuals that are involved in property acquisition of Federally funded transportation projects.	

Virginia DOT Locally Administered Projects Manual, Chapter 16	
Author(s)	VDOT
Date	May 2013
Source	VDOT
Web link	www.virginiadot.org/business/resources/local_assistance/LAD_LAP_manual_final/CH16_Right-of-Way.pdf
Abstract: The ROW chapter outlines the processes and responsibilities associated with acquisition of rights of way; relocation of displaced individuals, businesses, farms, and non-profit organizations; right of way authorization and certification; the disposition of residue/surplus properties; and VDOT's responsibilities for oversight and certification of LPA activities for Federal-aid projects.	

Washington State DOT WSDOT Local Agency Guidelines (LAG) Manual	
Author(s)	WSDOT
Date	Revised April 2013
Source	WSDOT Highways and Local Programs
Web link	www.wsdot.wa.gov/LocalPrograms/LAG/#Chapters
Abstract: WSDOT's Local Agency Guidelines Manual provides policies and standards for local agencies to follow when using FHWA funds for transportation projects. The Department updates the manual on an ongoing basis. ROW procedures are described in Chapter 25.	

Wisconsin DOT Sponsor's Guide to Non-Traditional Transportation Project Implementation	
Author(s)	WisDOT
Date	September 2012
Source	
Web link	www.dot.wisconsin.gov/localgov/docs/sponsors-guide.pdf
Abstract: This guide provides information and instructions to LPAs (Sponsors) to help them successfully develop certain Federally funded transportation projects in accordance with Federal and State laws and regulations. The guide is only intended to address the procedures required for a Sponsor to deliver a project	

through a Local Letting Process.

Wyoming DOT Consultant Use Guidelines for Local Public Agencies

Author(s)	WyDOT
Date	March 2013
Source	WyDOT
Web link	www.dot.state.wy.us/home/business_with_wydot/local_public_agencies.default.html

Abstract: The purpose of these guidelines is to provide direction to a template policy on acquiring engineering and design-related services that LPAs can adopt as their own. WYDOT procedures have been approved by FWHA through Operating Policy 40-1, *Consultant Services Agreements*.

3.2 Templates, Checklists, and Other Resources

The following websites provide LPAs with sample documents and other technical assistance resources to be referred to as they implement Federal-aid projects:

- Indiana DOT's LPA Resources Website: www.in.gov/indot/2390.htm
- Michigan DOT's Local Agency Program – Forms Website: www.michigan.gov/mdot/0,1607,7-151-9625_25885_40411---,00.html
- Minnesota DOT's State Aide for Local Transportation Website: www.dot.state.mn.us/stateaid/
- North Carolina DOT's Local Projects Administration:
<https://connect.ncdot.gov/municipalities/Funding/Pages/default.aspx>

Washington State DOT LPA Certification Process in Washington State

Author(s)	WSDOT
Date	Revised July 2013
Source	WSDOT
Web link	www.wsdot.wa.gov/publications/manuals/fulltext/M26-01/LPACertificationFlowchart.pdf

Abstract: This flowchart outlines WSDOT's LPA certification process. It describes the roles of the LPA, the WSDOT region in which the LPA is located, WSDOT headquarters, and the FWHA Division Office.

Washington State DOT Ways to Help Your Federal Aid Project Run Smoothly

Author(s)	WSDOT
Date	N/A
Source	WSDOT Highways and Local Programs
Web link	www.wsdot.wa.gov/NR/rdonlyres/08712411-7280-4B95-88DF-1B7AD7AAB9C2/0/HelpFederalAidProjectRunSmoothly.pdf

Abstract: This article provides information to LPAs to help increase their awareness regarding what to anticipate and what to avoid while working on Federal-Aid projects. A section of the article on the right-of-way phase provides the general requirements of the process, as well as where readers can go to find more information about them.

