# **Supplemental Packet**

# 2024 Local Government Guidelines Manual Training



Local Programs Development Office

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PIN	AGENCY-LOCALLY LET PROJECT CHECKLIST
	Sent Project Initiation Checklist/Form 3-1 to Program Monitor
	Received Contract from Local Programs Office
	Sent Signed Contract to Local Programs Office
	Received Fully Executed Contract from Local Programs Office
	Received Notice to Proceed for Preliminary Engineering (PE-NEPA funds have been obligated)
	Sent Consultant Contract to Local Programs Office when Executed (with Selection Procedures)
	Began Work on NEPA Document – Contact TDOT Environmental Division
	Contacted TDOT Railroad Coordinator, if Railroads Near Project
	Received Approved NEPA Document
	Received Notice to Proceed for PE-Design (PE-Design funds have been obligated)
	Consultants Began Work on Design Plans
	Sent Preliminary Design Plans and Checklist to Local Programs Office for Review and Comments
	Received Plans Review Letter(s) from TDOT – Make Revisions
	Sent ROW Plans to Local Programs Office for Review and Comments
	Local Programs sends Notice to Proceed for ROW to Region ROW Office (ROW funds have been obligated)
	Began Coordination with Regional ROW Office to Obtain ROW Certification
	Began Coordination with Regional Utility Office to Obtain Utility Certification
	Obtained Title VI Certification from TDOT Civil Rights Office (Letter or Email)
	Sent Completed DBE Goal Assessment Sheet , if Construction of Project ≥ \$500,000 to Local Programs for Review and Concurrence
	Sent Final Engineer's Estimate to Local Programs for Review and Concurrence
	Sent Proposal Contract (Using Correct Template) to Local Programs Office for Review and Concurrence
	Received ROW and Railroad/Utility Certifications from Local Programs Office
	Coordinated with Permit Office to get Permit Certification
	Sent Bid Advertisement to Local Programs Office for Review and Concurrence
	Receive Notice to Proceed for Construction (Construction funds have been obligated). Advertise for Bids.
	Reviewed and sent Bid Tabs/Documents and Letter Requesting TDOT's Concurrence to Award to Lowest, Responsive, Responsible Bidder
	Received Concurrence from TDOT to Award to Apparent Low Bidder
	Held Pre-Construction Meeting, TDOT Representatives must have been Contacted least 14 days Prior to Meeting



#### Local Government Managed Project Initiation Checklist

This form is for Local Government assistance in Project Initiation and will not be submitted to the Local Programs Development Office.

Below you will find a checklist that will aid you in the process of establishing a federally or state-funded project that your agency wishes to manage. Please check off the items in the checklist below to be sure that you have all of the necessary information that is required to initiate a new project in TDOT eGrants. A detailed description of each item is located on the following pages, TDOT eGrants, and in the Local Government Guidelines Manual.

- 1. Description of the Project
  - Location Map (attachment)
  - Length of Project
  - Functional Classification (if applicable)
  - Anticipated Project Budget
- 2. A List of Consultants Involved in Project
- 3. X Local Government's Procurement Policy (Form 1-2, attachment)
- 4. X Local Government's Experience
- 5. Resumes/Qualifications for Local Government staff (attachment)
- 6. Responsible Charge Form (Form 1-1, attachment)
- 7. X List of Civil Rights Coordinator(s), Title VI, DBE Liaison
- 8. Copy of any Agreements / Contracts / MOU Or Certification of
- o. Compliance Regarding Third Party Contracts (attachment)
- 9. Proprietary Items
- 10.  $\square$  Method of Bidding
- 11. TDOT Right-of-Way Training Certificate (attachment)
- 12. X Local Government Guidelines Manual Certificate (attachment)
- 13. X Local Government CEI Certificate (attachment)
- 14. Most Recent Audit (attachment or link)
- 15. Durpose and Need Statement (attachment)
- 16. Donated Services or Land (Federally Funded Only) (attachment)
- 17. Copy of the TIP Page (attachment)
- 18. Copy of Traffic Study Warrant for New Signal (attachment)
- 19. Copy of the ITS Project Identification Form (attachment)
- 20. ADA Self-Evaluation and Status
- 21. Authorized Signatures (Form 9-1)



- 1) **Description of the Project-** The description should outline the scope of the project. Please include the functional classification of the roadway, the beginning and ending termini, state/federal/local street names, and other relevant information to best describe the project.
  - **Location Map-** Please make sure the map clearly shows the state route, federal route, and/or local street names, has a north directional arrow, shows adjacent roads, and has an arrow showing the beginning and ending termini.
  - **Length of Project/Log Mile-**The beginning and ending point of your project. If you don't know the log mile information, please contact your Program Monitor.
  - **Functional Classification (if applicable)-** Only roads classified higher than rural minor collectors (primarily in counties) or local roads (in cities) are eligible for federal funding. Functional Classification is the process by which streets and highways are grouped into classes, or systems, according to the character of service they are intended to provide. If you don't know this information, please contact your Program Monitor.
  - Anticipated Project Budget- Until a fully executed CEI contract has been submitted to LPDO, a portion (approximately 10-20%) of the construction estimate will be used as a placeholder for CEI costs and 1% will be used for TDOT Engineering Services (TDOT ES). The remaining construction budget will be assigned to the construction estimate cost. The entire construction budget shall include the CEI costs, TDOT ES and the construction costs.
- 2) List of Consultants Involved in Project- Please list the Consultants involved in current or previous phases of the project. Services completed before a Notice to Proceed (NTP) will not be eligible for reimbursement. If you would prefer to procure your consultant prior to the NTP, please send the advertisement to your Program Monitor for approval.
- 3) Local Government's Procurement Policy (Form1-2)- The Local Version of the TDOT Consultant Selection Policy is required for each new project. The policy must be adopted through a resolution by the local governing council/commission. Please be sure to upload the adopted resolution.
- 4) **Local Government's Experience-** Please describe the Local Government's experience in managing state or federally funded projects similar to the project being initiated.
- 5) **Resume/Qualifications for Local Government Staff-** A resume listing the qualifications for each Local Government Employee that will be involved in the project.
- 6) **Responsible Charge Form-** The Local Government must have a designated official who will be the responsible charge for the administration of the project, including but not limited to: requesting authorization of funds, requesting award of contract, supervision of the CEI, authority to approve changes, and accountability for contract compliance (<u>23 CFR 635.105</u>). The responsible charge must have completed TDOT Local Government Guidelines Manual and ROW Training. If the responsible charge changes through the course of the project, the Local Government must notify the LPDO, and resubmit Form 1-1.



