

FDOT Local Agency Program (LAP) Certification



City of Fort Lauderdale Project Specific LAP Certification

- **FM 450866.1 WEST LAKE DRIVE AT LUCILLE RIVER BRIDGE #865773**
- **FM 450867.1 WEST LAKE DRIVE AT MERCEDES RIVER BRIDGE #865774**
- **FM 450868.1 WEST LAKE DRIVE AT ESTELLE RIVER BRIDGE #865771**
- **FM 450870.1 SE 7TH STREET AT RIO CORDOVA BRIDGE #865760**
- **FM 443978.1 SHADY BANKS AND TARPON RIVER NEIGHBORHOOD
VARIOUS LOCATIONS**



Mya Gray, Local Program Administrator
DISTRICT 4 DEPARTMENT OF TRANSPORTATION

Florida Department of Transportation

RON DESANTIS
GOVERNOR

3400 West Commercial Boulevard
Fort Lauderdale, FL 33309

JARED W. PERDUE, P.E.
SECRETARY

MEMORANDUM

TO: Steven C. Braun, P.E.; District Secretary
FROM: Mya Gray, Local Program Administrator
SUBJECT: Project Specific LAP Certification Approval

The City of Fort Lauderdale has met the qualification for Project Specific LAP Certification. Relevant Agency policies, procedures, and documents have been reviewed by the LAP Certification Team, resulting in recommendation for approval. As such, the attached LAP Certification Qualification letter is ready for your signature.

Senders Initials: MWG
Reviewed by: Monifa Godfrey Baker
Reviewed by: Alia Chanel



Enclosures

LOCAL AGENCY CERTIFICATION PACKAGE

ATTACHMENT #1

LAP Risk Assessment Subrecipient Monitoring Details



Florida Department of Transportation

RON DeSANTIS
GOVERNOR

Office of Comptroller, MS 24
605 Suwannee Street
Tallahassee, FL 32399-0450

JARED PERDUE
SECRETARY

MEMORANDUM

DATE: July 28, 2023
TO: Mya Williams, District Local Programs Administrator
FROM: Lorraine Moyle, State Local Program Administrator
COPIES: Jessica Rubio, District Program Management Administrator; Sabrina Aubery, District Local Programs Engineer; Lisa Wilkerson, Statewide Grant Coordinator

SUBJECT: City of Fort Lauderdale Financial Risk Assessment for the Local Agency Program

The LAP Financial Risk Assessment Team reviewed City of Fort Lauderdale’s single audit for the years ended September 30, 2020 and September 30, 2021 and make the following risk assessment:

- CFDA 20.205 was not audited in the 2019-20 or 2020-21 fiscal years. In fiscal year 2020-21 the City had SEFA report findings unrelated to Department funding.
- City of Fort Lauderdale has not participated in the Local Agency Program in the past three years; however, past performance from three (3) active LAP projects in 2014 were unsatisfactory.
- City is required to assign a Senior Engineer from the Engineering Department to serve as the primary point of contact for overall program as well as individual projects.
- The City’s Subrecipient Compliance Assessment Tool (SCAT) review is complete and the City is rated “yellow” per Chapter 3 of the LAP Manual.

The City of Fort Lauderdale is considered a high financial risk and is recommended for project specific certification at this time. The City’s financial risk level is high because the City hasn’t participated in the LAP Program in the previous three fiscal years and had unsatisfactory performance in LAP program in 2014.

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**Local Agency Program (LAP) Risk Assessment
Subrecipient Monitoring Details**

Entity Name: City of Fort Lauderdale
 Project Description(s): Various
 FPID / Contract No(s): Various
 FAP No(s): Various

Date of Review: 7/28/2023
 Current Subrecipient Risk Level: High
 Current or Estimated Project Funding: N/A
 Fiscal Year(s) of Project Delivery: FY23-27

#	Monitoring Activities	Description of Activity	RISK LEVEL (Project Assigned Frequency)	RISK LEVEL (Minimum Frequency)
			(INSERT CURRENT RISK LEVEL)	
1	Invoice Review	Verify that all requested costs identified on the "Local Programs Invoicing Template" have supporting documentation and have been paid for by the Subrecipient. If issues are detected in the randomly selected invoice that are significant, then a site visit may be scheduled to resolve the matter in person. If issues are not adequately resolved, expand invoice review sample to next risk level frequency. Invoicing reviews occurring more often than quarterly will need to be defined in Exhibit A of the LAP Agreement.	(Monthly)	(Monthly)
2	Audit Review	Single Audit: Review Subrecipient's single audits (as applicable) in areas such as compliance, financial stability, disclosures of related party transactions, etc. for each year the project remains active.	(Annually)	(Annually)
		Period of Performance Date Monitoring: In addition, FDOT may focus on the area of "End Date Monitoring" to help improve project spending by target FHWA end dates.	(Monthly)	(Monthly)
3	Review of Programmatic, Performance and Quality Assurance Reports	Review reports submitted by the Subrecipient for programmatic, performance and financial progress and compliance. This will be accounted for in the Subrecipient's "Project Monitoring Status Report". Report template will be provided by FDOT.	(Monthly)	(Monthly)
		Review quality assurance reviews, compliance assessments, and other reports performed by external entities for programmatic compliance.	As Applicable	As Applicable
4	Technical / Training Assistance Requirement	On Section E of the "LAP Certification Tool", the Subrecipient agrees to mandatory training requirements for staff performing LAP project delivery.	Annually	Annually
		The Subrecipient may request additional training from FDOT as needed, or when new staff are hired.	As Needed	As Needed
		At the discretion of the District LAP Administrator and based on prior results, training may also be needed for activities like: how to properly submit an invoice, providing required documentation, delivering proof of payment or understanding eligibility instructions. For SCAT deficiencies, the Subrecipient or the District may request onsite technical assistance by the SCAT Team.	As Needed	As Needed
5	Other Remedies	Identify additional monitoring activities may be performed to ensure compliance. (e.g., in-person interviews, site visits, coordination meetings) Incorporate activities into project agreement as needed.	As Needed	As Needed

**Local Agency Program (LAP) Risk Assessment
Subrecipient Monitoring Minimums**

**Note: Each activity described below represents a minimum frequency based on risk level and may be required at more frequent intervals at the District LAP Administrator's discretion.*

#	Monitoring Activities	Description of Activity	RISK LEVEL (Minimum Frequency)			
			Low	Moderate	Elevated	High
1	Invoice Review	Verify that all requested costs identified on the "Local Programs Invoicing Template" have supporting documentation and have been paid for by the Subrecipient. If issues are detected in the randomly selected invoice that are significant, then a site visit may be scheduled to resolve the matter in person. If issues are not adequately resolved, expand invoice review sample to next risk level frequency. Invoicing reviews occurring more often than quarterly will need to be defined in Exhibit A of the LAP Agreement.	(Annually)	(Quarterly)	(Quarterly)	(Monthly)
2	Audit Review	Single Audit: Review Subrecipient's single audits (as applicable) in areas such as compliance, financial stability, disclosures of related party transactions, etc. for each year the project remains active. Period of Performance Date Monitoring: In addition, FDOT may focus on the area of "End Date Monitoring" to help improve project spending by target FHWA end dates.	(Annually)	(Annually)	(Annually)	(Annually)
3	Review of Programmatic, Performance and Quality Assurance Reports	Review reports submitted by the Subrecipient for programmatic, performance and financial progress and compliance. This will be accounted for in the Subrecipient's "Project Monitoring Status Report". Report template will be provided by FDOT.	(Quarterly)	(Quarterly)	(Monthly)	(Monthly)
		Review quality assurance reviews, compliance assessments, and other reports performed by external entities for programmatic compliance.	As Applicable	As Applicable	As Applicable	As Applicable
4	Technical / Training Assistance Requirement	On Section E of the "LAP Certification Tool", the Subrecipient agrees to mandatory training requirements for staff performing LAP project delivery.	Annually	Annually	Annually	Annually
		The Subrecipient may request additional training from FDOT as needed, or when new staff are hired.	As Needed	As Needed	As Needed	As Needed
		At the discretion of the District LAP Administrator and based on prior results, training may also be needed for activities like: how to properly submit an invoice, providing required documentation, delivering proof of payment or understanding eligibility instructions.	As Needed	As Needed	As Needed	As Needed
5	Other Remedies	Additional monitoring activities may be performed to ensure compliance. (e.g., in-person interviews, site visits, coordination meetings)	As Needed	As Needed	As Needed	As Needed

Local Agency Program (LAP) Risk Assessment

Entity Name: City of Fort Lauderdale		Current or Estimated Department Funds Received (all grant programs):	
Fiscal Year Auditee Summary by Risk Level			
Single Audit	2	High (16-20 points)	Each high risk criterion is equivalent to 4 points.
Program	4	Elevated (11-15 points)	Each elevated risk criterion is equivalent to 3 points.
Staffing	4	Moderate (6-10 points)	Each moderate risk criterion is equivalent to 2 points.
Training	3	Low (0-5 points)	Each low risk criterion is equivalent to 1 point.
SCAT	3		
TOTAL	16		
RISK LEVEL	HIGH		

Instructions: Enter the numerical value (1, 2, 3, or 4) for each category of risk. Points can only be entered for one criterion under each category of risk. Leave those criteria that are not applicable under each category blank.

