**ATTACHMENT 2**

**New Jersey Department of Transportation**

**Division of Local Aid and Economic Development**

**Federal Aid Highway Program**

**Eligibility Assessment Form**

*This document is to be completed by the local public agency seeking federal funds. If additional space is needed, please attach additional pages onto the package.*

**Section 1: Local Public Agency Information**

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| **Local Public Agency** |  |
| **Name of Local Public Agency Contact** |  |
| **Contact Address** |  |
| **Email** |  |
| **Phone** |  |
| **Fax** |  |

**Section 2: Financial Capability**

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| **Financial Capability** | |
| List DUNS Number (required).  <http://www.dnb.com/duns-number.html> |  |
| If your organization has expended more than $750,000 in federal funds within a year, has an audit in accordance with 2 CFR 200 Subpart F been performed? If yes, were there any major findings? If yes, what were they? | Yes No |
| If your organization has expended less than $750,000 in federal funds within a year, has a “Yellow Book” audit been performed? If yes, were there any major findings? If yes, what were they? | Yes No |
| Provide electronic link to latest audit report (required). Note: if no link is available, provide a hard copy of the latest version. |  |
| Do your financial management systems currently comply with all of the requirements prescribed in 2 CFR 200.302-Financial Management? If not, please list and describe those elements that are currently deficient. | Yes No |
| Does your organization have an approved indirect cost rate with the federal government? | Yes No |
| Comments (if needed): |  |

**Section 3: Organization**

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| Attach an organization chart. | |
| Identify Name/Title of person responsible for the following functions: | |
| **Environmental** | |
| * National Environmental Policy Act (NEPA) Document and Permits |  |
| **Bid Review and Bid Document Approval** | |
| * Plans, Specifications, and Estimates (PS&E) Approval |  |
| *Advertisement of Bids* |  |
| *Bid Reviews and Analysis* |  |
| *Award of Contract* |  |
| *Execution of Contract* |  |
| * Right-of-Way (ROW) Acquisition |  |
| * Utility Coordination and Accommodations |  |
| * Approval of Material Sources |  |
| **Contract Compliance** | |
| * Construction Contract Administration |  |
| *Construction Inspection* |  |
| *Source Documents* |  |
| *Buy America* |  |
| *Sampling/Testing Acceptance* |  |
| *Contract Changes* |  |
| *Contract Schedule* |  |
| * Disposition of Change Orders |  |
| * Consultant Contract Administration |  |
| * Work Zone Safety and Traffic Control |  |
| * Wage Rate Compliance |  |
| **Title VI Compliance** | |
| * Title VI Coordinator |  |
| * EEO/Affirmative Action Program Coordinator |  |
| * Disadvantaged Business Enterprise (DBE) Monitoring and Compliance |  |
| * Training Goals Monitoring and Compliance |  |
| * Americans with Disabilities Act (ADA) Compliance |  |

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| **Contract Administration** |
| Does your agency use consultants to augment staff when you are administering multiple concurrent construction contracts? Yes No |
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| Describe how LPA will **inspect** multiple, concurrent construction operations or work activities. |
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| Describe how the LPA manages traffic control and work zone safety. |
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| **Consultant Services** | | | |
| Identify the activities to be performed by consultant services. | | | |
| Environmental/Permits | Right of Way | Surveying | |
| Design | Construction Engineering | Sampling and Testing | |
| PS&E | Construction Inspection |  | |
| Does the LPA have written policies and procedures for the procurement of professional services? | | | Yes No |
| Have the policies and procedures been approved by NJDOT? *This is a requirement for an LPA that intends to utilize federal aid funds for consultant services as per 23 CFR 172.* | | | Yes No |
| Does the procedure comply with the Brooks Act requirements? *See Summary of Project Management Eligibility Requirements dated located on Local Aid’s website at:* [*http://www.state.nj.us/transportation/business/localaid/eligibility.shtm*](http://www.state.nj.us/transportation/business/localaid/eligibility.shtm) | | | Yes No |
| Does your agency use boilerplate contracts? If ***yes***, attach a copy. | | | Yes No |
| Does the LPA have a policy and procedure to monitor and evaluate the consultant’s work? The policy and procedure should address federal requirements, prohibit Pay to Play, etc. If ***yes***, attach a copy. | | | Yes No |

**Section 4: Project Management**

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| **Responsible Charge** | |
| ***As per federal regulations, the LPA must have a full time employee in responsible charge in order to receive federal funds. The LPA must identify a person in Responsible Charge to be eligible to receive federal funds. All applicants are required to submit the Responsible Charge Qualification Form, which is subject to approval by NJDOT. LPA’s must have an approved Responsible charge in place prior to the authorization of federal funds.*** *The Responsible Charge Qualification Form is located on Local Aid’s website at:* [*http://www.state.nj.us/transportation/business/localaid/eligibility.shtm*](http://www.state.nj.us/transportation/business/localaid/eligibility.shtm) | |
| Does the LPA have written policies and procedures to provide a full-time employee to be in responsible charge of each federal-aid construction contract? If ***yes***, attach a copy. | Yes No |
| Do the procedures include requirements for responsible charge to maintain records of all material testing, and material certifications, including Buy America, for all materials placed on the project for review by the NJDOT? If ***yes***, attach a copy. | Yes No |
| Do the procedures meet the requirements of 23 CFR 635.105 and do they specify the roles and responsibilities of the responsible charge? *(Summary of Project Management Eligibility Requirements dated located on Local Aid’s website at:* [*http://www.state.nj.us/transportation/business/localaid/eligibility.shtm*](http://www.state.nj.us/transportation/business/localaid/eligibility.shtm)*).*If ***yes***, attach a copy. | Yes No |