Wisconsin DOT Various Right-of-Way Checklists and Templates

Author(s)	WisDOT
Date	Various

Source	WisDOT
Web link	N/A
<p>Abstract: WisDOT has created a variety of resources to help LPAs in Wisconsin managed the ROW process on Federal-aid projects. These include: a basic acquisitions policy checklist; appraiser function checklist; guide for preparing appraisals; a nominal parcel report; and a waiver appraisal template form. Some of these resources are described in a March 2013 presentation given at a “Local Transportation Funding Symposium” and available at www.dot.state.wi.us/localgov/highways/docs/se-symposium2013-estate.pdf.</p>	

LPA Certification or Qualification Procedures

When operating in the capacity of the STA, the LPA has to be adequately staffed and suitably equipped to undertake and satisfactorily complete the work. Should the LPA elect to use a consultant to fulfill its authorized duties, the LPA must provide a full time public employee to be in responsible charge. One way to ensure LPAs are sufficiently staffed and suitably equipped to either conduct the work themselves or oversee a consultant is for the State DOT to have a formalized qualification program. Other State DOTs have documented the roles of its LPA Federal-aid sub-recipients, detailing each agency’s responsibilities, including identifying the agency responsible for required approval actions. The established roles and responsibilities are tailored to and recognize each LPA’s experience. In all cases, the State DOT has the responsibility of ensuring that LPAs receiving Federal funds comply with all Federal requirements. For this reason, some State DOTs, in cooperation with FHWA, have developed program qualification criteria for LPAs to assure that the LPA is fully qualified to manage project activities. This endeavor may include listing project delivery elements that LPAs are allowed to undertake along with specific evaluation criteria that will be used to determine the ability of the LPA to adequately administer those elements. Training may be required as part of the qualification program to help LPAs obtain the capacities necessary to administer the Federal-aid program.

This section describes some of the LPA certification or qualification procedures, requirements, and resources available state to state.

Alabama DOT LPA Certification Procedure	
Author(s)	Alabama DOT
Date	N/A
Source	Alabama DOT Bureau of Transportation Planning and Modal Programs
Web link	https://cpmsweb2.dot.state.al.us/TransPlan/LPA/Docs/LPA%20Certification.pdf
<p>Abstract: This presentation describes application and certification process flow that Alabama cities, counties, or other local government organizations or authorities wishing to be certified to administer LPA projects in the state under State and Federal guidelines must follow.</p>	

Nebraska Department of Roads LPA Certification Statement Form

Author(s)	NDOR
Date	N/A
Source	NDOR Local Projects Division
Web link	www.transportation.nebraska.gov/gov-aff/lpa/chapter-forms/lfp-cert-stmt.pdf
Abstract: This form is a template that Nebraska LPAs used to indicate that they have procured and negotiated required services according to the Locally Funded Procurement Procedure defined in NDOR's LPA Guidelines Manual and certifies that all local laws and ordinances were followed.	

New Hampshire DOT LPA Training and Certification Process	
Author(s)	NHDOT
Date	N/A
Source	NHDOT Bureau of Planning and Community Assistance
Web link	www.nh.gov/dot/org/projectdevelopment/planning/documents/LPABrochure.pdf
Abstract: This brochure describes the LPA training and certification process in New Hampshire. NHDOT's training discusses the necessary steps and procedures that a project sponsor and consultant will be required to follow when implementing a project, using the current LPA manual as a resource for all Federally funded, locally-managed projects. The training is broken into two, full-day parts. Part 1 covers project management, the design process, environmental review process, and the ROW process, among other topics. Part 2 covers the construction phase.	