Category	Criteria	Points	Related Tools
Single Audit	1 point - Clean audit with no findings. FDOT funding was audited as a major program. No prior year items that result in carryforward risk points.	2	FDOT Single Audit Reporting Application (SARA) LAP Certification Tool LAP Invoices FY21 LAP was not audited, other federal program was audited. FY21 SEFA reporting issues unrelated to LAP were found. FY20 and 21 Single audit report was received late. FY20 LAP was not audited, State Grants were audited including one as a major program. FY20 No single audit findings were reported.
	2 points - Prior year management decision. Audit Submitted Late. Biennial auditee. FDOT funding was not audited as a major program. Listed as 'High Risk' by auditor. Findings unrelated to FDOT funding. Unresolved or repeat finding(s) unrelated to FDOT funding. Finding(s) provided in Management Letter related to FDOT funding.		
	3 points - Exempt from Single Audit Reporting requirements. Federal and/or State financial assistance less than \$750,000, or has not received funding from the department in 3 or more previous fiscal years.		
	4 points - Non-Compliant auditee in current or prior year. Prior year enforcement action. Going concern identified by the auditor. Finding(s) identified that relate to FDOT funding. A management decision required for these findings. Unresolved or repeat finding(s) related to FDOT funding. *May include Combinations of Moderate Criteria*		
Program	1 point - Agency delivered a LAP project in the previous three years. Project performance evaluations are above satisfactory (includes invoicing accuracy and frequency). Agency has been subject to a quality assurance review(s) by an external entity in the past three years and was found in compliance with program requirements.	4	LAP Certification Tool LAP Performance Evaluations Quality Assurance Reviews and Reports (FDOT, FHWA, DOI, etc.); City of Fort Lauderdale have not participated in the Local Agency Program in the past three years; however, past performance from three (3) active LAP projects in 2014 was unsatisfactory. Three critical projects (FMR # 230734-1 SE 15th Ave. Bridge#865767 and # 865766 Bridge Replacement; FMR#408352-1 Harborage Isle Dr. Bridge # 865778 Bridge Rehabilitation; and FMR 409421-1 Sistruck Blvd. Streetscape Improvements) were not administered in accordance with FDOT SPECS, CPAM, Sampling Testing and Reporting Guide and Material Manual requirements.
	2 points - Agency delivered a LAP project in the previous three years. Project performance evaluations are satisfactory (includes invoicing accuracy and frequency). Agency has been subject to a quality assurance review(s) by an external entity in the past three years and was found in substantial compliance with program requirements.		
	3 points - Project performance evaluations are satisfactory, but may be unsatisfactory in 1-2 categories (includes invoicing accuracy and frequency). There is no project history in LAP, but recipient has received other federal funds from the Department (FTA, FAA, etc.) to deliver projects in the last three years. Agency has not been subject to a quality assurance review(s) by an external entity in the past three years.		
	4 points - Project performance evaluations are unsatisfactory in multiple categories (includes invoicing accuracy and frequency). Agency has not participated in federal programs with the department in the previous three years. Agency has been subject to a quality assurance review(s) by an external entity in the past three years and was found in substantial non-compliance with program requirements and/or funding was removed from past sub-recipient grants awarded by the department.		
Staffing	1 point - Agency has adequate staff, a responsible charge, and sufficient controls for project delivery.	4	SARA LAP Certification Tool LAP Performance Evaluations LAP Invoices LAP Training Certificates Adopted Work Program (project delivery may be considered across all projects funded by the department at the time of assessment); City is required to assign a Senior Engineer from the Engineering Department to serve as the primary point of contact for overall program as well as individual projects.
	2 points - Agency staffing may be limited or experiencing recent staff turnover, agency responsible charge is new or inexperienced, but controls for project delivery are sufficient.		
	3 points - Agency staffing may be limited or lacks LAP project experience, agency responsible charge is new or inexperienced, controls for project delivery are difficult to assess due to lack of program participation.		
	4 points - Agency staffing is limited and lacks federal project experience, agency responsible charge is new or inexperienced, controls for project delivery are lacking due to absence of program participation or as evidenced by the past project performance evaluation(s).		
Training	1 point - Agency staff attends mandatory training and proactively seeks training for new staff.	3	LAP Certification Tool LAP Sub-recipient Compliance Assessment Tool (SCAT) LAP Performance Evaluations LAP Training Certificates
	2 points - Current agency staff attends mandatory training, but new staff requires training.		
	3 points - Limited staff has attended mandatory training, new staff has not been trained, lack of program participation means staff requires training.		
	4 points - Limited or no staff has attended mandatory training, new staff has not been trained, agency will not meet the training requirements prior to certification. (Note: training requirements may be fulfilled as courses come available annually or bi-annually. It is not possible to attend all courses required if the agency does not plan ahead for project delivery.)		
Subrecipient Compliance Assessment (SCAT - Title VI and Nondiscrimination Programs)	1 Point - Agency is "green" and found substantially compliant with Title VI and other Nondiscrimination Programs.	3	LAP Certification Tool LAP Sub-recipient Compliance Assessment Tool (SCAT) LAP Training Certificates Yellow
	2 points - Agency is "green" or "yellow" and found substantially compliant with Title VI and other Nondiscrimination Programs. Yellow rating only requires minor changes to Title VI program for compliance, agency is actively updating information.		
	3 points - Agency is "yellow". Yellow rating requires changes to Title VI program for compliance. Data is up to 3 years old and has not been updated.		
	4 points - Agency is "yellow". Yellow rating requires major changes to Title VI program for compliance. Data is more than 3 years old.		

Local Agency Program (LAP) Risk Assessment

Assign Risk Level by Cumulative Points		
High (16-20 points)		
Elevated (11-15 points)		
Moderate (6-10 points)		
Low (0-5 points)		
Risk Level	Criteria	Related Tools
<p>Low 0-5 *Each criterion is equivalent to 1 point</p>	<p>Single Audit: Clean audit with no findings. FDOT funding was audited as a major program. No prior year items that result in carryforward risk points.</p> <p>Program: Agency delivered a LAP project in the previous three years. Project performance evaluations are above satisfactory (includes invoicing accuracy and frequency).</p> <p>Staffing: Agency has adequate staff, a responsible charge, and sufficient controls for project delivery.</p> <p>Training: Agency staff attends mandatory training and proactively seeks training for new staff.</p> <p>SCAT Assessment: Agency is "green" and found substantially compliant with ADA, Title VI and other Nondiscrimination Programs.</p>	<p>SARA LAP Certification Tool LAP Sub-recipient Compliance Assessment Tool (SCAT) LAP Performance Evaluations LAP Invoices LAP Training Certificates</p>
<p>Moderate 5-10 *Each criterion is equivalent to 2 points</p>	<p>Single Audit: Prior year management decision. Audit Submitted Late. Biennial auditee. FDOT funding was not audited as a major program. Listed as "High Risk" by auditor. Findings unrelated to FDOT funding. Unresolved or repeat finding(s) unrelated to FDOT funding. Finding(s) provided in Management Letter related to FDOT funding.</p> <p>Program: Agency delivered a LAP project in the previous three years. Project performance evaluations are above satisfactory and satisfactory (includes invoicing accuracy and frequency).</p> <p>Staffing: Agency staffing may be limited or experiencing recent staff turnover, agency responsible charge is new or inexperienced, but controls for project delivery are sufficient.</p> <p>Training: Current agency staff attends mandatory training, but new staff requires training.</p> <p>SCAT Assessment: Agency is "green" or "yellow" and found substantially compliant with ADA, Title VI and other Nondiscrimination Programs. Yellow rating only requires minor changes to Title VI program for compliance, agency is actively updating information.</p>	<p>SARA LAP Certification Tool LAP Sub-recipient Compliance Assessment Tool (SCAT) LAP Performance Evaluations LAP Invoices LAP Training Certificates</p>
<p>Elevated 10-15 *Each criterion is equivalent to 3 points</p>	<p>Program: Exempt from Single Audit Reporting requirements. Federal and/or State financial assistance less than \$750,000.</p> <p>Program: Project performance evaluations are satisfactory, but may be unsatisfactory in 1-2 categories (includes invoicing accuracy and frequency). There is no project history in LAP, but recipient has received other federal funds from the Department (FTA, FAA, etc.) to deliver projects in the last three years.</p> <p>Staffing: Agency staffing may be limited or lacks LAP project experience, agency responsible charge is new or inexperienced, controls for project delivery are difficult to assess due to lack of program participation.</p> <p>Training: Limited staff has attended mandatory training, new staff has not been trained, lack of program participation means staff requires training.</p> <p>SCAT Assessment: Agency is "yellow". Yellow rating requires changes to Title VI program for compliance. Agency lacks an ADA Transition Plan or has an outdated draft.</p>	<p>SARA LAP Certification Tool LAP Sub-recipient Compliance Assessment Tool (SCAT) LAP Performance Evaluations LAP Invoices LAP Training Certificates</p>
<p>High 15-20 *Each criterion is equivalent to 4 points</p>	<p>Single Audit: Non-Compliant auditee in current or prior year. Prior year enforcement action. Going concern identified by the auditor. Finding(s) identified that relate to FDOT funding. A management decision required for these findings. Unresolved or repeat finding(s) related to FDOT funding. *May include Combinations of Moderate Criteria*</p> <p>Program: Project performance evaluations are unsatisfactory in multiple categories (includes invoicing accuracy and frequency). Agency has not participated in federal programs with the department in the previous three years.</p> <p>Staffing: Agency staffing is limited and lacks federal project experience, agency responsible charge is new or inexperienced, controls for project delivery are lacking due to absence of program participation or as evidenced by the past project performance evaluation(s).</p> <p>Training: Limited or no staff has attended mandatory training, new staff has not been trained, agency will not meet the training requirements prior to certification. (Note: training requirements may be fulfilled as courses come available annually or bi-annually. It is not possible to attend all courses required if the agency does not plan ahead for project delivery.)</p> <p>SCAT Assessment: Agency is "yellow". Yellow rating requires major changes to Title VI program for compliance. Agency lacks an ADA</p>	<p>SARA LAP Certification Tool LAP Sub-recipient Compliance Assessment Tool (SCAT) LAP Performance Evaluations LAP Invoices LAP Training Certificates</p>