**Section 5: Construction Contract Administration**

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| **Construction Inspection** | |
| Does the LPA have written policies and procedures for construction inspection of federal-aid construction contracts? If ***yes***, attach a copy.  ***Note: All personnel including resident engineers and construction inspectors providing inspection or resources on a FHWA funded project must provide proof of attendance prior to start of construction the Rutgers CAIT Highway Inspection training course.*** | Yes No |

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| **Source Documents** | |
| Does the LPA have written policies and procedures for review and acceptance of source documentation required in support of payment? Direct expenses need to be monitored. If ***yes***, attach a copy. | Yes No |

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| **Buy America** | |
| Does the LPA have written policies and procedures in place for FHWA funded projects to ensure all steel or iron products are manufactured in the United States in accordance with 23 CFR 635.410? If ***yes***, attach a copy. The LPA is required to follow the Buy America section within the Summary of Project Management Eligibility Requirements for Locally Administered Federal Aid Highway Projects). | Yes No |

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| **Title VI-DBE Compliance** | |
| Does the LPA maintain a signed Title VI Nondiscrimination Policy statement? If ***yes***, attach a copy. | Yes No |
| Does the LPA have written policies and procedures to ensure for FHWA funded projects federal-aid contracts are only awarded to bidders who make a good faith effort to meet DBE goals established by NJDOT? If ***yes***, attach a copy. *Federal regulation: 49 CFR 26, State Guidance: Section 102.13.01, NJDOT 2019 Standard Specifications* | Yes No |
| Do procedures have provisions to monitor DBE participation to ensure goals are met at project completion? (If ***yes***, attach a copy). Federal regulation: *49 CFR 26, Appendix A* | Yes No |

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| **Contract Changes** | |
| Does the LPA have written policies and procedures governing changes to contract quantities or plans and specifications? (If ***yes***, attach a copy). *Federal regulation: 23 CFR 635.120, State Guidance: Section 104.03, NJDOT 2019 Standard Specifications.* | Yes No |

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| **Contract Time** | |
| Does the LPA have written policies and procedures to specify contract time in all bid documents? (If ***yes***, attach a copy). *State Guidance: Section 108.10, NJDOT 2019 Standard Specifications* | Yes No |

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| **Liquidated Damages** | |
| Does the LPA have written policies and procedures to specify liquidated damages on all federal-aid projects? (If ***yes***, attach a copy). *State Guidance: Section 108.20, NJDOT 2019 Standard Specifications* | Yes No |

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| **Project Schedule** | |
| Does the LPA have written policies and procedures to establish project schedules for construction projects? (If ***yes***, attach a copy). *State Guidance: Section 153, NJDOT 2019 Standard Specifications* | Yes No |
| Do the procedures include provisions to monitor contract progress and evaluate impacts on contract time? Do the procedures include provisions to monitor the contract Period of Performance/End Date of the contract between the LPA and NJDOT? (If ***yes***, attach a copy.) | Yes No |
| Does the LPA have written policies and procedures to ensure project’s progress, contractor payments, and contract completion adhere to the approved project schedule and specified contract time? (If ***yes***, attach a copy). | Yes No |

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| **Disposition of Change Orders** | |
| Does the LPA have written policies and procedures for the disposition of change order protests in accordance with Section 104.03.02 of the NJDOT Standard Specifications? (If ***yes***, attach a copy). *Federal regulation: 23 CFR 635.109, State Guidance: Section 104.03.02 NJDOT 2019 Standard Specifications, Agreement language and claims language; NJSA 59:13-1* | Yes No |

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| **Right of Way Acquisition** | |
| Does the LPA have written policies and procedures that meet the requirements of the Uniform Relocation Assistance and Real Estate Property Acquisition Policies Act? (If ***yes***, attach a copy).  ***Note: If the LPA must acquire Right of Way as part of the project, a review of this procedure will be completed by the Department. For additional guidance, see the Real Estate Acquisition Guide for Local Public Agencies at:***  [***https://www.fhwa.dot.gov/real\_estate/local\_public\_agencies/lpa\_guide/index.cfm***](https://www.fhwa.dot.gov/real_estate/local_public_agencies/lpa_guide/index.cfm) | Yes No |

**Section 6: Federal Aid Experience**

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| **Federal Aid Experience** |
| *Provide a list of your federal aid experience within the last five years. List all of the federal aid projects administered by your agency in the last five years. Provide the name of the responsible charge. Also include any active projects.* |
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Resources:

Federal guidance on each topic listed within this form can be found at:

<http://www.state.nj.us/transportation/eng/specs/2007/Division.shtml>

<http://www.fhwa.dot.gov/federal-aidessentials/>

<http://www.state.nj.us/transportation/business/localaid/>

<http://cait.rutgers.edu/cait/training/>

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| **Reviewer Comments** |
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(Signature)

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(Name of Official)

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(Title)

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(Address)

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*For NJDOT Use only.*

Reviewed by: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Approved by: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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