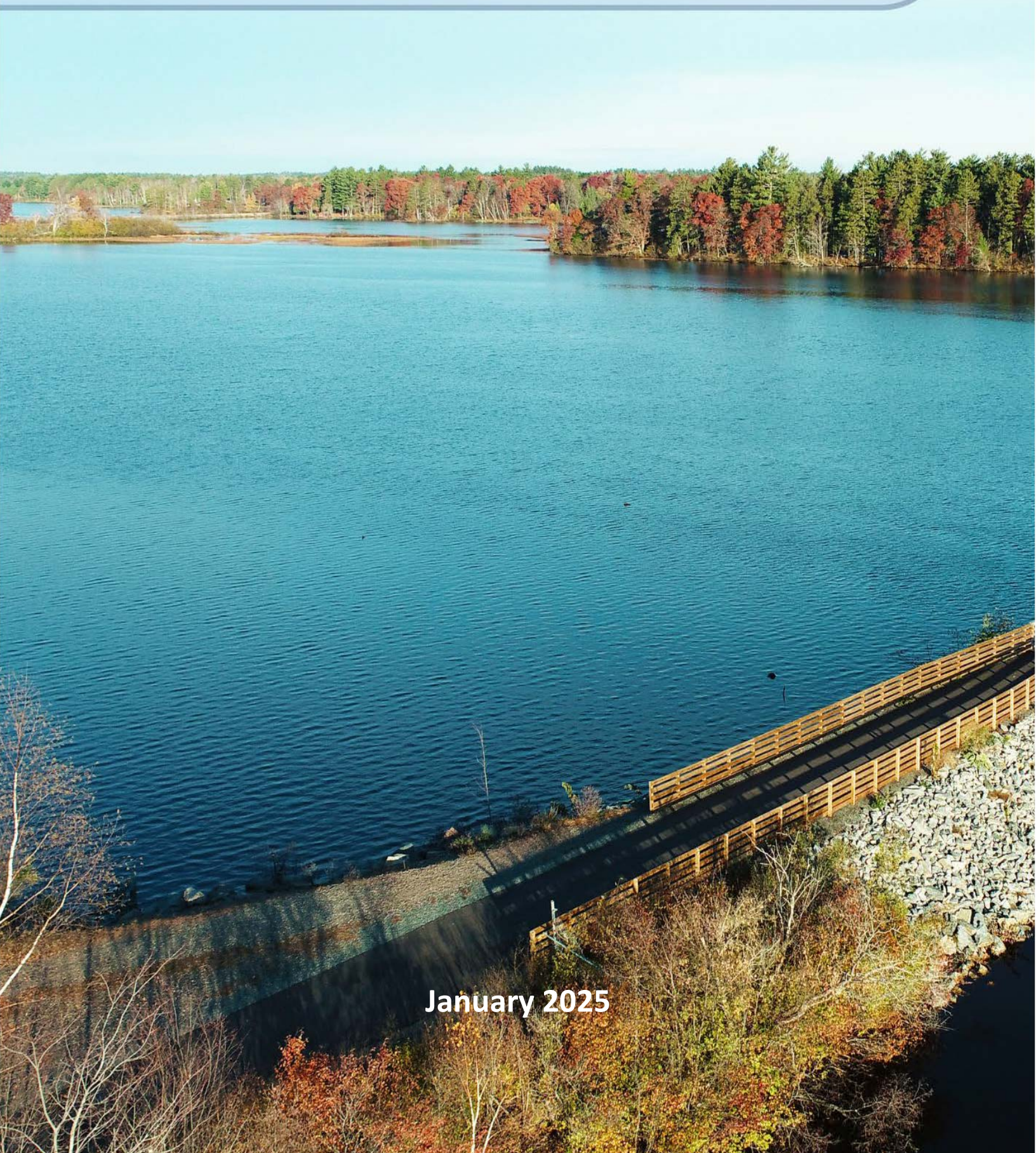


# Sponsor's Guide to Non-traditional Transportation Project Implementation



January 2025

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# 1 INTRODUCTION

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The *Sponsor's Guide to Non-Traditional Transportation Project Implementation (Sponsor's Guide)* is aimed at project sponsors (sponsor(s))<sup>1</sup> that have been awarded funds for federally funded non-traditional transportation projects: the Congestion Mitigation and Air Quality (CMAQ) Improvement Program, the Carbon Reduction Program (CRP), and the Transportation Alternatives Set-Aside Program (TAP). This guide assumes that project sponsors are familiar with the project solicitation process of non-traditional transportation projects (TAP, CMAQ, CRP). In this guide, the project sponsor will learn the fundamental steps to project completion:

- Funding
- Project authorization
- Design services
- Project delivery
- Required documents
- Contract letting
- Construction
- Reimbursement

This guide cannot be used by sponsors implementing any other Local Program projects, such as Local Bridge Improvement Assistance (Local Bridge), Local Roads Improvement Program (LRIP), Surface Transportation Programs (STP-Urban, STP-Rural, or STP-Local), or any projects administered through the state letting process. [For these projects, refer to the \*LPA Guide\*.](#)

The *Sponsor's Guide* references federal and state policies that are frequently updated. To account for these updates, the *Sponsor's Guide* is a **living document**, and is updated regularly on WisDOT's Local Program website. We recommend project sponsors bookmark and consult the [Sponsor's Guide website](#) frequently to remain informed of updates as they occur.

## 1.1 WHO IS THE PROJECT SPONSOR?

The primary audience for this guide is the sponsor, the local public agency (LPA)<sup>2</sup> responsible for the project. The sponsor has a cost share and is the entity that owns the project. The sponsor is tasked with leading the scoping, design, construction, and eventual maintenance of the facility. The sponsor is responsible for following the policies associated with Local Program project delivery guidelines, WisDOT's [Facilities Development Process](#), and the requirements detailed in the *Sponsor's Guide*. As project owner, the sponsor is continuously involved with the delivery of the project and maintains responsibility for any project communication to interested groups such as the media, legislators, and/or the public.

The sponsor follows all state and federal regulations and requirements. In situations where regulations are not followed, WisDOT may impose contract sanctions (as appropriate), including, but not limited to withholding of payments to the sponsor until compliance is reached, or cancellation, termination, or suspension of the state-municipal agreement (SMA) in whole or in part. **Failure to follow regulations can result in partial or complete withdrawal of federal and/or state participation in the project.**

### 1.1.1 RESPONSIBLE CHARGE

The sponsor must designate a **responsible charge** to supervise all phases of the project. The designee is a full-time employee of the LPA and will act as authority for all WisDOT-delegated responsibilities and project approvals. Engineering consultants are often involved with non-traditional projects to support the LPA, and these consultants are supported by the responsible charge. In instances where a consultant is contracted by

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<sup>1</sup> Secondary audiences for this guide include consultants working alongside the project sponsor and Local Program Managers and Local Program Project Managers supporting the sponsor through the local let process.

<sup>2</sup> A local public agency (LPA) is a government entity with taxing authority such as a township, village, city, county, or tribal nation.

the LPA to serve as responsible charge, that individual may not fulfill other consultant roles that support the project (design, construction). Responsibilities for the responsible charge will include<sup>3</sup>:

- Administering activities related to the project such as contract negotiation, contract payment, and evaluation of performance, compliance, and quality of services provided by the consultant
- Familiarity with contract requirements, scope of services, and products produced by the consultant
- Familiarity with the qualifications and responsibilities of the consultant's staff and evaluating any requested changes
- Scheduling and attending progress and project review meetings to ensure work is progressing in accordance with the project scope and schedule milestones
- Evaluating and participating in decisions for contract modifications

## 1.2 TRAINING & CERTIFICATION

LPAs that are awarded projects are required to review the *Sponsor's Guide* in full and complete the Sponsor's Guide Certification training and Title VI training.<sup>4</sup> Training is hosted online and can be accessed via the [WisDOT Learn Center](#). After reading the *Sponsor's Guide* in full, sponsors must acknowledge their understanding of the document by completing the [Sponsor's Guide Acknowledgement form](#) (SG00). After completing the online trainings, sponsors must certify their understanding of the *Sponsor's Guide* training materials and confirm their responsible charge by completing the [Certification for Non-Traditional Project Administration and Delivery](#) (SG18).<sup>5</sup> By completing the trainings and associated forms, the sponsor acknowledges the requirements necessary to administer a locally let project with federal funding. WisDOT encourages all persons responsible for administration of the awarded project to complete the certification training.<sup>6</sup> As with the *Sponsor's Guide*, the online training is updated every other year.

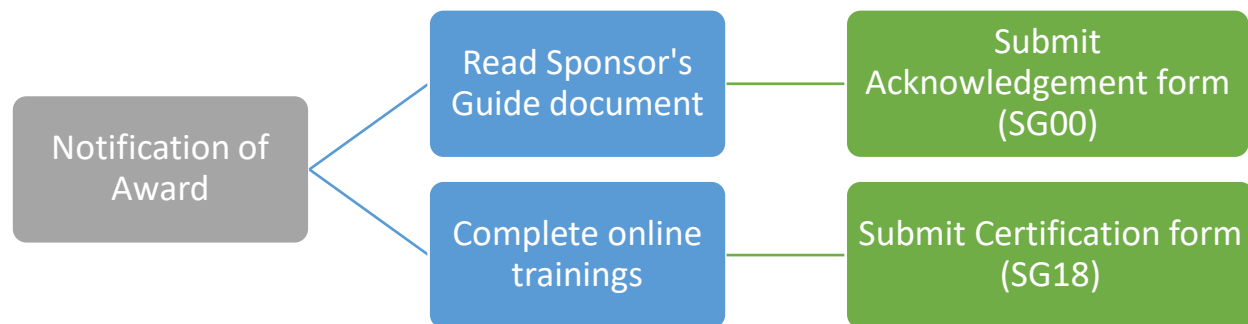


Figure 1.1 Acknowledgement and certification process

<sup>3</sup> [23 CFR 172.9\(d\)\(1\)](#)

<sup>4</sup> Though content within the *Sponsor's Guide* may not pertain to non-infrastructure activities, such as SRTS education/enforcement activities, all sponsors shall complete training.

<sup>5</sup> Per WisDOT's agreement with the FHWA, "WisDOT will conduct certification training for LPAs selected to receive and administer a federally funded local program project. A completed and accepted certification form is required for each LPA that is in responsible charge of a federally funded local program project."

<sup>6</sup> Employed by or associated with the LPA, including staff members, design consultants, and contractors.

Certification requires that the sponsor meet standard requirements applicable to locally let, federally funded projects. WisDOT verifies certifications for all awarded projects. Certification will be verified and accepted by WisDOT before the SMA is approved.

### 1.3 WISDOT OVERSIGHT

WisDOT provides oversight for non-traditional transportation programs through its regional offices and the Division of Transportation Investment Management (DTIM) at the Central Office.<sup>7</sup> These entities work together with the sponsor to develop and fund projects. [In each region](#), Local Program Project Managers (LPPMs) oversee non-traditional transportation projects and non-infrastructure bike-ped planning studies. The DTIM Central Office oversees education and evaluation projects such as Safe Routes to School. **The LPPM is not responsible for project administration and will not provide quality control for the sponsor's work nor the work of their consultant(s).**



Figure 1.2 WisDOT Regions Map

WisDOT will retain authority for:

- Project programming
- Phase authorization
- Document approvals
- Right-of-way (ROW) certification
- Disadvantaged business enterprise (DBE) goals
- Local force accounts (LFAs) and cost effectiveness findings (CEFs)
- Project cost eligibility
- Final inspection and acceptance of the project
- Reimbursement of federal aid

### 1.4 PROJECT TYPES

The *Sponsor's Guide* refers only to non-traditional transportation projects that are locally let. Non-traditional transportation projects currently available through WisDOT include:

- Transportation Alternatives Set-Aside Program (TAP)
  - Safe Routes to School (SRTS)
  - Bicycle-pedestrian planning studies
- Congestion Mitigation and Air Quality (CMAQ) Improvement Program
- Carbon Reduction Program (CRP)

All associated projects are administered through a locally let contract (LLC). Projects are federally funded via reimbursement-based financing, where WisDOT encumbers the project cost in escrow and releases encumbered dollars following completion of the project.

### 1.5 PROJECT OVERVIEW

The project's schedule can vary depending upon its complexity.<sup>8</sup> Project milestones, such as those in Figure 1.3 demonstrate the phases of the project and their estimated timespan. The [Project Development Timeline Checklist \(SG01\)](#) provides milestone tracking for the project file.

<sup>7</sup> [WisDOT & FHWA Stewardship and Oversight Agreement](#), 2024, p. 16

<sup>8</sup> Example schedules for simple and complex project timelines are available on the Sponsor's Guide website.

### 1.5.1 PROJECT PHASES

Non-traditional transportation projects are split into phases. A project phase is a distinct project activity (design, real estate acquisition, railroad work, construction, etc.), for which WisDOT assigns a separate project ID. Phases are separately authorized for charging. Authorization requests are processed in 4-6 weeks. WisDOT places the full cost of the project phase in escrow so it cannot be used for any other project.

### 1.6 FUNDING OVERVIEW

Funding for non-traditional transportation projects begins with the Federal Highway Administration (FHWA). Each program receives its own funding through the federal budget. Federal funds may be used to pay project costs for project planning, engineering and oversight, ROW acquisition, construction, and audit. The estimated cost in a project application is the basis for the awarded federal funding level. Sponsors shall develop an accurate project cost estimate. Federal funding participation for non-traditional projects is capped based on the approved application and documented in the SMA. Sponsors will invoice WisDOT as costs are incurred. **Sponsors are responsible for 100% of project costs above the limit of federal funding for their project. Project funds may only be spent after authorization by FHWA.** The Wisconsin state legislature may make additional requirements for program implementation at the state level, such as

which projects may be funded in a specific program solicitation cycle. For the most up-to-date information on federal funding and state regulations, review the [Sponsor's Guide website](#).

### 1.6.1 PUBLIC-PRIVATE PARTNERSHIPS AND DONATIONS

A public-private partnership is a contractual arrangement between the LPA and a private entity that facilitates greater participation by the private entity in the delivery and operation of an infrastructure project, facility, or service. In transportation, this arrangement involves one or more aspects of the funding, financing, planning, design, construction, operation, and maintenance of a transportation facility. Public-private partnership agreements are subject to review and approval by WisDOT. Federal regulations require that all public-private partnership projects using federal funds meet the following specifications:



Figure 1.3 Project Roadmap



- The partnership, facility, and activity shall significantly or completely benefit the public sector.
- The improvements shall be owned, operated or controlled by the public sector. Leaseback arrangements, first right of refusal, or restrictive covenants may be used to provide a measure of flexibility in managing this requirement. Private donations (money, property, services) are permitted but do not imply the private donor will manage the project.
- The sponsor retains full responsibility for protecting the public interest and investment inherent to the use of federal funds. The sponsor retains maintenance responsibility for the facility throughout its expected useful life. This responsibility may be transferred to the private partner in the role of site manager, guaranteed through covenants, liens, or revocable use rights. These agreements should always be structured in a manner providing the sponsor with legally binding assurance that the private partner fulfills their obligations.
- The sponsor acquires adequate interest for real estate (RE) or permanent easements necessary for the project unless the property is already owned by the private partner.

WisDOT does not permit in-kind or soft match donations used to satisfy local match requirements for non-traditional transportation projects. Sponsors shall not apply for or accept funding if the project success relies on these donations.

## 1.6.2 FEDERAL FUNDS MATCHING

With few exceptions, neither federal nor state law permits the use of federal funds to match any federal funds received from WisDOT for a non-traditional transportation project.<sup>9</sup> Communities may apply for and shall accept funding with the general understanding that requisite local match cannot come from federal funding sources.

## 1.6.3 TAP FUNDING

TAP is a federal set-aside from the Surface Transportation Block Grant (STBG).<sup>10</sup> The TAP program includes the Safe Routes to School programs (SRTS), the Bicycle and Pedestrian Facilities Program (BFPF), and the Local Transportation Enhancements program (TE). National funding dollars are provided on the [FHWA TAP website](#), of which Wisconsin receives a portion for each fiscal year. **Project sponsors shall fund a minimum 20% of total project costs. FHWA will fund a maximum 80% of total project costs.** To ensure efficient use of local and state resources and promote significant projects, WisDOT established minimum project funding amounts for TAP projects.

- **Infrastructure projects shall cost at least \$300,000**, including design work.<sup>11</sup> WisDOT has not set maximum funding amounts, but WisDOT's ability to fund projects requesting \$1 million or more is limited. Equipment and materials acquisition is permitted but may be considered construction-related because federal reimbursement will only occur after installation of the materials to ensure that the project is completed. Because of the major time and effort needed to comply with FHWA real estate requirements, sponsors should plan on covering real estate costs under \$100,000 with 100% local funds.
- **Non-Infrastructure planning and design projects shall cost at least \$50,000**, such as SRTS or system-wide bicycle planning activities.

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<sup>9</sup> Federal funds with specific legislative authority may provide match to other federal funds: [PL 92-512 Fiscal Assistance to State and Local Governments Act](#) (1972), [PL 93-383 Housing and Community Development Act of 1974](#), [PL 94-369 Public Works Employment Act of 1976](#), [PL 100-692 Delaware and Lehigh Navigation Canal National Heritage Corridor Act of 1988](#).

<sup>10</sup> The full text of the STBG program is available at [23 USC 133](#).

<sup>11</sup> Guidelines are also available in the WisDOT [TAP application instructions](#).

- **TAP STARS Initiative (Safe Transportation Alternatives for Rural Schools) non-infrastructure projects shall cost at least \$20,000.** TAP STARS eligibility is limited to rural communities with census-designated populations of less than 5,000 located outside of Metropolitan Planning Organization (MPO; urbanized area with a population greater than 50,000) boundaries.

#### 1.6.4 CMAQ FUNDING

CMAQ funding is allocated under the Bipartisan Infrastructure Law (BIL). BIL directs FHWA to appropriate a lump sum to each state for programs, from which a ratio of funding is directed to CMAQ.<sup>12</sup> **Project sponsors shall fund a minimum 20% of total project costs. FHWA will fund a maximum 80% of total project costs.** To ensure efficient use of local and state resources and promote significant projects, WisDOT established minimum project funding amounts for CMAQ projects.

- **Construction projects shall cost at least \$200,000,** including design work.<sup>13</sup> WisDOT has not set maximum funding amounts, but WisDOT's ability to fund projects requesting \$1 million or more is limited. Equipment and materials acquisition is permitted but may be considered construction-related because federal reimbursement will only occur after installation of the materials to ensure that the project is completed. Because of the major time and effort needed to comply with FHWA real estate requirements, sponsors should plan on covering real estate costs under \$100,000 with 100% local funds.
- **Non-construction projects shall cost at least \$50,000.** This applies to all non-construction projects including equipment acquisition, public information/education, marketing, demand management, etc. WisDOT regional and MPO staff will only consider exceptions to this restriction before applications are submitted.

#### 1.6.5 CRP FUNDING

CRP funding is allocated under the BIL, which directs FHWA to appropriate a lump sum to each state for programs, from which a ratio of funding is directed to CRP. **Project sponsors shall fund a minimum 20% of total project costs. FHWA will fund a maximum 80% of total project costs.** CRP funding is intended for use on eligible projects that demonstrate effectiveness in reducing transportation emissions from on-road sources. Additional information about the new CRP program and WisDOT's implementation plans can be found on the department's [website](#).

### 1.7 RECORDKEEPING REQUIREMENTS

It is the sponsor's responsibility to put together and retain a complete project file that verifies project expenditures and documents compliance with state and federal regulations. Using the [Project File Checklist \(SG03\)](#) as a guide, the project file shall include official documents, approval actions, expenditure support documents, project decisions, and correspondence. Per Wisconsin state statutes [19.21\(4\)\(b\)](#) and [19.21\(5\)\(c\)](#), the project file shall be kept for a minimum of 7 years from the date of final project reimbursement request, or after the conclusion of any audit, negotiation, or litigation, whichever is later. The sponsor shall keep all project records and have them available for inspection by FHWA and/or WisDOT and furnish copies of these documents upon request. For historical projects, the property deed shall include a clause to maintain the historical integrity of the public investment.

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<sup>12</sup> Guidelines on the apportionment of funds for CMAQ & CRP are available at [23 USC 104\(b\)](#).

<sup>13</sup> Guidelines are also available in the WisDOT [CMAQ application instructions](#).

## 2 PROJECT SELECTION, APPROVAL & AUTHORIZATION

Each program utilizes a separate selection process with input from various state agencies and committees. Programs are competitive and typically over-subscribed. When a project is awarded, the sponsor will receive an individual letter, as well as announcement of their project(s) on the [WisDOT website](#).

### 2.1 TAP SELECTION PROCESS

WisDOT accepts applications for TAP projects from any location within the state and receives all applicant documentation in its capacity as project administrator. The selection processes may differ depending on a project's geographic location. In Transportation Management Areas (TMAs; MPOs with populations greater than 200,000), MPOs have increased authority to rate, rank, and select TAP projects. For TMAs (Appleton, Green Bay, Madison, Milwaukee, Round Lake Beach), project selection is made competitively, using a process set by the MPO and following TAP project obligation limits. For areas <5,000, 5,000-49,999, and 50,000-200,000, project selection is administered by WisDOT through a statewide competitive process. The statewide process involves scoring and ranking all eligible projects regardless of area size by a statewide selection committee. The committee then recommends projects for funding categorized by municipality size. The rank and score, project type, and geographic location are taken into consideration by the statewide selection committee. This ensures a fair way to assess region-wide projects.

In MPOs with populations greater than 50,000, the MPO cooperates with the state to develop a long-range transportation plan and a Transportation Improvement Program (TIP) that is consistent with the long-range plan. Projects under the jurisdiction of an MPO shall be included within the appropriate TIP prior to federal authorization. The MPO is responsible for prioritizing projects in the TIP and working closely with LPAs to address local

transportation improvement needs. Prior to authorization, sponsors of approved projects shall coordinate with the appropriate MPO director to incorporate approved project(s) into the TIP. Sponsors located in rural areas not represented by an MPO will work with their regional office to have their project(s) incorporated into the State Transportation Improvement Program (STIP), which is then submitted to the FHWA for approval. Projects that are not included in the STIP will not be authorized for federal funding.



Figure 2.1 Bikeshare Program - Milwaukee

## 2.2 CMAQ SELECTION PROCESS

WisDOT accepts CMAQ applications from the southeast and northeast Wisconsin non-attainment and maintenance counties: Milwaukee, Racine, Kenosha, Waukesha, Washington, Ozaukee, Walworth, Sheboygan, Kewaunee, Manitowoc, and Door. Local sponsors accept and review project applications from all departments or private organizations within their jurisdiction and are responsible for prioritizing all submitted project proposals. Each sponsor incorporates the project(s) into the necessary budget process to ensure availability of matching funds. Sponsors then submit applications to the appropriate WisDOT regional office. WisDOT regional staff share all submitted, eligible projects in an urbanized area with the appropriate MPO.

When projects are received and determined eligible, DTIM Central Office works with the Southeastern Wisconsin Regional Planning Commission (SEWRPC), Bay-Lake Region Planning Commission, and DNR to calculate emissions reductions for ozone and PM<sub>2.5</sub> for each project. The CMAQ selection committee, which is made up of staff and designees from MPOs, WisDOT, DNR, FHWA, Federal Transit Administration (FTA), and Environmental Protection Agency (EPA), reviews and ranks the projects based on several factors. These factors include

- WisDOT guidelines
- FHWA requirements
- Responses to application questions
- Emissions calculation scores

The selection committee provides a list of recommended projects to the WisDOT Secretary. If the Secretary approves the recommended projects, they are forwarded to FHWA and FTA for concurrence of eligibility, and WisDOT notifies sponsors of approval.

## 2.3 CRP SELECTION PROCESS

WisDOT receives all CRP application materials in its capacity as project administrator; selection and award processes are dependent on geographic location. TMAs and MPOs have increased authority to rate, rank, and select CRP projects. In MPOs with populations greater than 50,000, CRP funding may be used on a wide range of projects that support the reduction of transportation emissions. MPO projects must be identified in the Statewide Transportation Improvement Program (STIP)/Transportation Improvement Program (TIP) and be consistent with the Long-Range Statewide Transportation Plan and the Metropolitan Transportation Plan(s). (23 U.S.C. 134 and 23 U.S.C. 135). All Title 23 requirements apply. Projects under the jurisdiction of an MPO shall be included within the appropriate TIP prior to federal authorization. The MPO is responsible for prioritizing projects in the TIP and working closely with LPAs to address local transportation improvement needs. Prior to authorization, sponsors of approved projects shall coordinate with the appropriate MPO director to incorporate approved project(s) into the TIP.