Single Audit Reporting Application (SARA) Risk Assessment

Risk Level	Criteria	Related Checklist Question/Trigger
Low 0	<ul style="list-style-type: none"> - Clean audit with no findings. - FDOT funding was audited as a major program. - No prior year items that result in carryforward risk points. 	<ul style="list-style-type: none"> - Questions 14-17, 19 - Question 12 - Determined by the previous year's results.
Moderate 2-12	<ul style="list-style-type: none"> - Prior year management decision. - Audit Submitted Late - Biennial auditee - FDOT funding was not audited as a major program. - Listed as 'High Risk' by auditor. - Findings unrelated to FDOT funding. - Unresolved or repeat finding(s) unrelated to FDOT funding. - Finding(s) provided in Management Letter related to FDOT funding. 	<ul style="list-style-type: none"> - Determined by the previous year's results. - Audit received past the 9 month due date. - Auditee Type on checklist. - Question 12 - Question 13 - Questions 14-17,19 - Questions 17, 19 - Question 21
Elevated (Exempt)	<ul style="list-style-type: none"> - Exempt from Single Audit Reporting requirements. Federal and/or State financial assistance less than \$750,000. 	<ul style="list-style-type: none"> - Recipient must submit a Single audit Exemption Letter.
High 14+	<ul style="list-style-type: none"> - Non-Compliant auditee in current or prior year. - Prior year enforcement action. - Going concern identified by the auditor. - Finding(s) identified that relate to FDOT funding. A management decision required for these findings. - Unresolved or repeat finding(s) related to FDOT funding. <p>*May Include Combinations of Moderate Criteria*</p>	<ul style="list-style-type: none"> - Determined by 'Action Type' on profile page. - Question on prior year profile page. - Question 4 - Questions 14-17, 19 - Questions 17, 19

2016 Auditee Summary by Risk Level	
High	77
Moderate	99
Exempt	176
Low	60

2015 Auditee Summary by Risk Level	
High	64
Moderate	109
Exempt	114
Low	73

2014 Auditee Summary by Risk Level	
High	67
Moderate	85
Exempt	79
Low	81

LOCAL AGENCY CERTIFICATION PACKAGE

ATTACHMENT #3

FDOT LAP Certification Tool



LAP CERTIFICATION TOOL

Certification and recertification are commitments by the Local Agency (LA) to perform all associated activities of the Federal-Aid Highway Program (FAHP) including but not limited to Title VI compliance, American with Disabilities Act ADA compliance, grant management and fiscal accountability, procurement of professional service and construction administration in adherence with all Federal and State requirements. The LAP Certification Tool is a risk-based assessment of a LA and measures performance-based risk of your participation in **LAP**. Detailed information on each section is located in the Department's **Local Programs Manual** (LPM, FDOT Procedure 525-010-300).

Answer each question to the best of your ability. Your District Local Programs (LP) Team is there to provide assistance and support as required while you complete the re/certification process.

A. RISK ASSESSMENT

Source: LP Manual Chapters 5 and 8

- 1) Based on the risk assessment City of Fort of Lauderdale is eligible for: Project Specific Certification
- 2) Title VI Sub-recipient Assurance date (provided by Central Office): 5/2/2023
- 3) Risk Assessment date (provided by Central Office): 7/28/2023
- 4) Number of projects programmed in the current 5 Year Adopted Work Program: 5

B. PROJECT SELECTION

Source: FDOT Work Program Instructions

- 1) Which project phases does your LA plan to implement through LAP?

Check all that apply:

Planning

Design

Construction

Construction Administration

All of the Above

Other: Click or tap here to enter text.

**Environmental and Right of Way phases are not eligible for delegation to LAs without additional Department approvals. Contact your District LP Administrator for information.*

- 2) Does your LA prioritize projects through a Metropolitan or Transportation Planning Organization (MPO/TPO) process?
 - No Yes
 - i. If yes, which MPO/TPO? Broward MPO
- 3) The Department is a member of REDI. Counties and communities that meet certain statutory criteria are eligible for waivers or reductions of the local match requirements for such projects. Refer to **Section 288.06561, Florida Statutes** (F.S.). Is your city or County eligible for a REDI waiver from the Department?
 - No

C. RESPONSIBLE CHARGE

Source: LP Manual Chapter 7

This person (or people) designated responsible charge must be a full-time employee of the LA. The responsible charge is the designated point of contact in GAP. Staff must attend training, be responsive to District staff and attend project meetings with the Department and FHWA.

- 1) The responsible charge is: Raymond Nazaire, P.E., CGC.

D. GAP

Source: LP Manual Chapter 4

- 1) Please provide the GAP Administrator name and contact information. This person is responsible for maintaining LA information in GAP including periodically updating contacts within GAP and notifying the Department when a user should no longer have access to GAP. GAP's use and function are described in Chapter 4 and a Help Guide is available to users logged into GAP.

Vickie Beauvais / 954-828-5848

E. MANDATORY TRAINING

Source: LP Manual Chapter 2

The list of mandatory LAP training courses is provided in the LP Manual Chapter 7. The LA may use multiple staff members to satisfy training requirements.

- 1) Is the LA committed to sending one or more staff members to each course listed in the **LP Manual** and sending additional staff at the request of the Department to maintain LAP Certification?

Yes

F. AGENCY STAFFING

Source: LP Manual Chapters 7 and 14

LAs must have adequate staff to provide oversight for all phases of Federal-Aid project delivery as listed below, or may supplement staff with consultant support as needed to demonstrate adequate oversight staff.

- 1) Does the LA have adequate staff to manage multiple projects at one time?

Yes

- 2) Describe delegation of duties or organizational structure for contract administration.

Responsible Charge:Raymond Nazaire, Title VI Coordinator:Erick Martinez, ADA Coordinator:Danica Grujicic, GAP Administrator:Vickie Beauvais, Gail Jagessar, Resident Compliance Specialist:Danica Grujicic, Contract Compliance Oversight:Erick Martinez, Engineering Staff:Danica Grujicic, Connie Hayman, Ana Ziegler, Design Project Managers:Danica Grujicic, Connie Hayman, Ana Ziegler, Procurement Staff:Erick Maritnez, Project Managers:Danica Grujicic, Connie Hayman, Ana Ziegler Andre Eugent, Karen Warfel, Kristin Thompson

G. AGENCY STAFF AUGMENTATION

Source: LP Manual Chapters 7 and 14

LP Manual Section 7.4.1: The LA's LAP certification package may identify consultant staff used to augment LA forces on a regular basis; however, this does not relieve the LA of its responsible charge obligations.

- 1) Per **Section 7.4.1** of the LP Manual, identify consultant staff used to augment LA forces on a regular basis. *For example, the LA does not have a professional engineer on staff and routinely uses a consultant P.E. for*

managing all design phase projects

N/A

- 2) Will consultant support be limited to specific project phases or required for all project phases? *For example, the LA does not have a professional engineer on staff and routinely uses a consultant P.E. for managing all design phase projects.*

All Phases Supported

- 3) If the answer to question 2 is “limited” or “all” phases require routine consultant support, list the phases of work and/or services consultants will perform on behalf of the LA. *For example, project applications, cost estimates, scoping, administration, project management, etc.*

N/A

H. PROJECT DEVELOPMENT

Source: LP Manual and FDOT Work Program Instructions

- 1) Identify the staff and/or department within the LA responsible for project development including: preparing and submitting transportation project applications. Provide point of contact information or multiple points of contact if each respective office participates in project development.

Raymond Nazaire, Karen Warfel

*Note all Federal-Aid projects must comply with the ADA. Required ADA upgrades within proposed project limits must be identified in the project application and included in the project cost estimate(s) submitted to the Department. Insufficient scoping creates inaccurate project programming and jeopardizes local projects.

- 2) Has project development staff completed the ADA Design Accessibility Training Course or a similar training course?

Yes

- i. If yes, list staff name(s), name of course, and date of training here.

Danica Grujicic- ADA Design and Construction General- 2/2/2023; Connie Hayman- ADA Design and Construction General-1/20/2023; Raymond Nazaire – ADA Design and Construction General – 2/4/2023. Andre Eugent – ADA design 3/31/23, ERC 3/9/23, Cons/Checklist 3/10/23, LAPFWA 3/25/23 Sub/Recip 3/31/23, Karen Warfel – LAPFWA 4/26/23

- ii. If no, is staff able to send project development staff to ADA Accessibility Training within the next 12 months?

Choose an item.

I. PROCUREMENT - GENERAL

Source: LP Manual Chapters 14, 15, 16, 21

An LA’s ability to maintain reimbursement eligibility is dependent on following the applicable Federal and State procurement regulations.

- 1) Identify staff with federal procurement experience and the primary point(s) of contact for LAP project procurement. Include whether the staff identified support professional services, construction, or both types of procurement actions.

Erick Martinez- Senior Procurement Specialist

- 2) Will the LA send a minimum of one procurement staff member to the training courses identified in **LP Manual Chapter 7** to maintain familiarity with federal and state requirements throughout the Certification period? Construction and professional services training are provided in two unique courses and both are mandatory.

Yes

- 3) What is the average duration of your professional services and construction procurement processes from advertisement to contract award?
- Professional Services: Four months
 - Construction: Four months

- 4) Identify all locations the LA advertises contracts. Select all that apply.

Website. Provide web address(es): www.fortlauderdale.gov

Newspaper. Provide name of publication(s): SunSentinel

Vendor bid service. Provide name of service used: Infor

Physical Location. Provide name of facility and address(es): [Click or tap here to enter text.](#)

Other. Please explain: [Click or tap here to enter text.](#)

- 5) How will LA staff monitor bid opportunity reporting during and immediately following the solicitation period by both contractors and consultants on federal contracts?

Senior Procurement Specialist has access to the City of Fort Lauderdale solicitation information. Bids results are posted on City Website. The Agency will verify that the contractors enter their bid opportunity information in the EOC System.

- 6) Does the LA have procurement staff to provide bid opportunity oversight responsibility in the Department's Equal Opportunity Compliance (EOC) database?

Yes

- i. If yes, identify the employees with oversight responsibility and access to the Department's EOC database.

Erick Martinez

- ii. If no, identify the employee(s) that will be assigned oversight responsibility and access to the Department's EOC database.