- 7) List of Civil Rights Coordinator(s), Title VI, DBE Liaison- Must have a civil rights coordinator on staff that has completed the Title VI training, which is available online. Designate appropriate person(s) responsible for ensuring compliance with Title VI, EEO, and DBE requirements. (Title VI Coordinator, EEO Officer, DBE Liaison) This person should have a responsible position in the Local Government and have easy access to the head of the Local Government.
- 8) Copy of any Agreements/Contacts/MOU or certification of Compliance Regarding Third Party Contracts- A copy of any agreements, contracts, memorandums of understanding or other legal instruments the Local Government has entered into with parties other than TDOT that may have bearing on or affect the project in any way. If there are no such agreements, the Local Government will sign an affidavit, Form 3-2, Certification of Compliance Regarding Third Party Contracts.
- 9) Proprietary Items- Proprietary items are those that can be obtained from only one source. Federal law requires pre-approval of these items by the Department before they can be used. More information can be found in Chapter 5 of the Local Government Guidelines Manual.
- **10) Method of Bidding Statement-** Please be sure to check the box that describes the method of procurement the Local Government wishes to use for the project. Federal law requires that the competitive method of construction (let to contract) be used unless there is a TDOT pre-approval of some other method of construction.
- **11)** Local Government Guidelines Training Certificate- A copy of the Responsible Charge's most recent Local Government Guidelines training certificate. This training is valid for three years.
- **12) TDOT Right-of-Way Training Certificate-** A copy of the Responsible Charge's most recent Right-of-Way training certificate. This training is valid for three years.
- **13)** Local Government Construction Engineering and Inspection (CEI) Certificate- A copy of the Responsible Charge's most recent Construction Engineering and Inspection (CEI) training certificate. This training is valid for five years.
- 14) Most Recent Audit- A certification from an appropriate fiscal officer. This certification must state the Local Government has sufficient accounting controls to properly manage federal funds. Local Governments receiving funds under this program are subject to compliance audits (A-133 Audit Documentation) by the TDOT Finance Office. The audit form will need to be uploaded or a hyperlink provided.
  - **15) Purpose and Need Statement-** Detail the purpose and need statement for the reasoning behind the project, which will be included in the environmental document. This can include items such as traffic congestion problems, economic development/growth, safety concerns, etc. More information can be found in Chapter 3 of the <u>Local Government Guidelines</u> <u>Manual.</u>



- **16) Donated Services or Land (Federally Funded Only)-** For federally funded projects, if any services or land have been or will be donated, attach documentation for those transactions.
- **17) TIP/STIP Page-** A copy of the Transportation Improvement Program (TIP)/State Transportation Improvement Program (STIP) project page.
- **18) Traffic Study Warrant for New Signal-** If a new traffic signal will be installed as part of the project, attach the traffic study warrant to show the new signal is justified.
- **19) ITS Project Identification Form-** If the project is potentially an Intelligent Transportation System (ITS) project, attach a copy of the signed Tennessee ITS Project Identification Form. More information can be found in Chapter 3 of the Local Government Guidelines Manual.
- 20) ADA Self-Evaluation and Status Has the Local Government submitted the Local Agency ADA Self-Evaluation and Transition Plan Status Form to TDOT? (Submittal directions are on the form. The form(s) do not have to be uploaded into eGrants or submitted to the TDOT Local Programs Development Office, but the status must be indicated.)
- 21) Authorized Signatures- The names of those Agency Officials and Agency Administrators who are authorized to sign reimbursement requests. The names in the drop down box must match the names on they uploaded Form 9-1. They must also have account in TDOT eGrants. Signatures will be verified when invoices are submitted and will be returned if they do not contain signatures of authorized person.

# Walter Oakes, P.E.

Objective	To compelte TDOT Local Program projects.				
EDUCATION	Minor: Public	<b>f Tennessee</b> and Environmental Engineering Relations with an Emphasis in Journalism ate: May 2003	Knoxville, TN		
WORK Experience	December 2006- Present	<b>City of Greeneville</b> City Manager Manage TDOT Local Programs Projects Review and approve commercial and residential site plans Create local Ordinances and Regulations	Greeneville, TN		
	March 2006- December 2006	Harper, Jadon and Harlow Beard Engineering, LLC Transportation Designer Conducted rural and urban roadway design for government and private clients Prepared construction and cost estimates Assisted in sight distance and traffic studies	Nashville, TN		
	Aug. 2004 – March 2006	<b>Tennessee Department of Transportation</b> Roadway Specialist I Spent one calendar year rotating through various divisions of TDOT Conducted roadway design and resurfacing projects	Nashville, TN		
	Jan. – Aug. 2003 & Dec. – Jan. 2003-2004	Baker and Lacey Engineering Consulting Services Cooperative education student Performed geometric roadway design Conducted field surveys using a total station Assisted in revisions to TDOT drainage manual ans standard drawings	Nashville, TN		
Computer	Microstation i	n conjunction with Geopak			
SKILLS	Microsoft Off				
	ArcGIS				
ACTIVITIES		ofessional Engineer in the State of Tennessee (ID No. 0524)			
AND	-	sionals in Transportation, Deputy Chair			
Honors	· ·	eiety of Civil Engineers (ASCE)			
	American Soc	eiety of Highway Engineers (ASHE)			
	Erosion Preve	ntion and Sediment Control Level I Certified			
	Federal Emerg	gency Management Agency (FEMA) Certified Courses:			
	IS-6	31 Public Assistance Operations I			



#### Responsible Charge Form

In accordance with Federal Regulation 23 CFR 635.105, the Local Government must provide a full time employee of the Local Government to be in "responsible charge" of the project. This person does not have to be an engineer. This person is required even when consultants have been retained by the LG to manage the entity's engineering activities, including design and construction engineering and inspection services. Complete this page for each phase or check all phases if applicable.

NOTE: The regulation does not require the same public employees to be in responsible charge over several projects. It allows for the transfer of responsible charge duties for different phases, i.e. design and construction. If design and construction duties are handled by separate individuals on a project, please identify each employee and the phase of the project they are responsible for. (Note: Only one employee per phase should be listed.) It is also the LGs responsibility to notify the LPDO if the Responsible Charge changes during any phase or duty.

Project Name: PIN (if applicable):				
Local Government:				
Name of Responsible Charge:			Title:	
Address: Office Phone: Email:			Cell Phone:	
-	PE (NEPA)	🗌 Design	ROW	Construction

Signature of Responsible Person for the Local Government

#### Duties may include but are not limited to:

- This person acts as the primary point of contact for the LG
- Oversees project activities; cost, time adherence to contract requirements, design and construction quality and scope
- Ensures the contract is properly recorded
- Directs project staff, agency or consultant, to carry out project administration and contract oversight including proper documentation
- Is aware of the qualifications, assignments and on-the-job performance of the agency and consultant staff at all stages of the project
- Makes or participates in decisions about changed conditions or scope changes that require change orders or supplemental agreements
- Reviews financial processes, transactions and documentation to ensure that safeguards are in place to minimize fraud, waste and abuse
- Maintains familiarity of day to day project operations & safety issues
- Visits and reviews the project on a frequency that is proportionate with the magnitude and complexity of the project
- Attends all project related meetings



#### **Certification of Compliance Regarding Third Party Contracts**

FOR PROJECT PIN: <u>115881.00</u>

DESCRIBED AS: \_\_\_\_\_ Fairgrounds Connector Road

I, Brad Taylor \_\_\_\_\_, Mayor of \_\_\_\_City of Greeneville

\_\_\_, (hereinafter referred to as "Agency") hereby certify by my signature

hereunder that:

- 1. The Agency has no understanding or contract with a third party that will conflict with or negate the Project for which the Agency is requesting funding from the Department; and
- 2. The Agency has disclosed and provided to the Department a copy of any and all contracts with any third party that relate to this Project or to any work related to this Project for which the Agency is requesting funding from the Department; and
- 3. The Agency will not enter into any contract with a third party that relates to this Project or to any work for which the Agency is requesting funding from the Department without prior disclosure of such proposed contract to the Department; and
- 4. The Agency acknowledges and agrees that failure to provide this certification may subject the Agency to the denial of funding for this Project.