Sponsors located in rural areas not represented by an MPO will work with their regional office to have their project(s) incorporated into the STIP, which is then submitted to the FHWA for approval. Projects that are not included in the STIP will not be authorized for federal funding.

For areas with populations of <5,000 and 5,000-49,999, project selection is administered by WisDOT through a statewide competitive process. The statewide process involves scoring and ranking all eligible projects regardless of area size by a statewide selection committee. The committee then recommends projects for funding categorized by urban area population. The rank and score, project type, and geographic location are taken into consideration by the statewide selection committee. This ensures a fair way to assess region-wide projects.



Figure 2.2 Safe Routes to School Crosswalk - Oak Creek

## 2.4 AWARD LETTER

Once the project is approved for funding by the WisDOT Secretary and the FHWA, a letter is sent to the sponsor indicating that the project has been selected for funding. The letter details the amount of federal dollars awarded. When the sponsor receives the letter, it indicates that the project has four years from the date of signature to begin the project. Receiving the letter **does not** indicate that the sponsor may begin work on the project.

## 2.5 STATE MUNICIPAL AGREEMENT

The SMA is used to document the sponsor's financial, construction, utility, and maintenance responsibilities for the transportation improvement project. The SMA documents the state and federal requirements applicable to the LPA for the federally funded non-traditional transportation project.<sup>14</sup> The SMA includes important information about the project:

- Scope and location of the project
- Project ID number
- Percentage and maximum project costs covered by federal funds
- Requested or assigned DBE goal (if applicable)
- Accounting requirements
- Recordkeeping requirements
- Project maintenance requirements

The sponsor will receive the SMA after the project is awarded. The sponsor will obtain signatures from LPA representatives. The signed SMA will be returned to the regional office. Regional office staff will verify that the sponsor has submitted their *Sponsor's Guide Acknowledgement* form (SG00), completed the *Sponsor's Guide Certification* training, and submitted their Certification form (SG18). Verification of signed documents is required to approve the SMA at the regional office. **WisDOT will not authorize a project to incur costs until the signed SMA has been received and approved by the regional office designee.**<sup>15</sup>

<sup>14</sup> FHWA & WisDOT Stewardship and Oversight Agreement, 2024.

<sup>15</sup> Or WisDOT's Division of Transportation Investment Management (DTIM) in the case of non-infrastructure projects.

## 2.6 FEDERAL AUTHORIZATION

Federal authorization is required for each phase of the project. Work cannot proceed on a project until it receives federal authorization. The regional office will notify the sponsor in writing when a project is authorized to begin work. **WisDOT cannot reimburse work completed prior to written notification confirming federal authorization.** Sponsors shall not begin work on a project until they have received their Authorization to Incur Costs (ATIC) letter and fully executed SMA.

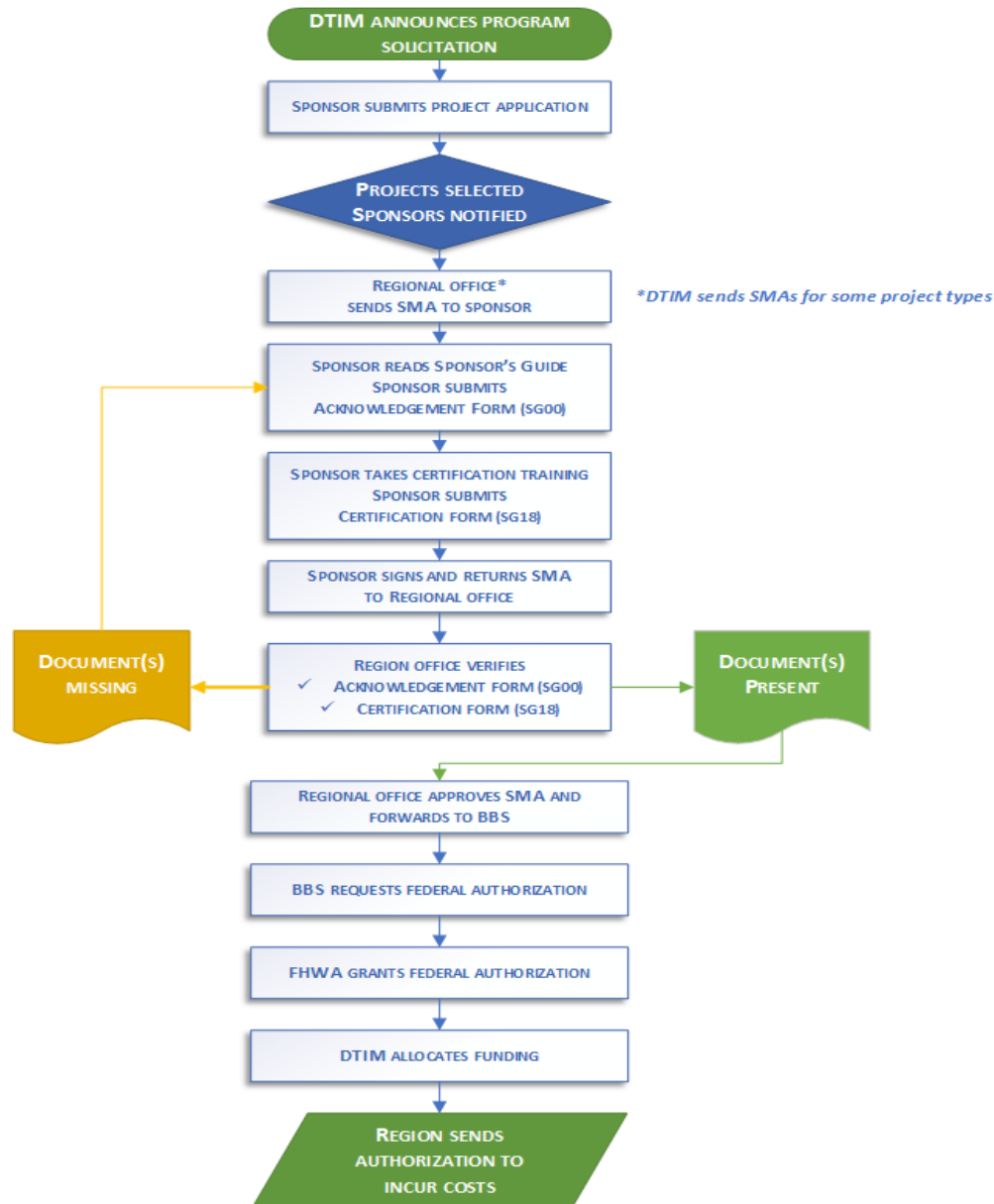


Figure 2.3 Programming Flowchart

## 3 DESIGN SERVICES

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To best serve the needs and interests of the public, municipalities have the option to use local funds or federal funds to execute the preliminary design phases of the project, either by engaging a professional engineer (PE) staff member or by contracting a PE design consultant. PEs shall have access to and be knowledgeable about WisDOT procedures and policies, manuals, and forms. If historic preservation or complex landscaping is required, the PE shall be appropriately certified. It is essential that any design consultant or PE be familiar with [FDM Chapter 8](#), which covers this topic in depth.

### 3.1 QUALIFICATIONS-BASED SELECTION

The consultant selection process follows the qualifications-based selection (QBS) requirements, as detailed in [23 CFR 172.7\[1\]](#). QBS requirements apply to design services, including:

- program management
- feasibility studies
- preliminary engineering
- design
- surveying
- mapping
- architectural services

The solicitation, evaluation, ranking, selection of, and negotiation with the consultant shall comply with the QBS process, detailed in [40 USC 1101-1104/the Brooks Act](#). The intent of the Brooks Act is that selecting a consultant by price is not in the public's best interest, and thus price is not a factor in the selection process. Guidance on the selection of consultants for non-traditional transportation projects is further detailed in [FDM 8-5-20](#).

### 3.2 LOCALLY FUNDED DESIGN SERVICES

In instances where the sponsor intends to use local funding, the project shall assign an in-house professional engineer to the project or hire an external design consultant. In these situations, the sponsor retains responsibility for both consultant selection and contract administration.<sup>16</sup> WisDOT will not be party to any contracts between the sponsor and any design services firm if design services are locally funded. WisDOT strongly recommends that the regional Local Program Project Manager (LPPM) attend the contract scoping meeting prior to negotiating any contracts to ensure that project scope and services are in line with department expectations. Sponsors seeking to undertake design and preliminary engineering work using in-house engineering staff shall contact their regional office for authorization. In situations where the design consultant is locally funded, regional staff shall perform limited oversight of project deliverables at the expense of the sponsor. Cost responsibility will be documented in the SMA.

### 3.3 FEDERALLY FUNDED DESIGN SERVICES

In instances where the sponsor intends to use federal funding, the sponsor enters into a two-party or three-party contract, depending on the employer of the PE as outlined in Section 3.4. For both contract types, the contract defines the scope of services and the [basis of payment](#), including the estimated level of effort (in hours) by classification and rate and other supporting documents. Comprehensive information regarding two- and three-party contract types and formats is covered in [FDM 8-15](#).

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<sup>16</sup> Though not required, WisDOT recommends referencing the [Roster of Eligible Engineering Consultants](#) when hiring a locally funded design consultant.

In situations where the PE is employed by the project sponsor, a **two-party contract** between the sponsor and WisDOT will be created. The two-party contract includes [signature pages](#), [boilerplate language](#), and [special provisions](#). Regional office staff will assist in drafting the contract.

Costs charged to the project for work done by local staff will be limited to those costs eligible for reimbursement under the [Office of Management and Budget \(OMB\) Circular A-87 \(OMB A-87\)](#). Under OMB A-87, both direct and indirect costs are eligible for reimbursement. To be reimbursed for indirect costs, the sponsor must submit a cost allocation plan for approval by its cognizant agency.<sup>17</sup> For sponsors that do not have a cognizant agency, the cost allocation plan should be discussed with the regional office and will be coordinated with the WisDOT [Chief of Audit and Contract Administration](#). Cost allocation plans do not need to be submitted if the only indirect costs to be recovered are fringe benefit costs.



Figure 3.1 Starkweather Creek Pedestrian Bridge - Monona

In situations where the PE is employed by an external consulting engineering firm, a **three-party contract** will require the participation of the external firm, the project sponsor, and WisDOT. The three-party contract includes [signature pages](#), [boilerplate language](#), and [special provisions](#). Regional staff will assist in drafting the contract.

In some instances, small purchase contracts for consultant design services estimated to cost less than \$200,000 may be needed. Discuss this option with the LPPM after reviewing contracting requirements in [FDM 8-5-10](#).

### 3.3.1 CONTRACTING WITH A DESIGN CONSULTANT

The sponsor is responsible for selecting the design consultant and agrees to follow federal and state regulations regarding consultant selection and contracting, as detailed in [FDM Chapter 8](#). Prior to initiating contact with potential consultants, connect with the LPPM to make sure federal requirements are not violated, as this can jeopardize reimbursement. If the sponsor chooses to employ an external consulting engineering firm, WisDOT maintains a [roster of eligible engineering consultants](#). Eligible design consultants for non-traditional transportation projects shall be selected from the roster, unless specialized services such as historic preservation, environmental services, or hazmat are required for the project. In these specialized instances, the consultant shall provide an approved overhead rate to WisDOT before contract approval.<sup>18</sup>

Sponsors contracting with a consulting engineering firm shall understand and abide by the WisDOT [Conflict of Interest Policy](#) and the WisDOT policy regarding [Consultants in Management Roles](#).

<sup>17</sup> [2 CFR Part 200, Appendix V, Part F-1 Federal Cognizant Agency for Indirect Costs Assignments for Cost Negotiation](#)

<sup>18</sup> In these situations, consult with the LPPM.



## 4 PROJECT DESIGN DELIVERY

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### 4.1 PRELIMINARY PLAN

The preliminary plan is an informal working document that assists designers and reviewers evaluating project concepts.<sup>19</sup> The content of the preliminary plan is subject to interpretation, dependent on the needs of the project. It should include enough information to confirm design standards are met and site-specific challenges are identified and addressed. Plans and specifications shall include appropriate detail and information to aid contractors in the preparation of bids. Plans should be developed and submitted in 11x17 format and include a title sheet featuring identification as a federally funded project with WisDOT project ID and title. Contents of the preliminary plan may include:

- Existing and proposed typical sections
- Curve radii
- Running slopes
- Clear width
- Delineation of environmentally sensitive areas
- Project limits
- Slope intercepts
- General site information
- Proposed structures
- Property lines
- Utilities

#### 4.1.1 PRELIMINARY ENGINEERING CHECKLIST

The [Preliminary Engineering checklist \(SG04\)](#) assists the sponsor in identifying project components when coordination with external agencies and stakeholders may be necessary or when specific forms shall be completed. The sponsor uses the checklist to make sure plans, specifications, and estimates (PS&E) and other contract documents are developed in accordance with program guidelines.

### 4.2 NEPA AND ENVIRONMENTAL DOCUMENTS

The National Environmental Policy Act (NEPA) and the Wisconsin Environmental Policy Act (WEPA) are the federal and state charters for the protection of the environment. These decision-making processes contain policies and procedures that will be followed. Implemented regulations include *action-forcing* provisions that make sure all government agencies (federal, state, local) act according to the letter and spirit of the law. Responsibility for enforcing the acts is shared by the President of the United States, the Governor of Wisconsin, the court system, as well as federal, state, and local agencies to achieve the substantive requirements of these seminal environmental laws.

Public involvement is required under NEPA and WEPA. Procedures used shall ensure environmental information is available to public officials and citizens before decisions are made or actions taken. Information shall be high quality and include accurate scientific analysis as well as expert agency commentary. Public scrutiny is essential to the implementation of NEPA and WEPA. Project environmental documents produced to meet NEPA and WEPA requirements shall concentrate on issues that are significant to the action in question, rather than needless detail.

The purpose of NEPA and WEPA is not to generate paperwork, but to foster excellent decisions and actions. The NEPA process is intended to assist public officials in making decisions based on proper understanding of a project's impact to human, physical and natural environments, as well as the consequences of those impacts. The NEPA process provides a project's environmental framework, ensuring implementation of relevant environmental protection laws.

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<sup>19</sup> [FDM 15-1-4.1](#)

To address the NEPA responsibilities established by the Council on Environmental Quality (CEQ), FHWA issued regulations [23 CFR 771 Environmental Impact and Related Procedures](#) and [guidance](#). The FHWA project development process is a balanced approach to transportation decision-making that considers the potential impacts to human and natural environments and the public's need for safe and efficient transportation improvements. The FHWA applies the NEPA process as an umbrella to cover all environmental laws.

#### 4.2.1 FHWA NEPA TRANSPORTATION DECISION MAKING

CEQ regulations address the basic decision-making framework and action-forcing provisions established in NEPA. The essential elements of this framework include assessment of social, economic, and environmental impacts of a project; analysis of a range of reasonable alternatives to the project; consideration of appropriate impact mitigation – avoidance, minimization, and compensation; interagency participation; coordination and consultation; public involvement; and documentation and disclosure.<sup>20</sup>

When moving through the NEPA process during a non-traditional transportation project, decision-making steps shall include:

1. **Federal action:** Determine whether a federal action will occur. The use of federal funds is considered a federal action.
2. **Oversight:** The FHWA/WisDOT Stewardship and Oversight Agreement designates WisDOT be responsible for oversight of environmental processes for non-traditional transportation projects.
3. **Purpose and need:** Essential for establishing the proposed expenditure of taxpayer dollars, the purpose and need is comprehensive and specific, and focuses on factors such as safety, system linkage, social demands, economic development, and modal interrelationships that the proposed project attempts to address.
4. **Preliminary design:** This process determines the impacts of the project, and how much of the design shall be done using the NEPA process.<sup>21</sup>

#### 4.2.2 ENVIRONMENTAL DOCUMENT TYPE

When a non-traditional transportation project is awarded and its SMA authorized for funding, the project is assigned an environmental action based on the significance of impacts on the environment from the transportation project.<sup>22</sup> These impacts determine the level of documentation required in the NEPA process.

1. **Environmental Impact Statements (EISs)** are prepared for actions that significantly affect the environment.
2. **Categorical Exclusions (CEs)** are prepared for actions that the FHWA has determined do not individually or cumulatively have significant environmental impact and are excluded from the preparation of an environmental assessment or EIS.
3. **Environmental Assessments (EAs)** are actions in which the significance of the environmental impacts is not clearly established. Actions that are not EISs or CEs are EAs.

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<sup>20</sup> [NEPA Transportation Decision-making, USDOT, FHWA](#)

<sup>21</sup> [40 CFR Chapter V](#)

<sup>22</sup> [FDM 20-15-1 Environmental Document Types](#)

Most non-traditional transportation projects will have minimal impact to the environment, and thus require a CE. If the project warrants a higher level of environmental documentation, the design consultant shall be qualified to complete the environmental process. Projects requiring an environmental report (ER), EIS, or EA require a public involvement meeting (PIM). Some projects may require additional subject matter experts (SMEs), such as environmental and/or cultural resource consultants.



Figure 4.1 Great River State Trail - Winona Connector

#### 4.2.3 CATEGORICAL EXCLUSION CHECKLIST

The [Categorical Exclusion checklist](#) (CEC) identifies whether a project meets the criteria for categorical exclusion. The form contains a series of questions with check boxes used to identify whether a project meets the defined criteria for a CE.<sup>23</sup> Use the [Categorical Exclusion Checklist Guidance document](#) to address each section of the CEC. If the proposed project action falls into one or more defined categories, the CEC may be used. If the proposed project action does not fall into at least one of the defined categories or is otherwise ineligible, another environmental action may be required.

##### Project Action Categories for 23 CFR 771.117(c):

- Activities which do not involve or lead directly to construction, such as planning and research activities, grants for training, engineering alternatives assessments, and federal-aid system revisions which establish classes of highways on the NHS
- Approval of utility installations along or across a transportation facility
- Construction of bicycle and pedestrian lanes, paths, and facilities
- Activities included in the state highway safety plan under 23 USC 402
- Transfer of federal lands pursuant to 23 USC 107(d) and/or 23 USC 217 when the land transfer is in support of an action that is not otherwise subject to FHWA review under NEPA
- The installation of noise barriers or alterations to existing publicly owned buildings to provide for noise reduction
- Landscaping
- Installation of fencing, signs, pavement markings, small passenger shelters, traffic signals, and railroad warning devices where no substantial land acquisition or traffic disruption will occur
- Actions for transportation facilities damaged by an incident resulting in an emergency declared by the Governor of Wisconsin and concurred by the Secretary, or a disaster or emergency declared by the President of the United States pursuant to the Robert T. Stafford Act (42 USC 5121):
  - Emergency repairs under 23 USC 125
  - Repair, reconstruction, restoration, retrofitting, or replacement of any road, highway, bridge, tunnel, or transit facility, including ancillary transportation facilities, that is in operation or under construction when damaged and the action
    - Occurs within the existing right-of-way and in a manner that substantially conforms to the preexisting design, function, and location as the original

<sup>23</sup> As defined in [23 CFR 771.117\(a-b\)](#)

- Is commenced within a two-year period beginning on the date of the declaration
- Acquisition of scenic easements
- Determination of payback under 23 USC 156 for property previously acquired with federal funds participation
- Improvements to existing rest areas and truck weigh stations
- Ridesharing activities
- Bus and rail car rehabilitation
- Alterations to facilities or vehicles in order to make them accessible for elderly and handicapped persons
- Program administration, technical assistance activities, and operating assistance to transit authorities to continue existing service or increase service to meet routine changes in demand
- The purchase of vehicles by the applicant where the use of these vehicles can be accommodated by existing facilities or by new facilities which themselves are within a CE
- Track and railbed maintenance and improvements when carried out within the existing ROW
- Purchase and installation of operating or maintenance equipment to be located within the transit facility and with no significant impacts off the site
- Promulgation of rules, regulations, and directives
- Deployment of electronics, photonics, communications, or information processing used singly or in combination, or as components of a fully integrated system, to improve the efficiency or safety of a surface transportation system or to enhance security or passenger convenience (traffic control and detector devices, lane management systems, electronic payment equipment, automatic vehicle loaders, automated passenger counters, computer-aided dispatching system, radio communications systems, dynamic message signs, and security equipment including surveillance and detection cameras on roadways, in transit facilities, and on buses)
- Projects, as defined in 23 USC 101, that would take place entirely within the existing operational ROW
- Federally funded projects that receive less than \$6,000,000 of federal funds or with a total estimated cost of not more than \$35,000,000 and federal funds comprising less than 15 percent of the total estimated project cost
- Localized geotechnical and other investigation to provide information for preliminary design and for environmental analyses and permitting purposes, such as drilling test bores, archeological investigations, and wetland surveys
- Environmental restoration and pollution abatement actions to minimize or mitigate the impacts of any existing transportation facility (including retrofitting and construction of stormwater treatment systems to meet federal and state requirements under sections 401, 402 of the Federal Water Pollution Control Act) carried out to address water pollution or environmental degradation
- Modernization of a highway by resurfacing, restoration, rehabilitation, reconstruction, adding shoulders, or adding auxiliary lanes (parking, weaving, turning, climbing lanes)
- Highway safety or traffic operations improvement projects, including ramp metering control devices and lighting installation
- Bridge rehabilitation, reconstruction, or replacement or construction of grade separation to replace existing at-grade railroad crossings
- Purchase, construction, replacement, or rehabilitation of ferry vessels that would not require a change in function of the ferry terminals and can be accommodated by existing facilities or by new facilities which themselves are within a CE

When (if) the CEC is determined appropriate, attach the required supporting documentation to the checklist and submit to the LPPM for review. See the Categorical Exclusion Checklist guidance document for required materials. Once the environmental document is finalized, the LPPM will process it for WisDOT approval.

#### 4.2.4 PUBLIC INVOLVEMENT

[Public involvement](#) is essential to the environmental process. Non-traditional transportation projects require the use of public involvement meetings (PIMs) to provide face-to-face communication between the project team and interested citizens. When drafting the public involvement plan (PIP), identify potential important stakeholder groups, such as federal, state, and local agencies, local interest groups, minority and low-income environmental justice populations, preservation commissions, and historical societies. PIMs are informal gatherings, held at various times/places depending on the needs of the audience. A formal presentation can be given by the design consultant or project manager, using visual aids, handouts, and other engagement materials. It is important to present environmental impacts of the project (see section 4.2.5 Scoping) as well as the purpose and need of the project. It is recommended that additional PIMs be held for changes in scope, project delays, or other significant events that impact the project.

[The LPPM will manage tribal notification.](#) EIS projects require additional tribal notification, as detailed in [FDM 26-5-1](#).

#### 4.2.5 SCOPING

The purpose of scoping is to identify potential environmental impacts and seek alternative designs that minimize those impacts. During the scoping process, relevant environmental materials are compiled and integrated into the environmental document. The design consultant will further investigate the necessity and requirements for any applicable Wisconsin DNR (and associated) permits.

Related environmental requirements may include:

- [Section 404 permit\(s\)](#)
- [Section 4\(f\) evaluation\(s\)](#)
- [Section 6\(f\) determination\(s\)](#)
- [Hazardous materials investigation](#)
- [Noise study report\(s\)](#)
- [Section 106 compliance](#)
- [Section 7 endangered species consultation](#)
- [Environmental justice/Title VI concerns](#)

Agency coordination is part of the communication plan for a project and begins during the scoping phase.<sup>24</sup> It is essential that the consultant or project manager coordinate with each agency having a potential interest in or jurisdiction over the project.<sup>25</sup>

For each identified agency, follow the appropriate coordination process, details regarding potential project impacts to the agency's jurisdiction, and contact information for necessary replies.<sup>26</sup> Because agencies may request additional correspondence to complete their own concurrence processes, it is important that letters occur early in the design process.

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<sup>24</sup> Review [FDM 2-20-10](#) for procedures regarding the project communication plan.

<sup>25</sup> With the exception being Native American tribal agencies, which will be contacted by the LPPM.

<sup>26</sup> Review [FDM 20-55](#) for list of relevant agencies and individual coordination processes.

