



Project CSJ: \_\_\_\_\_  
LG Name: \_\_\_\_\_  
LG Texas ID No. (TIN): \_\_\_\_\_  
District or Division: \_\_\_\_\_  
Project Name: \_\_\_\_\_

**Oversight Level Special Approval**  
**Part A - LG Qualifications Statement**  
*(Local Government Agency management  
of project development process elements)*

Local government (LG) agencies may manage elements of the project development process (environmental, right-of-way acquisition, utility relocation, non-construction, design/bid document preparation, letting and award, and construction/project close-out) with written TxDOT approval. This approval is typically provided by language in the Advance Funding Agreement executed by TxDOT and the LG agency. Part A (pages 1-4) of this form is required to be completed by LG personnel. Upon receipt of completed Part A, the TxDOT district or division will evaluate the LG's capabilities to manage one or more elements of a project using Part B (pages 5-8) for recommendation to the TxDOT's Deputy Executive Director.

| Describe the following items for the proposed project or program   |  |
|--|--|
| Scope of work, project limits and any significant project elements |  |

| LG proposes to manage the following activities for this project:        | To be performed by LG with its own staff? | To be performed by consultant under contract with LG? |
|---|---|---|
| Environmental   |   |   |
| Right-of-way acquisition  |   |   |
| Utility relocation  |   |   |
| Design and bid document preparation                                     |   |   |
| Letting and award   |   |   |
| Construction oversight, inspection, documentation and project close-out |   |   |
| Non-construction  |   |   |
| Other _____   |   |   |

*If an activity is not a part of the project, select N/A.*

| Describe LG's approach to performing the proposed management services for this project. |
|---|
|   |

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In evaluating a LG request to manage elements of the project development process for projects on the State Highway System or which include TxDOT and/or FHWA funding, 43 TAC §15.52 requires TxDOT to consider specific criteria. The LG is to provide information requested in Items 1 and 2 below. TxDOT district personnel will complete information on the remainder of the evaluation criteria in Part B (pages 5-8).

## 1. Previous experience of the LG in performing the type of work proposed

|   |  |
|---|--|
| <p><b>Attach an audited financial statement of Local Government Agency for most recent fiscal year.</b></p> <p><b>If TxDOT already has a copy of a Single Audit report or other audited financial statement for a recent year, insert the fiscal year in the box to the right (submittal of an additional audit is not required).</b></p> |  |
|---|--|

Please provide information on up to two similar, completed projects managed or performed by the LG in the past 5 years.

### PROJECT A

|  |            |         |         |  |
|--|------------|---------|---------|--|
| <b>Name of previously completed project</b>                      |            |         |         |  |
| <b>Describe type of work</b>                                     |            |         |         |  |
| <b>Describe any complex items of work</b>                        |            |         |         |  |
| <b>Construction cost</b>   | Estimated: |         | Actual: |  |
| <b>Letting date</b>  | Scheduled: |         | Actual: |  |
| <b>Contract time</b>   | Scheduled: |         | Actual: |  |
| <b>LG management activities performed by LG personnel</b>        |            |         |         |  |
| <b>LG management activities performed by consultants</b>         |            |         |         |  |
| <b>Name of current LG employee contact who worked on project</b> |            | Phone # |         |  |
|  |            | Email   |         |  |

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**PROJECT B**

|  |            |         |         |  |
|--|------------|---------|---------|--|
| <b>Name of previously completed project</b>                      |            |         |         |  |
| <b>Describe type of work</b>                                     |            |         |         |  |
| <b>Describe any complex items of work</b>                        |            |         |         |  |
| <b>Construction cost</b>   | Estimated: |         | Actual: |  |
| <b>Letting date</b>  | Scheduled: |         | Actual: |  |
| <b>Contract time</b>   | Scheduled: |         | Actual: |  |
| <b>LG management activities performed by LG personnel</b>        |            |         |         |  |
| <b>LG management activities performed by consultants</b>         |            |         |         |  |
| <b>Name of current LG employee contact who worked on project</b> |            | Phone # |         |  |
|  |            | Email   |         |  |

**2. The capability of the LG to perform the type of work proposed or to award and manage a contract for that work in a timely manner, consistent with federal, state, and Department regulations, standards, and specifications**

Please describe the LG's proposed personnel.

|  |  |                        |  |
|--|--|------------------------|--|
| <b>Name of person to serve in the position of Responsible Person in Charge</b> |  | <b>Position/ Title</b> |  |
|--|--|------------------------|--|

- a. Must be full-time employee of LG;
- b. Must be able to administer project activities (cost, time, scope, adherence to contract requirements, construction quality, etc.);
- c. Must maintain familiarity with day-to-day project operations (including project safety);
- d. Must make or participate in decisions about change orders or supplemental agreements;
- e. Must visit and review the project regularly;
- f. Must review financial processes, transactions and documentation; and
- g. Must direct his/her project staff (agency or consultant) at all stages of the project.