Signed, this, the	18 <sup>th</sup>	day of _	May	, 20 <u>23</u> .
Brund Signature of May	any	là		_
Signature of May		lan	17-10-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-	_

Brad Taylor Printed Name of Signatory (above)



#### **UEI Number and Authorized Signature Form**

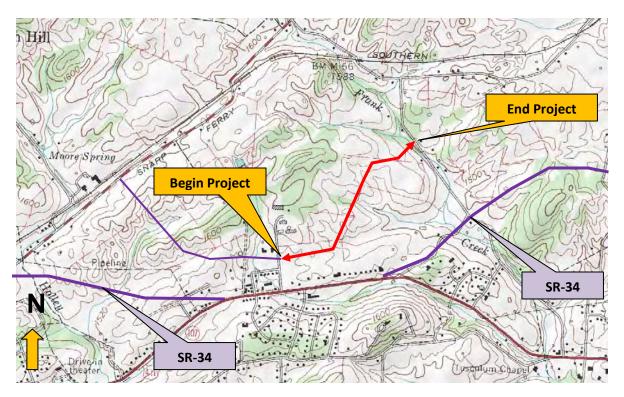
UE	l Number	
UEI Number CB8KMTSE7M13	Address (must include 9 123 Apple Street, G	B-digit zip code) Treeneville, TN 12345-6789
Physical Address of Project (must include 382 Fairgrounds Circle Greeneville, TN 12345-6789	9-digit zip code)	PIN #: 115881.00
Auti	horized Signatures	
A minimum of two (2) signatures mu for reimbursement.	ist be shown to pern	nit flexibility in making requests م
Typed Name and Title	Signature	1. /
Dwayne Wayne, Title VI and DBE Coordinator	Duay	re Wayne
Typed Name and Title	Signature	
Walter Oakes, City Manager	Walter	Caks
Typed Name and Title	Signature	CIAD A
Whitley Gilbert, CFO	White	ey Kilbert
Typed Name and Title	Signature	
Kim Reese, Public Works Director	Kim K	leeze
I certify that the signatures of the ab to sign for the reimbursements requ		only those persons authorized
Signature of Highest Elected Official	Date 2	
	mate manever dualors	sea signers enange

#### Fairgrounds Connector, Greeneville, Greene County, Tennessee

# Pairson Hurren State Added to the Project of the Pr

Page 2

**Project Location Map** 

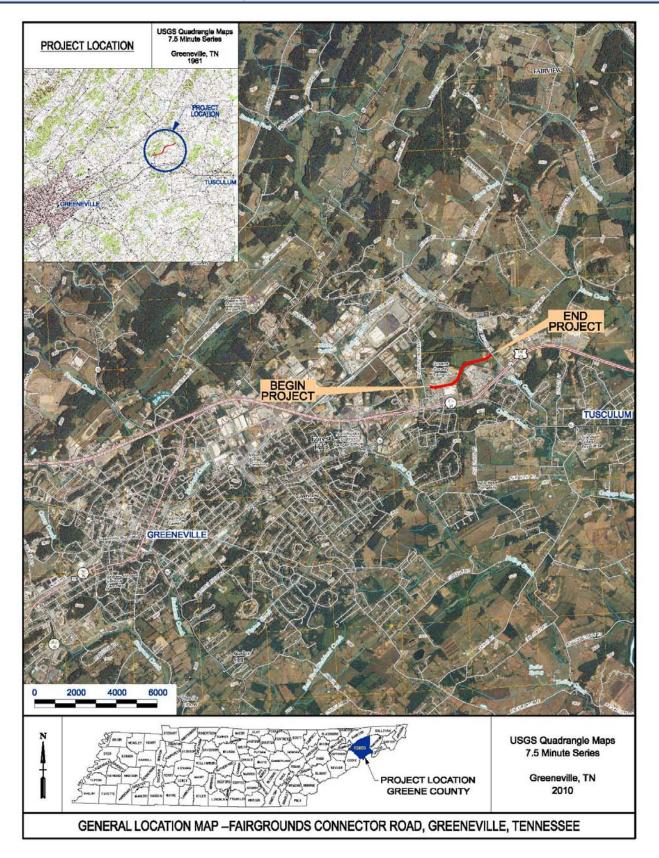


Project Location Map – USGS Quad Greeneville (181 NE)



TDOT PIN# 115881.00 – Region 1 Supplemental Packet

## **Project Location Map(s)**





# **Tennessee Transportation Assistance Program**

certífies that

Walter Oakes

has completed the requirements for

Local Government Guidelines Manual Training

Tuesday, May 24, 2016 in Nashville, Tennessee

Earning 6 Professional Development Hours







Frank Bro Instructor

TTAP Director



**Certificate of Completion** 

Is hereby granted to

# **Meghan Wilson**

To certify has completed to satisfaction

#### **Right of Way Training for Local Governments**

Granted: Wednesday, February 16, 2022 in Nashville, Tennessee

Jeff Hoge Right of Way Division Director



# TENNESSEE DEPARTMENT OF TRANSPORTATION

## PROGRAM DEVELOPMENT DIVISION

This is to certify that

# Walter Oakes

has successfully completed a two-day workshop on Chapter 8 (Preconstruction and Construction Procedures) of the Local Government Guidelines for the Management of Federal and State Funded Transportation Projects

TDOT Region 3 on June 15-16, 2016

hotner Aulli

Whitney Sullivan TDOT Program Development Division

pplemental Pa

David Donoho, P.E. Presenter, Smith Seckman Reid

**For the Tennessee Department of Transportation** This certificate entitles the recipient to 10 Professional Development Hours

#### TENNESSEE DEPARTMENT OF TRANSPORTATION FY 2014 THRU FY 2017 TRANSPORTATION IMPROVEMENT PROGRAM TITLE 23 U.S.C., SECTIONS 105 & 135