#### 4.2.6 WISCONSIN DEPARTMENT OF AGRICULTURE, TRADE AND CONSUMER PROTECTION CONCURRENCE

Locally let non-traditional transportation projects that are located entirely within the boundaries of a city or village are exempt from [Agricultural Impact Statement \(AIS\)](#) requirements. These projects are not eligible for Department of Agriculture, Trade and Consumer Protection (DATCP) concurrence through the WisDOT/DATCP cooperative agreement.

#### 4.2.7 WISCONSIN DEPARTMENT OF NATURAL RESOURCES PERMITTING

Locally let non-traditional transportation projects are not eligible for DNR concurrence through the WisDOT/DNR cooperative agreement and are subject to DNR permitting. Typically, required permits include the [NR 216 Stormwater Discharge permit](#), [NR 103 Water Quality Standards for Wetlands permit](#), and the [Chapter 30 Navigable Waters, Harbors, Navigation, and Endangered Species screening](#). General information regarding permits issued by the DNR to municipalities is available via the [DNR website](#). Permit applications may take up to 90 days to review.

Permits obtained for the project are to be kept in the project file and submitted with the environmental document or project proposal certification. Attached permitting documents may include:

1. Projects with environmental impacts which require specialty permits (impacting river, lake, wetland) shall include a request for pre-application on-site meeting with a DNR permitting specialist to obtain initial comments, such as endangered resources screening results. Attach the pre-meeting draft or final permit to the environmental document.
2. Projects with minimal environmental impacts require a list of anticipated permits to be secured prior to draft PS&E.
3. All projects are required to have an endangered resource evaluation completed prior to the submittal of the environmental document. Impacts to endangered resources may require further coordination with DNR to determine if the project is covered under a Broad Incidental Take Permit/Authorization or will require an individual Incidental Take Permit/Authorization. Consultation may also be required with the US Fish and Wildlife Service (USFWS).
  - a. Standard DNR permits (NR216, NR103, etc.) screen for endangered resources. If permits are obtained or the DNR initial comment letters include endangered resources screening results, the evaluation is complete. Complete any additional agency coordination and implementation and minimize measures as required by evaluation.
  - b. If DNR permits are not required, request the [DNR Endangered Resources Review \(ERR\)](#). Attach the results to the draft environmental document. Complete any additional agency coordination and implement any avoidance and/or minimization measures as detailed in the review document.
4. Projects with structures will require a Chapter 30 permit to be included with final structure submittal. Include basic hydraulic data, such as estimated or calculated high-water elevation and velocity through the bridge (if applicable) on structure plans. WisDOT will review the size, type, and location of the proposed structure.

Projects are required to have all approved permits in place prior to draft PS&E, or structure, submittal. The municipality, town, and/or county in which the project is located may require additional permitting or notification.

#### 4.2.8 SECTION 106

Section 106 of the National Historic Preservation Act of 1966 (NHPA) requires federal agencies consider the impact of their projects to historic resources or those properties that have been determined eligible for listing in the National Register. Agencies shall consult with interested parties and work with the State Historic Preservation Office (SHPO) to avoid,



Figure 4.2 Lake Park Ravine Bridge - Milwaukee

minimize, or mitigate potential impact(s) to the historic property. Because the project receives federal funding, the design consultant for the project shall complete this process.

1. Review the [Section 106 criteria](#) to determine qualifications for screening by the WisDOT Cultural Resources Team (CRT).
2. If project qualifies (or could qualify) for screening, initiate the [Section 106 screening process](#):
  - a. [Complete form DT1030](#)
  - b. Compile form DT1030 with project plans and project location map with termini
  - c. Submit to the LPPM
3. If the project does not qualify, work with a qualified professional to determine if historic properties are within the area of potential effect (APE), as well as any effects the project may have on resources.<sup>27</sup>

#### 4.2.9 BURIAL SITES PRESERVATION

Under [Wis. Stat. 157.50 Wisconsin Burial Law](#), no burial site/cemetery may be disturbed without a permit or authorization from the director of the Wisconsin Historical Society. Guidance on burial sites within the APE will come from the qualified professional or the CRT. If burial authorization is required, CRT is the point of contact for authorization application.

#### 4.2.10 AIR QUALITY

If the project is in an air quality non-attainment or maintenance area for ozone or particulate matter, conformity analysis may be required. If the area is under the jurisdiction of an MPO, they will perform the analysis. If jurisdiction is not under an MPO, the sponsor will be responsible for the conformity analysis. If the project meets air quality criteria, it is added to the annual TIP. The TIP is reviewed and approved by the MPO Policy Board.

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<sup>27</sup> Such as a historic/cultural resources consultant.

#### 4.2.11 HAZARDOUS MATERIALS

To determine the potential for hazardous materials encountered on a project, complete the [Initial Project Reconnaissance Checklist \(SG08\)](#) for the project land and surrounding area. Complete the [Parcel Reconnaissance Checklist \(SG07\)](#) for each parcel red-flagged in the DSR and for each parcel with permanent real estate interest. Projects involving non-exempt bridge work shall also conduct an [asbestos inspection](#).

If the project requires excavation depths of two feet or greater, or if the Initial Project Reconnaissance Checklist (SG08) or the Parcel Reconnaissance Checklist (SG07) show potential for hazardous materials, a [Phase 1 Hazardous Materials Assessment](#) must be completed. In areas in which an easement is acquired, a Phase 1 Hazardous Materials Assessment is only required if the excavation depths within the easement will be two feet or greater.

#### 4.2.12 SECTION 4(F)

[Section 4\(f\) of the Department of Transportation Act of 1966](#) states that the U.S. Secretary of Transportation shall not approve any project or program which involves the use of public land, such as public parks, recreational areas, historic sites, wildlife refuges, or other public areas, unless certain criteria are met.<sup>28</sup> Impacts to Section 4(f) properties may create schedule delays and will require a greater level of public involvement and agency coordination. Section 4(f) only applies to projects receiving federal funding.

#### 4.2.13 SECTION 404 PERMITS

[Section 404](#) of the Clean Water Act requires permit authorization from the U.S. Army Corps of Engineers (USACE) for the discharge of dredged or fill material into waters (wetlands, streams, intermittent streams, rivers, lakes, mud flats, sloughs, flowages, etc.) of the United States. Dredged or fill material includes foreign substances such as soil, rocks, coffer dams, sheet piling, concrete, piers, etc. A 404 permit is required regardless of funding source, project location, or environmental action type.<sup>29</sup>

### 4.3 RAILROAD COORDINATION

**If the project crosses or is within 1,000 feet of a railroad (including work zone traffic control devices), contact the LPPM immediately. The LPPM will begin coordination with the Regional Railroad Coordinator (RRC). When federal/state funds are used, DTIM shall negotiate necessary arrangements with railroad companies for stipulations, agreements, and land rights that necessitate construction of grade separations and/or crossing warning devices. Preparation for railroad coordination should be addressed in the early stages of project design, as the process can be lengthy.**

The Office of the Commissioner of Railroads (OCR) has jurisdiction over at-grade and separated highway-railroad crossings. On projects involving creation of new or altered crossings, including closure of existing highway/recreational trail-railroad crossings, OCR approval is required. Details regarding the railroad coordination process, including estimated lead times for coordination, are in [FDM 17-20-5](#).

All projects with railroad involvement are required to complete and submit for approval the [Certificate of Coordination of Railroad Work with Highway Construction \(DT1804\)](#) prior to WisDOT approval of PS&E.

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<sup>28</sup> [FDM 20-45-5.2](#)

<sup>29</sup> Public or private property



## 4.4 UTILITY COORDINATION

**Preparation for utility coordination and special provisions should be addressed in the early stages of project design, as the process can be lengthy.** Within the terms and conditions of the SMA, WisDOT policy requires project sponsors conform with [Chapter 17 of the WisDOT Guide to Utility Coordination](#) and the WisDOT [Utility Accommodation Policy](#).<sup>30</sup> Unless working on a project in the state trunk highway (STH) right-of-way (ROW), the [Local Project Utility Coordination task list](#) provides guidance for utility work. All projects with utility coordination are required to complete and submit for approval the [DT1080 Utility Status Report](#) prior to WisDOT approval of PS&E.

## 4.5 DESIGN STUDY REPORT

The purpose of the DSR is to document the decisions and rationale for decisions in the development of a project. At minimum, the DSR addresses the proposed design criteria, the geometric and safety aspects to be addressed by project improvements, and the summary and synopsis of important project approvals, decisions, and rationale. Review guidance and attachments for DSR documents in [FDM 11-4-10.4](#). A Transportation Traffic Management Plan (TMP) is required as part of the DSR for any project affecting a roadway. The TMP is explained in [FDM 11-50-5](#).

A DSR is required for projects in the transportation improvement program, except when the project is a building or is less than \$500,000 in total construction cost. The regional office will make the final determination regarding the DSR requirement.

Draft DSRs can be submitted to the LPPM for comments at any time.<sup>31</sup> The final DSR may be submitted shortly after approval of the environmental document, signed and sealed by the project's responsible charge. The DSR shall be approved prior to RE relocation orders are approved and acquisition can begin, and before final project delivery may commence.<sup>32</sup> The DSR is filed at Central Office per records retention policy as defense against potential legal actions.

## 4.6 REAL ESTATE

Real estate (RE) involves the acquisition of right of way (ROW), such as permanent fee acquisition, permanent easements, temporary easements, and acquisition of access rights. RE may not proceed until the environmental documents and DSR are complete. New ROW acquired for the project shall be adequate for construction, operation, maintenance, and protection of the facility and the traveling public.<sup>33</sup> **Acquiring new ROW for projects utilizing federal/state funds is complicated and time-consuming, requiring no less than 12, but ideally plan for no less than 18 months in project schedule, from the time the plat is approved to the PS&E date.**



Figure 4.3 Trail Signage - Tomahawk

<sup>30</sup> Unless the project sponsor adopts a policy, which has equal or more restrictive controls for utility coordination.

<sup>31</sup> This may be especially helpful when comments are needed before significant effort or time is expended in finishing preliminary ROW plats and/or design plans for a project ([FDM 11-4-10.1](#)).

<sup>32</sup> Authorizing signature is dependent on project type. ([FDM 11-4-10.2](#))

<sup>33</sup> [23 CFR 710.305\(b\)](#)

Sponsors shall maintain detailed documentation of acquired property regardless of funding. When new ROW is needed or was previously acquired and will be incorporated into the project, the LPA is responsible for ensuring all federal laws and regulations, state statutes, policies, and procedures are followed. This applies when the sponsor uses state or federal funds anywhere in the project, as well as when real estate is purchased with local funds.<sup>34</sup> When acquiring new ROW, all other property interests for permanent acquisitions need to be released or cleared prior to PS&E. This includes, but is not limited to, mortgages, judgements, liens, utility easements, driveway easements, mineral rights, options to purchase, etc.

Condemnation authority is limited. The LPA has the authority to utilize condemnation proceedings to acquire the necessary ROW for transportation projects, except for items stated in [Wis. Stat. 32.015](#). Per the Supreme court decision filed on June 19, 2024 regarding [Sojenhomer v. Egg Harbor, 2024 WI 25](#), condemnation can also be used to establish or extend sidewalks and curb ramps, sidewalk projects, and for replacement of existing bike paths (lanes and trails). Condemnation cannot be used for new or extended pedestrian ways or bike paths (lanes and trails). WisDOT's interpretation of the restriction is that condemnation can be used for replacement of existing recreational trails, bicycle ways, bicycle lanes, and pedestrian ways. This current interpretation by WisDOT is subject to change. Sponsors should include their legal counsel in review of the statute to determine its effect on the project. Consideration of how this law may impact the project is paramount. Questions and concerns should be addressed early in the project, during the design phase. For acquisitions involving Wis. Stat. 32.015 limitations, a [Real Estate Assessment form](#) should be completed at the direction of the regional office Local Program Real Estate Project Manager (LPREPM). **WisDOT strongly suggests the sponsor not wait until acquisition is underway to troubleshoot.**

#### 4.6.1 ADDITIONAL REAL ESTATE GUIDELINES

Procedures specific to the process of acquiring real estate are detailed in the [Local Program Real Estate Manual](#) (LPREM), a supplemental manual to the [WisDOT Real Estate Program Manual](#) (REPM). Rules and procedures specific to the process of acquiring RE for the purposes of a non-traditional transportation project may not appear in either the LPREM or the REPM and have been detailed below.

- **Because of the effort needed to administer federal funds for RE, non-traditional transportation projects require the sponsor to cover 100% of RE acquisition costs with local funds unless the acquisition is expected to cost >\$100,000.**
- SRTS projects on private lands require a written legal easement (or other written legally binding agreement) ensuring public access to the project. The recorded easement shall specify the agreement's minimum length of time to maximize public investment in the project. The length of the agreement shall equal the estimated physical life of the improvement.<sup>35</sup>
- The public access should be comparable to the size and nature of the investment of public funds. The SMA shall include:
  - The purpose of the project
  - The minimum timeframe for the easement
  - The duties and responsibilities of the involved parties
  - Stipulations for the use and maintenance of the property
  - Language stating that if the agreement is terminated prior to the full term, the sponsor is required to pay back a prorated share of the funding to WisDOT or FHWA, depending on the funding source

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<sup>34</sup> Whether it is acquired in advance of or during the project.

<sup>35</sup> FHWA and WisDOT have agreed that 20 years is an appropriate length of time.

- Revisionary clauses may be appropriate in some instances. They would assure that if the property is no longer needed for the acquired purpose, it shall revert to the original owner.
- Extreme caution should be employed if the sponsor plans to introduce additional funding sources, such as a Wisconsin Department of Natural Resources (WDNR) stewardship grant or other earmarked funds.
- The [ROW and RE Checklist \(SG05\)](#) is designed to assist the sponsor with RE documentation and compliance and is required for projects with RE acquisition.
- The [ROW and RE Checklist for Bike/Ped Improvements \(SG05a\)](#) is designed to assist the sponsor with RE/ROW documentation and compliance specific to bike/ped improvements and is required for these types of projects.

## 4.7 STRUCTURES

Structures (bridges, boardwalks, culverts, retaining walls, sign bridges, etc.) shall follow the design requirements in the [WisDOT Bridge Manual](#) (WBM). Submittal of the preliminary structure design (type, size and location) should occur at the primary plan stage. Structure types may have wetland impacts and/or real estate needs that should be determined prior to environmental document submittal. Six to eight weeks should be allotted for preliminary plan review and approval. Projects that include a structure are submitted for approval, following the stages in Figure 4.2. **Pre-approval by BOS is required for any proposed design that deviates from the WBM standards and policies.**

Projects involving structures shall submit preliminary and final plans to the region for review of completeness, and then to the WisDOT Bureau of Structures (BOS) via [WisDOT's E-submit process](#). The final submittal, including **sealed, signed, and dated final structure plans and applicable design documents** shall be sent to BOS a minimum of two months prior to PS&E/Request to Advertise. **BOS acceptance of final structure plans is required.** Once accepted by BOS, the designer shall insert the BOS-signed, dated, accepted plans into the final PS&E package.

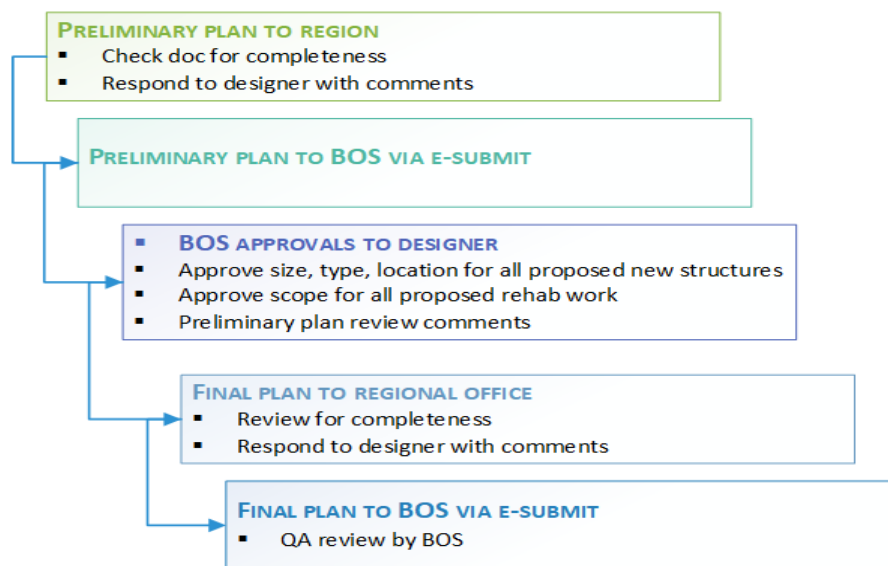


Figure 4.4 Structure Submittal Process

#### 4.7.1 EXEMPTIONS TO WISDOT BRIDGE MANUAL DESIGN REQUIREMENTS

Boardwalks are not considered bridges when their clear spans are less than or equal to 20 feet, and their height above ground and/or water is less than 10 feet. Boardwalks falling under these constraints are not submitted to BOS and are not required to follow design requirements in the WBM. Instead, they shall follow the guidance for boardwalks  $\leq$  20 feet clear span and above ground/water  $<$  10 feet per the [Wisconsin Bicycle Facility Design Handbook](#) (WBFDH). Retaining walls are not submitted to BOS when they meet the definition of a [minor retaining wall](#).

#### 4.7.2 STRUCTURE SUBMITTAL REQUIREMENTS

Because non-traditional projects are not eligible for DNR concurrence (Section 4.7.7) and are subject to DNR permitting, structure submittals will vary from traditional state let projects.

- Structure plans do not require WisDOT formatting.
- In the [Comments](#) field in E-Submit, include **non-traditional locally let project**.
- In the [Notify Additional Affected Party](#) field in E-Submit, include the LPPM's email address.
- On the [Structure Survey Report form](#), [PS&E & Letting Dates](#), include the scheduled PS&E and letting dates, marking both items as **locally let**.
- On the [Structure Survey Report form](#), [Additional Information](#), include **This is a locally let project that follows the Sponsor's Guide. Documentation of DNR's approval of the hydrologic and hydraulic calculations, if required, will be included in the final structure submittal.**
- Include basic hydraulic data, such as estimated or calculated high-water elevation and velocity through the bridge (if available) on the structure plans. WisDOT will not typically review hydraulic calculations for compliance with floodplain requirements, but will review the size, type, and location of the proposed structure. New or replacement structures on public roadways require scour calculations and scour critical code information to be provided on the structure plans.

### 4.8 AMERICANS WITH DISABILITIES ACT

State and local governments shall comply with accessibility standards as stated in [Section 504 of the Rehabilitation Act of 1973](#) and [Title II of the Americans with Disabilities Act of 1990](#) (ADA). All LPAs must complete [ADA self-evaluations](#) and may be required to complete a [transition plan](#). All new construction or alterations of existing transportation facilities shall be designed and constructed to be accessible to and usable by persons with disabilities. When public agencies provide pedestrian facilities, those facilities are required to be accessible regardless of funding source. Pedestrian facilities may include, but are not limited to sidewalks, crosswalks, shared use paths, curb ramps, highway rest area facilities, and pedestrian overpasses/underpasses. ADA requirements apply to all projects involving new or altered pedestrian facilities. The design shall follow appropriate ADA standards and guidelines.<sup>36</sup>

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<sup>36</sup> [FDM 11-46-5.1.2](#)

ADA standards are based on guidelines set by the [U.S. Access Board](#). The Access Board published [new guidelines](#) under the ADA and the Architectural Barriers Act (ABA) that address access to sidewalks and streets, crosswalks, curb ramps, pedestrian signals, on-street parking, and other components of public ROW.<sup>37</sup> These guidelines also review shared use paths, which are designed for use by bicyclists and pedestrians. Details regarding ADA curb ramp compliance are available in [FDM 11-46-1.1.4-5](#) as part of Bicycle and Pedestrian Accommodation guidance. Any of the features disturbed by the construction must be replaced so that they are accessible. All remaining access improvements within the public right-of-way shall occur within the schedule provided in the public agency's planning process.<sup>38</sup>

## 4.9 BIKE-PED REQUEST FOR VARIANCE

When non-traditional transportation projects are approved, they are expected to meet the design standard of a minimum 10-foot-wide path and 5-foot-wide sidewalk. Programs are competitive, and substandard facilities are not an appropriate use of these funds. A request for variance from the [WBFDH](#) or the [Wisconsin Guide to Pedestrian Best Practices](#) may be required when deviating from current design guidance.<sup>39</sup> To initiate the variance process, the designer contacts the LPPM. The LPPM will review the submitted variance in collaboration with the state or regional bike-ped coordinator, the [bike-ped engineer](#), and a representative from BOS (if applicable). Sponsors should not assume that requests will be automatically approved. The sponsor should expect a lead time of three months for approval.

The [Request for Variance \(SG11\)](#) shall include a description of the design standard from which the project deviates, justification for the variance, probable impacts to users, cost savings (if any) and how savings offset negative impacts, measures to neutralize negative impacts, and relevant attachments, such as plan sheets, photos, etc.

Minor variances can be discussed and approved by the LPPM without participating in the variance process. Minor variances are documented in the DSR. Examples of minor variances include departures from minimum curve radii approaching a stop condition, minimum separation between a roadway and path for a short distance, and clear zone widths along continuous objects. Do not proceed with final design until written approval of variances and the DSR are approved.

## 4.10 BUY AMERICA

Buy America is a provision of the FHWA, regulating the use of specific materials for projects requesting federal funding. "Notwithstanding any other provision of law, the Secretary of Transportation shall not obligate any funds authorized to be appropriated to carry out the Surface Transportation Assistance Act of 1982 (96 Stat. 2097) or this title and administered by the Department of Transportation, unless steel, iron, and manufactured products used in such project are produced in the United States."<sup>40</sup> For the latest updates on the Buy America provision, [review WisDOT's documentation online](#).

## 4.11 BID PACKAGE CHECKLISTS

The [Locally Let Contract \(LLC\) Checklist \(SG02\)](#) and the [Construction Bid Letting Checklist \(SG09\)](#) are tools designed to ensure all required federal provisions are included in the contract. Contacts and references for state and federal statutes are included where applicable. The sponsor will work with the LPPM to confirm

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<sup>37</sup> [Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way, August 2023](#)

<sup>38</sup> [FHWA Q&A about ADA/Section 504, Q20](#)

<sup>39</sup> [FDM 11-46-5](#)

<sup>40</sup> [23 USC 313\(a\)](#)

appropriate additional special provisions (ASP) are included. The designer will complete both checklists and include them with the final PS&E submittal.

Per [23 CFR 635.110](#), *no procedure or requirement for bonding, insurance, prequalification, qualification, or licensing of contractors shall be approved, which may operate to restrict competition, to prevent submission of a bid by, or to prohibit the consideration of a bid submitted by any responsible contractor, whether resident or nonresident of the state of Wisconsin. No contractor shall be required by law, regulation, or practice to obtain a license before submission of a bid or before the bid may be considered for an award of a contract. This is not intended to preclude requirements for the licensing of a contractor upon or subsequent to the award of the contract. Prequalification of contractors may be required as a condition for submission of a bid or award of contract only if the period between date of issuing a call for bids and date of opening of bids affords sufficient time to enable a bidder to obtain the required prequalification rating.*

## 4.12 PROJECT PROPOSAL CERTIFICATE

The purpose of the [Project Proposal Certificate \(SG10\)](#) is to ensure that program requirements have been addressed and included in the bid package. The designer shall complete the document and include it with the final PS&E submittal.

## 4.13 FINAL DESIGN

Final design is the engineering work to finalize construction elements and results in final plans, quantities, specifications, special provisions, contract letting documents, construction schedule, and final construction estimate. Environmental documents and the DSR, which set the design criteria, shall be approved before the final design process begins. PS&E (90%) plan and document review occurs with the LPPM at least two months prior to the PS&E submittal date. **Final project plans shall be signed by the project sponsor and signed/stamped by a registered PE** (or architect or landscape architect when applicable).