Oregon DOT LPA Certification Program	
Author(s)	Oregon DOT
Date	N/A
Source	Oregon Statewide Programs Unit
Web link	www.oregon.gov/ODOT/HWY/LGS/Pages/Certification.aspx
Abstract: ODOT's Certification Program provides a process through which qualified local public agencies can become certified in certain areas of federal-aid project delivery. ODOT believes this allows LPAs to retain more approval authority and control at the local level when developing FHWA funded transportation projects. The areas in which local agencies can become "certified" include: <ul style="list-style-type: none"> • Consultant Selection • Design • Advertising, Bid, and Award • Construction Contract Administration 	

Wyoming DOT LPA Certification Program	
Author(s)	WYDOT
Date	N/A
Source	Wyoming Technology Transfer Center/Local Technical Assistance Program
Web link	www.dot.state.wy.us/home/engineering_technical_programs/environmental_services/LPA.html
Abstract: The LPA certification program is offered by the Wyoming Technology Transfer Center/Local Technical Assistance Program, FHWA, and WYDOT to ensure subrecipient agencies have a fundamental understanding of the requirements in executing state and FHWA rules.	

3.4 Reports and Process Reviews

Measuring and Improving Locally Administered Projects' Performance	
Author(s)	VDOT
Date	October, 24, 2012
Source	VDOT
Web link	www.virginiadot.org/business/resources/local_assistance/2012Workshop/1D-Performance.pdf
<p>Abstract: This presentation, which was part of a local programs workshop that VDOT offered, focused on how locally administered projects contribute to VDOT's overall program; areas of performance concern; initiatives underway to improve performance; and FHWA perspectives on how performance might be improved, including actions promoted under the EDC initiative.</p>	

Missouri DOT LPA Strategic Vision Team: Team Recommendations	
Author(s)	MoDOT
Date	October 6, 2011
Source	MoDOT LPA Strategic Vision Team
Web link	www.modot.org/business/lpa/documents/LPAStrategicVisionTeamReport.pdf
<p>Abstract: MoDOT formed an LPA Strategic Vision Team to develop a statewide vision for its LPA program. Using feedback received from Statewide and District Partnering for Innovative Efficiencies meetings and Tracker survey results for LPA partners, the desired outcomes for the team were identified. One of the desired outcomes for the Team is to define a statewide vision to ensure a consistent direction for Missouri's local program.</p> <p>Synopsis of Major Conclusions: The team identified five recommendations to improve the LPA program:</p> <ul style="list-style-type: none"> • Develop a FHWA/MoDOT Certification Program • Develop a Training Program • Improve the Missouri LPA manual • Develop a Program and Project Management Tool • Develop a Continuous Improvement Team <p>The Team Recommendations document describes these findings in depth.</p>	

Florida Division Office Local Agency Program Process Review of the Florida DOT	
Author(s)	Leslie McCarthy and Susan Kurtz
Date	December 2007
Source	FHWA Florida Division Office
Web link	www.dot.state.fl.us/projectmanagementoffice/LAP/pdfs/LAPProcessReviewFinalReport_2007.pdf
<p>Abstract: The objective of the process review was to evaluate the level of oversight and quality assurance being provided by the FDOT in the administration of the construction phase of locally-administered projects. Additionally, the review also assessed the state-of-the-practice of LAP in Florida through discussions with a number of local agencies and FDOT. Overall, the recommendations and findings of the process review indicated a need for more consistency in administration and oversight of the LAP among FDOT District Offices.</p> <p>Synopsis of Major Conclusions: At the time of the report's release, FHWA considered issues within the FDOT Local Agency Program to be high risk, especially in the development of construction contract documents and level of quality assurance. FHWA believed there was a need by FDOT and FHWA to add guidance for the LAP program in the arena of construction oversight and materials quality assurance, particularly for local roads (i.e., off-State Highway System routes).</p>	

3.5 Training

Some State DOTs have incorporated a training component in their LPA qualification programs to assist LPAs in obtaining the necessary skills and knowledge needed to administer the program as well provide a basis for evaluating staff abilities. The qualification program might require a training component to be state approved curricula and regularly audited by the state to verify compliance with State and Federal regulations, policies, and procedures. The following information on state-specific training programs is intended to provide examples to State DOTs and LPAs and is not intended to present any suggested requirement.