[Click or tap here to enter text.](#)

- 7) Identify LA staff who review subcontract(s) terms and conditions and approve for execution with the subcontractor(s) on Federal-Aid projects.

Erick Martinez

- 8) Describe the process the LA uses to monitor all subcontracts for incorporation of required federal terms and provisions, including FHWA 1273 and the LAP Terms for Federal-Aid Contracts.

For subconsultants, the prime shall submit a sub-authorization letter to be reviewed by LA Procurement

Division. In general, The LA, does not get involved in subcontracts for subconsultants and subcontractors. However, the LA will ensure that all subcontracts will incorporate the FHWA 1273. The FHWA form will be incorporated in the subcontract documents.

- 9) Is your agency able to remove all preference programs, except those approved by FHWA, from Federal-Aid contracts and subcontracts?

Yes

- 10) Identify the LA's locally required preference programs applied to contract awards by local ordinance or rule that will need to be removed from Federal-Aid project solicitations and contracts.

Minority business

Local business

Disadvantaged business

Location (physical location in proximity to your jurisdiction)

Small business

Materials purchasing (physical location or supplier)

Locally adopted wage rates

Other: Click or tap here to enter text.

- 11) Does the LA incorporate contract language for termination for cause, convenience, and default in contracts and subcontracts greater than \$10,000?

Yes

- 12) Does the LA develop expected project durations and incorporate beginning and end dates in each contract?

Yes

J. PROCUREMENT – CONTINUING SERVICES CONTRACTS

Source: LP Manual Chapter 14

- 1) Does the LA have a continuing services contract it would like to utilize for professional services phases of LAP projects?

Yes

- 2) If yes, is it a federalized contract approved by the Department?

No

K. PROCUREMENT – PROFESSIONAL SERVICES

Source: LP Manual Chapter 14

- 1) What is the duration of a typical advertisement period for professional services contracts?

30 calendar days

- 2) Does the LA have a pre-qualification or grading program for consultants?

No

- i. If no, does the LA apply the FDOT pre-qualified consultant program requirements to Federal-Aid contracts?

Yes

- 3) Does the LA formally evaluate consultants' performance during the contract period? **Performance evaluations are required for all federally funded professional services contracts per 23 CFR 172.*

Yes

- i. If yes, identify staff responsible for completing consultant performance evaluations for each contract.

Project Managers: Connie Hayman, Ana Ziegler, Andre Eugent

- ii. If no, will the LA establish a performance evaluation process for use on Federal-Aid contracts?
Choose an item.

- 4) Does the LA routinely develop independent man hour estimates prior to negotiating with consultants?

Yes

- i. If yes, identify staff with experience developing independent man hour estimates for engineering related consultant services.

Raymond Nazaire, Andre Eugent

- ii. If no, explain how the LA will develop independent man hour estimates for each LAP project.

[Click or tap here to enter text.](#)

- 5) Does the LA foresee issues incorporating the Terms for Federal-Aid Contracts into all contracts and subcontracts or executing all required forms (as identified in **LAP Manual Ch 14** and on the **LAP Checklist of Professional Services Contracts Form # 525-010-49**) for each project?

No

L. PROCUREMENT – CONSTRUCTION

Source: LP Manual Chapters 15, 16, 21

- 1) What methods of bidding does the LA employ for transportation project construction? Select all that apply.

Low Bid

Project Bundling

Low Bid with Bid Alternates

Push Button or Indefinite Quantity/Indefinite delivery

Cost + Time Low Bid

Other. Please explain: [Click or tap here to enter text.](#)

- 2) [Click here to enter text.](#) What is the LA's duration(s) of a typical advertisement period for construction contracts? **Florida Statute requires 21 days for projects less than \$500,000 and 30 days for projects greater than \$500,000.*

For projects with an estimated dollar value less than \$200,000, advertisement period is 21 days. For projects with an estimated dollar value more than \$200,000, the advertisement period is 4 weeks. The advertisement period starts after the project has been posted on the City's website and newspaper.

- 3) Does the LA foresee any issues physically incorporating the FHWA 1273 Form into all contracts and subcontracts or executing all required forms (as identified in LP Manual Chapter [21](#) and on the **LAP Checklist for Construction Contracts Form #525-010-44**) for each project?

No

- 4) Identify maintenance items incorporated in or required for construction contracts by local ordinance or rule.

Warranty bonds

Maintenance bonds

Warranty provisions

Provide a summary of the terms of warranty provisions: The LA does not have warranty bonds but does have performance bond clauses in its contracts.

M. PLANNING

Source: Chapter 14-75, Florida Administrative Code (FAC)

The minimum qualifications for planning phases delivered on the State Highway System (SHS) or National Highway System (NHS) are established in **Ch. 14-75, F.A.C.**

- 1) Does the LA have a planning department with at least one planner on staff full or part-time?
Use Consultant Support
- 2) Does the LA planning department have a designated transportation planner on staff?
Use Consultant Support
- 3) Does the LA expect to perform transportation planning studies with in-house staff or consultant staff or both?
Consultant Staff
- 4) How many transportation planning studies has LA staff completed in the last 5 years?
None
- 5) How many transportation planning studies have been performed by consultants on behalf of the LA over the last 5 years?
2

N. PLANS, SPECIFICATIONS AND ESTIMATES

Source: LP Manual Chapter 9 and Part IV Project Development & Delivery.

- 1) Identify the Florida Professional Engineer on staff with the LA that will assist with LAP. Raymond Nazaire
 - i. This person has 5 years of transportation design experience.
 - ii. Florida License # 77816
- 2) Does the LA plan on designing projects with in-house design staff?
No
- 3) Select the number of professional engineers on staff:

0-5 people 5-10 people 10+people
- 4) Identify the design criteria the LA uses to design projects on local transportation facilities. Local transportation facilities or "off-system" projects are referred to as LAP Classification D projects.

Florida Greenbook Other: Click or tap here to enter text.

FDOT Design Manual
- 5) Is the LA willing and able to apply FDOT design criteria and standards to transportation projects delivered on the LAP Classification A (on the SHS/NHS), LAP Classification B (projects that cost greater than \$10 million), or

LAP Classification C (projects containing structural elements meeting the definition of a bridge) per **LP Manual Chapter 17?**

Yes

- 6) The FDOT must review project design plans prior to approving the PS&E Package. The FHWA will also review design plans at its discretion. In general, what is the LA's design plans development schedule and review process?

During the design phase, the LA requires a minimum of 2 weeks to review each submittal phase: preliminary 30%, initial 60%, and constructability 90%. The production phase i.e. 100% submittal plans will take 1 week for review.

- 7) Identify LA staff responsible for submitting or monitoring consultant submittal of design plans to the FDOT's Electronic Review Comments (ERC) application.

Raymond Nazaire

- 8) Has project design staff completed the ADA Design Accessibility Training Course or a similar training course?
*All FAHP projects must comply with ADA. Required ADA upgrades within proposed project limits shall be incorporated during the design phase.

- i. If yes, list staff name(s), name of course, and date of training

Danica Grujic- ADA Design and Construction General- 2/2/2023; Connie Hayman-ADA Design and Construction General-1/20/2023; Raymond Nazaire – ADA Design and Construction General – 2/4/2023.

- 9) Identify staff responsible for certifying right of way activities are in compliance with the **Federal Uniform Relocation Assistance and Real Property Acquisition Act of 1970**. Project

Managers: Ana Ziegler, Connie Hayman, Andre Eugent

- 10) Identify staff responsible for certifying that all utilities are either cleared or coordinated for each project in compliance with **23 CFR 635.309**.

Project Managers: Ana Ziegler, Connie Hayman, Andre Eugent

- 11) Identify staff responsible for certifying that all railroad work is either cleared or coordinated for each project in compliance with **23 CFR 635.309**.

Project Managers: Ana Ziegler, Connie Hayman, Andre Eugent

- 12) Identify staff responsible for identifying all environmental or cultural resources (Section 4f) within project limits and certifying NEPA compliance.

Project Managers: Ana Ziegler, Connie Hayman, Andre Eugent

- 13) Identify staff responsible for certifying all permits and/or exemptions have been obtained and included in the final PS&E package.

Ana Ziegler, Connie Hayman

- 14) Does the LA have specifications for roadway construction you would like to use on Classification D LAP projects?

No

- i. If yes, submit all specifications to the District Specifications Office for review and approval.

Specifications Approval Date: [Click or tap here to enter text.](#)

- ii. If no, does the LA foresee any issues incorporating the LAP Big Three Specifications (Class C or D) or the Department's Standard Specifications (Class A, B, C, D) into project PS&E packages?

No

O. CONSTRUCTION

Source: LP Manual Chapters 21, 22

- 1) Does the LA seek to self-perform construction activities? Force account construction requires a Department approved Cost Effectiveness Finding in compliance with FHWA and Florida Statutes. Acceptable justifications for force account construction cannot be based on cost alone.

No

- i. If yes, identify LA experience constructing transportation projects (i.e. resurfacing, sidewalks, trails, traffic signals, lighting, sign installation, striping).

[Click or tap here to enter text.](#)

- 2) Does the LA have a timekeeping system that associates employee time to specific projects?

Yes

P. CONSTRUCTION ADMINISTRATION

Source: LP Manual Chapters 15, 21, 22

- 1) Does the LA hold pre-construction meetings?

Yes

- 2) Describe the LA's contract change approval process; include how the change is initiated, review points and responsible staff, and if there are variations in the process based on cost thresholds or for no cost changes.

Contract changes are secured through change order process: The contractor initiates and identifies the contract changes as well as the cost associated with the contract change. These changes are itemized in the change order document. The contractor shall sign the document. The document is sent to the LA for review and acceptance. The cost of the contract change is more than 10% of the original project cost, a commission action is required. No work shall be performed prior to FDOT concurrence.

- 3) Describe the LA's time extension approval process only if it varies from your contract change process.

A time extension only on the contract is secured through a \$0 Change Order. The process is the same as for a regular change order except a cost is not associated but a time extension is added to original schedule of the project.