Plans and specifications shall include appropriate detail and information to aid contractors in the preparation of bids. Plans should be developed and submitted in 11x17 format and include a title sheet featuring identification as a federally funded project with WisDOT project ID and title. The sponsor may utilize standard contract language (contract front end) for control of work as long as it meets the intent and coverage of the [WisDOT Standard Specifications](#).<sup>41</sup>

The sponsor is required to reference Part 1 of the WisDOT Standard Specifications using the following statement (or similar): *The current edition of Part 1 of the WisDOT Standard Specifications for Highway and Structure Construction will be a part of this contract and will govern the work of this contract. If there is any conflict between Part 1 of the WisDOT Standard Specifications and the Sponsor's specifications, then the stricter of the two shall apply. References to WisDOT personnel or positions will be interpreted as a reference to the sponsor's personnel or positions. Part 1 language that solely refers to WisDOT state let procedures will not apply.*

Contract provisions must also incorporate WisDOT Standard Specification 108.2, requiring *(P) rime contract participation – perform at least 30 percent of the original contract amount with the contractor's own organization. The contractor's own organization is defined as workers the contractor employs and pays directly as well as equipment the contractor owns or rents, either with or without operators.* This requirement will also be incorporated into the advertisement.

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<sup>41</sup> The requirements of Part 1 of the WisDOT Standard Specifications conform with federal requirements.

The sponsor will, through special provision, incorporate the WisDOT Standard Specifications as their contract language. Special provisions should include any environmental commitments, utility information, and unique information that will allow contractors to make the most complete bid. Construction estimates should not include contingencies but consist of bid items and unit prices calculated to the penny. Estimates of quantities should be broken out into participating and non-participating group codes. Construction estimates are confidential. PS&E will be submitted as a package with other WisDOT documents and checklists to the LPPM for review.

The use of proprietary products in plans and specifications should be avoided. If a proprietary product is warranted, necessary requirements must be met, and approval obtained prior to requesting construction authorization.<sup>42</sup>

Wisconsin statutes may provide exemption from sales and use tax for building materials sold to a construction contractor that become part of a local government or qualifying nonprofit facility. The LPPM does not provide guidance and cannot provide answers to questions regarding tax issues. LPAs are required to contact the [Wisconsin Department of Revenue](#) (WDOR) regarding tax issues and retain proper documentation as directed by WDOR if listing tax exemption language in proposals for prospective bidders or vendors.

#### 4.13.1 PS&E SUBMITTAL

Submit the draft PS&E to the LPPM at least 6-8 weeks prior to the deadline for the final PS&E. The draft PS&E is used to identify errors prior to the final submission. Submit the final PS&E to the LPPM 6-8 weeks prior to the preferred date of advertisement. The PS&E package contains:

- Project manual: cover, special provisions, contract front end, [DBE Program ASP-3](#), supplemental information/permits
- Project plans (signed and sealed)
- Engineer's estimate
- Sponsor's Guide forms and checklists
  - Preliminary Engineering Checklist (SG04)
  - [Local Project Utility Coordination Task List](#)
  - [Utility Status Report](#) (DT1080)
  - [Certificate of Right-of-Way](#) (RE1899)
  - [Coordination of Railroad Work with Highway Construction Certificate](#) (DT1804)
  - Construction Bid Letting Checklist (SG09)
  - Locally Let Contract Document Checklist (SG02)
  - Project Proposal Certificate (SG10)
  - Request to Advertise – LLC (SG06)

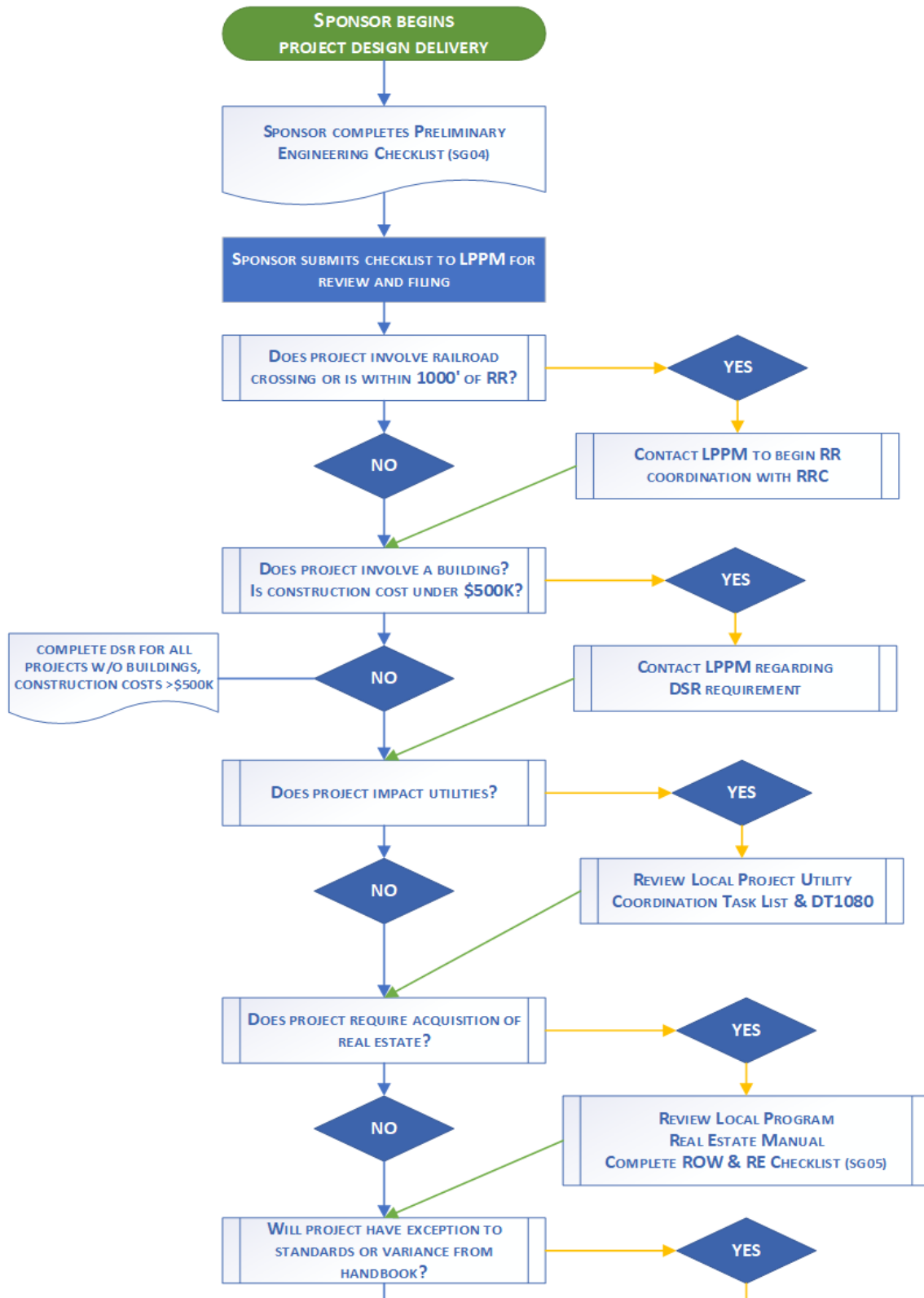


Figure 4.5 Curb Ramp - Oak Creek

The LPPM will review and approve the submittal package. If approval to advertise cannot be granted by the date indicated on the Request to Advertise, the sponsor will be notified, and a mutually agreeable

<sup>42</sup> [FDM 19-1-5](#)

advertisement date will be determined. **Do not advertise the project until the package is approved, construction is authorized for charging, and the signed Request to Advertise form has been received.**





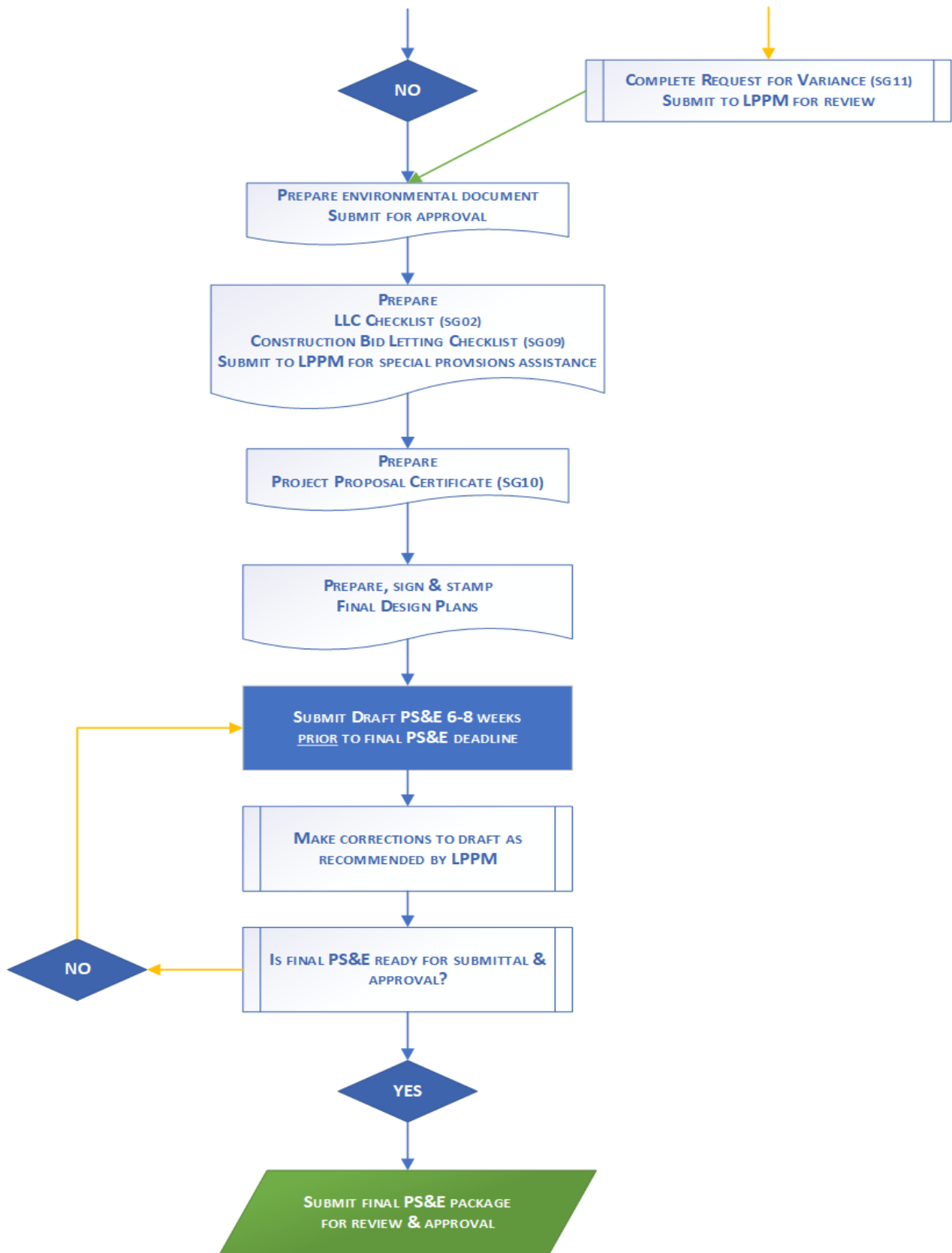


Figure 4.6 Project Design Delivery Flowchart

## 5 CONTRACT LETTING

### 5.1 REQUEST TO ADVERTISE

As part of the PS&E submittal, the [Request to Advertise – LLC](#) (SG06) initiates the authorization of the project ID and shall be done prior to bid letting advertisement. The regional office is responsible for reviewing and approving the document and returning it to the sponsor. Competitive bidding shall be compliant with federal ([23 USC 112\(a\)&\(b\)](#), [23 CFR 635.104](#)) and state (Wis. Stat. [84.06\[2\]](#) and [66.0901](#)) specifications. The [Construction Bid Letting Checklist](#) (SG09) outlines the minimum requirements to be included in the advertisement.

All federally funded projects, including those covered by the Sponsor's Guide, shall be advertised for a minimum three weeks prior to opening of bids.<sup>43</sup> Projects shall be advertised in the sponsor's official legal publication at least twice, the first of which begins the three-week requirement.<sup>44</sup> To provide the widest possible coverage, sponsors may advertise for more than three weeks and in additional publications such as the Wisconsin State Journal, trade publications, the Daily Reporter, and other similar forms of media. The sponsor shall keep affidavits of publication in the project file and submit copies with the [Request to Award](#) (SG12). **Failure to receive appropriate authorization prior to advertising will result in the project being ineligible for federal reimbursement.**

### 5.2 MATERIALS & EQUIPMENT PURCHASING PROCESS

Some non-traditional transportation projects involve the purchase of equipment or materials. Depending on the nature of the project, these items may range from inexpensive materials such as stationary to significantly larger equipment such as computer systems or vehicles. Competitive procurement procedures shall be followed when federal funds are used to purchase items that will be used to complete the project. Failure to comply with competitive bidding requirements is a violation of federal and state laws and will jeopardize reimbursement. The purchase of materials shall follow the guidance indicated below, based on project type.

#### 5.2.1 TRANSIT MATERIALS AND EQUIPMENT

Projects that require the procurement of public transit materials and/or equipment shall comply with the [Transit Procurement and Contract Administration Manual](#).

Procurement of FTA materials are subdivided as micro-purchases ( $\leq$ \$5,000), small purchases (\$5,001 - \$49,999), and purchases equal to/exceeding \$50,000.

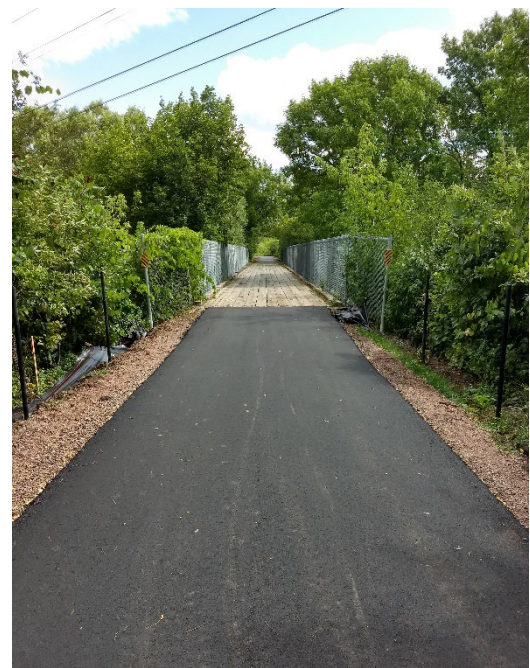


Figure 5.1 Bike-Ped Improvements - Ashland

<sup>43</sup> [23 CFR 635.112 \(b\)](#)

<sup>44</sup> As defined in Wis. Stat. [985.01](#)

## 5.2.2 MATERIALS AND EQUIPMENT PURCHASING PROCESS (NON-TRANSIT)

Projects that require the procurement of materials and/or equipment (not related to public transit) shall comply with the process indicated in this guide. In the event that a proprietary product is identified in plans or specifications by a brand or trade name, review of the current guidelines of the [FDM 19-1-5.1](#) is required. In the event that a unique product with no suitable alternative (*sole source*) is identified in plans or specifications, PS&E documentation shall specify *no suitable alternative* per [FDM 19-1-5.2.2](#). Procurement of materials/equipment are subdivided as micro-purchases ( $\leq$ \$5,000), small purchases (\$5,001 - \$50,000), and purchases exceeding \$50,000.

For each phase of the project, the sponsor shall submit to the LPPM a **Purchase Request Package**, to include:

1. Request to Advertise
2. Specification sheet (also known as a cut sheet)
3. List of vendors
4. Performance criteria for selected vendor

For each phase of the project, the sponsor shall submit to the LPPM a **Request to Award Package**, to include:

1. Request to Award
2. Purchase order requisition or contract with selected vendor
3. Quote summary tabulation
4. WisDOT-approved DBE commitment (if applicable)
5. Copy of notarized advertisements

**For purchases  $\leq$ \$5,000**, the sponsor may award to the vendor determined best able to supply the required material(s)/equipment (except when purchasing printing). When selecting a vendor, the sponsor shall consider location of delivery point, quality of articles to be supplied, price of articles, conformity with specifications, purpose for which articles are required, and date of delivery. The sponsor agrees to make special effort to award to small businesses, veteran-owned businesses, minority businesses, and/or work centers.

**For purchases \$5,001-\$50,000**, the sponsor shall compare bids from at least **three** bidders regarding price lists, quotes on file, phone/verbal quotes (confirmed in writing by the successful vendor) or written bids. Receipt of an invoice shall serve as confirmation. The sponsor shall check the invoice against the purchase order to ensure proper pricing.

**For purchases exceeding \$50,000**, the sponsor may use one of the following processes, depending on the type of purchase.

- A. **Official sealed bid:** When the item to be purchased is indicated by rigid specification, solicitation of bids is coordinated through the [State of Wisconsin Public Notices](#), and posted to [VendorNet](#).
- B. **Competitive negotiation (request for proposal):** In instances where an award cannot be made strictly on specifications or price and several firms are qualified to furnish the product, an evaluation committee will be established, and proposals will be reviewed and scored against stated criteria.

**Noncompetitive negotiation (sole source procurement):** In instances where the required product can only be purchased from one vendor, a request to waive the bidding process can be made with adequate justification. If requesting sole source procurement, the sponsor shall include [DT1584 Proprietary Product Justification](#) with their **Purchase Request Package**.

- **Uniqueness** can be justified when the product is one-of-a-kind and not available from more than one supplier. This may also apply to significantly discounted used equipment.
- **Patent/Proprietary** products are those that cannot be obtained from others and are not merchandised through competitive outlets.
- **Intrinsic Value** products are those that have historic, artistic, or educational value.
- **Emergency** can be justified when risk of human suffering or substantial damage to property requires immediate action.
- **Bidding is not possible** may be justified when the award cannot be made strictly on specifications or price.
- **Substantial time pressure** may be justified when it exists beyond the control of the agency and does not include administrative delays or confusions in processing paperwork for purchasing approval.

When the product is valued at >\$50,000, a contract shall be developed between the sponsor and the vendor. The contract may be as simple as a purchase order issued by the sponsor and approved by the LPPM, then shared with the vendor. For purchases of motor vehicles or specialized equipment, the contract may include formalization such as specific delivery dates and/or warranty terms. A contract would also be appropriate when the purchase requires substantial labor or technical assistance. The sponsor is responsible for administering the contract and for determining the adequacy of vendor compliance. It is recommended that the individual administering the contract be indicated on the purchase request, participate in preparation of specifications, and be further involved in the evaluation of performance criteria for the vendor.

### 5.3 LOCAL FORCE ACCOUNTS

Competitive bidding is the principal means to award federal aid contracts but may not always be the most cost-effective contracting method. LFA agreements may be approved in these situations. Approval of the LFA method requires a cost-effectiveness finding (CEF), evaluation, and prequalification that the project sponsor is adequately staffed and suitably equipped, meaning the LPA can complete the work with their own forces and equipment.

To ensure LFA agreements comply with federal regulations, the sponsor can only perform work on their own system with their own forces and equipment, and shall submit documentation of staffing and suitable equipment via the [DT2300 Prequalification – Work by Locals](#).<sup>45</sup> If the municipality is not equipped to undertake a specific type of work (e.g., miscellaneous concrete work, paint striping, etc.), such would be competitively bid with local forces doing any remaining work. The bid will specify the nature of the work, identifying which parties will complete which work. Competitively bid work would not be part of the LFA.

LFAs require the same level of recordkeeping as let contracts. Sponsors performing LFA work cannot also perform construction administration and oversight of that work. To ensure compliance, WisDOT will contract with a consultant to perform construction oversight. Associated costs will be charged back to the project as detailed in the SMA.

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<sup>45</sup> Limited rental of highly specialized equipment may be permitted.

### 5.3.1 LOCAL FORCE ACCOUNT GUIDANCE

Sponsors intending to construct a project via LFA shall follow the guidance designated in FDM [3-5-10](#) and [19-25-5](#). The sponsor is responsible for submitting all necessary forms per this guidance. Because CMAQ and TAP programs have statutory grant authority, the governor's signature can be substituted with that of the director of the Bureau of Project Development on [DT2056 Agreement for Construction – Local Force Account](#).

By following the guidance in the FDM, the LFA is subject to additional regulations including:

- Projects ≤\$50,000 are covered by a programmatic CEF.
- Projects >\$50,000 must prepare and submit a CEF, gain approval from the regional LPPM and the regional Project Development Chief, and develop a force account agreement. **Forms [DT25](#) and [DT2056](#) must be included in final PS&E.**<sup>46</sup>
- Upon approval of the PS&E, WisDOT will request authorization to incur costs from FHWA (4-6 weeks).<sup>47</sup>



Figure 5.2 Starkweather Creek - Monona

## 5.4 LOCALLY LET CONTRACTS

The sponsor may let contracts for projects that receive federal funding, provided the following conditions are met:

1. The SMA for the construction phase is in effect, setting the conditions under which the project will be constructed.
2. The sponsor is certified for contract administration through the [Sponsor's Guide training and certification program \(SG18\)](#).
3. The [Request to Advertise form \(SG06\)](#) has been approved by the LPPM and returned to the sponsor.
4. The sponsor uses the advertising and award procedures outlined in the *Sponsor's Guide* and the [Construction Bid Letting checklist \(SG09\)](#) to advertise for bids, select the lowest responsible bidder, and award the contract.
5. The bidding and award of the contract complies with WisDOT Standard Specifications [102](#) and [103](#).

## 5.5 COMPETITIVE BIDDING PROCESS

### 5.5.1 ADVERTISEMENT ADDENDUM

If the project advertisement is placed and is discovered to contain a significant error or change that may impact contractor bid submission, an addendum must be issued notifying contractors of the issue.<sup>48</sup> The regional LPPM shall review and approve changes before submitting an addendum. Addenda shall be included with any submitted proposals of the request to award.

<sup>46</sup> [FDM 3-5-10.9](#)

<sup>47</sup> Authorization shall occur prior to beginning work on the construction phase of the project.

<sup>48</sup> Significant changes are defined as changes in quantities or work that would affect the engineer's estimate for the project, changes in starting or completing dates, or any other change connected with the permit, approval, or mitigation associated with the project.

## 5.5.2 REQUEST TO AWARD

All bids received in accordance with the terms of the advertisement shall be publicly opened and announced, either by item or total amount. Virtual bid openings shall include the total of each proposal and be posted at the time designated in the advertisement.<sup>49</sup> If any bid is not read, the name of the bidder and reason for withholding the bid shall be publicly announced at the big opening. Adequate justification for rejecting any bid shall be documented by the sponsor and submitted to the LPPM.

If fewer than three bids are received for the project, justification shall be provided as to why it is in the public interest to proceed with the award. If the bid exceeds the engineer's estimate by >10%, justification shall be provided as to why it is in the public interest to award the contract.

Following the processes for advertising and bid opening, the sponsor shall complete a bid review to confirm that bids were not irregular. This should be per item, if appropriate, and compared to the bids from other contractors and engineer's estimate. A percent variance of the bid from the engineer's estimate shall be calculated. The sponsor shall determine the lowest responsive and responsible bidder and certify selection. The sponsor shall tabulate the bids and return them to the LPPM. The sponsor shall evaluate the bids in accordance with [WisDOT Standard Specifications 102](#) and [103](#). For projects with DBE goals, all bidders must submit DBE documentation according to WisDOT's DBE project requirements.

The sponsor shall submit the [Request to Award \(SG12\)](#) and [proof of publication](#) to the LPPM, allowing two weeks for review.<sup>50</sup> The following items shall be included (noted with \* if not applicable):

- Copies of any/all addenda issued to the proposal
- Documentation of rejected bids, based on adequate justification\*
- Justification to proceed with fewer than three bidders, if required\*<sup>51</sup>
- Justification for bids exceeding engineer's estimate by > 10%\*
- Bid review with % variance, per item, compared to engineer's estimate and bids from other contractors
- Bid summary listing unit prices for 3 low bidders and total bids

The LPPM will review and approve sponsor contract selection based on information in the Request to Award. Approval will be based on the following criteria:

- Low bid unit prices, compared to engineer's estimate
- Local bid review, as appropriate
- Bid tabulations for future reference
- Acknowledgement of costs (if funded amount < bid amount)
- Justification to proceed with award exceeding engineer's estimate by >10%

Approval will not be awarded until assigned DBE commitments (if applicable) are fulfilled and approved. The LPPM will notify the sponsor to proceed by returning the signed Request to Award with copies to the WisDOT Expenditure Accounting Unit.

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<sup>49</sup> The type/manner of posting virtual proposals is left to the discretion of the sponsor, provided it ensures free, open, and competitive bidding.

<sup>50</sup> Line items with asterisks (\*) are also approval criteria.

<sup>51</sup> Include consideration for low bid, proper advertisement, specialty work, completion data, geographic area, and size of contract.