	STIP #	1430011	TDOT PIN	100230.00	LENGTH IN MILES	3.7	LEAD AGENCY	TDOT		
	COUNTY:	GREENE			TOTAL PROJECT COS	Т	\$43	,900,000		
	ROUTE:	SR-35			]					
	TERMINI :	FROM SOL	JTH OF SR-349 T	O SR-34 (US-11E)						
PROJECT D	ESCRIPTION:	CONSTRU	CT NEW 4-LANE							
	REMARKS									
	_									
	FISCAL YEA	<u>AR TYP</u>	<u>E OF WORK</u>	FUNDING TYPE	TOTAL FUNDS	<u>FE</u>	D FUNDS	STATE FUNDS	LOCAL FUNDS	
	2015		ROW	STP	3,000,000		2,400,000	600,000		
	STIP #	<mark>1430030</mark>	TDOT PIN	115881.00	LENGTH IN MILES	0.67	LEAD AGENCY	GREENEVILLE		
COUNTY: GREENE			TOTAL PROJECT COS	Т	\$2	, <mark>676,000</mark>				
	ROUTE:									
	TERMINI :	FROM FAIL	RGROUNDS CIR	CLE TO RUFE TAYLOR	R ROAD IN GREENEVILLI	<b>=</b> )				
PROJECT D	ESCRIPTION:	CONSTRU	CT PHASE 3 OF	FAIRGROUNDS CONN	IECTOR ROAD.					
	REMARKS									
	FISCAL YEA	AR <u>Typ</u>	E OF WORK	FUNDING TYPE	TOTAL FUNDS	FEC	D FUNDS	STATE FUNDS	LOCAL FUNDS	
	<mark>2014</mark>		PE-D	STP	48,000		<mark>38,400</mark>	9,600		
	2014		ROW	STP	<mark>48,000</mark>		<mark>38,400</mark>	<mark>9,600</mark>		
	2014				2,420,000		1,936,000	484,000		

#### **Agreement Number: 110147 Project Identification Number:** 115881.00

Federal Project Number: STP-M-9104 (15)

#### State Project Number: 30LPLM-F3-011

#### **State of Tennessee Department of Transportation**

#### LOCAL AGENCY PROJECT AGREEMENT

THIS AGREEMENT, made and entered into this day of 20 by and between the **STATE OF TENNESSEE DEPARTMENT OF TRANSPORTATION**, an agency of the State of Tennessee (hereinafter called the "Department") and the CITY OF GREENEVILLE (hereinafter called the "Agency") for the purpose of providing an understanding between the parties of their respective obligations related to the management of the project described as:

Construction of Phase III of the Fairgrounds Connector Road from the end of Phase I on Fairgrounds Circle to Rufe Taylor Road

#### A. PURPOSE OF AGREEMENT

#### A.1 Purpose:

The purpose of this Agreement is to provide for the Department's participation in the a) project as further described in Exhibit A attached hereto and by this reference made a part hereof (hereinafter called the "Project") and state the terms and conditions as to the manner in which the Project will be undertaken and completed.

#### **A.2 Modifications and Additions:**

a) Exhibit(s) are attached hereto and by this reference made a part hereof.

#### **B. ACCOMPLISHMENT OF PROJEC**

#### **B.1 General Requirements:**

a)

Environmental Clearance by:

Agency

**Responsible Party** 

Preliminary Engineering by:

Agency

.... **Funding Provided by** Agency or Project.

**Project** 

**Project** 

Right-of-Way by:	Agency	<b>Project</b>
Utility Coordination by:	Agency	<b>Project</b>
Construction by:	Agency	<b>Project</b>

- b) After receiving authorization for a phase, the Agency shall commence and complete the phases as assigned above of the Project as described in Exhibit A with all practical dispatch, in a sound, economical, and efficient manner, and in accordance with the provisions herein, and all applicable laws. The Project will be performed in accordance with all latest applicable Department procedures, guidelines, manuals, standards, and directives as described in the Department's Local Government Guidelines, available in electronic format, which by this reference is made a part hereof as if fully set forth herein.
- c) A full time employee of the Agency shall supervise the herein described phases of the Project. Said full time employee of the Agency shall be qualified to and shall ensure that the Project will be performed in accordance with the terms of this Agreement and all latest applicable Department procedures, guidelines, manuals, standards, and directives as described in the Department's Local Government Guidelines and this Agreement.

#### **B.2 Completion Date:**

a)

This Agreement shall be effective from the period beginning on the fully executed date. and ending five (5) years from the fully executed date. The Agency shall provide the Department with the documents, certifications and clearances necessary to obtain the Department's Notice to Proceed to the Construction Phase by three (3) years from the fully executed date. If the Agency does not provide the Department with the documents, certifications and clearances necessary to obtain the Department's Notice to Proceed to the Construction Phase by the aforesaid date, then the Department may terminate this Agreement. If the Agency does not complete the herein described phases of the Project within the time period, this Agreement will expire on the last day of scheduled completion as provided in this paragraph unless an extension of the time period is requested by the Agency and granted in writing by the Department prior to the expiration of the Agreement. An extension of the term of this Agreement will be effected through an amendment to the Agreement. The Agency hereby acknowledges and affirms that the Department shall have no obligation for Agency services or expenditures that were not completed within this specified contract period.

#### **B.3 Environmental Regulations:**

- b) For any amounts determined to be ineligible for federal and/or state reimbursement for which the Department has made payment, the Agency shall promptly reimburse the Department for all such amounts within ninety (90) days of written notice.
- c) The Agency agrees to pay all costs of any part of this project which are not eligible for federal and/or state funding. These funds shall be provided upon written request therefore by either (a) check, or (b) deposit to the Local Government Investment Pool, whenever requested.

#### **C.4 Payment Methodology:**

# In the event that the Agency shall receive federal and/or state funds for any portion of the herein described Project, this provision shall apply.

- a) The Agency shall submit invoices, in a form outlined in the Local Government Guidelines with all necessary supporting documentation, prior to any reimbursement of allowable costs. Such invoices shall be submitted no more often than monthly but at least quarterly and indicate, at a minimum, the amount charged by allowable cost line-item for the period invoiced, the amount charged by line-item to date, the total amounts charged for the period invoiced, and the total amount charged under this agreement to date. Each invoice shall be accompanied by proof of payment in the form of a canceled check or other means acceptable to the Department.
- b) The payment of an invoice by the Department shall not prejudice the Department's right to object to or question any invoice or matter in relation thereto. Such payment by the Department shall neither be construed as acceptance of any part of the work or service provided nor as final approval of any of the costs invoiced therein. The Agency's invoice shall be subject to reduction for amounts included in any invoice or payment theretofore made which are determined by the Department not to constitute allowable costs. Any payment may be reduced for overpayments or increased for under-payments on subsequent invoices.
- c) Should a dispute arise concerning payments due and owing to the Agency under this Agreement, the Department reserves the right to withhold said disputed amounts pending final resolution of the dispute.

