



STATE OF NEW HAMPSHIRE
**American Recovery
and Reinvestment Act**



NHDOT & FHWA
March 13, 2009



Welcome & Introductions

- Bill Janelle
Assistant Director of Project Development,
New Hampshire Department of Transportation
- Kathy Laffey
Division Administrator
NH Division, Federal Highway Administration



NHDOT Introductions

- Bureau of Planning and Community Assistance
 - Bill Watson, Administrator
 - Nancy Mayville, Municipal Highways Engineer
 - Jim Marshall, Project Manager
 - Tom Jameson, Project Manager
 - William Rose, Senior Planner
 - Sherry Blanchard, Program Specialist II
 - Sharon Allaire, Administrative Secretary



Main Objectives of the Act

- Job preservation and creation
- Infrastructure investment
- Energy efficiency and science
- Assistance to unemployed, and
- State and local fiscal stabilization

- FHWA



Process and oversight highlights (FHWA)

- “Significant accountability, transparency and reporting requirements”
- “Higher level of accountability and increased attention by GAO and OIG is expected”
- “FHWA will use a variety of techniques to conduct in-process examination of areas identified as high risk.”
- “Financial management and State oversight of local projects will be areas of particular attention”



ARRA & Transportation projects:

- ARRA funds will be distributed through existing federal programs
- New Hampshire will receive:
 - FHWA: \$129.4 million, total highway funding
\$125.6 million Surface Transportation Program (STP)
\$ 3.9 million Transportation Enhancement Program (TE)
 - FAA: \$4 to 5 million, airport funding
 - FTA: \$ 13 million, public transit funding



Will municipalities receive ARRA funds?

- Yes, \$11 million for highways and bridges
- Yes, \$3.9 million for Transportation Enhancement projects
- Yes, \$4 to \$5 million for airport projects
- Yes, \$13 million for public transit



How do projects qualify for ARRA funds?

- Eligible for federal aid
 - Bridge: length >20 feet and on a public highway
 - Recommended bridge postings in compliance
 - Functional classification highway not including urban and local roads and rural minor collectors
 - TE eligibility
- Ready or near ready to start construction
- Project is in the State's Ten Year Plan (TYP) or in a program in the TYP and the Statewide Transportation Improvement Plan (STIP)



STIP Requirements:

- Projects whose budgets and/or scopes change from what is in the currently approved STIP will require STIP revision.
- STIP revisions **MUST** be identified and approved before FHWA authorization can be given for project to proceed

Total Cost of Project within approved STIP Years	Full Amendment	Administrative Modification	Information Only
	<i>Action Needed if the Change in Cost from the amount approved in the most current STIP is:</i>		
< \$1 Million	>75%	50% to 75% (\$750k limit)	<50% (\$500k limit)
\$1 Million to \$5 Million	>30%	20% to 30% (\$750k limit)	<20% (\$500k limit)
> \$5 Million to \$10 Million	>20%	10% to 20% (\$1.5 million limit)	<10% (\$500k limit)
> \$10 Million to \$50 Million	>10%	5% to 10% (\$3.5 million limit)	<5% (\$750k limit)
Over \$50 Million	>5%	1% to 5%	<1%



Funding:

- State Aid Bridge (SAB) projects:
 - Construction: 60% ARRA, 40% SAB, local 0%
 - PE & ROW costs: 80% SAB, 20% local
 - SAB \$9 million available, \$15 million identified
 - See revised spreadsheet for information



Funding (cont.):

- State Aid Highway (SAH) projects:
 - Construction: 2/3 ARRA, 1/3 SAH, local 0%
 - PE & ROW costs: 2/3 SAH, 1/3 local
 - SAH \$2 million available, \$1.9 million identified
 - See revised spreadsheet for information



Funding (cont.):

- Transportation Enhancement
 - Construction: ARRA 100%, TE & local 0%
 - PE and ROW: TE 80% & local 20%
 - TE \$3.9 million available, \$10.9 million identified



Funding availability:

- Funding will be authorized for projects as they are approved to go out to bid
- More potential projects than funding
- First come, first served



- **Reimbursements:**
 - Monthly **required** based on invoices submitted with proof of payment and status/progress reports during construction
 - Municipality, contractors, and all subcontractors will be required to have a DUNS number



Schedule:

- ARRA project construction funds must be obligated in one year: February 17, 2010
- 50% under contract in 120 days, DOT will meet that requirement
- Possible redistribution of unused funds after 120 days



Requirements:

- Letter of intent with schedule by March 20
- Municipal Agreement between DOT and municipality similar to TE/CMAQ
 - Approved by G&C
 - New language re: winter maintenance of sidewalks will be required
- Reporting on jobs and status of project



Environmental Process:

- NHDES wetlands permits, water quality, and shoreland protection as per normal process
 - Submit to NHDOT status of wetlands permit
 - Received or not
 - Application submitted or target date to be submitted
 - Target advertising date for construction
- Environmental documentation (NEPA) (required)
- Section 4(f) evaluation (if needed)
 - Historic resources
 - Parks
 - Fish and wildlife refuges



NHDOT resources available:

- Natural resource agency monthly meetings
 - 3rd Wednesday of each month
- Cultural resource agency monthly meetings
 - 1st & 2nd Thursday of each month
- Bureau of Environment staff available to help regarding environmental reviews



Historical Review

- RSA 227 C (State)/ Section 106 (Federal) reviews
- For projects that have already been reviewed at a monthly meeting and have had an effects determination under the State review; NHDOT, FHWA & NHDHR will determine if any additional review is necessary under the Federal requirements, including Section 4(f)



Environmental Documentation

- Environmental classification required to have funds authorized for construction
- Use Environmental checklist as per TE/CMAAQ manual
- Additional scope of work item for consultants on state-funded projects (SAB & SAH)



Design Process

- Design process as per municipal managed programs
- Three step design process
 - Engineering Study
 - Preliminary Phase
 - Final Contract Plans
 - Submitted to and reviewed by NHDOT



Contract documents/proposal

- Include 38+/- pages of documents in bidding documents re: Davis-Bacon, EEO, etc.
- Include Special Attention stating this is an ARRA project and job reporting will be required.



Reporting required, forms and guidance will be provided:

MONTHLY PRIME AND SUBCONTRACTOR EMPLOYMENT REPORT AMERICAN RECOVERY AND REINVESTMENT ACT		
1. First day of reporting period (mm/dd/yyyy).	2. Last day of reporting period (mm/dd/yyyy):	3. Notice to Proceed Date (mm/dd/yyyy)
4. NAME AND ADDRESS OF FIRM		5. FEDERAL AID PROJECT NUMBER
		6. State Project Number or ID
7. CONTRACTING AGENCY		8. STATE (or Federal Lands Region)
9. Employment Data		
Direct, On-Project Jobs (see guidance for definitions)	TOTAL EMPLOYEES	TOTAL HOURS
JOBS CREATED		
JOBS RETAINED		
TOTAL		
10. PREPARED BY: <i>(Signature and Title)</i>		DATE
11. REVIEWED BY: <i>(Signature and Title of State Highway Official)</i>		DATE

This form is issued in association with the American Recovery and Reinvestment Act of 2009



Advertising for bids

- PS&E package items required
- Front sheet of plans
- PS&E estimate
- Environmental classification
- Right-of-way certificate

- NHDOT submits to FHWA for authorization for construction funds prior to advertising for bids



Authorization to advertise for bids

- **WARNING:** Do not advertise for bids until NHDOT gives notice-to-proceed to bid
- Federal programs require PS&E package be submitted by NHDOT to FHWA at least one week ahead to get authorization
- When we have authorization from FHWA we will issue NTP to town
- Bid tabulation and recommended contractor reviewed and approved prior to award by NHDOT



Construction

- Davis-Bacon wage rates required for all ARRA projects
- Buy American provisions applied
- Labor compliance requirements
 - Certified payrolls for contractor and subs
 - Subcontractor approvals
- Attendance required at 1/2 day training federal labor compliance requirements



Construction

- Construction Engineering (CE)–
 - When QBS process was followed for specific project or as town-wide agreement, Consultant CE charges reimbursed with ARRA funds.
 - QBS by waiver consultant reimbursements will be with State funds.
- Change Orders
 - All change orders require approval by DOT and authorization by FHWA prior to work being initiated.
 - Emergency change orders can be approved verbally with documentation to follow immediately thereafter.



Construction Oversight and Inspection

- Greater scrutiny by FHWA and NHDOT during construction
- Local FHWA and USDOT OIG will be visiting projects
- NHDOT will be visiting projects
- Greater presence of inspectors will be required than usual programs



Construction Oversight and Inspection

- Construction inspection must be done under supervision of Professional Engineer (PE) as per usual program requirements
- FHWA expectation is that construction inspection will be close to full-time
- Materials testing will be required
- Frequency of testing as per NHDOT procedures



Final Inspection

- Formal final inspection will be required
- NHDOT will be present at final inspection

Record retention

- Municipality must retain records for three years after project is closed by NHDOT
- Potential for federal or state audit



For further information:

- Workshops
 - Managing Federally Funded Projects
NHDOT/FHWA, 5 hour, late April
 - Labor Compliance, ½ day mandatory, ongoing
 - Construction Program Management and Oversight (CPMIG), FHWA 2 days, 2 sessions, week of July 27-31, 2009



For further information:

- <http://www.fhwa.dot.gov/economicrecovery>
- <http://www.nh.gov/dot/recovery/index.htm>
- <http://www.nh.gov/recovery/>

**NHDOT Bureau of Planning and Community
Assistance (603) 271-2107**