## 5.6 CONSTRUCTION CONTRACT ADMINISTRATION

Locally let contracts are those between the sponsor and the contractor for the construction of the project. The sponsor is responsible for construction contract administration. **Utilize experienced, competent staff or qualified consultants that are knowledgeable of WisDOT construction procedures, plans and specifications, and special provisions.**<sup>52</sup> Pay special attention to erosion control and environmental permits requirements including documentation of erosion control activities during the project. **WisDOT recommends federal funding be applied to construction and local funding be applied to contract administration (construction engineering oversight).**

As contract administrator, the sponsor is responsible for:

- Inspection
- Materials acceptance
- Recordkeeping
- Measurement of quantities
- Enforcement of plans and specifications
- Contractor payments
- Monitoring DBE utilization (if applicable)
- Labor compliance
- Finals documentation

When selecting a contractor, follow the QBS requirements. The regional office LPPM can assist with the selection process to ensure compliance with federal and state regulations. The solicitation, evaluation, ranking, selection, and negotiation with the contractor requires compliance with the QBS process, detailed in 40 USC 1101-1104/the Brooks Act (Section 3.1).

### 5.6.1 LOCALLY FUNDED CONSTRUCTION CONTRACTS

In instances where the sponsor intends to use local funding for construction, the sponsor assigns a staff construction engineer to the project or contracts with an external construction engineer. In these situations, the sponsor retains responsibility for both contractor selection and construction contract administration. WisDOT strongly recommends that the regional LPPM attend the contract scoping meeting prior to negotiating any contracts to ensure that project scope and services are in line with department expectations. Sponsors seeking to undertake construction work using local staff must contact their regional office for authorization. In situations where the contractor is locally funded, regional staff may perform limited oversight of project deliverables at the expense of the sponsor. Cost responsibility will be documented in the SMA. WisDOT will establish a project ID to allocate costs and bill the sponsor.

### 5.6.2 FEDERALLY FUNDED CONSTRUCTION CONTRACTS

In instances where the sponsor intends to use federal funding for construction, the sponsor shall enter into a two-party or three-party contract, depending on the employer of the construction engineer as outlined below. For both contract types, the contract defines the scope of services and the [basis of payment](#), including the estimated level of effort (in hours) by classification and rate and other supporting documents. Costs charged to the project for work done by local staff will be limited to those costs eligible for reimbursement under the [Office of Management and Budget \(OMB\) Circular A-87 \(OMB A-87\)](#).

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<sup>52</sup> The construction administration project leader must be familiar with the [WisDOT Construction and Materials Manual](#) (CMM) and the [WisDOT Standard Specifications](#).

## 5.7 CONTRACT TYPES

Locally Let Contracts result in a contract between the contractor and the Sponsor for the construction project. **The Sponsor is responsible for the construction administration and must utilize experienced, competent staff or qualified consultants knowledgeable in WisDOT construction procedures.**

The project leader responsible for the construction administration must be familiar with the plans, specifications and special provisions and be experienced in construction management. The project leader also must be familiar with the WisDOT Construction and Materials Manual (CMM) and WisDOT Standard Specifications.

**It is recommended that Federal funding is applied to the let contract and the construction engineering oversight is locally funded.** If the Sponsor wishes to use federal funding for their construction administration effort using their own staff, a two-party construction administration contract between WisDOT and the Sponsor is required. If federal funding is utilized for construction oversight and the Sponsor utilizes a consultant for construction administration, a two-party contract between the Sponsor and the Consultant is required. The consultant selection and contracting must follow federal requirements detailed in FDM Chapter 8.

If the Sponsor uses a consultant under a two-party contract, the selection process must follow the QBS procedures, similar to selecting a Design Consultant, as outlined in Chapter 3. Your Region can assist with the selection process to ensure it meets QBS guidelines.

Whether or not federal funding is used for construction administration, the Region will provide oversight of the project to ensure Federal and State requirements are met.

## 5.8 CONTRACT MODIFICATIONS

Periodically, a construction engineer may encounter field conditions (without change in project scope) that warrant extra work and require a contract modification for additional payment to the contractor. Federal funding for construction costs for non-traditional transportation projects are capped at the construction funding limits noted in the SMA. Costs for contract modifications that exceed the funding cap shall be funded by the project sponsor (local responsibility). Contract modifications shall be approved by the LPPM prior to initiating work, following the process below:

1. The sponsor (or their representative) shall complete the [DT2355 Contract Modification Prior Approval Justification form](#), and submit to the LPPM.
2. The LPPM will review and recommend approval or meet with the sponsor to discuss alternatives.
3. If approved, the LPPM will return the signed justification form and the sponsor may solicit actual work costs from the contractor.
4. The sponsor will complete the [Non-Traditional Project Contract Modification form](#) (SG15). Both the sponsor and contractor will sign the document, and then submit it to the LPPM. The LPPM will approve the document according to the [Local Program Document Approval Matrix](#) and instruct the sponsor to proceed with extra work.



Figure 5.3 Traffic Lights – Milwaukee



## 5.9 DISADVANTAGED BUSINESS ENTERPRISE

Title VI of the Civil Rights Act of 1964 forms the foundation for the DBE program and is codified in [23 USC 140\(c\)](#), with regulatory policy in [49 CFR Part 21](#),<sup>54</sup> [Part 26](#),<sup>55</sup> and [23 CFR Part 200](#),<sup>56</sup> [230](#).<sup>57</sup> As a recipient of funds from the FHWA, WisDOT is required to administer the DBE program in compliance with all laws, regulations, executive orders, and official guidance applicable to program administration. WisDOT's DBE office is located within the Division of Transportation System Development (DTSD), Office of Business Opportunity and Equity Compliance (OBOEC) and is available to provide technical assistance as needed.

DBEs are small for-profit businesses owned by socially and economically disadvantaged individuals that maintain at least a 51% interest in the business. Certification eligibility requires that the owner(s) demonstrate that they control, manage, and operate the business competently. Economic disadvantage standards are determined by the FHWA. Business size standards are established by the U.S. Small Business Administration. African Americans, Hispanics, Native Americans, Asian-Pacific and Subcontinent Asian Americans, and women are presumed to be socially and economically disadvantaged. Other individuals may qualify as socially and economically disadvantaged on a case-by-case basis using the standards of [49 CFR Part 26](#).

The goals of the federal DBE program are outlined, as follows, in [49 CFR 26.1](#):

- a. To ensure nondiscrimination in the award and administration of U.S. DOT-assisted contracts in the department's highway, transit, and airport financial assistance programs.
- b. To create a level playing field on which DBEs can compete fairly for U.S. DOT-assisted contracts.
- c. To ensure that the department's DBE program is narrowly tailored in accordance with applicable law.
- d. To ensure that only firms that fully meet eligibility standards are permitted to participate as DBEs.
- e. To help remove barriers to the participation of DBEs in U.S. DOT-assisted contracts.
- f. To promote the use of DBEs in all types of U.S. DOT-assisted contracts and procurement activities conducted by recipients.
- g. To assist the development of firms that can compete successfully in the marketplace outside the DBE program.
- h. To provide appropriate flexibility to recipients of federal financial assistance in establishing and providing opportunities for DBEs.

DBE regulations outline requirements for certification, compliance and enforcement, goals, good faith effort, and counting DBE credit. Each state is responsible for maintaining a [directory of DBE-certified firms](#) and establishing triennial DBE goals.<sup>58</sup> Policy outlined in [49 CFR 26.37](#) requires states to implement mechanisms to ensure compliance with regulations by any recipient of FHWA funding through WisDOT.

If the contract is federally funded through WisDOT, the sponsor may request that WisDOT assign a DBE goal to the contract. The DBE goal represents the portion of the project anticipated to be completed by DBEs. Factors considered in assigning contract goals include the location, type of work, and availability of DBEs that perform the type of work involved in the contract. A contract DBE goal is expressed as a percentage of the contract federal funds calculated as relative sub-contractable opportunity.

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<sup>54</sup> Nondiscrimination in federally-assisted programs of the Department of Transportation – Effectuation of Title VI of the Civil Rights Act of 1964

<sup>55</sup> Participation by disadvantaged business enterprises in Department of Transportation financial assistance programs

<sup>56</sup> Title VI program and related statutes – Implementation and review procedures

<sup>57</sup> External programs

<sup>58</sup> WisDOT provides [an interactive map](#) including the location and work type of certified DBE firms.

- To request a DBE goal, email [DBE\\_Alert@dot.wi.gov](mailto:DBE_Alert@dot.wi.gov) to begin the process.
- WisDOT maintains the right to assign a DBE goal to a project, regardless of request. Goals will be included on the SMA.
- If a DBE goal is assigned to a project, the sponsor shall adhere to WisDOT's [DBE program requirements](#) to ensure project funding is not jeopardized or delayed due to complaints, challenges, or other issues. Assigned goals are legal obligations and DBE requirements are contract provisions and will be administered as such.
- If a DBE goal is assigned, WisDOT is required to impose sanctions that may include termination of the agreement or other measures that may affect the ability of the sponsor to obtain future WisDOT financial assistance if the sponsor fails to adhere to [WisDOT's DBE provision](#).
- Bidders shall demonstrate [good faith effort](#) to meet the DBE goal irrespective of goal completion. If the assigned DBE contract goal is not met, [DT1202 Documentation of Good Faith Effort](#) and supporting documentation shall be submitted within 24 hours of bid closing.
- [Helpful information](#) for prime contractors

WisDOT will assist the sponsor in monitoring DBE participation. When a DBE goal is assigned, the sponsor is responsible for:

- Collecting [DT1506](#) and [DT1506A](#) at the time of bid by all prime contractors<sup>59</sup>
- Arranging solicitations, time for presentation of bids, quantities, specifications, and delivery schedules to facilitate participation of [DBE firms](#)
- Ensuring communication and information is available regarding [contracting procedures and specific contracting opportunities](#)
- Confirming that bidders who respond to solicitation list the DBE firms that will participate on the contract and the amount of the participation
- Certifying that DBE firms included on the commitment have submitted signed confirmation of the type of work and cost of work to be performed on the contract ([DT1506](#) and [DT1506A](#))
- Verifying that the listed DBE firms were used as described
- Monitoring DBE participation by reviewing project documents and accounting records or visiting the project site
- Coordinating commercially useful function (CUF) reviews with WisDOT's DBE office at time of contract award to confirm the role the DBE plays in the project. CUF monitoring is a second line of defense against fraud and abuse.

**If the sponsor does not request a DBE goal and WisDOT does not assign a DBE goal, there will be no DBE goal on the project. The sponsor shall not assign DBE contract goals.** Projects without an assigned DBE goal but using DBE subcontractors are encouraged to complete [DT1506](#) and [DT1506A](#) and submit them to [DBE\\_Alert@dot.wi.gov](mailto:DBE_Alert@dot.wi.gov).

Contractors interested in working with State of Wisconsin certified suppliers may use [the interactive search](#) to locate qualified minority business enterprises (MBE), disabled veteran businesses (DVB), and women-owned business enterprises (WBE) businesses. DBEs, MBEs, DVBs and WBEs cannot be used interchangeably. Assigned DBE project goals may only use DBEs to attain the goal.

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<sup>59</sup> [DT1506A](#) or quotes from all DBEs included in DT1506 shall be submitted AT bid OR within one hour following bid submittal by ALL prime contractors.

## 6 CONSTRUCTION

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### 6.1 LABOR COMPLIANCE

All contracts receiving federal funding require provisions governing the employment and payment of individuals hired by contractors, subcontractors, and suppliers to perform contract work. These provisions are collectively outlined in [Form FHWA-1273](#), section IV. Davis-Bacon and Related Act Provisions.<sup>60</sup> The sponsor is responsible for the enforcement and monitoring of all provisions in this chapter.

#### 6.1.1 FHWA-1273, DAVIS-BACON & RELATED ACTS

Required federal contract provisions are contained in FHWA-1273. This provision shall be included in every federally funded construction contract, including LLCs. The sponsor shall be familiar with the contents of FHWA-1273 to understand the oversight requirements. The FHWA-1273 shall be incorporated into each construction contract funded under Title 23. The contractor or subcontractor shall insert these documents in each subcontract and require its inclusion in all lower tier subcontracts. All contracts with federal funding let to bid and entered into by the sponsor require provisions governing the employment and payment of persons hired by contractors, subcontractors, and suppliers to perform the contract work.

Payrolls and basic records relating thereto shall be maintained by the contractor during the work and preserved for a period of three years thereafter. Records shall contain the name, address, and social security number of each worker, as well as their correct classification, hourly rates of wages paid, daily and weekly number of hours worked, deductions made, and actual wages paid.<sup>61</sup> Overtime will be paid for all hours worked over 40 per week, at a rate not less than 1.5 times the basic rate of pay. Apprentices will be permitted to work at less than the predetermined rate for work performed when they are employed pursuant to and individually registered in a bona fide apprenticeship program.

For all physical work performed on the project, the prime and subcontractors are required to submit [certified payrolls](#) to the sponsor.<sup>62</sup> The sponsor shall review payrolls for correct wage rates, fringe benefit payments, and improper deductions.<sup>63</sup> The project engineer should discuss suspected violations of the employment provisions with the sponsor. Complaints and confirmed violations are to be brought to the attention of the sponsor. The sponsor should make systematic spot interviews with workers engaged in contract work using the WisDOT Labor Compliance and EEO (Equal Employment Opportunity) Field Interview form.<sup>64</sup> If noncompliance is determined, the sponsor should inform the contractor and follow through with the issue until compliance is achieved.

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<sup>60</sup> [FHWA Companion Resource for Form FHWA-1273 is available.](#)

<sup>61</sup> Including rates of contributions or costs anticipated for bona fide fringe benefits or cash equivalents thereof of the types described in [§1\(2\)\(b\) of the Davis-Bacon Act.](#)

<sup>62</sup> Using one of the following forms: [WH-347](#) (US Department of Labor) or [DT1929 WisDOT Weekly Payroll Report](#)

<sup>63</sup> [DT1816 Compliance Statement to Accompany Contractor's Weekly Payroll](#)

<sup>64</sup> Available upon request from the LPPM.

## 6.1.2 PREVAILING WAGE RATES

A schedule of minimum prevailing wages for the county in which the work is to be performed shall be included in the contract.<sup>65</sup> All workers on the site of work will be paid unconditionally and not less than once a week without subsequent deduction or rebate on any account (except such payroll deductions as permitted by law), the full amount of wages and bona fide fringe benefits or their cash equivalents due at time of payment computed at rates not less than those contained in the federal prevailing wage determination regardless of any contractual relationship which may be alleged to exist between the contractor and such workers.

WI10 wages are to be inserted into every contract with federal funding.<sup>66</sup> WI15 wages are to be inserted into a contract if the work includes a bridge or structure located over a navigable waterway (as defined by the US Department of Labor and the US Coast Guard). WI08 wages are to be inserted into a contract containing sewer work that is 20% over the contract amount.

Building wages (WI##-by county) are to be added when a building is included in the contract. Wage determinations included in the contract remain in effect for the life of the contract. Contractors are responsible for determining the appropriate crafts necessary to perform the contract work. If a classification considered necessary for performing the work is missing from the WD, the contractor shall initiate a request for approval for a proposed wage and benefit rate by preparing an [SF-1444](#), Request for Authorization of Additional Classification and Rate, for the unlisted craft.<sup>67</sup>

The Davis-Bacon and Related Acts (DBRA) require that federally funded contractors pay workers employed at a project jobsite no less than the prevailing wage rates (including fringe benefits) listed in the contract's Davis-Bacon wage determination for corresponding classes of workers. Wage rates are based on wages and fringe benefits the [Wage and Hour Division](#) (WHD) has found to be prevailing for workers employed on similar projects in the area. Contractors on DBRA projects are required to pay workers weekly and to submit weekly certified payroll records to the contracting agency. DBRA contractors are also subject to rules concerning allowable payroll deductions.

The most up-to-date wage determination issued at the time of contract award shall be incorporated into the contract. An exception provides that contracts entered into by competitive bidding procedures provides that wage determination updates issued less than 10 days before the opening of bids shall be effective. If the contract is not awarded within 90 days after bid opening, the wage rates need to be checked for modifications to be incorporated into the contract up to award, unless WisDOT requests and obtains an extension of the 90-day period.<sup>68</sup>

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<sup>65</sup> For more detail, review the [2024 OBOEC Compliance Contractor Training](#)

<sup>66</sup> Except work over a navigable waterway.

<sup>67</sup> [WisDOT Current Wage Determinations](#)

<sup>68</sup> [Davis-Bacon Wage Determinations FAQ](#)

### 6.1.3 JOB SITE BOARD POSTING

The contractor is required to install a job site posting board with required posters, linked below. The posting board shall be installed before any construction operations can begin. The contractor will ensure that the board is placed on the project site and accessible to both workers and the public, for the duration of the project. The project engineer will check that the contractor erects and maintains the proper postings on display and in good readable condition at all times. Regulations do not require employers to display posters in a language other than English except to meet the needs of the workforce. Where an employer's workforce includes a significant portion of workers who are not literate in English, the employer is responsible for providing the notice in a language in which employees are literate. For further information, contact the regional office LPPM.

<b>Job Safety and Health (OSHA) It's the Law</b>	<a href="#">English</a>	<a href="#">Spanish</a>	<b>Worker Rights Under Davis-Bacon Act</b>	<a href="#">English</a>	<a href="#">Spanish</a>
<b>Wisconsin Unemployment Benefits</b>	<a href="#">English</a>	<a href="#">Spanish</a>	<b>Wisconsin Family Medical Leave Act</b>	<a href="#">English</a>	
<b>NOTICE Federal Aid Project</b>	<a href="#">English</a>	<a href="#">Spanish</a>	<b>Employee Polygraph Protection Act</b>	<a href="#">English</a>	<a href="#">Spanish</a>
<b>Pay Transparency Nondiscrimination</b>	<a href="#">English</a>	<a href="#">Spanish</a>	<b>Fair Labor Standards Act (FLSA) Minimum Wage</b>	<a href="#">English</a>	<a href="#">Spanish</a>
<b>WisDOT Title VI Nondiscrimination Notice</b>	<a href="#">English</a>	<a href="#">Spanish</a>	<b>Federal Family and Medical Leave Act (FMLA)</b>	<a href="#">English</a>	<a href="#">Spanish</a>
<b>Wisconsin Fair Employment Law</b>	<a href="#">English</a>		<b>Know Your Rights</b>	<a href="#">English</a>	<a href="#">Spanish</a>

Figure 6.1 Job Site Board Posting Reference Links

#### LIST OF POSTINGS

- ✓ Contract Wage Rates (all pages)
- ✓ Employee Polygraph Protection Act (EPPA) (WH1462)
- ✓ Fair Labor Standards Act (FLSA) Minimum Wage (WH1088)
- ✓ Federal Family and Medical Leave Act (FMLA) (WH1420)
- ✓ Job Safety and Health – It's the Law (OSHA 3165-04R 2019) 8.5x14<sup>69</sup>
- ✓ Know Your Rights (EEOC)
- ✓ NOTICE Federal-Aid Project (FHWA Form 1022)
- ✓ Pay Transparency Nondiscrimination Provision (OFCCP)
- ✓ WisDOT Title VI – Nondiscrimination Notice
- ✓ Wisconsin Fair Employment Law (ERD-4521-P)
- ✓ Wisconsin Family and Medical Leave Act (ERD-7983-P)
- ✓ Wisconsin Unemployment Benefits (UCB-7-P)
- ✓ Worker Rights Under the Davis-Bacon Act (WH1321)

<sup>69</sup> Prior versions can also be used, but the size requirement must be met.

#### 6.1.4 TITLE VI

[Title VI of the Civil Rights Act of 1964, 42 USC 2000d et seq.](#) prohibits discrimination on the basis of race, color, and national origin in programs and activities receiving federal financial assistance. The [Civil Rights Restoration Act of 1987](#) amended Title VI by expanding the definition of “programs and activities” to include all activities and programs operated by organizations which are extended federal financial assistance, including “(1) a department, agency, special purpose district...of a state or local government; [and] (2) a state or local government entity which distributes such assistance and the agency or department to which such assistance is extended...”

WisDOT programs and activities are conducted in accordance with [U.S. DOT Order 1050.2A](#). Every award of or application for federal financial assistance shall, as a condition of its approval and the extension of any federal financial assistance pursuant to the award or application, contain or be accompanied by an assurance that the program will be conducted in compliance with all requirements imposed by Title VI. Every award of federal financial assistance shall require the submission of signed assurances.

As subrecipients of WisDOT, sponsors shall sign the U.S. DOT standard [Title VI/Nondiscrimination Assurances](#) guaranteeing that its programs and activities will be conducted, or facilities operated, in a nondiscriminatory manner. Failure or refusal to furnish the required assurances is grounds for termination of federal financial assistance. WisDOT has prescribed procedures to ensure Title VI/Nondiscrimination contract provisions are included in all federally funded contracts regardless of tier. These contract provisions are included in the SMA.

Sponsors are required to complete annual Title VI training via the WisDOT Learn Center. The completed training will be paired with the Sponsor's Guide Certification Training and sent to the LPPM for verification. Sponsors shall review FHWA's [Federal-aid Essentials for Local Public Agencies' Civil Rights](#) series, which provides in-depth coverage of Civil Rights program requirements for federally funded projects such as non-traditional transportation projects.

## 6.2 PROJECT DOCUMENTATION

For locally let contracts, the construction engineer is unlikely to use the WisDOT contract administration computer applications. They shall still maintain comparable records. Construction records include, but are not limited to:

- Contract proposal
- As-built plans
- Project diaries (project engineer's daily diary, inspector's diary)
- Source documents (delivery tickets, receipts, survey notes, measurements, computations)
- Borrow pit releases
- Material records (test results certifications)
- Pictures/videos
- Correspondence files
- Contractor pay estimates
- Justifications for non-conforming work/materials
- Labor compliance documents
- Buy America (if applicable)
- Other project documents, such as those listed on the [Project File checklist \(SG03\)](#)

### 6.2.1 MATERIALS ACCEPTANCE

Guidance forthcoming.

## 6.3 PRE-CONSTRUCTION MEETING

To clarify the project requirements and details, the sponsor, LPPM, and contractor will meet for a pre-construction meeting. During the meeting, the group will establish lines of authority and communication, clarify the responsibilities of each participating team member, identify potential issues and the process for resolution, resolve potential misunderstandings, and discuss detailed arrangements necessary for a successful project. [CMM 226](#) outlines the goals and requirements for the pre-construction meeting.

## 6.4 SITE VISITS

The LPPM may periodically visit the project site to ensure items are built according to contract documents, such as paving and deck pours, basic plan elements, detectable warning field and pedestrian ramp installation, sign placement, vertical and horizontal clearances, erosion, and traffic control.

The sponsor is strongly encouraged to perform additional site visits as needed, and to coordinate with the LPPM for further on-site support.

## 6.5 CLAIMS

There will be no federal participation in any contractor claims or work deemed unnecessary to complete the approved plans. In the case of a dispute during the construction phase, the sponsor shall consult with the LPPM to ensure it is resolved in a manner acceptable to WisDOT. A special provision may be necessary to address resolution of contractor claims, disputes, or extra work at the local level.



Figure 6.2 Old Hwy 51 Shared Use Path - Kronenwetter

# 7 PROJECT COMPLETION & REIMBURSEMENT

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## 7.1 CURB RAMP POST-CONSTRUCTION REPORT

Curb Ramp Compliance Post-Construction Reports are required for all curb ramps installed on all projects to document they have been built to meet ADA requirements.<sup>70</sup> For curb ramps on the local system, use the Local Program Curb Ramp Compliance Post-Construction Report. If a Local Program project intersects with the state truck network, complete the Survey123 Curb Ramp Compliance Post-Construction Report for only those ramps on the state trunk network. This includes curb ramps facing the side street at an intersection where a local street intersects a state highway and curb ramps installed on shared use paths that intersect a state highway.

## 7.2 REIMBURSEMENT REQUEST FORM

Most non-traditional transportation projects are reimbursed on a quarterly or bimonthly basis. To make a request, the sponsor uses the [DT1713 Reimbursement Request form](#).<sup>71</sup> Submitted requests must include

<sup>70</sup> [Additional guidance for curb ramp construction documentation is available.](#)

<sup>71</sup> Requests shall be submitted **every six months** at minimum.

appropriate documentation of project costs. WisDOT will review requests and recommend approval to the Bureau of Financial Management.