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|   |  |                       |  |
|---|--|-----------------------|--|
| <b>Name of person to serve as Project Manager</b> |  | <b>Position/Title</b> |  |
|---|--|-----------------------|--|

- a. Responsible for daily oversight of the project;*  
*b. Primary point of communication with TxDOT for day-to-day matters;*  
*c. May be same person as Responsible Person in Charge; and*  
*d. May be local government employee or consultant.*

|   |  |
|---|--|
| <b>Project Manager's previous experience on projects of similar type, complexity and cost</b> |  |
| <b>Project Manager's previous experience on TxDOT and/or FHWA-funded projects</b>             |  |

|  |  |                       |  |
|--|--|-----------------------|--|
| <b>Name of person to serve in the position of Qualified Person</b> |  | <b>Position/Title</b> |  |
|--|--|-----------------------|--|

- a. Must have completed TxDOT-required LGPP training prior to obligation of federal funds as outlined in the AFA;*  
*b. May be same person as Responsible Person in Charge or Project Manager; and*  
*c. May be LG employee or consultant.*

|  |  |
|--|--|
| <b>Qualified Person's previous experience on projects of similar type, complexity and cost</b> |  |
| <b>Qualified Person's previous experience on TxDOT and/or FHWA-funded projects</b>             |  |

Information submitted by:

\_\_\_\_\_  
 LG representative signature

\_\_\_\_\_  
 Date

\_\_\_\_\_  
 LG representative printed name

\_\_\_\_\_  
 LG representative title

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**Oversight Level Special Approval**  
**Part B - TxDOT Evaluation and Special Approval of LG Qualifications**  
*(Local Government Agency management  
 of project development process elements)*

Local government (LG) agencies may manage elements of the project development process (environmental, right-of-way acquisition, utility relocation, non-construction, design/bid document preparation, letting and award, and construction/project close-out) with written TxDOT approval. This approval is typically provided by language in the Advance Funding Agreement executed by TxDOT and the LG. Completion of Part A - LG Qualifications Statement and this Part B - TxDOT Evaluation and Special Approval of LG Qualifications are required for TxDOT to authorize the LG to manage one or more elements of a project.

In approving a LG request to perform construction on the State Highway System (regardless of funding type) or manage elements of the project development process and be reimbursed with TxDOT and/or FHWA funding, 43 TAC §15.52 requires TxDOT to consider specific criteria. TxDOT district or division personnel shall review Part A (pages 1-4), provide supplemental information by fully completing Part B (pages 5-8), and based upon a determination of the adequacy of the LG's project delivery systems and accounting controls, recommend an appropriate role for the LG in project delivery and set a minimum oversight level on page 7 of this form.

43 TAC §15.52 regulations require the approval of the Executive Director (or authorized designee) for the LG to manage projects in the following cases:

|   | Applies |
|---|---------|
| Any project on the State Highway System that improves freeway main lanes  |         |
| A roadway construction project that is to be on the State Highway System for which less than 50% of the funds come from sources other than federal or state highway funding |         |

**1. Department resources available to perform or manage the project in an efficient and timely manner**

|  |  |
|--|--|
| <p><b>Describe any Department resource constraints that suggest the LG management of project development activities is in the best interest of TxDOT and the LG.</b></p> |  |
|--|--|

**2A. LG's previous experience in performing the type of work proposed**

In Section 1 of Part A (beginning on page 2), the LG submitted information on up to two similar projects completed in the past 5 years managed or performed by the LG. Please designate if these previous projects are comparable or not to the proposed new project.

|                      | Yes/No |
|----------------------|--------|
| Project A Comparable |        |
| Project B Comparable |        |

TxDOT Risk Rating of LG Agency: \_\_\_\_\_  
*(For definition of Overall Risk Score ratings, see page 9)*

Date of Rating: \_\_\_\_\_

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**2B. District or Division evaluation of LG capability to perform type of work proposed based on past projects identified above and other previous projects with TxDOT and/or FHWA funding**

Please describe the LG's performance.

|  |  |
|--|--|
| a. Timeliness and quality in acquisition of right of way   |  |
| b. Timeliness and quality in relocation of utilities   |  |
| c. Timeliness and quality of preparing environmental documents and obtaining required permits and clearances |  |
| d. Timeliness and quality of project design and developing contract documents                                |  |
| e. Timeliness and quality of letting and awarding construction contract                                      |  |
| f. Quality of performance in managing construction contractor and contract change orders                     |  |
| g. Quality of performance in project inspection and documentation during construction                        |  |
| h. Timeliness and quality of reimbursement requests throughout project                                       |  |
| i. Timeliness and quality of project close-out after project acceptance                                      |  |
| j. Timeliness of submitting supplemental funding when required   |  |
| k. Timeliness and adequacy in responding to audits   |  |