- 4) Identify how the LA counts contract time? Calendar Days

- 5) Does the LA allow work on weekends, holidays, and nights? If yes, oversight staff shall be available during these times. Please check all that apply:

Weekends

Holidays

Nights

6) Describe the LA's materials testing and approval process.

During the materials approval process, the contractor shall provide submittal with all material specifications literature. LA will review provided specifications and reports to see if they are in conformance with the design. furthermore all submittal documents shall also be reviewed by the consultant for conformance. Other tool used by the LA for submittals conformance are FDOT approved material lists and Miami Dade Notice of Acceptance.

7) Identify all inspectors on staff with CTQP certification(s):

N/A

*****The District Materials Offices shall perform a quality assurance review of each LA's materials acceptance and testing procedures during the certification review period.***

8) Explain how the LA tracks and certifies Buy America compliance on federal projects.

LA will incorporate language from Memorandum for Heads of Executive Departments and Agencies M-22-11 pertaining to the Initial Implementation Guidance on Application of Buy American Preference in Federal Financial Assistance Programs for Infrastructure, specifically section 70914. All iron and steel used in the replacement of the bridges shall be manufactured in America, all cementitious and aggregates shall be manufactured or produced in America. Inspectors during the construction phase shall make sure that all construction items are produced or manufactured in America.

9) Does the LA have a schedule of liquidated damages based on calculated administrative costs if the contractor exceeds the contract time? If no, the LA may elect to use the Department's Specification and incorporate into LA bid documents.

Yes

Q. CONSTRUCTION ADMINISTRATION- PROJECT INSPECTION

1) Does the LA seek to self-perform construction inspection activities?

No

- i. If yes, how many inspectors does the LA employ? [Click or tap here to enter text.](#)
- ii. If yes, identify LA inspectors who maintain certifications per FAC 14-75 in order to perform inspections on SHS and NHS projects.
[Click or tap here to enter text.](#)
- iii. If yes, describe the LA's process for inspecting construction projects.
[Click or tap here to enter text.](#)
- iv. If yes, describe the LA's process for completing inspectors' daily reports and recordkeeping.
[Click or tap here to enter text.](#)

2) If no, describe the LA's process for providing oversight and maintaining control of a project when a consultant CEI is performing the inspection duties.

Through CCNA process, LA will secure the services of consultant to perform Construction, Engineering, Inspections services during the construction phase of the project. the selected consultant shall not be part of the original design consultant firms.

R. CONSTRUCTION ADMINISTRATION- CONTRACT COMPLIANCE WITH FHWA 1273

- 1) Has your agency administered Federal-Aid construction contracts in the previous 3 years?

No

- 2) Identify staff members who have direct experience performing or monitoring Resident Compliance Specialist (RCS) duties on Federal-Aid construction contracts and who will self-perform contract compliance on construction contracts per the **FDOT Contract Compliance Manual Topic No. 275-020-002**. Staff must complete training as offered by the Department or FHWA and demonstrate adequate knowledge of federal contract compliance requirements with FHWA 1273.

Raymond Nazaire, Connie Hayman, Ana Ziegler

- 3) Identify staff who will monitor consultant performed RCS services, which includes DBE payment reporting approvals, subcontractor approvals, etc. Staff must complete training as offered to perform this role.

Project Managers: Ana Ziegler, Connie Hayman

- 4) Identify those employees with oversight responsibility and access to the Department's EOC database for reporting and/or accepting DBE commitments on Federal-Aid projects.

Erick Martinez

S. INVOICING

Source: LP Manual Chapters 5, 6

- 1) Describe how the LA complies with Florida's Prompt Payment laws.

The City adheres to the Florida Statue Chapter 218. The City pays the contractor within 25 business days of receiving the invoice.

- 2) Describe how the LA verifies work invoiced by a contractor compared to work CEI Inspector's Report and percentage of work performed and site visits performed.

- 3) Describe how the LA verifies work invoiced by a consultant compared to work performed.

Executed contract includes terms of compensation. The firm in charge of CEI shall verify the invoiced is part of the terms of compensation and verify quantities versus work performed.

- 4) Is there any reason why the LA cannot comply with the LAP quarterly invoicing requirement?

No

- 5) Identify staff and/or departments within the LA responsible for preparing and submitting invoices to the Department. Staff require access to GAP for submission of invoices.

Project Managers: Ana Ziegler, Connie Hayman

T. CERTIFICATION STATUS

Effective 11/17/2023 the City of Fort Lauderdale **qualifies for the following Certification/Recertification:** Project Specific Certification

The following exceptions are applicable to this Certification/Recertification:

(Check all that apply)

- AGENCY MAY NOT PERFORM IN-HOUSE DESIGN ON LAP CLASSIFICATION A, B, OR C PROJECTS
- AGENCY MAY NOT PERFORM IN-HOUSE DESIGN ON LAP CLASSIFICATION D PROJECTS
- AGENCY MAY NOT PERFORM FORCE ACCOUNT CONSTRUCTION
- AGENCY MAY NOT PERFORM IN-HOUSE CEI ON LAP CLASSIFICATION D PROJECTS
- AGENCY MAY NOT PERFORM IN-HOUSE CEI ON LAP CLASSIFICATION A, B, OR C PROJECTS
- AGENCY MAY NOT PERFORM IN-HOUSE CONTRACT COMPLIANCE
- AGENCY MAY NOT PERFORM [Click or tap here to enter text.](#)

DocuSigned by:

 3FA3F38F9268404...

Signature- District Local Program Administrator

Mya Gray
[Click here to enter text.](#)

01/16/2024 | 9:22 AM EST
[Click here to enter text.](#)

Print Name of District Local Program Administrator

Date



Signature- Local Agency Responsible Charge

Raymond Nazaire, P.E., CGC.

5/5/2023

Print Name of Local Agency Responsible Charge

Date

LOCAL AGENCY CERTIFICATION PACKAGE

ATTACHMENT #2

LAP Certification Meeting Minutes



LAP CERTIFICATION MEETING MINUTES

City of Fort Lauderdale LAP Certification Meeting

Friday, November 17th, 2023, | 2:30 p.m. | Meeting called by FDOT in person at **D4-D02 District Office**

#	ITEM OF DISCUSSION	LOCAL AGENCY EXPECTATIONS
1.	Introduction	<p>Introduction of Attendees:</p> <ol style="list-style-type: none"> 1. Mya Gray (Local Program Administrator) 2. Victoria Ulysse (LAP Coordinator) 3. Landy Ductan (LAP Coordinator) 4. Ramon Alvarez (LAP Coordinator) 5. Raymond Nazaire, P.E. (Responsible Charge) 6. Danica Grujicic (Project Manager) 7. Ana Zieler (Project Manager) 8. Andre Eugent (Project Manager) 9. Karen Warfel (Project Manager) 10. Erick Martinez (Procurements Specialist) 11. Vickie Beauvaius (GAP Administrator) 12. Connie Hayman (GAP Administrator)
2.	Department Oversight	<ul style="list-style-type: none"> ❖ The Department uses the LAP Certification process to determine whether Local Agencies are qualified to administer Federal Aid projects. The Department will still serve as the prime recipient of Federal Funds and will provide oversight on the projects from Programming to Project Close-Out. <p style="color: red;">The Department will be pursuing Project Specific LAP certification. This Certification will be valid till the completion of all projects.</p> <p>Projects Requiring Certification:</p> <ul style="list-style-type: none"> ❖ Design, Construction & CEI <ul style="list-style-type: none"> ○ 443978.1 SHADY BANKS AND TARPON RIVER NEIGHBORHOOD VARIOUS LOCATIONS ❖ Construction & CEI <ul style="list-style-type: none"> ○ 450866.1 WEST LAKE DRIVE AT LUCILLE RIVER BRIDGE#865773 ○ 450867.1 WEST LAKE DRIVE AT MERCEDES RIVER BRIDGE#865774

		<ul style="list-style-type: none"> ○ 450868.1 WEST LAKE DRIVE AT ESTELLE RIVER BRIDGE#865771 ○ 450870.1 SE 7TH STREET AT RIO CORDOVA BRIDGE# 865760
3.	Responsible Charge	<ul style="list-style-type: none"> ❖ Responsible Charge: Raymond Nazaire, P.E. ❖ Backup Responsible Charge: Andre Eugent <p>As per LAP Manual Chapter 7, Section 7.4</p> <p>“The Local Agency’s responsible charge is expected to complete LAP training sessions, attend project and coordination meetings, and be responsive to requests for project information from the Department or other government agencies.”</p> <ul style="list-style-type: none"> • Other duties of the Responsible Charge include: <ul style="list-style-type: none"> ○ Maintaining familiarity of the day-to-day project operations, including project safety issues. ○ Makes or participates in decisions about changes in conditions or scope that require Change Orders or Supplemental Agreements. ○ Visits and reviews the project on a frequent basis. ○ Reviews financial processes, transitions, and documentation to ensure that safeguards are in place to minimize fraud, waste, and abuse. ○ Directs staff/consultants to carry out project administration and contract oversight, including proper documentation. • RC should also be aware of the qualifications, assignments, and the on-the-job performance of the agency and consultant staff at all stages of the project. <p>LP Manual: https://www.fdot.gov/programmanagement/LAP/LAP-TOC.shtm</p>
4.	GAP	<p>Grant Application Process (GAP)</p> <p>GAP is a statewide GRANT Management web-based system., designed and developed specifically for use of the FDOT, FHWA, and other key transportation industry organizations. GAP houses all complete project documentation which may vary per phase including invoices, LAP certification documents, contracts, contacts. Agencies may also apply for Grant Opportunities via GAP.</p> <p>Agency GAP Administrator- Connie Hayman & Vickie Beauvais</p> <p>GAP Checklist:</p>