### 7.2.1 DESIGN REIMBURSEMENT REQUESTS

Design reimbursement requests shall include:

- Design ID
- Invoice
- Progress report
- [Bi-monthly Schedule Worksheet](#) (SG16)
- Copies (digital or photocopies of front/back) demonstrating payment

During major design efforts, the sponsor shall plan to make frequent reimbursement requests. For each [DT1713 Reimbursement Request form](#), complete the top of the request form with the project details, including the design ID. List each invoice in the body of the form, detailing the originator of the invoice and the period covered. Complete the calculations at the base of the form. Clearly indicate any amounts that are ineligible for state/federal cost participation. On line 8 (maximum \$ amount of participation on this project), identify the design portion of federal/state funding as shown on the project SMA. Do not include other phases of the project.

The final invoice shall be submitted when design is complete and shall be marked **FINAL**. Do not wait to submit design reimbursement requests until construction is complete.

### 7.2.2 CONSTRUCTION REIMBURSEMENT REQUESTS

Construction reimbursement requests shall include:

- Construction ID
- Copies (digital or photocopies of front/back) demonstrating payment
- Construction estimate showing the completed items, multiplied by the unit cost
- Supporting documentation

As with the design reimbursement request, the sponsor shall complete the top of the request form with the project details, including the construction ID. List each invoice in the body of the form, detailing the originator of the invoice and the period covered. Complete the calculations at the base of the form. Clearly indicate any amounts that are ineligible for state/federal cost participation. On line 8 (maximum \$ amount of participation on this project), identify the construction portion of federal/state funding as shown on the project SMA. Do not include other phases of the project. Regional staff may periodically visit the project site to verify that the reimbursement requested is consistent with the work completed. Regional staff may also check project records to ensure all federal/state reporting requirements are met. Reimbursements are typically received 30-60 days after submittal.

## 7.3 PROJECT COMPLETION CERTIFICATE

As the project nears completion, coordinate a final site visit with the regional LPPM to expedite completion of punch list items. The LPPM will make a visual inspection of the project site to assess whether the project has been substantially completed in accordance with the plans, specifications, and intended scope of the project.

The LPPM will review project documentation related to construction, including:

- Adjustment of quantities
- DBE approval (if applicable)



- EEO Wage Interview forms and supporting payroll documents
- [DT4567 Buy America certification](#)
- Other construction administration records.

If deficiencies are discovered, the sponsor will be required to correct them or provide justification.

After the LPPM review is complete and all corrective action is taken, the sponsor shall submit the **final** construction reimbursement request and the [Project Completion Certificate](#) (SG13). **WisDOT will not consider a project complete until these documents are received.** Completion of the inspection and acceptance of the project, paired with the receipt of the Project Completion Certificate, will lead to project approval and processing of the reimbursement request.

**Timely project closeout is essential, as any remaining funds cannot be taken out of escrow until the project is officially closed. Closing the project requires that all federal/state contracts issued under the project have been completed and all claims resolved.**

Obligations to the project extend beyond the submission of the Project Completion Certificate. Federal audit and other close out items may result in financial obligation from the sponsor after construction completion. A project is not considered final until the final cost statement is sent to the sponsor. Sponsors shall review the SMA to understand and identify all continuing obligations and responsibilities. Sponsors may have ongoing project maintenance duties at the project site. Failure to maintain the project site may risk repayment of federal funds per requirements outlined in the SMA.

## 8 Sponsor's Guide Forms

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Fillable PDF forms are **also available** via the WisDOT [Sponsor's Guide website](#). For instructions on where to return forms, review the [Sponsor's Guide Document Approval Matrix](#).

**Sponsor's Guide Acknowledgement Form (SG00)**

**Project Development Timeline Checklist (SG01)**

**Locally Let Contract (LLC) Checklist (SG02)**

**Project File Checklist (SG03)**

**Preliminary Engineering Checklist (SG04)**

**Right-of-Way & Real Estate Checklist (SG05)**

**Bike/Ped Improvements ONLY – Right-of-Way & Real Estate Checklist (SG05a)**

**Request to Advertise – LLC (SG06)**

**Parcel Reconnaissance Checklist (SG07)**

**Initial Project Reconnaissance Checklist (SG08)**

**Construction Bid Letting Checklist (SG09)**

**Project Proposal Certificate (SG10)**

**Request for Variance – Bike/Ped (SG11)**

**Request to Award (SG12)**

**Project Completion Certificate (SG13)**

**LLC Site Visit Checklist (SG14)**

**Contract Modification Prior Approval Justification (SG15a)**

**Contract Modification Form (SG15b)**

**Bi-Monthly Schedule Worksheet (SG16)**

**Certification for Non-Traditional Project Administration and Delivery (SG18)**

# ACKNOWLEDGEMENT FORM

Sponsor's Guide to Non-Traditional Project Implementation  
SG00

WisDOT Local Program (Central Office)  
4822 Madison Yards Way, 4<sup>th</sup> Floor South  
Madison, WI 53705  
DOTLocalPrograms@dot.wi.gov



Thank you for completing the *Sponsor's Guide* certification training and thoroughly reviewing the contents of the *Sponsor's Guide* manual. The *Sponsor's Guide* delivers comprehensive instructions regarding the successful development of federally funded non-traditional transportation projects, including the Transportation Alternatives program (TAP), the Congestion Mitigation and Air Quality Improvement program (CMAQ), and the Carbon Reduction program (CRP).

The SMA for your project will be processed upon verification of completed trainings (*Sponsor's Guide* and *Title VI*) by your LPPM, acceptance of the SG18 Certification for Non-Traditional Project Administration and Delivery form, as well as receipt of this form.

By signing this form, you agree to the following statement.

As a representative of the Local Public Agency, I hereby acknowledge that I:

- ✓ Have read and reviewed the *Sponsor's Guide to Non-Traditional Transportation Project Implementation*
- ✓ Have completed the *Sponsor's Guide* certification training via the WisDOT Learn Center
- ✓ Have completed the *Title VI* training via the WisDOT Learn Center
- ✓ Understand that acknowledgement of this document and completion of trainings are required to move forward with the awarded project

Signature

Date

Name

Title

Address

Phone

Fax

Email

# PROJECT DEVELOPMENT TIMELINE CHECKLIST

Sponsor's Guide to Non-Traditional Project Implementation  
SG01

WisDOT Local Program (Central Office)  
4822 Madison Yards Way, 4<sup>th</sup> Floor South  
Madison, WI 53705  
DOTLocalPrograms@dot.wi.gov



WisDOT Project ID Number		Date Checklist Completed
Project Title	Hwy #/Letter	County
Project Limits		Sponsor
Project Description		Preparer/Title

<b>PROJECT INITIALIZATION</b>	<p><i>Approximately 3 months from SMA postmark to design ID authorization</i></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> SMA sent to Sponsor</li> <li><input type="checkbox"/> Sponsor approval by governing body (common council, county board, etc.)</li> <li><input type="checkbox"/> WisDOT processing and execution of SMA</li> </ul>		
<b>DESIGN CONTRACT EXECUTED</b>	<p><i>Approximately 3-9 months, depending on familiarity with WisDOT contracting, scope of project, negotiation needs, timing of Sponsor's internal approvals, and contract type.</i></p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; vertical-align: top;"> <p><b>3 party contracts (Sponsor, Design Consultant, WisDOT)</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Creation of RFP</li> <li><input type="checkbox"/> Solicitation via QBS</li> <li><input type="checkbox"/> Consultant approval by WisDOT</li> <li><input type="checkbox"/> Scoping of the contract</li> <li><input type="checkbox"/> Creation, negotiation, review</li> <li><input type="checkbox"/> Execution by Design Consultant, Sponsor</li> <li><input type="checkbox"/> WisDOT processing, execution</li> </ul> </td> <td style="width: 50%; vertical-align: top;"> <p><b>2 party contracts (Sponsor, WisDOT)</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Scoping of the contract</li> <li><input type="checkbox"/> Creation, review of contract</li> <li><input type="checkbox"/> Execution by Sponsor</li> <li><input type="checkbox"/> WisDOT processing, execution</li> </ul> </td> </tr> </table>	<p><b>3 party contracts (Sponsor, Design Consultant, WisDOT)</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Creation of RFP</li> <li><input type="checkbox"/> Solicitation via QBS</li> <li><input type="checkbox"/> Consultant approval by WisDOT</li> <li><input type="checkbox"/> Scoping of the contract</li> <li><input type="checkbox"/> Creation, negotiation, review</li> <li><input type="checkbox"/> Execution by Design Consultant, Sponsor</li> <li><input type="checkbox"/> WisDOT processing, execution</li> </ul>	<p><b>2 party contracts (Sponsor, WisDOT)</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Scoping of the contract</li> <li><input type="checkbox"/> Creation, review of contract</li> <li><input type="checkbox"/> Execution by Sponsor</li> <li><input type="checkbox"/> WisDOT processing, execution</li> </ul>
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<b>BEGIN DESIGN</b> <i>Upon receipt of Notice to Proceed</i>	<p><i>Approximately 6 months to 3 years, depending on designer's familiarity with process, need for design amendments, project complexity.</i></p> <p><b>Project complexity items:</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Railroad</li> <li><input type="checkbox"/> Structures</li> <li><input type="checkbox"/> Real Estate</li> <li><input type="checkbox"/> Utility coordination</li> <li><input type="checkbox"/> DNR/ACOE permitting</li> <li><input type="checkbox"/> Multiple phases of construction</li> <li><input type="checkbox"/> Section 106 challenges (historic or archeological)</li> </ul>		
<b>SUBMIT REQUEST TO ADVERTISE - LLP</b>	<p><i>Upon receipt of design approval.</i></p>		
<b>REQUEST TO ADVERTISE APPROVED, FUNDS FOR CONSTRUCTION AUTHORIZED</b>	<p><i>Approximately 2-3 months, which includes WisDOT and FHWA review, approval, processing, and authorization.</i></p>		

# PROJECT DEVELOPMENT TIMELINE CHECKLIST

Sponsor’s Guide to Non-Traditional Project Implementation  
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<b>REQUEST TO AWARD – LLP APPROVAL</b>	<ul style="list-style-type: none"><li><input type="checkbox"/> Advertisement of project</li><li><input type="checkbox"/> Opening of bids</li><li><input type="checkbox"/> Submittal &amp; Approval of Request to Award – Local Let Project</li></ul> <p><i>Approximately 1-2 months.</i></p>
<b>EXECUTE CONSTRUCTION CONTRACT</b>	<p><i>Approximately 3 months to 2 years, based on complexity, construction oversight, enforcement of project schedule, phasing, and time of year when project began.</i></p> <ul style="list-style-type: none"><li><input type="checkbox"/> Pre-construction meeting</li><li><input type="checkbox"/> Construction</li><li><input type="checkbox"/> Processing of contract modifications (if applicable)</li><li><input type="checkbox"/> Final walk-through/punch listing</li></ul>
<b>REIMBURSEMENT REQUESTS, PROJECT COMPLETION</b>	<p><i>Approximately 3 months to 2 years, based on when reimbursement requests (RR) are submitted, along with project completion certification.</i></p> <ul style="list-style-type: none"><li><input type="checkbox"/> Submission of RRs, applicable back-up</li><li><input type="checkbox"/> Field reviews based on the RRs, any necessary fixes in the field</li><li><input type="checkbox"/> Approval of RRs, receipts</li><li><input type="checkbox"/> Submission, approval of Project Completion Certificate</li></ul> <p><b>When completed, project (all project IDs) is closed.</b></p>
<b>PROJECT INITIALIZATION TO COMPLETION: APPROXIMATELY 2 TO 8.5 YEARS.</b>	

**LOCALLY LET CONTRACT (LLC) CHECKLIST**

Sponsor’s Guide to Non-Traditional Project Implementation  
SG02

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<input checked="" type="checkbox"/> <b>Include the following documents in the contract</b>
<input type="checkbox"/> <b>Cover sheet</b> , identifying the contract as a federally funded project, DBE percentage (as appears in the SMA) <input type="checkbox"/> <b>FHWA 1273</b> Required contract provisions federal-aid construction contracts This document must be included when the contract has federal funding. <input type="checkbox"/> <b>Additional federal provisions</b> <input type="checkbox"/> <b>Notice of requirement for affirmative action to ensure equal employment opportunity</b> (Exec. Order 11246) <input type="checkbox"/> <b>DT4567</b> Buy America provision/certification <input type="checkbox"/> <b>Cargo Preference Act requirement</b> <input type="checkbox"/> <b>ASP-3</b> (additional special provision 3) DBE program (if DBE goal assigned) <input type="checkbox"/> <b>DT1506</b> Commitment to subcontract to DBE non-traditional projects <input type="checkbox"/> <b>ASP-4</b> (additional special provision 4) Payment to all subcontractors <input type="checkbox"/> <b>ASP-5</b> (additional special provision 5) Fuel cost adjustment <input type="checkbox"/> <b>ASP-6</b> (additional special provision 6) Modifications to standard specifications <input type="checkbox"/> <b>Supplemental required contract provisions</b> <input type="checkbox"/> <b>Federal wage rates</b> <sup>1</sup> <input type="checkbox"/> <b>Notice to bidders</b> wage rate decision <sup>2</sup> <input type="checkbox"/> <b>List of subcontractors</b> or consistent local language <input type="checkbox"/> <b>Proposal requirements</b> or consistent local language <input type="checkbox"/> <b>Disbar certification</b> or consistent local language

Review the contract for municipal contract documents that pertain to equal employment opportunity (EEO), Disadvantaged Business Enterprise (DBE) programs, local contractor payroll requirements, local wage requirements, and local contracting preferences. Contact the region LPPM to ensure local programs or requirements do not conflict with state/federal laws. Only LPA programs and requirements that are consistent with state/federal laws can be inserted in contracts for non-traditional transportation projects.

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

<sup>1</sup> Federal wage rates are included in the contract if the project is receiving funding under Title 23.  
<sup>2</sup> Only placed in the contract if there are federal wage rates.

# PROJECT FILE CHECKLIST

Sponsor's Guide to Non-Traditional Project Implementation  
SG03

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Project files should include official documents, record of all approval actions, expenditure of funds records, project decisions, and correspondence. Reviews can and will be conducted during the course of the project.

<input checked="" type="checkbox"/>	<b>Contract records (design/construction)<sup>1</sup></b>
<input type="checkbox"/>	Request for qualifications w/description of scope of requested services
<input type="checkbox"/>	Selection and evaluation criteria used to select consultant/firm
<input type="checkbox"/>	Advertised cost estimate and project scope
<input type="checkbox"/>	Advertisement proposals from all responding firms
<input type="checkbox"/>	Panel evaluation and ranking notes (summary or individual) from firm selection
<input type="checkbox"/>	Negotiation records (emails, spreadsheets, phone records, meeting minutes, etc.)
<input type="checkbox"/>	Firm performance evaluation

<input checked="" type="checkbox"/>	<b>Design project records</b>
<input type="checkbox"/>	Official documents
<input type="checkbox"/>	SMA
<input type="checkbox"/>	Concept definition report
<input type="checkbox"/>	Request to Advertise (SG##)
<input type="checkbox"/>	Request to Award (SG##)
<input type="checkbox"/>	Plan
<input type="checkbox"/>	LFA agreement

<input checked="" type="checkbox"/>	<b>Approval actions documentation</b>
<input type="checkbox"/>	Cost Effectiveness Finding (CEF)
<input type="checkbox"/>	Environmental documents
<input type="checkbox"/>	Exception to Standards report
<input type="checkbox"/>	Design variance
<input type="checkbox"/>	Design Study report (DSR) (construction projects >\$500,000)
<input type="checkbox"/>	R/W plat and documents
<input type="checkbox"/>	Final CEF (if different from initial document)
<input type="checkbox"/>	Certificate of R/W ( <a href="#">RE1899</a> )
<input type="checkbox"/>	Utilities Status report ( <a href="#">DT1080</a> )
<input type="checkbox"/>	Coordination of Railroad Work w/Highway Construction certificate ( <a href="#">DT1804</a> )

<sup>1</sup> Additional guidance may be found in the [FDM 8-5-20](#)

# PROJECT FILE CHECKLIST

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<input checked="" type="checkbox"/>	<b>Expenditure of funds records</b>
<input type="checkbox"/>	Contracts
<input type="checkbox"/>	Work orders
<input type="checkbox"/>	Invoices (w/progress reports)
<input type="checkbox"/>	Reimbursement requests (w/back-up)

<input checked="" type="checkbox"/>	<b>Project decisions</b>
<input type="checkbox"/>	Time extensions
<input type="checkbox"/>	Scope modifications

<input checked="" type="checkbox"/>	<b>Project correspondence</b>
<input type="checkbox"/>	Project application
<input type="checkbox"/>	All project correspondence
<input type="checkbox"/>	Project meeting notes
<input type="checkbox"/>	Project council minutes
<input type="checkbox"/>	Operational Planning meeting minutes
<input type="checkbox"/>	Public involvement
<input type="checkbox"/>	Environmental process support documents
<input type="checkbox"/>	Archaeological and/or historic
<input type="checkbox"/>	Section 106
<input type="checkbox"/>	Army Corps of Engineers
<input type="checkbox"/>	DNR letter/permits

<input checked="" type="checkbox"/>	<b>Construction project records</b>
<input type="checkbox"/>	Executed sponsor/contractor (vendor) contract
<input type="checkbox"/>	Sponsor/construction consultant contract
<input type="checkbox"/>	As-built plan
<input type="checkbox"/>	Request to Award (w/applicable backup/bid forms)
<input type="checkbox"/>	DBE commitments forms
<input type="checkbox"/>	Contract modifications
<input type="checkbox"/>	Prior approval justifications
<input type="checkbox"/>	Preconstruction meeting minutes
<input type="checkbox"/>	Construction correspondence (including email, videos, pictures, releases, etc.)
<input type="checkbox"/>	Record of oversight by LPPM (minutes w/attendance records, field site visit reports w/attendance records)
<input type="checkbox"/>	Explanation of variations (over/under quantities)
<input type="checkbox"/>	Notice to proceed
<input type="checkbox"/>	Work suspension (if applicable)
<input type="checkbox"/>	Buy America documentation
<input type="checkbox"/>	Contractor certified payrolls
<input type="checkbox"/>	Project Completion Certificate (SG##)
<input type="checkbox"/>	Construction reimbursement requests (w/contractor pay applications, field review photos, canceled checks, etc.)
<input type="checkbox"/>	Erosion control diary
<input type="checkbox"/>	Curb ramp compliance report



# PRELIMINARY ENGINEERING CHECKLIST

Sponsor's Guide to Non-Traditional Project Implementation  
SG04

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Complete the checklist and review with the LPPM at the beginning of the project. This checklist will ensure plans, specifications, and estimates (PS&E) and other contract documents are developed in accordance with program guidelines. **Submit a copy of this form to the LPPM for filing.**

**Does the proposed project involve construction activities (grading, paving, painting, structural improvements, landscaping, etc.)?**

- NO
- YES

*PS&E must be completed, signed, and sealed by a professional engineer (PE), architect, or landscape architect. Designs shall comply with all federal, state, and local standards/codes. Bicycle projects shall comply with AASHTO Guide for the Development of Bicycle Facilities, Wisconsin Bicycle Facilities Design Handbook, WisDOT Facilities Development Manual.*

**For SRTS projects, have the pre-project surveys (parent survey, student tally sheets) been completed and submitted to the [National Center for Safe Routes to School](#)?**

- N/A
- YES

**Will consultant engineering or architectural services be utilized for project design and/or construction?**

- NO
- YES

*Review the Sponsor's Guide for details regarding three-party contracts.*

**Does the proposed project involve the acquisition of real estate (land, easements, structures, etc.)?**

- NO
- YES

*Complete the [Certificate of Right-of-Way \(RE1899\)](#) to draft PS&E. Certificate must be submitted for all projects, regardless of land acquisition.*

*Complete the Right-of-Way and Real Estate Checklist (SG05) after approval of the DSR.*

**Does the proposed project require adjustments to existing utilities?**

- NO
- YES

*Coordination must be made with impacted utility companies. Review Chapter 4 of the Sponsor's Guide for details.*

**Does the proposed project come within 1,000' of an abandoned or existing railroad right-of-way?**

- NO
- YES

*Immediately contact the LPPM. Coordination must be made with the railroad company to obtain concurrence, acceptance of the proposal, and cooperation in adjusting or changing railroad facilities to accommodate the project.*

# PRELIMINARY ENGINEERING CHECKLIST

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Will the proposed project be constructed in accordance with the [WisDOT Standard Specifications for Road and Bridge Construction](#) and/or [WisDOT Standard Special Provisions](#)?

NO

*Non-WisDOT specifications may be used for non-highway related work by incorporating them into contract documents by reference as a special provision, provided they are federal, state, or industry-recognized standard specifications and do not conflict with federal laws/regulations. All contract language must reference the [WisDOT Standard Specifications General Requirements and Covenants \(Part 1\)](#).*

YES

Will the proposed project specify proprietary products?

NO

YES

*Submit [Proprietary Product Justification \(DT1584\)](#) to the LPPM stating the necessity of the proprietary product or incorporate language permitting the use of approved equal materials to the contract specifications.*

Will the proposed project involve work on State Trunk Highway (STH) right-of-way?

NO

YES

*Review [State Right-of-Way Permits](#) to determine the correct permit contact for your region office.*

Was the Uniform Purchasing procedure followed for purchase of property for the project?

NO, the land was purchased in .

YES, the land was purchased in .

N/A, the land was purchased more than 10 years prior to submission of the project application.

Will the proposed project involve any structures (retaining walls, boardwalks, bridges, etc.)?

NO

YES

*Review the Sponsor's Guide for more information on structures.*

Does the proposed project involve purchase of equipment/materials?

NO

YES

*Review the Sponsor's Guide for more information on equipment and materials purchasing.*

Does the proposed project meet the project description in the SMA?

NO

*Contact the LPPM for approval of changes and updates to the SMA.*

YES

# RIGHT-OF-WAY (R/W) & REAL ESTATE (RE) CHECKLIST

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**Wis Stat 32.015 prohibits the use of condemnation for new/extension of** recreational trails, bicycle ways, bicycle lanes, and pedestrian ways including sidewalks. If the project includes these improvements, contact your LPREPM for specific acquisition instructions.

**All real estate acquisition must be completed before PS&E.** The project cannot be advertised until the LPREPM has reviewed and approved R/W documentation. It is advised that no less than 18 months be provided from the time the plat is approved to the project's scheduled PS&E date. Consult your LPREPM and the LP RE Manual for any real estate questions.

**The acquisition process may not begin until the following approvals have been obtained and documented in the project file:**

- Design Study Report (DSR)
- Real Estate Funding Approval (when state/federal aid is in R/W)
- Acquisition Capability Statement/Real Estate Contacts
- R/W Plat or Construction Plan
- Relocation Order
- Relocation Plan (if required)

<input checked="" type="checkbox"/>	<b>Preliminary</b>
<input type="checkbox"/>	<b>Contract with R/W consultants.</b> Use of WisDOT contract language is required. LPREPM must approve contract when using state/federal funds in RE. Use of <a href="#">WisDOT RE Automated Data Systems</a> (READS) is required.
<input type="checkbox"/>	If persons/businesses are to be displaced, complete a <a href="#">Conceptual Relocation Plan</a> and <a href="#">Conceptual Relocation Plan-Interview Addendum</a> . Use of an approved relocation agent is required <sup>1</sup> . Submit the completed plan to the region <a href="#">LPREPM</a> and the BTS-RE Relocation Facilitator for review and approval.
<input type="checkbox"/>	All real and personal property relocations must be coordinated with the region <a href="#">LPREPM</a> and the BTS-RE Relocation Facilitator.
<input type="checkbox"/>	If using state/federal funds in R/W, submit <a href="#">Project Scoping spreadsheet</a> to <a href="#">LPREPM</a> for use in RE funding authorization. <b>Do not incur costs until you have authorization. Costs incurred prior to authorization will not be reimbursed.</b>
<input type="checkbox"/>	Read <a href="#">The Rights of the Landowner under Wisconsin Eminent Domain Law</a> .
<input type="checkbox"/>	Complete <a href="#">title searches</a> .
<input type="checkbox"/>	Determine which parcels will need easement releases or <a href="#">partial releases of mortgage</a> <sup>2</sup> .
<input type="checkbox"/>	Draft/approve R/W Plat, <a href="#">Relocation order</a> (RE1708). File with project. Submit copy to <a href="#">LPREPM</a> . WisDOT <b>will not review</b> RE information on R/W plats. Sponsor is responsible for providing an accurate R/W plat.
<input type="checkbox"/>	Acquisition agent drafts legal descriptions.
<input type="checkbox"/>	<a href="#">Notify/coordinate with utilities</a> .
<input type="checkbox"/>	Identify and remove/permit encroachments.
<input type="checkbox"/>	Complete the <a href="#">Acquisition Capability Statement</a> (state/fed funding). <a href="#">49 CFR § 24.102</a> (Uniform Act) requires the negotiator, appraiser, and review appraiser be different individuals. There are limited exceptions. Contact your region <a href="#">LPREPM</a> for assistance.
<input type="checkbox"/>	Coordinate a RE start-up meeting and appraisal scoping meeting with region <a href="#">LPREPM</a> .