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### 3. Percentage of total project costs provided by federal, state, and local government

|   | <i>Total</i>              | <i>Federal</i> | <i>State</i> | <i>Local</i> |
|---|---------------------------|----------------|--------------|--------------|
| <b>List the estimated distribution of project costs. Should align with the Budget in the AFA; *percentages may not match when comparing funding categories to overall totals.</b> | Environmental (\$)        | _____          | _____        | _____        |
|   | Right of Way (\$)         | _____          | _____        | _____        |
|   | Utilities (\$)            | _____          | _____        | _____        |
|   | Engineering (\$)          | _____          | _____        | _____        |
|   | Construction (\$)         | _____          | _____        | _____        |
|   | Non-Construction (\$)     | _____          | _____        | _____        |
|   | Direct State Costs (\$)   | _____          | _____        | _____        |
|   | Indirect State Costs (\$) | _____          | _____        | _____        |
|   | <b>Total (\$)</b>         | _____          | _____        | _____        |
|   | <b>Total (%)*</b>         | _____          | _____        | _____        |
| <b>If needed, provide additional notes for consideration regarding explanation of project costs. (Optional)</b>   |                           |                |              |              |

### 4. Cost effectiveness of local performance of the work as compared to the department's performance of the project

On federally funded projects, FHWA holds TxDOT entirely responsible for successful project delivery, including the proper acquisition of right of way, utility relocation, environmental, design, construction, and project close-out. LG management of the project requires the LG performance of activities plus TxDOT oversight to assure compliance with all federal and state requirements.

|  |  |
|--|--|
| <b>Explain why it is advantageous for successful delivery of this project for the LG to manage the proposed elements of project development.</b> |  |
|--|--|

### 5. Any other considerations relating to the benefit of the state, the traveling public, and the operations of the Department

|   |  |
|---|--|
| <b>Please list any additional items to be considered in TxDOT's evaluation that are of benefit to the state, the traveling public, and the operations of the Department to allow the LG to manage the proposed elements of the project development process.</b> |  |
|---|--|

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**Special approval for LG to manage the following items:**

|                 |                          |                    |                          |                  |                          |
|-----------------|--------------------------|--------------------|--------------------------|------------------|--------------------------|
| Environmental   | <input type="checkbox"/> | ROW acquisition    | <input type="checkbox"/> | Non-construction | <input type="checkbox"/> |
| Design/PS&E     | <input type="checkbox"/> | Utility relocation | <input type="checkbox"/> | _____            | <input type="checkbox"/> |
| Letting & award | <input type="checkbox"/> | Construction       | <input type="checkbox"/> | None             | <input type="checkbox"/> |

Based upon review of Part A and completion of Part B, the District or Division determines the LG has adequate project delivery systems and sufficient accounting controls. Therefore, I (District Engineer/Division Director) recommend the Deputy Executive Director provides special approval to the LG performing the above marked project delivery items. The District or Division commits to providing an appropriate level of oversight of the LG activities to maximize compliance with applicable federal and state laws and regulations.

The District or Division will provide oversight (as defined on page 9):

- ☐ Level 1
- ☐ Level 2
- ☐ Level 3

**Form Completed By:**

\_\_\_\_\_  
 TxDOT employee signature

\_\_\_\_\_  
 Date

**Recommendation for approval:**

\_\_\_\_\_  
 District Engineer or Division Director  
 signature

\_\_\_\_\_  
 Date

**Special approval:**

\_\_\_\_\_  
 Executive Director or delegated  
 authority signature

\_\_\_\_\_  
 Date



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## Local Government Projects – Risk Assessment

### LG Risk Rating Definitions

|                                     |   |
|-------------------------------------|---|
| Low level of risk to TxDOT          | A |
| Moderate level of risk to TxDOT     | B |
| High level of risk to TxDOT         | C |
| Unacceptable level of risk to TxDOT | D |

### Oversight Levels

Level 1 Oversight – Relatively Low Risk Non-construction Projects and Very Low Risk Construction Projects

Level 2 Oversight – Higher Risk Non-construction Projects and Low to Moderate Risk Construction Projects

Level 3 Oversight – Higher Risk Construction Projects

| TxDOT District Oversight Activity <sup>1</sup>                | Minimum Frequency <sup>2</sup> |         |              |
|---|--------------------------------|---------|--------------|
|   | Level of Oversight             |         |              |
|   | 1                              | 2       | 3            |
| LG submit and TxDOT review project reports                    | Quarterly                      | Monthly | Monthly      |
| TxDOT host project review/coordination meetings with LG       | Quarterly                      | Monthly | Semi-monthly |
| TxDOT conduct worksite/project site visits                    | Annually <sup>3</sup>          | Monthly | Weekly       |
| TxDOT review LG project documentation/records                 | Annually <sup>3</sup>          | Monthly | Monthly      |
| LG submit and TxDOT review and approve reimbursement requests | Monthly                        | Monthly | Monthly      |

<sup>1</sup> Refer to TxDOT [LG Project Management Guide](#) for additional details on oversight activities

<sup>2</sup> Greater frequency may be at District or Division discretion

<sup>3</sup> Minimum of two times