#### C.5 The Department's Obligations:

# In the event that the Department is managing all phases of the Project herein described, this provision C.5 does not apply.

a) Subject to other provisions hereof, the Department will honor requests for reimbursement to the Agency in amounts and at times deemed by the Department to be proper to ensure the carrying out of the Project and payment of the eligible costs. However, notwithstanding any other provision of this Agreement, the Department may elect not to make a payment if:

#### 1) Misrepresentation:

The Agency shall have made misrepresentation of a material nature in its application, or any supplement thereto or amendment thereof, or in or with respect to any document or data furnished therewith or pursuant hereto;

#### 2) Litigation:

There is then pending litigation with respect to the performance by the Agency of any of its duties or obligations which may jeopardize or adversely affect the Project, this Agreement or payments to the Project;

#### 3) Approval by Department:

The Agency shall have taken any action pertaining to the Project, which under this Agreement requires the approval of the Department or has made related expenditure or incurred related obligations without having been advised by the Department that same are approved;

#### 4) Conflict of Interests:

There has been any violation of the conflict of interest provisions contained herein in D.16; or

#### 5) **Default:**

The Agency has been determined by the Department to be in default under any of the provisions of the Agreement.

#### C.6 Final Invoices:

In the event that the Agency shall receive federal and/or state funds for any portion of the herein described Project, this provision shall apply.

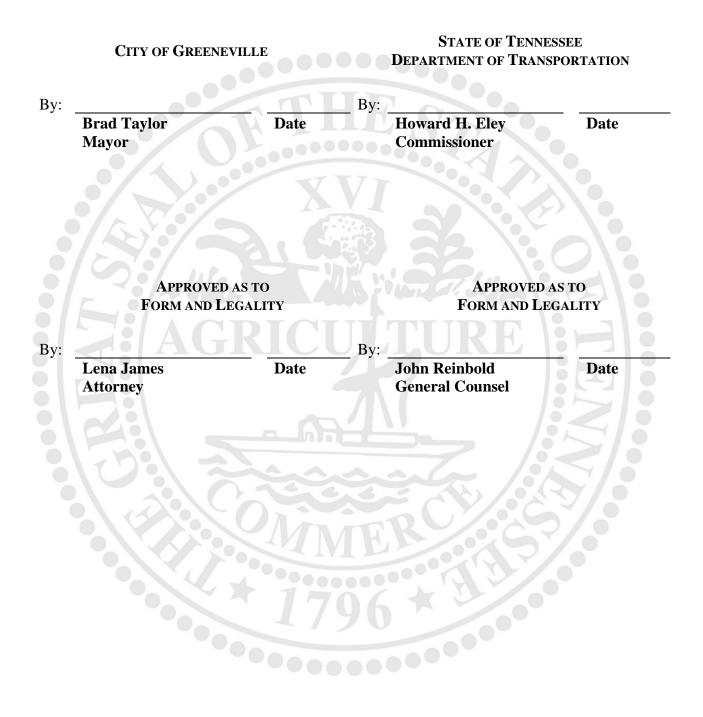
a) The Agency must submit the final invoice on the Project to the Department within one hundred twenty (120) days after the completion of the Project. Invoices submitted after the one hundred twenty (120) day time period may not be paid.

#### C.7 Offset:

# In the event that the Agency shall receive federal and/or state funds for any portion of the herein described Project, this provision shall apply.

a) If, after Project completion, any claim is made by the Department resulting from an audit or for work or services performed pursuant to this Agreement, the Department may offset such amount from payments due for work or services done under any agreement which it has with the Agency owing such amount if, upon demand, payment of the amount is not made within sixty (60) days to the Department.

**IN WITNESS WHEREOF**, the parties have caused this instrument to be executed by their respective authorized officials on the date first above written.



### EXHIBIT "A"

#### **AGREEMENT #: 110147**

**PROJECT IDENTIFICATION #: 115881.00** 

FEDERAL PROJECT #: STP-M-9104(15)

STATE PROJECT #: 30LPLM-F3-011

**PROJECT DESCRIPTION:** Construction of Phase III of the Fairgrounds Connector Road from the end of Phase I on Fairgrounds Circle to Rufe Taylor Road

**CHANGE IN COST:** Cost hereunder is controlled by the Surface Transportation Program funding available to or allocable to the Agency.

TYPE OF WORK: Construction-New

PE-NEPA	L-STBG	80	0	20	\$160,000.00
				20	ψ100,000.00
PE-DESIGN	L-STBG	80	0	20	\$40,000.00
RIGHT-OF-WAY	L-STBG	80	0	20	\$40,000.00
	L-STBG	80	0	20	\$2,200,000.00
CONSTRUCTION-CEI	L-STBG	80	0	20	\$250,000.00
TDOT ES	L-STBG	80	0	20	\$50,000.00

**INELIGIBLE COST:** One hundred percent (100%) of the actual cost will be paid from Agency funds if the use of said state or federal funds is ruled ineligible at any time by the Federal Highway Administration.

**TDOT ENGINEERING SERVICES (TDOT ES):** In order to comply with all federal and state laws, rules, and regulations, the TDOT Engineering Services line item in Exhibit A is placed there to ensure that TDOT's expenses associated with the project during construction are covered. The anticipated TDOT expenses include but are not necessarily limited to Construction Inspection and Material and Testing Expenses (Quality Assurance Testing).

**LEGISLATIVE AUTHORITY: STP: 23 U.S.C.A, Section 133**, Surface Transportation Program funds allocated or subject to allocation to the Agency.

For federal funds included in this contract, the CFDA Number is 20.205, Highway Planning and Construction funding provided through an allocation from the US Department of Transportation.

# NOTICE TO PROCEED WITH THE FUNDED PRELIMINARY ENGINEERING PHASE

(ENVIRONMENTAL ONLY) OF PROJECT DEVELOPMENT

PIN: 115881.00 FEDERAL PROJECT NUMBER: STP-M-9104(15) STATE PROJECT NUMBER: 30LPLM-F0-008 TERMINI / PROJECT NAME: Fairgrounds

Connector Road, from Fairgrounds Circle to North Rufe Taylor Road CONTRACTEE: Greeneville

REGION: 1

Effective Date: December 4, 2023 Date of Transmittal: December 5, 2023

This letter serves as your official Notice to Proceed with the above referenced phase of work for the subject project. The Local Government shall perform this phase of project development in accordance with the Local Government Guidelines provided on the Local Program Development Office website at: https://www.tn.gov/content/dam/tn/tdot/programdevelopment/localprograms/documentsand-forms/LGG Manual.pdf. Work may not be performed for any later phase of project development until an additional Notice to Proceed is issued. Any work performed ahead of a Notice to Proceed's Effective Date will not be reimbursed.

You may procure, in accordance with law, a consulting engineering firm to do all phases of preliminary engineering at this time. Please refer to Section 1.6 of the Local Government Guidelines for guidance on consultant selection, if needed, All consultant solicitation advertisements shall be reviewed and approved by the Local Programs Development Office before publishing. Please provide a copy of the executed contract with the consultant and a copy of the notice sent to the consultant indicating the date work was authorized on the phase of the project mentioned above. These documents should be emailed to Local.Programs@tn.gov. Note: If the person in responsible charge for this phase of the project has changed since the project was initiated through TDOT eGrants, the Local Government shall resubmit Form 1-1 (Responsible Charge Form) at this time to the Local Programs Development Office at the email below.