<input checked="" type="checkbox"/>	<b>Notify owners</b>
<input type="checkbox"/>	Prepare folder for each parcel acquisition.
<input type="checkbox"/>	Send introduction letter with <a href="#">The Rights of the Landowner under Wisconsin Eminent Domain Law</a> brochure, preliminary plat, and owner information sheet to each property owner.

<sup>1</sup>Consultants and staff performing R/W functions (acquisition, relocation agents, appraisers, review appraisers) [must be approved by WisDOT](#).

<sup>2</sup> Additional information can be found in the [LPA RE Manual, section 1.13](#).

# RIGHT-OF-WAY (R/W) & REAL ESTATE (RE) CHECKLIST

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<input checked="" type="checkbox"/>	<b>Waiver of appraisal procedure</b>
<input type="checkbox"/>	Prepare sales study.
<input type="checkbox"/>	Complete <a href="#">Nominal Payment Parcel Report</a> (RE1889). Sponsor's authorized representative and region LPREPM <sup>3</sup> must approve.
<input type="checkbox"/>	Prepare <a href="#">Nominal Payment Parcel Waiver of Appraisal</a> (RE1897) (based on sales study) for each parcel.
<input type="checkbox"/>	Explain owner's rights as outlined in <a href="#">The Rights of the Landowner under Wisconsin Eminent Domain Law</a> brochure. Provide owner with required documents.
<input type="checkbox"/>	If owner willingly signs the Nominal Payment Parcel Waiver of Appraisal form, deed, easement, and other necessary documents, make the payment, and record the conveyance. A parcel cannot be condemned without first completing this process.
<input type="checkbox"/>	The agency may attempt to negotiate parcels that are non-complex and have damages > \$25,000 without formal appraisals. The owner must agree to waive their right to an appraisal. LPREPM must approve nominal offering prices and any later increases.

<input checked="" type="checkbox"/>	<b>Appraisal</b>		
<b>Furnish appraiser with the following documents:</b>			
<input type="checkbox"/>	R/W plat	<input type="checkbox"/>	Title information for each parcel
<input type="checkbox"/>	Legal descriptions	<input type="checkbox"/>	Construction dates
<input type="checkbox"/>	Due dates	<input type="checkbox"/>	Construction plan, profiles, cross sections
<input type="checkbox"/>	Parcel Scoping Checklist	<input type="checkbox"/>	Property owner(s) names/contact information

<input checked="" type="checkbox"/>	<b>Appraisal Review<sup>4</sup></b>
<input type="checkbox"/>	Work with WisDOT-approved appraisal reviewer to review and approve all appraisals.
<input type="checkbox"/>	Appraisal reviewer completes <a href="#">Appraisal Review Report</a> (RE2128)
<input type="checkbox"/>	Reviewer and approving authority complete and sign <a href="#">Offering Price Report and Submittal</a> (RE1894)

<input checked="" type="checkbox"/>	<b>Negotiation</b>		
<input type="checkbox"/>	Review <a href="#">title search</a> for parties of interest and encumbrances against the property (i.e., tax liens, judgements, etc.). These must be satisfied or cleared before closing (including any possible partial release of mortgage). <b>Contact owner(s) and furnish with the following documents:</b>		
<input type="checkbox"/>	Copy of appraisal or unsigned <a href="#">Waiver of Appraisal</a>	<input type="checkbox"/>	Copy of deed and/or easement and legal description
<input type="checkbox"/>	<a href="#">Initiation of Negotiations</a> letter	<input type="checkbox"/>	Map showing all property affected by project
<input type="checkbox"/>	Ten or more neighboring property owners to whom offers are being made.	<input type="checkbox"/>	<a href="#">The Rights of the Landowner under Wisconsin Eminent Domain Law</a> brochure
<input type="checkbox"/>	Owner appraisal rights (as necessary)	<input type="checkbox"/>	Proposed <a href="#">Agreement for Purchase of RE Interests</a> (RE1895)
<input type="checkbox"/>	Negotiator's contact information	<input type="checkbox"/>	Closing statement
<input type="checkbox"/>	W-9 (if appropriate)	<input type="checkbox"/>	Copy of plat and Schedule of Interests for all affected property owners
<input type="checkbox"/>	<a href="#">Statement to construction engineer</a> (RE1528)	<input type="checkbox"/>	Tax proration (f appropriate)
<input type="checkbox"/>	For appraisal parcels, owner(s) has 60 days from receipt of agency appraisal to secure their own appraisal. Reimburse the owner(s) for the appraisal fee (if <a href="#">Owner Appraisal Guidelines</a> requirements are met).		
<input type="checkbox"/>	Obtain <a href="#">Agreement for Purchase of RE Interests</a> from owner(s), including any agreed-upon special conditions/commitments <sup>5</sup> .		
<input type="checkbox"/>	Obtain <a href="#">Partial Release of Mortgage</a> (RE1549), as necessary.		
<input type="checkbox"/>	If original approved offer is revised during negotiations, notify owner in writing. Complete <a href="#">Administrative Revision</a> (RE1592) with justification for increase.		
<input type="checkbox"/>	Complete <a href="#">Negotiation Diary</a> (RE2058), including thorough documentation of all meetings/conversations during acquisition process.		

<sup>3</sup> Region LPREPM must approve all documents in this step when federal/state funds are used for R/W.

<sup>4</sup> WisDOT must review appraisals and approve offering prices when federal/state funds are used for R/W.

<sup>5</sup> Commitments and special conditions must be reviewed/approved by the designer and agency. WisDOT must approve any changes in offering prices.

# RIGHT-OF-WAY (R/W) & REAL ESTATE (RE) CHECKLIST

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<input checked="" type="checkbox"/> <b>Closing</b>
<input type="checkbox"/> List commitments (if applicable) to owner on the <a href="#">Statement to Construction Engineer</a> (RE1528).
<input type="checkbox"/> Obtain <a href="#">partial release of mortgage</a> (RE1549) and/or executed conveyances from all parties of interest.
<input type="checkbox"/> Secure executed conveyance from owner.
<input type="checkbox"/> Record documents with <a href="#">Register of Deeds</a> (including <a href="#">TLEs</a> ).
<input type="checkbox"/> Complete Negotiation Diary documentation and sign.

<input checked="" type="checkbox"/> <b>Condemnation Procedures<sup>6</sup></b>
<input type="checkbox"/> Follow the <a href="#">condemnation job aid</a> .
<input type="checkbox"/> After the end of the owner's 60-day appraisal period, serve a <a href="#">Jurisdictional Offer (JO)</a> (RE1786) to all parties of interest
<input type="checkbox"/> Record <a href="#">Notice of Lis Pendens</a> (RE1547) with attached JO at the <a href="#">Register of Deeds</a> within 14 days of the service of the JO.
<input type="checkbox"/> If the owner(s) rejects/ignores the JO within the 20 days provided by the statute, prepare, approve, and serve Award of Damage along with payment. Payment must be made before recording the Award of Damages.
<input type="checkbox"/> Attempts to negotiate must continue through the JO period.
<input type="checkbox"/> Make payment to the owner and all parties of interest or deposit the payment at the county Clerk of Courts
<input type="checkbox"/> Record the award with Register of Deeds. Do not amend Award of Damages or negotiate after award is recorded.

<input checked="" type="checkbox"/> <b>Certification</b>
<input type="checkbox"/> Forward the <a href="#">Certification of LPA R/W Acquisition</a> (RE3028) to the LPREPM.
<input type="checkbox"/> Upload all required documents (see <a href="#">LP REM 3.17</a> ) to READS.

<input checked="" type="checkbox"/> <b>Reimbursement</b>
<input type="checkbox"/> For projects utilizing state/federal funds for R/W, send completed reimbursement request with all documentation to LPREPM.
<input type="checkbox"/> For projects requesting reimbursement of property owner appraiser fees, submit <a href="#">FHWA Reimbursement – Owner's Appraisal Fee</a> .

<sup>6</sup> When condemnation is necessary, coordinate with the LPREPM. It is strongly suggested that the LPA's attorney review all condemnation documents before service.

**BIKE/PED IMPROVEMENTS ONLY  
RIGHT-OF-WAY (R/W) & REAL ESTATE (RE) CHECKLIST**

Sponsor’s Guide to Non-Traditional Project Implementation  
SG05a

WisDOT Local Program (Central Office)  
4822 Madison Yards Way, 4<sup>th</sup> Floor South  
Madison, WI 53705  
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WisDOT Project ID Number		Date Checklist Completed
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Project Limits		Sponsor
Project Description		Preparer/Title

**Wis Stat 32.015 prohibits the use of condemnation for new/extension of recreational trails, bicycle ways, bicycle lanes, and pedestrian ways including sidewalks.** This is a violation of owner rights. Different processes and procedures must be followed. If the project includes these improvements, contact your LPREPM for specific acquisition instructions.

**All real estate acquisition must be completed before PS&E.** The project cannot be advertised until the LPREPM has reviewed and approved R/W documentation. It is advised that no less than 18 months be provided from the time the plat is approved to the project’s scheduled PS&E date. Consult your [region LPREPM](#) and the [LP RE Manual](#) for any real estate questions.

**The acquisition process may not begin until the following approvals have been obtained and documented in the project file:**

- Design Study Report (DSR)
- Real Estate Funding Approval (when state/federal aid is in R/W)
- Acquisition Capability Statement/Real Estate Contacts
- R/W Plat or Construction Plan
- Relocation Order
- Relocation Plan (if required)

<input checked="" type="checkbox"/>	<b>Preliminary</b>
<input type="checkbox"/>	<b>Contract with R/W consultants.</b> Use of WisDOT contract language is required. LPREPM must approve contract when using state/federal funds in RE. Use of <a href="#">WisDOT RE Automated Data Systems (READS)</a> is required.
<input type="checkbox"/>	If persons/businesses are to be displaced, complete a <a href="#">Conceptual Relocation Plan</a> and <a href="#">Conceptual Relocation Plan-Interview Addendum</a> . Use of an approved relocation agent is required <sup>1</sup> . Submit the completed plan to the region LPREPM and the BTS-RE Relocation Facilitator for review and approval.
<input type="checkbox"/>	All real and personal property relocations must be coordinated with the region LPREPM and the BTS-RE Relocation Facilitator.
<input type="checkbox"/>	If using state/federal funds in R/W, submit <a href="#">Project Scoping spreadsheet</a> to LPREPM for use in RE funding authorization. <b>Do not incur costs until you have authorization. Costs incurred prior to authorization will not be reimbursed.</b>
<input type="checkbox"/>	Complete <a href="#">title searches</a> .
<input type="checkbox"/>	Determine which parcels will need easement releases or <a href="#">partial releases of mortgage</a> .
<input type="checkbox"/>	Draft/approve R/W Plat, <a href="#">Relocation order</a> (RE1708). File with project. Submit copy to <a href="#">LPREPM</a> . WisDOT <b>will not review</b> RE information on R/W plats. Sponsor is responsible for providing an accurate R/W plat.
<input type="checkbox"/>	Acquisition agent drafts legal descriptions.
<input type="checkbox"/>	<a href="#">Notify/coordinate with utilities</a> .
<input type="checkbox"/>	Identify and remove/permit encroachments.
<input type="checkbox"/>	Complete the <a href="#">Acquisition Capability Statement</a> (state/fed funding). <a href="#">49 CFR § 24.102</a> (Uniform Act) requires the negotiator, appraiser, and review appraiser be different individuals. There are limited exceptions. Contact your region LPREPM for assistance.
<input type="checkbox"/>	Coordinate a RE start-up meeting and appraisal scoping meeting with region LPREPM.

<input checked="" type="checkbox"/>	<b>Notify owners</b>
<input type="checkbox"/>	Prepare folder for each parcel acquisition.
<input type="checkbox"/>	Send introduction letter with preliminary plat and owner information sheet to each property owner.

<sup>1</sup>Consultants and staff performing R/W functions (acquisition, relocation agents, appraisers, review appraisers) [must be approved by WisDOT](#).

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<input checked="" type="checkbox"/>	<b>Negotiating Parcels without Appraisal (for non-complex acquisitions and/or those &lt; \$25,000)</b>
<input type="checkbox"/>	The agency may attempt to negotiate parcels that are non-complex and have damages > \$25,000 without an appraisal. The estimated market value must be presented in writing to the property owner. LPREPM must approve nominal offering prices and any later increases in using fed/state funds.
<input type="checkbox"/>	Prepare sales study.
<input type="checkbox"/>	Complete <a href="#">Nominal Payment Parcel Report</a> (REBP1889). Sponsor’s authorized representative and region LPREPM <sup>2</sup> must approve.
<input type="checkbox"/>	Prepare <a href="#">Nominal Payment Parcel Recommendation and Approval</a> (REBP1897) (based on sales study) for each parcel.
<input type="checkbox"/>	Provide owner with required documents.
<input type="checkbox"/>	If owner signs the Nominal Payment Parcel Recommendation and Approval form, deed, easement, and other necessary documents, make the payment, and record the conveyance. A parcel needed for bicycle or pedestrian use cannot be condemned.

<input checked="" type="checkbox"/>	<b>Appraisal (required for complex acquisitions and/or those &gt; \$25,000)</b>
<b>Furnish appraiser with the following documents:</b>	
<input type="checkbox"/>	R/W plat
<input type="checkbox"/>	Legal descriptions
<input type="checkbox"/>	Due dates
<input type="checkbox"/>	Parcel Scoping Checklist
<input type="checkbox"/>	Title information for each parcel
<input type="checkbox"/>	Construction dates
<input type="checkbox"/>	Construction plan, profiles, cross sections
<input type="checkbox"/>	Property owner(s) names/contact information

<input checked="" type="checkbox"/>	<b>Appraisal Review<sup>3</sup></b>
<input type="checkbox"/>	Work with WisDOT-approved appraisal reviewer to review and approve all appraisals.
<input type="checkbox"/>	Appraisal reviewer completes <a href="#">Appraisal Review Report</a> (REBP2128)
<input type="checkbox"/>	Reviewer and approving authority complete and sign <a href="#">Offering Price Report and Submittal</a> (REBP1894)

<input checked="" type="checkbox"/>	<b>Negotiation</b>
<input type="checkbox"/>	Review <a href="#">title search</a> for parties of interest and encumbrances against the property (i.e., tax liens, judgements, etc.). These must be satisfied or cleared before closing (including any possible partial release of mortgage). <b>Contact owner(s) and furnish with the following documents:</b>
<input type="checkbox"/>	Copy of appraisal or unsigned Nominal Payment Parcel Recommendation and Approval form
<input type="checkbox"/>	<a href="#">Initiation of Negotiations</a> letter
<input type="checkbox"/>	Ten or more neighboring property owners to whom offers are being made.
<input type="checkbox"/>	Owner appraisal guidelines (as necessary)
<input type="checkbox"/>	Negotiator’s contact information
<input type="checkbox"/>	W-9 (if appropriate)
<input type="checkbox"/>	<a href="#">Statement to construction engineer</a> (RE1528)
<input type="checkbox"/>	Copy of deed and/or easement and legal description
<input type="checkbox"/>	Map showing all property affected by project
<input type="checkbox"/>	Tax proration (if appropriate)
<input type="checkbox"/>	Proposed <a href="#">Agreement for Purchase of RE Interests</a> (REBP1895)
<input type="checkbox"/>	Closing statement
<input type="checkbox"/>	Copy of plat and Schedule of Interests form for all affected property owners
<input type="checkbox"/>	The owner does not have a statutory right to an owner’s appraisal (however, it may within the best interests of the agency). <b>The agency must make this decision before beginning any acquisition activities. The decision must be made on a project wide basis to ensure equitable treatment of owners in this aspect.</b> Wait for owners to secure their own appraisal if an appraisal parcel. Owners have 60 days from receipt of agency appraisal.
<input type="checkbox"/>	Obtain <a href="#">Agreement for Purchase of RE Interests</a> from owner(s), including any agreed-upon special conditions/commitments <sup>4</sup> .
<input type="checkbox"/>	Reimburse the owner for their owner’s appraisal fee if it meets the requirements outlined in the Owner Appraisal Guidelines.

<sup>2</sup> Region LPREPM must approve all documents in this step when federal/state funds are used for R/W.

<sup>3</sup> WisDOT must review appraisals and approve offering prices when federal/state funds are used for R/W.

<sup>4</sup> Commitments and special conditions must be reviewed/approved by the designer and agency. WisDOT must approve any changes in offering prices.

**BIKE/PED IMPROVEMENTS ONLY**  
**RIGHT-OF-WAY (R/W) & REAL ESTATE (RE) CHECKLIST**

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<input checked="" type="checkbox"/> <b>Closing</b>
<input type="checkbox"/> List commitments (if applicable) to owner on the <a href="#">Statement to Construction Engineer</a> (REBP1528).
<input type="checkbox"/> Obtain <a href="#">partial release of mortgage</a> (REBP1549) and/or executed conveyances from all parties of interest.
<input type="checkbox"/> Secure executed conveyance from owner.
<input type="checkbox"/> Record documents with <a href="#">Register of Deeds</a> (including <a href="#">TLEs</a> ).
<input type="checkbox"/> Complete Diary documentation and sign.

<input checked="" type="checkbox"/> <b>Certification</b>
<input type="checkbox"/> Forward the <a href="#">Certification of LPA R/W Acquisition</a> (RE3028) to the LPREPM.
<input type="checkbox"/> Upload all required documents (see <a href="#">LP REM 3.17</a> ) to READS.

<input checked="" type="checkbox"/> <b>Reimbursement</b>
<input type="checkbox"/> For projects utilizing state/federal funds for R/W, send completed reimbursement request with all documentation to LPREPM.
<input type="checkbox"/> For projects requesting reimbursement of property owner appraiser fees, submit <a href="#">FHWA Reimbursement – Owner's Appraisal Fee</a> .



# Request to Advertise - LLC

Sponsor's Guide to Non-Traditional Project Implementation  
SG06

WisDOT Local Program (Central Office)  
4822 Madison Yards Way, 4<sup>th</sup> Floor South  
Madison, WI 53705  
DOTLocalPrograms@dot.wi.gov



WisDOT Project ID Number		Date Checklist Completed	
Project Title	Hwy #/Letter	County	
Project Limits		Sponsor	
Project Description		Preparer/Title	

- This solicitation is:
  - A **request for bids** in accordance with procedures specified in the WisDOT *Standard Specifications for Road and Bridge Construction*.
  - A **request for proposals** in accordance with procedures specified in the Wisconsin Department of Administration *State Procurement Manual*.
  - A **request for procurement** in accordance with appropriate and solicited State Procurement contract: \_\_\_\_\_ (Contract ID: Title). The contract includes language to allow cooperative purchasing and, per Wisconsin statute 16.73, establishes authority to allow Wisconsin municipalities to purchase from state contracts in accordance with the Wisconsin Department of Administration *State Procurement Manual*.
- The plans and proposal for this project are those that were certified in the *Project Proposal Certificate* form by \_\_\_\_\_ (name) on \_\_\_\_\_ (date).
- The proposed solicitation opening:
  - Will be held at \_\_\_\_\_ (location) at \_\_\_\_\_ (date/time).
  - Is not applicable for Request for State Procurement contract.
- The proposed advertising date(s):
  - Are \_\_\_\_\_.
  - Is not applicable for Request for State Procurement contract.
- Bids for the project:
  - Will be solicited as follows:
    - Advertisement via website: \_\_\_\_\_
    - Advertisement in *Daily Reporter*
    - Advertisement in \_\_\_\_\_ (Sponsor's official legal publication)
    - Advertisement in \_\_\_\_\_ (publication)
    - Advertisement in \_\_\_\_\_ (publication)
    - Courtesy copies of plans & proposal will be sent to \_\_\_\_\_ (number) local contractors
    - Other \_\_\_\_\_ (describe)
  - Is not applicable for Request for State Procurement contract.
- I acknowledge that any significant changes to the plans/proposal made by addendum must first be admitted to region LPPM before they are issued.
- I acknowledge that [federal wage rates shall be verified](#), and that the most recent federal wage rate decision be included in the contract. Contracts must have WI10 highway construction wage rates. If buildings are included, building construction (by county) shall also be included in the contract.
- I acknowledge that copies of all addenda issued for this project will be provided to the region LPPM.
- I acknowledge that the project must not be advertised/procured until notification to proceed is received from the region LPPM.