		Construction/CEI - Items to Upload	Upload By	Responsible
		Before and During Construction		
		Executed Local Agency Construction Contract	Meeting w/FDOT	LA
		Preconstruction Meeting minutes	Upon completion	LA
		NTP from LA to Contractor	Upon issuance	LA
		Contractor Construction Schedule	Upon receipt	LA
		QC Plan	Upon approval or acceptance by LA	LA
		Permits	As the final permits have been received	LA
		Drill Shaft Installation Plan, Pile Driving Plan, Mix Design	Upon approval or acceptance by LA	LA
		Approved Shop Drawings	As a complete pdf file	LA
		Each Change Order with concurrence	As each change order is executed	LA
		Progress Meetings Minutes	After each meeting	LA
		For Project Closeout with Local Agency		
		Record of Final Plans and Documents (525-010-47)	Before Final Audit	LA
		Plans)	Before Final Audit	LA
		Time/Day Counts (spreadsheet/form)	Before Final Audit	LA
		Draft Copy of Final Reimbursement*	Before Final Audit	LA
		Final Inspection and Acceptance (525-010-42)	Before Final Audit	LA
		Materials Certification Statement	Before Final Audit	LA
		As Built Plans	Before Final Audit	LA
		Material Tests (Not in LIMS) (as a single file)	Before Final Audit	LA
		An all-inclusive GAP checklist will be provided by the Local Program Coordinator.		
		❖ Florida Gap - Log In (blackcatgrants.com)		
5.	District Review and Coordination	All required documents should be uploaded into GAP system. <ul style="list-style-type: none"> • SCAT (Uploaded to GAP 04/21/2023) • Title VI Nondiscrimination Assurance (Uploaded to GAP 04/21/2023) • Title VI Policy and Plan (ADA & LEP) (Uploaded to Agency website) • Training Certificates (On File) • Resumes 05/25/2023 ❖		
6.	SCAT Team Review	a) SCAT Status – YELLOW b) Title VI Coordinator is Lisa Marie Glover and the ADA Coordinator is Matthew Cobb, AIC, AIS SCAT Team recommendations: <ul style="list-style-type: none"> • Title VI and LEP should be updated at a minimum once every 3 years • ADA transition plan annually to align with any corrections addressed in its previous year and current/future year capital improvement program. 		

		<p>The SCAT Team has completed a review of City of Lauderdale Lakes and assesses the agency Yellow until 4/20/2026.</p> <p>The Team notes the following: Agency lacks a Limited English Proficiency (LEP) plan that analyzes the four factors with up-to-date language demographics from the US Census American Community Survey (ACS). Could not locate LEP Plan on Website. Note however, the Agency will not be eligible for Local Agency Program (LAP) certification after 4/20/2026 unless/until outstanding deficiencies are eliminated. As a reminder, Title VI documentation including LEP Plans should be updated at a minimum once every three years.</p> <p>The named Title VI/ADA Coordinator has the following responsibilities: 30 days to respond to complaints and will take reasonable steps to resolve the matter, ensure development of ADA Transition Plan, and guarantee that facilities within the Agency are accessible to those that are disabled.</p>
<p>7.</p>	<p>Programmatic Risk Assessment</p>	<p>The Agency was evaluated by the Department on 09/14/2023 and is considered High Sub-recipient of Federal-Aid funds, eligible for LAP certification.</p> <p>Monitoring Activities</p> <ul style="list-style-type: none"> • Invoice Review- Monthly Preferred/Quarterly Required • Audit Review • Review of programmatic, Performance and Quarterly Assurance Reports • Technical/Training Assistance Requirement • District Progress and Pre-production Meeting(s)- As needed/Quarterly. <p>See GAP for Central Office / FDOT Financial Risk Assessment.</p> <p>Central Office reviewed the provided <u>SCAT tool</u> and identified the risk level based on review of:</p> <ul style="list-style-type: none"> • Local Agency’s single Audit • Invoicing history • Responsible Charge and his/her past performance • Past performance evaluations for LAP projects • Compliance with mandatory trainings <p>Title VI and other non- discriminatory services as detailed in the SCAT tool</p>
<p>8.</p>	<p>LAP Certification Tool</p>	<p>District 4 is Certifying in the following:</p> <ul style="list-style-type: none"> • Design (Preparation of the plans, specification, estimates package) • Construction & Construction Administration • Procurement of Construction and Professional Services Contracts

		<p>Mandatory Training</p> <ul style="list-style-type: none"> • Ensure that the designated person (people) complies with the specific requirements and duties • Maintain a trained team up to date during the project lifetime <p>Agency Staffing / Agency Staff Augmentation</p> <ul style="list-style-type: none"> • Provide names, titles, resumes of LAP Project team and organizational chart • Agency needs keep their GAP contacts updated, removing all contacts of departed staff and changing primary contact to the responsible charge. <p>Conflict of Interest</p> <ul style="list-style-type: none"> • Allowing the EOR to perform CEI services on the same project funded by the Department is in violation of Section 337.14, F.S. and Department Procedure Topic No. 375-030-006. • The LA must ensure there are compensating controls in the form of policies, procedures, practices, and other safeguards to guarantee a conflict of interest does not occur in the procurement, management, and administration of consultant services and must include contract provisions specifying contracting agency requirements pertaining to conflicts of interest. <p>Available Resources:</p> <ul style="list-style-type: none"> ➤ Conflict of Interests - Frequently Asked Questions (fdot.gov) ➤ FDOT Conflict of Interest Procedure: 375-030-006 (1).pdf ➤ Local Program Manual (Chapter 14.3): Approved: (windows.net)
9.	Professional Services	<p>Local Agency may use its own consultant prequalification or qualifications process for LAP projects with classification D ("off-system "or local system projects). Must be consistent to ensure fair competition in the selection process. A description of the prequalification process must be clearly defined in each procurement document issued for Federal-Aid projects.</p> <p style="text-align: center;">The City will use FDOT's prequalification process. Each bid must be done individually. Copied below is a link to FDOT's prequalification: Prequalification Applications (fdot.gov)</p> <p>As a reminder.....</p> <p>Step 1: Solicitation and RFP – Check List Items 1-7, 13</p> <ul style="list-style-type: none"> • Solicitation – Publicly announce projects in a uniform and consistent manner via public forum. Public announcements must be posted for minimum for 14 days.

- RFP – provide a clear, accurate and detailed scope of work, technical requirements, and qualifications of consultants necessary for the services to be rendered and describe the procurement process.
- Once Draft RFP has been approved by FDOT LAP Coordinator, the local agency will receive LAP Agreement for review and execution.

Agency can NOT Advertise or Start Design prior to the execution of the LAP Agreement!!!!

NOTICE #1: District Concurrence/ NTP for Design issued with executed LAP Agreement after the draft RFP/RFQ has been approved. Agency can now proceed with advertisement of RFP/RFQ and solicitation.

Step 2: Evaluation of Responses - Checklist Item 8

- A minimum of 3 qualified responses are required when utilizing each method of procurement.
- Though the Agency may receive more than 3 proposals, they are required to show how the ranking process resulted in the selection of the top 3 choices.

NOTICE #2: District Concurrence issued once Department concurs to the number one ranked firm. Agency can now negotiate with selected firm.

Step 3: Negotiations - Checklist Items 9-11

- The local agency uses resources like independent staff hour estimate, the refined scope of work and the evaluation factors to conduct effective negotiations.
- Once negotiations are completed, the Consultant Agreement with Audit package and Fee proposal is forwarded to the Department for review.

NOTICE #3: District Concurrence issued via email after the review of the Agency's' independent staff hours and Audit package PRIOR to execution of consultant agreement.

Step 4: Contract Award - Checklist items 12-13

- All required contract terms or provisions shall be incorporated into the professional services contract document for Federal Aid Reimbursement Eligibility.

NOTICE #4: District Concurrence issued via email after FDOT final review of draft consultant contract including Audit package and Fee proposal. Agency will now be able to proceed with execution of final contract.

Local Agency to provide oversight of selection process.

LP MANUAL, Chapter 14, Section 14.5-14.8 & LAP Checklist for Federally Funded Professional Services Contracts (Form No. 525-010-49)

Local Agency to ensure project deliverable are identified in the RFP, see below of suggested deliverables.

- | | |
|----------------|-----------------------------|
| • Survey | • Contamination Assessments |
| • Post Design | • Permitting |
| • Geotech | • Utility Coordination |
| • Coordination | |