If you have questions or concerns regarding this matter please direct them to Chasity Bell at 615.741.5314 in the Local Programs Development Office. You may contact us by email at: Local.Programs@tn.gov.

Will Reid CC: John Kahle **Kimery Grant** Matt Burcham Simchah Edwards Katie Brown TDOT.Env.LocalPrograms@tn.gov Regional Assistant Chief of Engineering Regional Director of Project Development **Regional Director of Operations** MPO Coordinator **Responsible Charge** File

# Example of Evaluation Scorecard

		1 lowest to	highest 4	
Evaluation Criteria	Geller & Assoc.	Brock Engineering	DAC & Assoc.	Swafford Engineering
A. Ability and relevant expertise of the firm's personnel to be used on the project	4	4	4	4
B. Past experience in the discipline, and in projects similar to the types of locally- managed projects listed in the RFQ	3	4	4	4
C. Documented success of previous programs/projects similar in nature	4	4	4	4
D. Education, experience, and availability of staff and subcontractors expected to be utilized for this contract	3	4	4	4
E. Firm's awareness of project's issues, opportunities, and costraints	3	3	3	3
F. Demonstrated ability to meet schedules without compromising sound engineering practice	3	3	3	3
G. Amount of work presently under contract with TDOT and other clients	3	3	3	3
H. Evaluations on prior projects with the City *if applicable*	3	4	3	3
TOTAL SCORE	26	29	28	28



#### STATE OF TENNESSEE DEPARTMENT OF TRANSPORTATION

**PROGRAM DEVELOPMENT & ADMINISTRATION DIVISION** SUITE 600, JAMES K. POLK BUILDING 505 DEADERICK STREET NASHVILLE, TENNESSEE 37243-1402 (615) 741-3301

JOHN C. SCHROER COMMISSIONER

**BILL HASLAM** GOVERNOR

TO: Will Reid, Assistant Chief Engineer of Operations

FROM: Ronnie Porter, Director, Program Development and Administration Division

#### SUBJECT: Proprietary Item Request and Justification for Town of Greeneville for Audible Pedestrian Signals

I, Ronnie Porter, Director of the Program Development and Administration Division, request approval for the Town of Greeneville to be certified to utilize the following proprietary item(s) over the next three years, where Federal funding is used:

- Polara Engineering, Inc. EN2 - EZ Communicator Navigator, 2-Wire Push Button

#### **Justification**

This proprietary item is essential for the synchronization of new and future projects with existing facilities. The Town has previously installed 12 of these signals and approval will ensure that new facilities will be compatible with existing facilities. These signals will be an important component of all projects requiring ADA compliant signalization. They will allow pedestrians, regardless of ability, to safely travel through a signalized intersection. The Town's signal maintenance staff have been fully trained in the installation and maintenance of the requested product.

If you have any questions or comments, please contact Stanley Burnette at (615)741-0805 with the Local Programs Development Office or at Stanley.X.Burnette@tn.gov.

I, Ronnie Porter, Program Development and Administration Division Director, of the Tennessee Department of Transportation, do hereby certify that in accordance with the requirements of 23 CFR 635.411(a) (2) that the patented or proprietary item(s) as listed above is essential for the synchronization with existing facilities or no equally suitable alternative exists for this patented or proprietary item as listed above.

Sill Smith, Director: Inoffic Operations Recommendation for Approval

Reid's Signature

Assistant Chief Engineer of Operations



#### **Tennessee Department of Transportation Civil Rights Division**

#### TIPS ON DBE GOAL SETTING FOR LOCAL AID CONSTRUCTION CONTRACTS

When setting a DBE goal on construction projects, the following steps can be utilized:

- 1. Utilize staff with construction background to set DBE goals.
- 2. Review projects based on the following criteria:
  - Federal funding allocation (approximately \$500,000 and above)
  - Work Items (quantities & estimated costs per unit)
  - Availability of DBEs to perform work
- 3. Create a DBE goal-setting worksheet that includes all work items that a DBE could perform (see attached example).
- 4. Determine each work item for the project at hand and review the list of DBEs who have performed similar work in the project's geographical area (using historical data). It may be helpful to write the names of these DBEs on goal-setting worksheet.
- 5. Fill in the individual work items that have the potential of being subcontracted to DBEs. Insert the cost for each item in the **COST** column of the worksheet. The **% OF TOTAL** can then be completed by dividing the cost of the work item by the overall project cost.
- 6. Adjust the **% of Total** amounts (if necessary) to find a figure that would be more realistically attained through subcontracting. This would be the Estimated Percentage and can be added to the worksheet in the **EST %** field.
- 7. Total all individual work item percentages (**EST** % column) which may be used for goal work (this figure will go in the **TOTAL** field at bottom of form). Review the total percentage to determine if further adjustments may be necessary. The adjusted figure is your **GOAL**.



Please contact David Neese with any further questions at (615) 741-3681 or toll free (888) 370-3647 or email <u>David.Neese@tn.gov</u>.



#### DBE GOALS WORKSHEET

Local Agency \_\_\_\_\_

PIN \_\_\_\_\_

Termini \_\_\_\_\_

ITEM NO.	WORK DESCRIPTION	COST	% OF TOTAL DBE could perform	EST. %
	Construction Stakes, Lines, etc.			
	Clearing & Grubbing			
	Road & Drainage Excavation (Haul)			
	Erosion Control			
	Haul (Stone & Asphalt)			
	Scoring Pavement			
	Pipe Culvert			
	Concrete Catchbasins, Endwalls, etc.			
	Concrete Flatwork			
	Guardrail			
	Rip-Rap			
	Concrete Median Barrier			
	Traffic Control			
	Pavement Markings			
	Signalization Work			
	Seed, Sod, Landscaping, etc.			
	BRIDGE	ITEMS		
	Reinforcing Steel			
	Reinforcing Steel (Bridge Deck)			
	Texture Coating			
	Reinforced Concrete Median/Parapet			
			TOTAL	
			GOAL	

Concurred by:

Date:

\_\_\_\_



#### ENVIRONMENTAL PERMITTING CERTIFICATION FORM FOR LOCAL GOVERNMENT PROJECTS

**Instructions:** A completed copy of this form will be used as the coversheet for the permit certification submittal package. Complete each section below with the project specific information and include as the first page in the PDF. Please send this form, the ecology concurrence, and all environmental permits to TDOT.ENV.PermitsLG@tn.gov.

#### **PROJECT INFORMATION**

PIN

TERMINI

COUNTY

SCOPE OF WORK

#### STORMWATER PERMITTING

 $\hfill\square$  Disturbed acreage is less than one acre. No SWPPP needed.

Disturbed acreage is greater than one acre. SWPPP is needed. NOC from TDEC has been attached.