California DOT Training for Local Agencies	
Author(s)	Caltrans
Date	Variable throughout the year
Source	Caltrans Division of Local Assistance
Web link	www.dot.ca.gov/hq/LocalPrograms/training.html
Abstract: Caltrans offers a suite of training workshops and multi-day “academies” on a range of topics. For example, one academy presented is a five-day local assistance course geared toward new Caltrans Local Assistance and local agency staffs. The content generally mirrors the content of the <i>Local Assistance Procedures Manual</i> and the <i>Local Assistance Program Guidelines</i> . The ROW academy is a 10-day course that focuses on four main topics: Principles of Real Estate Appraisal; Principles of Real Estate Law; Principles of Real Estate Negotiation; and Principles of Real Estate Engineering. Caltrans LPA training is divided among twelve coordinators, with one being located in each district. Most classes are provided upon request.	

Florida DOT Local Agency Program Training	
Author(s)	FDOT
Date	Variable throughout the year
Source	FDOT Production Support Office
Web link	www.dot.state.fl.us/projectmanagementoffice/LAP/LAPTraining.shtm
Abstract: FDOT provides a computer-based training for transportation and LPA personnel. The training topics include certification, project selection, and LPA agreements.	

Maine DOT Local Project Administration Program	
Author(s)	Maine DOT
Date	Variable throughout the year, most recently May 8, 2013
Source	Maine DOT
Web link	www.maine.gov/mdot/lpa/index.htm
Abstract: MaineDOT’s Local Project Administration Program enables cities, towns and other local public agencies to make transportation improvements with Federal and state money. A certified local staff member takes charge of a locally administered project in partnership with a MaineDOT project manager, who makes sure all federal and state requirements are met. MaineDOT’s LPA website includes information on LPA certification, training opportunities, templates, and examples of locally administered projects. The ROW Process training describes “what you need to know” as an LPA to effectively implement Federal-aid transportation projects. The ROW process presentation is available at www.maine.gov/mdot/lpa/documents/pdf/2013/RightofWay2013.pdf .	

4. Resources from Non-Governmental Sources

Local Public Agency Oversight Questionnaire Results	
Author(s)	AASHTO
Date	2013
Source	AASHTO Subcommittee on Construction
Web link	http://construction.transportation.org/Documents/Surveys/AASHTO%20LPA%20Oversight%20Questionnaire_Results%20Report%20Final.pdf
<p>Abstract: This questionnaire was developed to determine existing policies and procedures in place by State DOTs for the administration of the Federal-Aid program for LPAs.</p> <p>Synopsis of Major Conclusions: There were 30 total responses to the questionnaire out of approximately 50 invitations to participate. Most responding States (77%) do not have performance measures for LPA project delivery. Most (77%), however, do have a process in place for assessing LPA compliance with Federal and/or State laws and regulations for the ROW phase of project development.</p>	

Practices and Performance Measures for LPA Federally-Funded Highway Projects	
Author(s)	Leslie Ann McCarthy, Seri Park, and Anthony Giancola
Date	April 29, 2013
Source	Transportation Research Board: NCHRP 20-5 Task 43-04, Synthesis 442
Web link	www.trb.org/Main/Blurbs/168858.aspx
<p>Abstract: Synthesis 442 explores what performance measures, delivery practices, strategies, and tools are currently used in relation to Federally-funded LPA highway project development and delivery, and how they are used to measure success in project administration. Appendix D has samples of documents on practices or performance measures for Federally-funded LPA transportation project. The overall report was based on a comprehensive survey of State DOTs' LPA oversight practices. Of note, eleven State DOTs indicated that an LPA certification process had helped participating LPAs achieve more of the performance measures established for project delivery, especially in the acquisition of ROW, construction contracting and inspection, and procurement phases.</p> <p>Synopsis of Major Conclusions: More than half of the DOTs reported that more than 100 local agencies are participating in Federal-aid projects in their State. The rationale for LPA eligibility was reported to be based mostly on the Federal-aid program type, local match availability, certification status by the State DOT, appropriate and available LPA staff size, and size or complexity of the project scope. A majority (62 percent) of DOT respondents were not supportive of Federal regulations requiring States to administer a certification program. Of the 41 LPAs surveyed, 26 were not supportive of Federal regulations requiring States to administer a certification program. The feedback provided by the 23 LPAs certified by their State DOTs was that they have improved their ability to deliver Federally funded projects more easily and quickly. LPAs indicated that being certified provides the opportunity to be responsible for Federally funded projects, rather than to be managed by a State DOT or contracted to a consultant. The LPAs that are not certified are challenged in their capability to control scope creep and other financial aspects of Federally funded projects.</p>	