10.	Procurement General - Construction	<p>The Agency's ability to maintain reimbursement eligibility is dependent on the following federal procurement regulations. All Fed-Aid rules apply (See LAP Checklist for Construction Contracts for federal contract requirements)</p> <ul style="list-style-type: none"> • FHWA 1273 • Approved Contracting Methods (see LAP manual) • Davis-Bacon Labor Rates (exceptions may apply) • Disadvantaged Business Enterprises (DBE) • Americans with Disabilities Act (ADA) • Buy America (Steel & Iron) • NO Convict Labor <p style="color: red;">Once the contract is executed with the construction contractor Agency is required to complete a Construction Contract Page in GAP.</p> <p><u>DBE/Bid Opportunity and EOC Access</u></p> <ul style="list-style-type: none"> • Comply with FDOT's DBE Program Plan https://www.fdot.gov/equalopportunity/dbe-plan • Requesting EOC Access (fdot.gov) https://www.fdot.gov/equalopportunity/eoc.shtm/lists/eoc/b8090dd0-7b34-49b5-a04a-3c0119267182 • Verify Contractors enter their bid opportunity information in the EOC System. https://www.fdot.gov/equalopportunity/eoc.shtm <p><u>FHWA 1273 and Appendix I</u></p> <ul style="list-style-type: none"> • Prime and Sub-contracts must include required federal terms and provisions, FHWA 1273 must be physically incorporate in all contracts and subcontracts and Appendix I: Terms for Federal-Aid Contracts • Provisions cannot be modified. <p style="color: blue;"><u>FHWA 1273 Required Contract Provisions for Federal-Aid Construction Contracts</u></p> <p>RCS Responsibility can be self-performed to monitor contract compliance on construction contracts.</p> <p style="text-align: center;">The use of consultant staff does not relieve the Local Agency of its responsible charge/RCS obligations.</p> <p>Contractor shall report monthly, through the FDOT Equal Opportunity Reporting System on the FDOT website, actual payment, retainage, DBE status and work type of all subcontractors and major suppliers. Contractor shall develop a record keeping system to monitor DBE participation including the following:</p> <p>i) Number and dollar value of contracts awarded to DBE subcontractors.</p>
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		<ul style="list-style-type: none"> ii) A description of the general categories of subcontracts awarded to DBE's. iii) The specific efforts employed to identify and award subcontracts to DBE's. <p>All records relating to DBE participation and subcontracts shall be maintained for a period of five (5) years following acceptance of final payment. All such records shall be available for inspection by the Agency, FDOT or the Federal Highway Administration upon request.</p>
11.	Procurement Construction	<ul style="list-style-type: none"> • Advertise for a minimum of 3 weeks before the opening of bids. <ul style="list-style-type: none"> ○ Construction – minimum of 21 days ○ Any addendums that the agency would like to execute, must seek concurrence from the Department prior to execution. • Assures in-State and out-of-State reach. <ul style="list-style-type: none"> ○ Advertise via public forum, at least once in a newspaper of general circulation in the county and/or regionally. ○ It is imperative that the agency builds proper language with their legal team to avoid flawed contractors.
12.	<p>Construction Administration</p> <p>(Pre-construction meeting will not be scheduled prior to D4 approval of contract)</p>	<p><u>Construction</u></p> <ul style="list-style-type: none"> • Construction should be administered (at a minimum) in accordance with Florida Greenbook and referenced manuals. • Agency cannot use the same consultant for Design and CEI services • FDOT does not certify Local Agencies to conduct ROW acquisition on Federally funded projects. “All work for the project must be completed within and from the existing Right of Way” <p><u>Change Order</u></p> <ul style="list-style-type: none"> • Agency is to maintain procedures outlining change order and time extension procedures, which must be included in bid documents. • Any changes to contract/ bid documents/ addendums, that agency would have to seek concurrence from the department prior to execution. • No work shall be done prior to FDOT concurrence/ Approval regardless of participation. <p><u>Material Testing</u></p> <ul style="list-style-type: none"> • FHWA conducts annual Quality Assurance Reviews (QAR), there is a possibility that Agency could be selected. • Verify that the quality of all materials incorporated into the project are in conformance with the contract documents, including the plans and specification. <p><u>Build America Buy America Compliance</u></p> <ul style="list-style-type: none"> • A Buy America Letter/Memo is required. If a Buy America waiver was approved, provide the Federal Register publication date.

		<ul style="list-style-type: none"> Agency is to comply with section 70914 of Public Law No. 117-52 which includes the Build America Buy America Act (BABA) <p>Liquidated Damages</p> <ul style="list-style-type: none"> Include FDOT’s Division 1 specification package for Local Agencies in the bid document to use FDOT approved rates. Agency may develop rates based on 23 CFR 635.127 and include in contract provisions with FDOT approval. If an Agency is experiencing issues with contractor, it is advised that Agency follows their documented procedures. CANNOT have different rates from the initial rates. <p>Local Agency Oversight</p> <ul style="list-style-type: none"> Agency must perform sufficient oversight of contractor and Consultants. Agency is responsible for coordinating internally with legal and the department to determine the proper course of action for terminating Local Agency agreements
13.	LAP Agreement	<p><i>LAP Manual Chapter 5.</i></p> <p>The LAP Agreement is a contractual agreement between LAP Certified Local Agency and FDOT. It is a boilerplate agreement approved by FDOT and FHWA that will be provided to the Agency twice, once for Design and again for Construction/CEI.</p> <p>Design</p> <ul style="list-style-type: none"> This LAP Agreement is for preparation of Plans, Specs, Estimates (PS&E) / Production Package. Executed upon the approval of the RFP/RFQ with Checklist and issuance of LAP Certification <p>Construction & Construction Engineering & Inspection (CEI)</p> <p>Executed upon:</p> <ul style="list-style-type: none"> Approval of Production Package and Draft Bid document (ITB) with Construction Contract Checklist Approval of Draft RFP/RFQ for CEI services <p>Production Requirements:</p> <ul style="list-style-type: none"> 100% S&S Plans, Technical Specifications and Engineer’s Cost Estimate (PS&E). All permits to <u>ALL</u> applicable areas are in hand: ROW, Environmental, Rail and Utilities Clear Letters/Memos. Approved Construction Contracts Checklist and Bid Documents. <p>*FDOT is to provide oversight of both Professional Services Procurements (Design and CEI)- same Process is followed for both.</p> <p style="color: red;">There Is no billing or advertisement prior to the execution of the LAP Agreement.</p> <p>Department will execute LAP Agreement via DocuSign and email to the Agency; a hard copy will NOT be mailed.</p>

<p>14.</p>	<p>Invoicing</p>	<p>Monthly/Quarterly invoicing during Construction. Agencies may only seek reimbursement for eligible items up to the awarded/programmed amount for construction.</p> <p style="text-align: center;">Invoices are to be uploaded in GAP https://secure.blackcatgrants.com/Login.aspx?site=flgap</p> <p style="background-color: yellow;">An email to D4-localprograminvoices needs to be sent. This notifies FDOT that an invoice has been uploaded.</p> <ul style="list-style-type: none"> ○ Invoice packages should include all required documents and agency should use due diligence to review for completeness and retain records ○ Invoices are submitted on a monthly basis and at minimum quarterly to avoid invoice inactivity ○ FHWA regularly monitors “projects with no fiscal activity” (starting with no activity for 6 months) ○ If construction contract time exceeds LAP agreement expiration date Agency will not be reimbursed <p>Required documents:</p> <ul style="list-style-type: none"> ● Reimbursement Forms (Cover Page, Cost Summary Sheet and DFS) ● Cancelled Checks/Proof of Alternative Payment Method ● PMSR <p style="text-align: center;">Consult with assigned LAP Coordinator regarding other supporting docs which can vary from phase to phase.</p>			
<p>15.</p>	<p>FDOT Local Program Oversight Team & Expectations for LA</p>	<p>Local Agency expectation consist of the following:</p> <div style="text-align: center;"> </div> <table border="0" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 33%; vertical-align: top;"> <ul style="list-style-type: none"> ● Attend Kickoff and Progress Meeting with Local Agency ● Conduct Design Plan Review(s) ● Ensure Compliance and provide guidance ● Issue Environmental or ROW Certification </td> <td style="width: 33%; vertical-align: top;"> <ul style="list-style-type: none"> ● Attend Pre-Construction Meetings and Progress Meeting ● Field/Site Visit(s) ● Quarterly Construction Compliance Reviews ● Conducting Monthly Project Monitoring and reporting ● Change Order/ time Ext. ● Invoice Review ● Project Close-outs/ Final Acceptance and Inspection ● QARs/PODI </td> <td style="width: 33%; vertical-align: top;"> <ul style="list-style-type: none"> ● Attend Pre-Construction Meetings and Progress Meeting. ● Monitor compliance w/ FDOT’s Disadvantage Business Enterprise(DBE) program plan, Bid Opportunity, and Equal Employment Opportunity (EEO) requirements </td> </tr> </table> <p>Success of the Local Agency Program depends on the Local Agency ability to commit and adhere to:</p>	<ul style="list-style-type: none"> ● Attend Kickoff and Progress Meeting with Local Agency ● Conduct Design Plan Review(s) ● Ensure Compliance and provide guidance ● Issue Environmental or ROW Certification 	<ul style="list-style-type: none"> ● Attend Pre-Construction Meetings and Progress Meeting ● Field/Site Visit(s) ● Quarterly Construction Compliance Reviews ● Conducting Monthly Project Monitoring and reporting ● Change Order/ time Ext. ● Invoice Review ● Project Close-outs/ Final Acceptance and Inspection ● QARs/PODI 	<ul style="list-style-type: none"> ● Attend Pre-Construction Meetings and Progress Meeting. ● Monitor compliance w/ FDOT’s Disadvantage Business Enterprise(DBE) program plan, Bid Opportunity, and Equal Employment Opportunity (EEO) requirements
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		<ul style="list-style-type: none"> • State and Federal Requirements as set forth in the LAP Manual, LAP Agreement, and FHWA 1273 • Approved/Awarded Project Scope • Project Schedule & Funding <p>Communication & Coordination</p>
16.	Performance Management	<p>Please refer to LAP Manual Chapter 7</p> <p>Upon completion of the project, the District LAP Administrator will provide the Local Agency with a copy of the LAP Performance Evaluation.</p> <p>Performance Evaluations are completed throughout the duration of a project by the assigned LAP Coordinators by assessing what aspects of the agency’s efforts were compliant and where compliance was less than satisfactory.</p> <p>Agencies will be rated in the following areas:</p> <ul style="list-style-type: none"> • Design Phase • Construction Advertisement and Award • Construction and Construction Administration <p>Performance Evaluations assist the Department in determining LAP Certification type needs based on risk and during the Certification Review process on future projects.</p>
17.	LAP Certification	<p>LAP Certification is executed by the District Secretary after successful completion of the District’s assessment and Local Agency Interview (Certification meeting)</p> <p>Certification Removal - Local Agency certification may be removed for any of the following instances:</p> <ul style="list-style-type: none"> ▶ Non-compliance with federal requirements ▶ Non-compliance with state requirements ▶ Non-compliance with the LAP Manual ▶ Non-compliance with the LAP Agreement ▶ Not meeting mandatory training requirements ▶ Unsatisfactory performance evaluations, most often resulting from failure to deliver projects and/or meeting program commitments <p>Project terminations due to non-compliance may result in both removal of certification and ineligibility for reimbursement (agency may also be required to payback funds received from the Department).</p>
18.	LP Manual/General Requirements/ Questions/ Comments	<p>Local Program Manual establishes both:</p> <ul style="list-style-type: none"> • oversight and monitoring procedures for use by Department staff when managing project phases performed by LAs, and • minimum project delivery requirements LAs must adhere to for compliance with State and Federal transportation grant programs administered by the Department.