#### WATER QUALITY PERMITTING

- □ No water quality features (streams, wetlands, sinkholes, etc) are impacted by project. No water quality permits are required.
- □ Water quality features (streams, wetlands, sinkholes, etc) are impacted by project. Water quality permits are required and attached. The below table has been filled out.

PERMIT REQUI	REMENTS		
Permit Type	Required	Obtained	Not Required
TDEC ARAP / 401 Water Quality Certification			
TDEC Class V Injection Well (Sinkhole) Permit			
USACE Section 404 and/or Section 10			
TVA Section 26a			

#### ECOLOGY

Identification of water resources that may be affected by the project was completed by a Qualified Hydrologic Professional (QHP) and the final ecological concurrence correspondence from the TDOT Ecology Section is attached.

# **Construction Notice to Proceed Email Language**

#### Nathaniel Brugler

From:	Nathaniel Brugler
Sent:	Monday, April 09, 2018 10:45 AM
То:	Nathaniel Brugler
Subject:	PIN 115881.00, Notice to Proceed with Construction, Greeneville, Greene (LPA)

Good Afternoon Mayor Smith:

The attached Notice to Proceed is for <u>Construction</u> for PIN: 115881.00. You may now advertise the project for bids to be received.

- The advertisement must be submitted to the Local Programs Development Office at https://www.tn.gov/tdot/program-development-and-administration-home/localprograms/current-projects.html to be placed on TDOT's website for publication. The ad must be submitted to Local.Programs@tn.gov at a minimum of 24 days prior to the bid opening date. If any changes to the advertisement arise during the advertisement period, LPDO must be alerted immediately in order to make necessary changes. Local governments no longer have to advertise in newspapers, unless required by local procurement rules. Please notify me of your ad's posting date.
- 2. Per federal law, you **cannot** require a license of your bidders if there are federal funds on any phase of the project.
- 3. Only TDOT pre-qualified bids are to be opened publicly and read aloud. If a bid is not read, the bidder is to be identified and the reason for not reading the bid announced.
- 4. In order to obtain TDOT's concurrence in award, the following documents must be submitted electronically in accordance with Section 8.2.6 of the Local Government Guidelines:
  - a. A completed Form 8-4
  - b. An electronic copy of the bid tabulations (Excel spreadsheet comparing bids received)
  - c. Documentation certifying that the bids have been reviewed and found responsive
  - d. A letter requesting concurrence in the decision to award signed by the Local Government Official or to reject the bids including the necessary explanations for the request made (this may include the letter from the CEI)
  - e. A PDF of the proposal contract for the apparent low bidder
  - f. DBE Award Information, if applicable (Form 8-5)
- 5. You **must** email me a copy of the fully executed CEI contract for the referenced project before the pre-construction meeting.

Also note, \$2,522,165.00 total has been obligated for this phase (\$2,017,732.00 federal/ \$504,433.00 local match).

If you have any questions please feel free to contact me.



Nate Brugler | Transportation Program Supervisor – Regions 2 & 4 Local Programs Development Office James K. Polk Building, 6<sup>th</sup> Floor 505 Deaderick Street, Nashville, TN 37243 p. 615-532-4415 f. 615-741-9673



#### PRELIMINARY ENGINEERING INVOICE SUMMARY This is required with every invoice submittal.

Invoice # (Numbered Chronologically)	Billing Amou	nt	Amount Reques for Reimbursm	
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Total:	\$	-	\$	-

Additional Notes:



#### LOCAL GOVERNMENT PRELIMINARY ENGINEERING NEPA COSTS INVOICE

INV	DICE DATE	FINAL INVO	ICE FOR THIS PHASE?	YES NO
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INVOICE #	LUCA	L GOVERNMENT AGENC REMIT TO ADDRES		
STATE PROJECT #				
FED PROJECT #				
CONTRACT # PROJECT DESCRIPTION		COUNT	Y:	
Type project description here.				<u>.</u>
	CURRENT COSTS	COST SHOWN ON PRIOR INVOICES	-	
PRELIMINARY ENGINEERING COSTS		+	= \$0.00	
SUBTOTAL			\$0.00	
LESS: LOCAL GOVERNMENT SHARE	0.0%		\$0.00	
BALANCE			\$0.00	
LESS: AMOUNTS PREVIOUSLY INVOICED			\$0.00	
AMOUNT DUE THIS INVOICE			\$0.00	
SIGNIFICANT PENALTIES FOR SUBMITTING FALSE VIOLATIONS. I FURTHER ACKNOWLEDGE THAT FA LOSS OF FEDERAL FUNDING.	,			
(PROJECT SUPERVISOR)		(LOC	AL GOVERNMENT OFFIC	CIAL)
	FOR TDOT US	E ONLY		
DIVISION ID # 4036330040 INVOICE RECEIVED				
I HEREBY ACKNOWLEDGE RECEIPT OF THE APPROPRIATI	E DOCUMENTATION FOR PAYME	NT OF THIS ESTIMATE/INVOICE	WHICH INCLUDES CERTIFIC	ATION SIGNED BY THE
LOCAL GOVERNMENT ENTITY. BASED ON THE ATTACHED PAYMENT.	DOCUMENTATION AND IN ACCO	RDANCE WITH THE LOCAL PRO	OGRAM GUIDELINES THIS INV	OICE IS SUBMITTED FOR
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PURCHASE ORDER ID		#		<u>5</u> <u>6</u>



September 20, 2013

Mr. Brad Peters, PE Town of Greeneville Engineer 200 North College Street Greeneville, TN 37745

Re: Invoice for Professional Services Fairgrounds Connector Phase 3 - Roadway Improvements

Dear Mr. Peters:

Attached is CDM Smith invoice 7 in the amount of \$10,970.00. This invoice covers our services on the subject project through the end of August, 2013. The work performed includes the following tasks:

- Worked with TDOT to submit agency coordination letters for environmental screening. (TDEC, ACOE, USFWS, and TWRA).
- Received response letter and approval from SHPO for historic report.
- Completed Preliminary Roadway Plans.
- · Began work on Right of Way Plans.

We appreciate the opportunity to be of service. Please advise if you have questions or need additional information.