Effective Delivery of Small-Scale Federal-aid Projects	
Author(s)	Leslie Ann McCarthy, David Mensching, and Andrew Horgan
Date	2011
Source	Transportation Research Board: NCHRP Synthesis 414
Web link	http://onlinepubs.trb.org/onlinepubs/nchrp/nchrp_syn_414.pdf
<p>Abstract: This NCHRP report compiles and documents streamlined methods for meeting Federal funding requirements for small-scale highway projects. For this study, small-scale was defined as projects administered by state or local transportation agencies that contain federal funding of \$300,000 or less. A primary objective of this study was to explore ways that State DOTs work with local agencies to implement small projects eligible for federal funding. Information used in the study was acquired through a review of the literature, a survey of local program agency administrators in each of 10 focus state DOTs, as well as interviews with representatives from several agencies and organizations involved at various levels with the locally administered Federal-aid process.</p> <p>Synopsis of Major Conclusions: A series of case study interview questions focused on effective navigation of the Uniform Act for locally administered projects. One example cited is from Delaware DOT. The researchers found that Delaware DOT had effectively streamlined the delivery of the ROW phase of small-scale Federal-aid projects by requiring ROW donations (according to the Uniform Act) from project sponsors. Delaware DOT asks for any property and/or easements needed for the construction of the project through donation. According to the research team, this requirement is particularly important to gain vested interest by the LPA in their project because Delaware DOT handles all the project work from “cradle to grave.” Through this practice, DelDOT is able to place more responsibility on the local agencies to give their support in the planning process and especially after project completion ensuring proper upkeep and maintenance of the end product.</p>	

Review of Locally Managed Projects	
Author(s)	Frederick Wegman and Melany Noltenius, University of Tennessee
Date	September 2010
Source	Prepared for the Tennessee DOT
Web link	www.tdot.state.tn.us/longrange/reports/RES2010-15StrengtheningPartnershipsLocal%20Governments.pdf
<p>Abstract: The Local Programs Development Office at the Tennessee TDOT oversees federal and state funding programs that are available to LPAs. Given the critical connection between TDOT’s Local Programs Development Office and local governments, the authors note that it is important that funds be administered expeditiously and projects be completed in a timely and efficient manner. For this reason, their research report documents existing procedures and challenges within TDOT’s Local Programs Development Office and identifies best practices used by other states to support local governments in initiating and coordinating joint projects.</p> <p>Synopsis of Major Conclusions: When compared to other states that fully utilize a district or regional local programs coordinator and engineering staff, TDOT’s Local Programs Development Office staff is providing excellent service. The Local Programs Development Office has the ability to help local governments understand more completely the project management process. The research team recommended that:</p> <ul style="list-style-type: none"> • The local programs development office stress to local government personnel that the planners and Transportation Enhancement professionals are the single point of contact for all information concerning their project – technical or other information. • TDOT’s one-day training class may need to be re-evaluated • An email list of all project stakeholders should be created by the planner and a notice of any changes or updates should be emailed to all parties involved in the project. • The Local Programs Development Office should be very specific in its definition of a small, mid- 	

range, and large project so that clear guidelines are provided regarding when a local government can manage their own projects and when it cannot.

- If possible, the TDOT regional engineers should be incorporated into the project oversight process.

Executive Summary: Local Public Agency Programs

Author(s)	AASHTO
Date	November 2009
Source	AASHTO Standing Committee on Research. Organizational Results
Web link	http://research.transportation.org/Pages/LocationofLocalPublicAgencyProgram.aspx

Abstract: In 2009, AASHTO conducted a survey to better understand where the LPA Program resides in other states' organizational structures. The results are documented in a brief report that summarizes States' organizational structures as they related to LPA administration, education and training, and FHWA involvement in oversight.