The Department recommends that your Local Agency will greatly benefit from reading the following chapters:

- [Chapter 14](#) Professional Services Contract, Selection, and Award (Using Consultants).
- [Chapter 17](#) Preliminary Engineering and Design
- [Chapter 20](#) Plans, Specifications, and Estimates Package Preparation (PS&E)

LAP Website – Please visit the LAP website regularly to stay current with all changes. LP Manual chapters are updating regularly.

- [Chapter 7](#) Responsible Charge
- [Chapter 11](#) Bid Opportunity Data Collection
- [Chapter 15](#) Federal and State Construction Contracting Requirements.
- [Chapter 14](#) Project Solicitation(s)
- [Chapter 17](#) Design Phase Review Process.
- [Chapter 21](#) Contract Changes
- [Chapter 23](#) Project Close Out Procedures

Important Websites

District 4 Local Program Information Hub:	https://www.fdot.gov/designsupport/Districts/D4LAP/D4LAP.shtm
Statewide LAP Certification webpage:	https://www.fdot.gov/programmanagement/LAP/BecomingCertified.shtm
Statewide LAP Website:	https://www.fdot.gov/programmanagement/LAP/Default.shtm
Statewide LAP Forms & Documents:	https://www.fdot.gov/programmanagement/LAP/Forms/LapForms.shtm
LP Manual:	https://www.fdot.gov/programmanagement/LAP/LAP-TOC.shtm
EOC System:	https://www.fdot.gov/equalopportunity/eoc.shtm
GAP System:	https://secure.blackcatgrants.com/Login.aspx?site=flgap

General Reminders

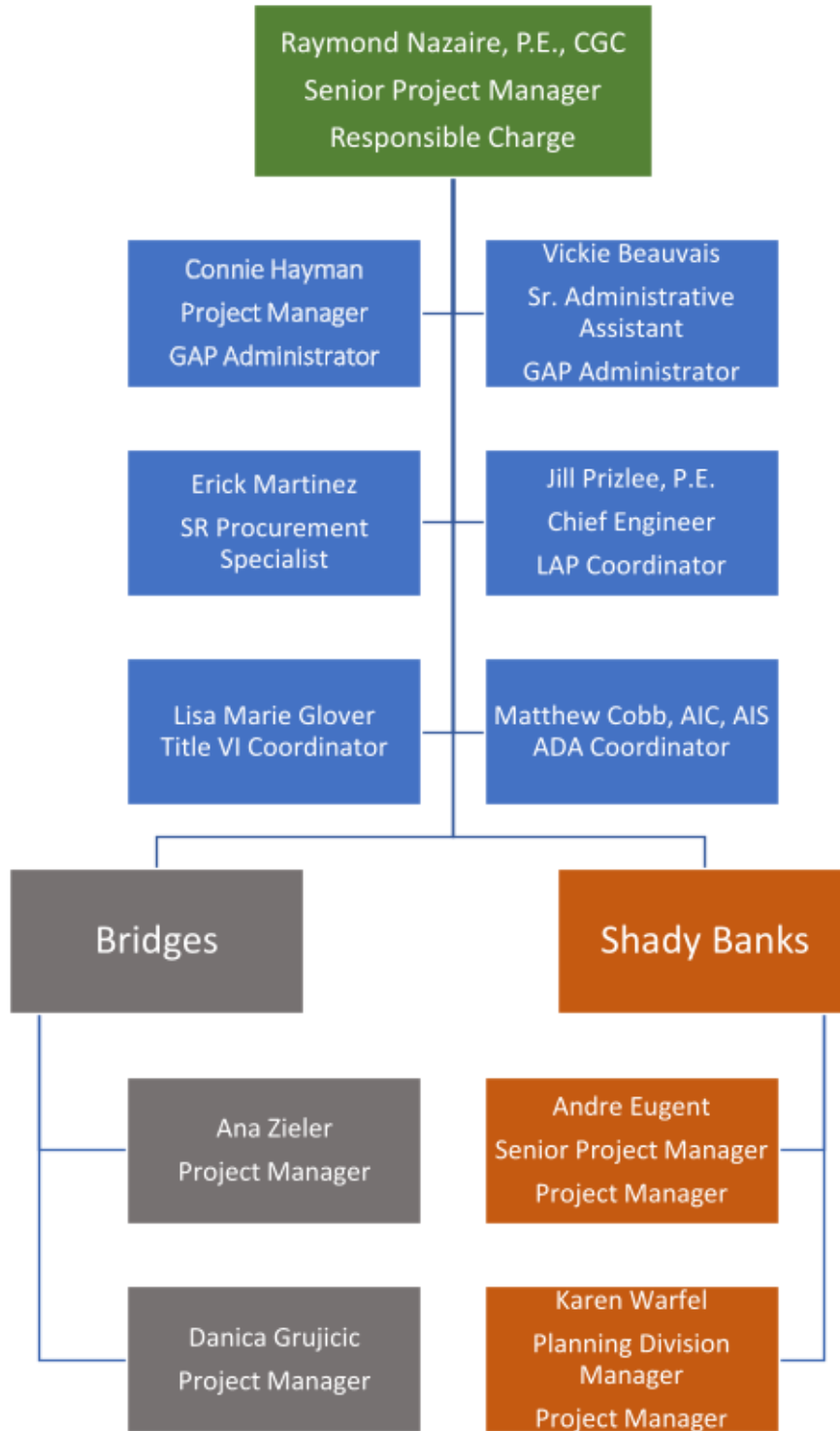
It is imperative that the Agency sends proper documentation for approval/concurrence.

19.	District Requirements	<ul style="list-style-type: none">• City is responsible for to Procure Design and CEI oversight for their consultants• City must have FDOT Prequalified Firm and Contractor• City must follow the Design Criteria and Specifications;<ul style="list-style-type: none">○ Bridges- Class C<ul style="list-style-type: none">▪ For structures components, use the FDOT Design Manual, FDOT Structures Manual and FDOT Standard Plans▪ For all other components, use the Florida Greenbook○ Shady Banks- Class D<ul style="list-style-type: none">▪ Florida Green Book
20.	Department Contacts	All LAP Certification inquiries should be addressed to: <ul style="list-style-type: none">• Mya Gray, Local Program Administrator Ph.: 954-777-4608 Email: Mya.Williams@dot.state.fl.us• Victoria Ulysse, LAP Coordinator Ph.: 954-777-4491 Email: Victoria.Ulysse@dot.state.fl.us

LOCAL AGENCY CERTIFICATION PACKAGE

ATTACHMENT #4

Organizational Chart



Florida Department of Transportation

RON DESANTIS
GOVERNOR

3400 West Commercial Boulevard
Fort Lauderdale, FL 33309

JARED W. PERDUE, P.E.
SECRETARY

01/26/2024 | 2:08 PM EST

SENT VIA EMAIL TO: rnazaire@fortlauderdale.gov

Mr. Raymond Nazaire, P.E., CGC.
Senior Project Manager
City of Fort Lauderdale
100 North Andrews Avenue
Fort Lauderdale FL 33301

Dear Mr. Nazaire

RE: Local Agency Program (LAP) Project-Specific Certification

Congratulations! After review of the local agency's internal controls and completion of the LAP certification interview, the Florida Department of Transportation, District Four has granted the City of Fort Lauderdale a project-specific certification for the projects referenced below.

- FM 450866.1 WEST LAKE DRIVE AT LUCILLE RIVER BRIDGE #865773
- FM 450867.1 WEST LAKE DRIVE AT MERCEDES RIVER BRIDGE #865774
- FM 450868.1 WEST LAKE DRIVE AT ESTELLE RIVER BRIDGE #865771
- FM 450870.1 SE 7TH STREET AT RIO CORDOVA BRIDGE #865760
- FM 443978.1 SHADY BANKS AND TARPON RIVER NEIGHBORHOOD VARIOUS LOCATIONS

The City is hereby certified in the functional areas of Design and preparation of the Plans, Specifications, and Estimates (PS&E) package, Construction and Construction Administration as well as the procurement of the Professional Services and Construction Contract. Therefore, professional services and construction contracting must be in accordance with the Federal and State requirements outlined in the Department's Local Program Manual and LAP Checklist for Professional Services and Construction Contracts.

Please note that for the referenced LAP projects, the City will be responsible for providing design and Construction Engineering and Inspection (CEI) consultant oversight. The design and CEI consultants' firms cannot be the same, nor can the oversight consultants, and all must be FDOT pre-qualified for the appropriate work types. Additionally, the contractor will be required to be an FDOT pre-qualified contractor.

Mr. Raymond Nazaire, P.E., CGC

Page 2

The signed Local Agency Program Certification Tool is enclosed for your records. Certification is based on the City's updated Sub-Recipient Compliance Assessment Tool (SCAT), review of financial statements, LAP training attendance for project personnel, experience of project management staff, and the performance evaluations conducted at the close of each project.

This project-specific certification is valid for the duration of the referenced projects and will expire once the project close-outs are complete. If the City makes a change in Responsible Charge (Senior Engineer) or other positions identified in the City's LAP organization chart, please inform the Department as soon as possible.

Thank you for your continued participation and commitment to improve the City's management of LAP projects. If you have any questions, please contact the District Local Program Administrator, Mya Gray, at 954-777-4608 or at mya.williams@dot.state.fl.us.

Sincerely,

DocuSigned by:

B6FB79A8F1EF4EE...

Steven C. Braun, P.E
FDOT District 4 Secretary

SB:mg

- cc: Karen Warfel, Planning Division Manager - City
- Erick Martinez, Senior Procurement Specialist - City
- John P. Krane, P.E., Director of Transportation Development- FDOT
- Sabrina Aubery, P.E., District Program Administration Engineer - FDOT
- Mya Gray, District Local Program Administrator - FDOT
- Alia Chanel, Office of the District Four Secretary - FDOT

DS


AC