Sincerely, CDM Smith

Jeff Mize, P.E. Senior Project Manager



TOWN OF GREENEVILLE, TN MR. BRAD PETERS TOWN ENGINEER 200 NORTH COLLEGE STREET GREENEVILLE, TN 37745 Please Remit To:

CDM SMITH 15050 COLLECTIONS CENTER DRIVE CHICAGO, IL 60693

SEPTEMBER 20, 2013

INVOICE NUMBER: 80469908/7 PROJECT NUMBER: 96820

Amount Due This Invoice: \$10,970.00

#### PLEASE INCLUDE INVOICE NUMBER ON ALL CORRESPONDENCE

For Professional Services Related To: Fairgrounds Connector Phase 3

Period: 07/28/2013 - 08/31/2013

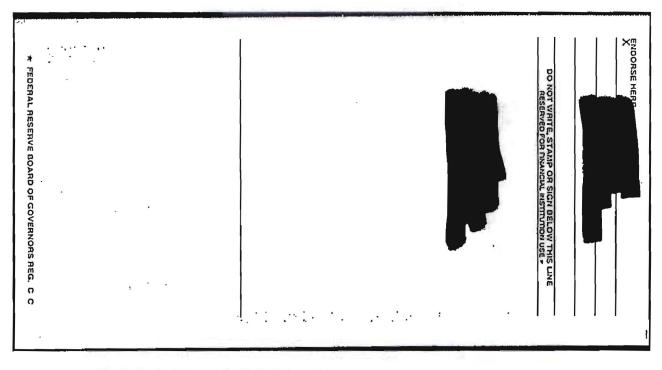
283,500.00	Lump Sum Amount: \$
56.59%	Percent Complete:
160,445.00	Billed ITD: \$
149,475.00	Less Previously Invoiced: \$
10,970.00	Amount Due: \$

Total: <u>\$ 10,970.00</u>

1301 Gervais Street, Suite 1500, Columbia, SC 29201, Phone Number 803-758-450

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Π	THIS DOCUMENT HAS A COLORED BACKGROUND. HAS AN ULTRAVIOL	ET INK FEATURE AND A SIMULATED WATERMARK ON BACK.
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Account	Date	Check/Ref #	Amount
	09/27/2013	29622	10,970.00



1100 Marion Street, Suite 200 Knoxville, TN 37921 tel: 865 963-4300 fax: 865 963-4301

October 24, 2013

Mr. Brad Peters, PE Town of Greeneville Engineer 200 North College Street Greeneville, TN 37745

Re: Invoice for Professional Services Fairgrounds Connector Phase 3 - Roadway Improvements

Dear Mr. Peters:

Attached is CDM Smith invoice 8 in the amount of \$31,220. This invoice covers our services on the subject project through the end of September, 2013. The work performed includes the following tasks:

- Received response letter and approval from TWRA.
- · Received response letter and concurrence from SHPO for archeology.
- Provided updated construction estimate to TDOT.
- Continued work on Right of Way Plans.
- · Added two small retaining walls to design plans as approved by town.

We appreciate the opportunity to be of service. Please advise if you have questions or need additional information.

Sincerely, CDM Smith

Jeff Mize, P.E. Senior Project Manager



TOWN OF GREENEVILLE, TN MR. BRAD PETERS TOWN ENGINEER 200 NORTH COLLEGE STREET GREENEVILLE, TN 37745

,

Please Remit To:

CDM SMITH 15050 COLLECTIONS CENTER DRIVE CHICAGO, IL 60693

OCTOBER 24, 2013

INVOICE NUMBER: 80472904/8 PROJECT NUMBER: 96820

Amount Due This Involce: \$31,220.00

#### PLEASE INCLUDE INVOICE NUMBER ON ALL CORRESPONDENCE

For Professional Services Related To: Fairgrounds Connector Phase 3

Period: 09/01/2013 - 09/28/2013

283,500.00	Lump Sum Amount: \$
67.61%	Percent Complete:
191,665.00	Billed ITD: \$
160,445.00	Less Previously Invoiced: \$
31,220.00	Amount Duc: \$

Total: <u>\$ 31,220.00</u>

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1100 Marion Street, Suite 200 Knoxville, TN 37921 tel: 865 963-4300 fax: 865 963-4301

December 10, 2013

Mr. Brad Peters, PE Town of Greeneville Engineer 200 North College Street Greeneville, TN 37745

Re: Invoice for Professional Services Fairgrounds Connector Phase 3 - Roadway Improvements

Dear Mr. Peters:

Attached is CDM Smith invoice 9 in the amount of \$43,640. This invoice covers our services on the subject project through the end of November, 2013. The work performed includes the following tasks:

- Completed Indiana Bat habitat survey and submitted report with recommendations to USFWS.
- Received response letter and concurrence from USFWS for Indiana bat habitat survey.
- · Completed draft CE document with appendices and submitted to TDOT for initial review.
- Completed legal descriptions.
- · Continued work on Right of Way Plans.

We appreciate the opportunity to be of service. Please advise if you have questions or need additional information.

Sincerely, CDM Smith

Jeff Mize, P.E. Senior Project Manager

12/10/13 12/10/13 121-44.400-003

O



1301 Gervais Street, Suite 1600 Columbia, SC 29201-3356 tel: +1 803 758-4570 Please Remit To: CDM Smith Inc. 15050 Collections Center Drive Chicago, IL 60693

INVOICE

TOWN OF GREENEVILLE, TN MR. BRAD PETERS TOWN ENGINEER 200 NORTH COLLEGE STREET GREENEVILLE, TN 37745

> DECEMBER 10, 2013 INVOICE NUMBER: 80476917/9 PROJECT NUMBER: 96820

Amount Due This Invoice:

\$43,640.00

PLEASE INCLUDE INVOICE NUMBER ON ALL CORRESPONDENCE

For Professional Services Related To: Fairgrounds Connector Phase 3

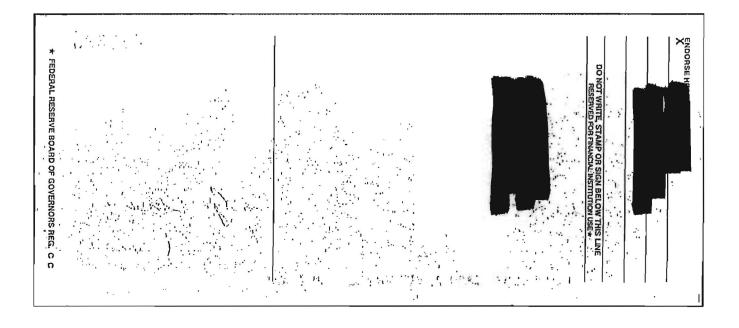
Period: 9/29/2013 - 11/30/2013

Lump Sum Amount: S	283,500.00
Percent Complete:	83.00%
Billed ITD: S	235,305.00
Less Previously Invoiced: §	191,665.00
Amount Due: S	43,640.00

Total: S

43,640.00 =

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Page 2 of 2

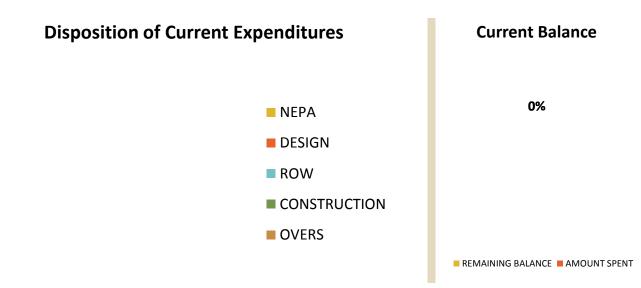
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Enter Starting Balances Above.

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NEPA	DESIGN	ROW	CONSTRUCTION	OVERS	TOTAL
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