Synopsis of Major Conclusions: The authors asserted that future research efforts related to LPA oversight should be narrowed and focused on specific areas of the LPA program to ensure that the research outcomes meet stated needs.

Appendix D. Index of Materials Provided by Peer Exchange Participants

Alabama	LPA Written Offer, No Appraisal LPA Written Offer, Appraisal LPA Checklist: Acquisition LPA Donation Letter LPA ROW Certification Form	Indiana	LPA Review Success Plan Website and Realty Manual Links
Connecticut	City of Stamford ROW Certification HQ LPA Course announcement, description, and thank you letter ROW LPA Process Review report	Massachusetts	The ROW Process Presentation ROW Packet to Municipalities, including 1-Municipal Guidelines 2-Certification requirements 3-Property owner contact form 4-Town meeting approval 5-Donation certificate 6-Right of entry 7-Appraiser's affidavit 8-Written offer of just compensation examples 9-Property affidavit 10-Federal aid acquisition guide for property owners 11-LPA appraisal and review appraisal checklist
Florida	FDOT Local Agency Workshops Presentation FHWA Realty Review Guide Checklist Local Agency FDOT District 1 Training Agenda 8/2013 St. John's County Acquisition Procedures	New Hampshire	LPA Program Review 2012
Georgia	Valuation Methods Right of Entry Required Offer Package Forms Owner's Receipt of Plans and Explanation Acknowledgment Offer, Uneconomic Remnant Offer, Under \$10,000 (cost estimate) Offer, Trade Fixture Sign Only Offer, Standard Owner Offer, Owner Leased Fee Offer, NFS (Data Book) Offer, (Neg. Ltr) Driveway Owner LPA ROW Cost Estimate v4.0 spreadsheet LPA Acquisition Training Agenda LPA Local Gov ROW Cert Instructor Guide for Intro to ROW for LPAs Expedite Preacquisition Activities for LPAs Audit Checklist Advance Acquisition Cost Estimate v3.0 spreadsheet Admin Settlement (Counter Offer Write-up)	Ohio	Local Agency R/W Procedures
		Rhode Island	LPA Process Improvement Implementation Plan
		Texas	Environmental Checklist for LPAs Real Estate Acquisition Guide for LPAs Reimbursement Checklist for LPAs Utility Adjustment Checklist for LPAs
		Utah	PM Training Presentation Local Government Retreat Document UDOT Electronic Project Management Module
		Washington	Task Assignment List Thurston county Project Delivery Manual, Ch. 6 Local Programs Newsletter—ROW Updates

Acquisitions Timeline

Certificate #3 LPA Project Tracking
Corrective Action and Probation Tracking and Letters of

Washington *(cont.)*

Concern: Region example; summary page
Government Agreement for AID (GCA)
Local Agency Certification Compliance Results and Level of Involvement; Certs by regions
Local Agency Training Tracking by Region
Local Programs ROW ShareDot Sites
LPA Approved Procedures and Government Agreement Tracking by Region
LPA Certification Flow Chart
Worksheets: Project Review, Parcel Review, Residential Relocation Review, Personal Property Only
Certification Review Oversight Report; Transmittal Letter
Sample Size Determination Form
No ROW Certification
ROW Certificate 1s: No Relocation, Residential Relocation, Non-Residential Relocation, Combination of Relocation
ROW Certificate 2s: No Relocation, Residential Relocation, Non-Residential Relocation, Combination of Relocation
ROW Certificate 3s: No Relocation, Residential Relocation, Non-Residential Relocation, Combination of Relocation
LPA Certification Worksheet
WSDOT Local Agency Certification Concurrence Letter
Monthly Status Roll Up of LPA Files Processed
QA/QC Reviews for ROW
ROW Manual: Communication-Coordination; Spot Check Review; Certification Review; Results of Review