**By signing below, the Sponsor's representative certifies the advertisement and acceptance of bids/proposals or procurement of materials will be conducted in accordance with applicable state and federal rules, regulations, and laws.**

Signature of Sponsor	Title	Date
Signature of Region Representative	Title	Date

***If the sponsor proceeds prior to obtaining appropriate authorization, the project will no longer be eligible for federal reimbursement.***

*Last updated: June 4, 2024*

# PARCEL RECONNAISSANCE CHECKLIST

Sponsor's Guide to Non-Traditional Project Implementation  
SG07

WisDOT Local Program (Central Office)  
4822 Madison Yards Way, 4<sup>th</sup> Floor South  
Madison, WI 53705  
DOTLocalPrograms@dot.wi.gov



WisDOT Project ID Number		Date of Form Prepared
Project Title	Hwy N°/Letter	County
Project Limits		Sponsor
Project Description		Preparer/Title
Property Address		Owner Address (If Different)

<p>Will this parcel be purchased? <input type="checkbox"/> YES <input type="checkbox"/> NO</p> <p>Will excavation be done on this parcel? <input type="checkbox"/> YES <input type="checkbox"/> NO</p> <p>Will utilities on this parcel be relocated? <input type="checkbox"/> YES <input type="checkbox"/> NO</p> <p>Will easements be obtained for this parcel? <input type="checkbox"/> TEMPORARY <input type="checkbox"/> PERMANENT <input type="checkbox"/> NONE</p> <p>Are there any underground storage tanks on this parcel? <input type="checkbox"/> YES <input type="checkbox"/> NO</p> <p>Are there any above ground storage tanks on this parcel? <input type="checkbox"/> YES <input type="checkbox"/> NO</p> <p>Are there disposal pipes, drums, etc.? <input type="checkbox"/> YES <input type="checkbox"/> NO</p> <p>Are there ponds, basins, sumps, etc.? <input type="checkbox"/> YES <input type="checkbox"/> NO</p> <p>Comments:</p>	<p>Current land use</p> <p>Previous land use</p> <p>Adjacent land use</p> <p>Comments</p> <p>Is there evidence of contamination? <input type="checkbox"/> YES <input type="checkbox"/> NO</p> <p>Is the ground surface disturbed or unnatural? <input type="checkbox"/> YES <input type="checkbox"/> NO</p> <p>Are there unusual surface drainage patterns or impoundments? <input type="checkbox"/> YES <input type="checkbox"/> NO</p> <p>Is there stressed vegetation? <input type="checkbox"/> YES <input type="checkbox"/> NO</p>
<p>Is there evidence of asbestos on this parcel? <input type="checkbox"/> YES <input type="checkbox"/> NO</p> <p>Location:</p> <p>Type:</p> <p>Source of Evidence:</p>	<p>Is there evidence of migration of contaminants on this parcel?</p> <p>Toward the existing right-of-way: <input type="checkbox"/> YES <input type="checkbox"/> NO</p> <p>Toward the proposed right-of-way: <input type="checkbox"/> YES <input type="checkbox"/> NO</p> <p>To/From adjacent property: <input type="checkbox"/> YES <input type="checkbox"/> NO</p>

### RECORDS SEARCH RESULTS

<p><b>County Assessor</b> <input type="checkbox"/> OK <input type="checkbox"/> Possible Problem <input type="checkbox"/> Not Investigated</p> <p><b>Fire Department</b> <input type="checkbox"/> OK <input type="checkbox"/> Possible Problem <input type="checkbox"/> Not Investigated</p> <p><b>Plat books</b> <input type="checkbox"/> OK <input type="checkbox"/> Possible Problem <input type="checkbox"/> Not Investigated</p> <p><b>Municipal Highway Department</b> <input type="checkbox"/> OK <input type="checkbox"/> Possible Problem <input type="checkbox"/> Not Investigated</p> <p><b>Register of Deeds</b> <input type="checkbox"/> OK <input type="checkbox"/> Possible Problem <input type="checkbox"/> Not Investigated</p> <p><b>City/Village/Town records</b> <input type="checkbox"/> OK <input type="checkbox"/> Possible Problem <input type="checkbox"/> Not Investigated</p> <p><b>Aerial photographs</b> <input type="checkbox"/> OK <input type="checkbox"/> Possible Problem <input type="checkbox"/> Not Investigated</p>	<p><b>DATCP Underground Storage Tank records</b> <input type="checkbox"/> OK <input type="checkbox"/> Possible Problem <input type="checkbox"/> Not Investigated</p> <p><b>Department of Natural Resources</b> <input type="checkbox"/> OK <input type="checkbox"/> Possible Problem <input type="checkbox"/> Not Investigated</p> <p><b>Department of Transportation</b> <input type="checkbox"/> OK <input type="checkbox"/> Possible Problem <input type="checkbox"/> Not Investigated</p> <p><b>US EPA Underground Storage Tank records</b> <input type="checkbox"/> OK <input type="checkbox"/> Possible Problem <input type="checkbox"/> Not Investigated</p> <p><b>USGS maps</b> <input type="checkbox"/> OK <input type="checkbox"/> Possible Problem <input type="checkbox"/> Not Investigated</p> <p><b>Business directories</b> <input type="checkbox"/> OK <input type="checkbox"/> Possible Problem <input type="checkbox"/> Not Investigated</p> <p><b>CERCLIS</b> <input type="checkbox"/> OK <input type="checkbox"/> Possible Problem <input type="checkbox"/> Not Investigated</p>
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### ATTACHMENTS

<input type="checkbox"/> AERIAL / SITE MAP	<input type="checkbox"/> UST REGISTRATION	<input type="checkbox"/> CERCLIS LIST
<input type="checkbox"/> PHOTOGRAPHS	<input type="checkbox"/> SPILLS REPORT	<input type="checkbox"/> OTHER (List)
Name of preparer		
Based on the above information, I recommend: <input type="checkbox"/> NO FURTHER ACTION <input type="checkbox"/> FURTHER ACTION		
Signature of Sponsor or Design Consultant		Date

# INITIAL PROJECT RECONNAISSANCE CHECKLIST

Sponsor's Guide to Non-Traditional Project Implementation  
SG08

WisDOT Local Program (Central Office)  
4822 Madison Yards Way, 4<sup>th</sup> Floor South  
Madison, WI 53705  
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WisDOT Project ID Number		Date of Form Prepared	
Project Title	Hwy N°/Letter	County	
Project Limits		Sponsor	
Project Description		Preparer/Title	

**Part 1. Land use red flags that indicate potential for hazardous materials.** Several land uses currently or formerly involved operations, processes, or activities that have the potential to generate hazardous wastes. Also of concern are land uses that have on-site chemical or fuel storage facilities. **Place a check mark  next to any of the following activities that have been undertaken on or near the project currently or at any time in the past:**

<input type="checkbox"/> Gas stations <input type="checkbox"/> Repair and maintenance of motor vehicles (automobiles, aircraft, trucks, construction equipment, RVs, etc.).  <input type="checkbox"/> Operation or repair of printing and reproduction equipment.  <input type="checkbox"/> Photographic processing or printing. <input type="checkbox"/> Provision of home, industrial, or commercial pest control. <input type="checkbox"/> Warehouse operations. <input type="checkbox"/> Home, garden, pool, or agricultural supply manufacturing. <input type="checkbox"/> Manufacture, refinishing, or stripping of furniture or wood products. <input type="checkbox"/> Chemical treatment of lawns, gardens, yards, or provision of other landscape and tree services. <input type="checkbox"/> Building and repair of boats. <input type="checkbox"/> Paint formulation and mixing. <input type="checkbox"/> Drum, barrel, and tank reconditioning. <input type="checkbox"/> Solvent recycling. <input type="checkbox"/> Pressure treating or preserving of wood products. <input type="checkbox"/> Facilities that receive bulk deliveries of raw or processed materials <input type="checkbox"/> Nursery and greenhouse operations. <input type="checkbox"/> Recycling facilities. <input type="checkbox"/> Railroad corridors.	<input type="checkbox"/> Chemical manufacture, formulation, or processing. <input type="checkbox"/> Chemical & petroleum product storage facilities (including above- and under-ground tanks and flammable storage rooms.) <input type="checkbox"/> Electroplating and other metal manufacturing and fabricating operations. <input type="checkbox"/> Analytical laboratory operations. <input type="checkbox"/> Dry-cleaning and laundry services. <input type="checkbox"/> Cosmetic manufacturing or processing. <input type="checkbox"/> Textile mfg. (including fabric dyeing and finishing). <input type="checkbox"/> Manufacture, formulation, or processing of pesticides or agricultural products or chemicals. <input type="checkbox"/> Metal finishing, refinishing, and etching (auto body, printed circuit board manufacturing, jewelry fabrication). <input type="checkbox"/> Production and repair of shoes. <input type="checkbox"/> Metal galvanizing. <input type="checkbox"/> Battery manufacturing, rebuilding, or recycling. <input type="checkbox"/> Scrap metal and junk yard operations. <input type="checkbox"/> Landfills. <input type="checkbox"/> Schools, auditoriums, and other facilities with large heating requirements. <input type="checkbox"/> Waste or spent production incineration. <input type="checkbox"/> Foundries.
---	---

**Part 2. Specific physical features that may be indicators of potential contamination.**

Carefully examine the site and place a check mark in the appropriate square if any of the following is observed:

<input type="checkbox"/> Unnatural, sunken, or depressed areas as well as raised areas. <input type="checkbox"/> Surface water plumes or sheens. <input type="checkbox"/> Raw material storage piles. <input type="checkbox"/> Security fencing and protected areas. <input type="checkbox"/> Loading ramps and railroad staging areas. <input type="checkbox"/> Pumping manifolds.	<input type="checkbox"/> Tanks, pits, lagoons, or ditches/ <input type="checkbox"/> Waste material piles. <input type="checkbox"/> Barrels or other storage containers. <input type="checkbox"/> Landfills and areas used for burning. <input type="checkbox"/> Filled areas. <input type="checkbox"/> Fill pipes or other pipes projecting out of the ground.
--	---

**Part 3. Land surface characteristics that may indicate problems.**

Carefully examine the site and place a check mark in the appropriate square if any of the following is observed:

<input type="checkbox"/> Color variations indicating differences in soils or stained soils. <input type="checkbox"/> Exposed and graded soils. <input type="checkbox"/> Drainage patterns bringing drainage from off-site.	<input type="checkbox"/> Barren soil areas. <input type="checkbox"/> Obvious changes in vegetation density. <input type="checkbox"/> Dead trees and shrubs. <input type="checkbox"/> Barren vegetation adjacent to live vegetation.
--	--

# INITIAL PROJECT RECONNAISSANCE CHECKLIST

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**Part 4. Building features and equipment that may indicate problems.** Carefully examine all existing buildings on the site and place a check mark in the appropriate square if any of the following is observed:

<input type="checkbox"/> Asbestos-containing materials, such as pipe insulation, ceiling or floor tile, transit board, sprayed-on fireproofing, etc.	<input type="checkbox"/> Electrical transformers.
	<input type="checkbox"/> Floor drains.
	<input type="checkbox"/> Hydraulic equipment.

***By signing below, I hereby certify that the above information is true and correct to the best of my knowledge.***

Name of Preparer: \_\_\_\_\_

Based on the above information, I recommend:  NO FURTHER ACTION  FURTHER ACTION

Signature: \_\_\_\_\_ Date \_\_\_\_\_

# CONSTRUCTION BID LETTING CHECKLIST

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SG09

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Madison, WI 53705  
DOTLocalPrograms@dot.wi.gov



WisDOT Project ID Number		Date Form Prepared
Project Title	Hwy N <sup>o</sup> /Letter	County
Project Limits		Sponsor
Project Description		Preparer/Title

1. Will the proposed project use local forces to complete construction activity?  Yes<sup>1</sup>  No
2. Will the proposed project be executed by a competitively bid contract?  Yes<sup>2</sup>  No
  - a.  An affidavit of non-collusion has been included in the **bid package**<sup>3</sup>, stating:  
*This certifies that the undersigned bidder, duly sworn, is an authorized representative of the firm named above; that the bidder has examined and carefully prepared the bid from the plans and specifications and has checked the same in detail before submitting this proposal or bid; and that the bidder or agents, officer, or employees have not, either directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free competitive bidding in connection with this proposal bid.*
3.  Develop a **bid package**, including an advertisement and plans for the proposed project, to have available three weeks<sup>4</sup> prior to the opening of bids to ensure adequate time to review and encourage competition. The package must include the following information:
  - a. Notification that the project is federally funded
  - b. Information regarding the date, time, and location where sealed bids will be received
  - c. Proposed project description including location, type of work, project ID, required guaranty, plan remittance, principal bid items, and contact name for further project information
  - d. Location where specifications are available
  - e. Information regarding the request of plans and/or description of proposal request procedures
  - f. Information on proposal guaranty requirements
  - g. DBE project goals
  - h. Statement regarding affirmative action project requirements
  - i. Description of the qualification requirements for prospective bidders
  - j. Statement requiring the prime contractor will perform at least 30% of the original contract amount with the contractor's own organization<sup>5</sup>
  - k. Federal prevailing wage rates for highways and buildings (if a building will be built or demolished)

<sup>1</sup> Review FDM 19-25 for requirements.

<sup>2</sup> Competitive bidding must be compliant with federal ([23 USC §112\(a\)&\(b\)](#), [23 CFR §635.104](#)) and state (Wis. Stat. [84.06\(2\)](#) and/or [66.29](#)) specifications. Exemptions may be granted if another method proves more cost effective.

<sup>3</sup> [23 USC §112](#) and [23 CFR §635.112\(f\)](#) and Wis. Stat. [66.29\(7\)](#) require that the bidder submit a sworn affidavit that the bid has been examined and carefully prepared, and that the bidder has not participated in any collusive activity or restraint of trade in connection with the bid preparation.

<sup>4</sup> At minimum.

<sup>5</sup> WisDOT Standard Specifications, 108.1.2

# PROJECT PROPOSAL CERTIFICATE

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SG10

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WisDOT Project ID Number		Date Form Prepared
Project Title	Hwy #/Letter	County
Project Limits		Sponsor
Project Description		Preparer/Title

Check the box for each completed question. Answer each question in the space provided.	
<input type="checkbox"/>	The engineer's estimate (without contingencies) for the project is
<input type="checkbox"/>	The contractor pre-qualification for the project is
<input type="checkbox"/>	The unit prices are based on
<input type="checkbox"/>	The proposal guaranty for the project is
<input type="checkbox"/>	The DBE goal assigned (if applicable) to the project is
<input type="checkbox"/>	Project start date <a href="#">Click or tap to enter a date.</a>
<input type="checkbox"/>	Project completion date: <a href="#">Click or tap to enter a date.</a>
<input type="checkbox"/>	In addition to the owner of the facility, the sponsor, WisDOT, and WisDOT's representative, additional insurance is... <ul style="list-style-type: none"> <li>• Provided for</li> <li>• Outlined in the special provisions for the following location(s)</li> </ul>
<input type="checkbox"/>	The proposal includes the following work that is non-federal participating
<input type="checkbox"/>	The plans for this project have been developed in accordance with the following references
<input type="checkbox"/>	The engineer for the project has developed the following special provisions
<input type="checkbox"/>	List any variation to the <a href="#">WI Bicycle Facility Design handbook</a> or <a href="#">WI Guide to Pedestrian Best Practices</a> that were required and the date(s) approved.
<input type="checkbox"/>	List any project changes from the project application and the date approved.
<input type="checkbox"/>	Confirm the project is listed in the <a href="#">Statewide Transportation Improvement Program</a> (STIP). Print the page of the document including the project and attach.
<input type="checkbox"/>	Confirm WisDOT's <a href="#">Standard Specifications' General Requirements and Covenants (Part 1)</a> are referenced in the project manual <sup>1</sup> .
<input type="checkbox"/>	The following utilities are affected by the project and provisions have been made to relocate them.
<input type="checkbox"/>	The following utilities are affected by this project and necessary coordination has been completed (per DT1080) to have them relocated prior to construction

<sup>1</sup> The current edition of Part 1 of the Wisconsin Department of Transportation (WisDOT) Standard Specification for Highway and Structure Construction will be part of this Contract and will govern the work on this Contract. If there is any conflict between Part 1 of the WisDOT Standard Specifications and the Sponsor's Specifications, then the stricter of the two shall apply. Furthermore, references to WisDOT personnel or positions will be interpreted as a reference to the applicable Sponsor's personnel or positions. Part 1 language that solely refers to WisDOT State let procedures would not apply.

# PROJECT PROPOSAL CERTIFICATE

Sponsor's Guide to Non-Traditional Project Implementation  
SG10

WisDOT Local Program (Central Office)  
4822 Madison Yards Way, 4<sup>th</sup> Floor South  
Madison, WI 53705  
DOTLocalPrograms@dot.wi.gov



Answer the following questions by selecting the best answer from the drop-down menu.	
N/A	The project incorporates current <a href="#">WisDOT Standard Specifications for Road and Bridge Construction</a> , except as modified by special provision or supplemental specification.
N/A	The project limits are free of railroads that require coordination. The <a href="#">Coordination of Railroad Work w/ Highway Construction Certificate (DT1804)</a> has been completed and approved.
N/A	Environmental documents have been completed for the project and approved by the region LPPM.
N/A	If an EIS or EA is required (based on notification from the region), it is completed and approved.
N/A	Environmental commitments have been incorporated into the plans and/or special provisions and are provided with this form.
N/A	The State Historical Preservation Officer (SHPO) has reviewed the project (if required).
N/A	DNR and Army Corps of Engineers permits have been secured and are provided with this form.
N/A	Permit to perform construction on STH/CTH R/W has been secured (county or WisDOT) and is provided with this form (if required).
N/A	Required mitigation measures in the permit/review process have been accommodated in the plans (if applicable).
N/A	<a href="#">Certificate of ROW (RE1899)</a> for the project has been completed and approved.
N/A	<a href="#">FHWA-1273</a> (required federal provisions) has been included in the contract proposal.
N/A	<a href="#">DBE requirements</a> are in the bid proposal.
N/A	<a href="#">Utility Status Report (DT1080)</a> has been completed and approved.
N/A	Appropriate federal wage decision(s) is/are included in the contract proposal.

Based on the above criteria and a general review of the contract documents, this project complies with applicable federal and state requirements.

\_\_\_\_\_  
Certified by Sponsor's Professional Engineer

\_\_\_\_\_  
Title/Seal

\_\_\_\_\_  
Date

\_\_\_\_\_  
Name

\_\_\_\_\_  
Approved by WisDOT

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

# REQUEST FOR VARIANCE – BIKE/PED

Sponsor’s Guide to Non-Traditional Project Implementation  
SG11

WisDOT Local Program (Central Office)  
4822 Madison Yards Way, 4<sup>th</sup> Floor South  
Madison, WI 53705  
DOTLocalPrograms@dot.wi.gov



WisDOT Project ID Number		Date Checklist Completed	
Project Title	Hwy #/Letter	County	
Project Limits		Sponsor	
Project Description		Preparer/Title	

\_\_\_\_\_  
Engineer’s Seal/Title

\_\_\_\_\_  
Name

\_\_\_\_\_  
Date

1. Project description:
2. Present your request and the state-specific standard not being met:
3. Present the justification for this request:
4. Probable impacts on users:
5. Present cost savings (if any) and why the savings offset any negative impacts. Present the cost savings in relation to total project costs.
6. Discuss measures used to neutralize the negative impacts.
7. Exhibits:



# REQUEST TO AWARD

Sponsor's Guide to Non-Traditional Project Implementation  
SG12

WisDOT Local Program (Central Office)  
4822 Madison Yards Way, 4<sup>th</sup> Floor South  
Madison, WI 53705  
DOTLocalPrograms@dot.wi.gov



WisDOT Project ID Number		Date Checklist Completed	
Project Title	Hwy #/Letter	County	
Project Limits		Sponsor	
Project Description		Preparer/Title	

Federal ID (if applicable): \_\_\_\_\_ Contractor name: \_\_\_\_\_

1. Addenda:

- There were \_\_\_\_\_ addenda issued to all contractors who received plans and bid proposals for this project.
- Attach copies of all addenda issued for this project.
- Not applicable for State Procurement contract.

2. DBE Commitments:

- Attach WisDOT approved DBE commitments.
- (State Procurement Contracts Only) Policies were followed in accordance with the Wisconsin Department of Administration State Procurement Manual in soliciting and approving State Procurement Contract: \_\_\_\_\_ (Contract ID: Title).

3. Advertisement:

- Attach copies of notarized advertisements.
- (State Procurement Contracts Only) Policies were followed in accordance with the Wisconsin Department of Administration State Procurement Manual in soliciting and approving State Procurement Contract: \_\_\_\_\_ (Contract ID: Title).

4. The project was advertised, and bids opened in accordance with the Request to Advertise form, approved on:

- \_\_\_\_\_ (date).
- (State Procurement Contracts Only) Policies were followed in accordance with the Wisconsin Department of Administration State Procurement Manual in soliciting and approving State Procurement Contract: \_\_\_\_\_ (Contract ID: Title).

5. Bids:

- \_\_\_\_\_ bids were opened and read. \_\_\_\_\_ bid(s) were rejected.
- Attach justification or documentation for any rejected bids (if applicable)
- Attach justification to support awarding the selected bid (if fewer than three bids were received)
- Attach justification if the bid was more than 10% higher than the engineer's estimate
- Attach summary of low bid unit prices, breakdown of three lowest bidders, and total of all other bidders
- Attach summary of bid review, including per item review compared to engineer's estimate and other bids
- (State Procurement Contracts Only) Policies were followed in accordance with the Wisconsin Department of Administration State Procurement Manual in soliciting and approving State Procurement Contract: \_\_\_\_\_ (Contract ID: Title).

6. Low Bidder:

- The low bidder was \_\_\_\_\_ of \_\_\_\_\_ with a bid of \_\_\_\_\_. This was \_\_\_\_\_ % over/under the engineer's estimate of \_\_\_\_\_.
- (State Procurement Contracts Only) Policies were followed in accordance with the Wisconsin Department of Administration State Procurement Manual in soliciting and approving State Procurement Contract: \_\_\_\_\_ (Contract ID: Title).

7. The project included a bid of \_\_\_\_\_ for non-federal participating work.

# REQUEST TO AWARD

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SG12

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- 8. The contract bond for this project is \_\_\_\_\_.
- 9. The total estimate participating construction cost in the SMA is \_\_\_\_\_.
- The sponsor acknowledges responsibility for any costs that exceed the funding in the SMA.  
N/A

Based on the above information, the project complies with applicable federal and state requirements. The sponsor may proceed in awarding the contract/purchasing the material(s).

\_\_\_\_\_  
Sponsor's signature Title \_\_\_\_\_ Date \_\_\_\_\_

\_\_\_\_\_  
Name (print)

\_\_\_\_\_  
Approved by (WisDOT signature) Title \_\_\_\_\_ Date \_\_\_\_\_

# Project Completion Certificate

Sponsor's Guide to Non-Traditional Project Implementation  
SG13

WisDOT Local Program (Central Office)  
4822 Madison Yards Way, 4<sup>th</sup> Floor South  
Madison, WI 53705  
DOTLocalPrograms@dot.wi.gov



WisDOT Project ID Number		Date Checklist Completed	
Project Title	Hwy #/Letter	County	
Project Limits		Sponsor	
Project Description		Preparer/Title	

I hereby certify:

- That the project identified above has been completed in a manner consistent with its description in the execute State/Municipal Agreement and the approved Project Proposal Certificate.
- That all consultants, contractors, subcontractors, and sponsor employees have substantially fulfilled their contractual obligations to this project.
- That if the project was a procurement project, it was completed in accordance with the approved plans and specifications, including procurement and installation.
  - I have procured and received the requested materials as of \_ \_\_\_\_\_ (date).
  - I have installed the requested materials as of \_ \_\_\_\_\_ (date).
- That if the project includes steel and iron materials permanently incorporated in the project, the [Buy America provision](#) has been met and the certification form [DT4567](#) has been submitted.
- That any and all construction-related claim known to exist as of this date, including *third-party* claims, have been resolved.
- That if the project is a Safe Routes to School project the post-activity/project survey has been completed or will be completed within 12 months. Please check one:
  - I completed the survey and submitted it on \_ \_\_\_\_\_ (date).
  - I will complete and submit the survey by \_ \_\_\_\_\_ (date).
- That the final reimbursement request has been submitted and, that upon payment of the reimbursement request, the project may be permanently closed for all charges. The total project costs for this phase were \$ \_ \_\_\_\_\_, of which \$ \_ \_\_\_\_\_ was federally/state funded.

<b>Sponsor Certification</b>		Title	Date
Signature of Sponsor			
<b>WisDOT Acceptance</b>			
I have inspected the project listed above and determined that it has been completed in substantial conformance with the State/Municipal Agreement and the approved plans and specifications, as may have been amended by approved contract change order(s).			
Signature of Region Representative		Title	Date

# LLC Site Visit Checklist

Sponsor's Guide to Non-Traditional Project Implementation  
SG14

WisDOT Local Program (Central Office)  
4822 Madison Yards Way, 4<sup>th</sup> Floor South  
Madison, WI 53705  
DOTLocalPrograms@dot.wi.gov



WisDOT Project ID Number		Date Checklist Completed
Project Title	Hwy #/Letter	County
Project Limits		Sponsor
Project Description		Preparer/Title

<b>ADA CURB RAMPS PROPERLY CONSTRUCTED</b>	<p><a href="#">FDM 11-46-10 and construction details</a></p> <p><input type="checkbox"/> No concerns  <input type="checkbox"/> Needs adjustments (add comments)  Comments:</p>
<b>CROSS SLOPES 1.5 TYP 2.0% MAX</b>	<p><a href="#">FDM 11-46-5 §5.2.1: 1.5% typical X-slope; 2.0% maximum</a></p> <p><input type="checkbox"/> No concerns  <input type="checkbox"/> Needs adjustments (add comments)  Comments:</p>
<b>RUNNING SLOPES</b>	<p><a href="#">FDM 11-46-5 §5.2.1: Over 5.0%, 5'x5' landing pad over every 2.5' of rise</a></p> <p><input type="checkbox"/> No concerns  <input type="checkbox"/> Needs adjustments (add comments)  Comments:</p>
<b>LATERAL CLEARANCE 3-5'</b>	<p><a href="#">WI Bicycle Facility Design Handbook §4.5: 3-5' desired from isolated/continuous obstructions (poles, boulders, signs, fences, etc.)</a></p> <p><input type="checkbox"/> No concerns  <input type="checkbox"/> Needs adjustments (add comments)  Comments:</p>
<b>LATERAL CLEARANCE 2'MIN</b>	<p><a href="#">AASHTO Guide for Development of Bicycle Facilities §5.2.1: 2' (min.) Desired from isolated/continuous obstructions (poles, boulders, signs, fences, etc.)</a></p> <p><input type="checkbox"/> No concerns  <input type="checkbox"/> Needs adjustments (add comments)  Comments:</p>
<b>SLOPING</b>	<p><a href="#">WI Bicycle Facility Design Handbook §4.5: 5' min. distance from slopes greater than 3:1</a></p> <p><input type="checkbox"/> No concerns  <input type="checkbox"/> Needs adjustments (add comments)  Comments:</p>
<b>VERTICAL CLEARANCE</b>	<p><a href="#">WI Bicycle Facility Design Handbook §4.5: branches and other overhead clearance: 10'; min: 8'.</a></p> <p><input type="checkbox"/> No concerns  <input type="checkbox"/> Needs adjustments (add comments)  Comments:</p>

# LLC Site Visit Checklist

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SG14

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<b>EROSION CONTROL ISSUES</b>	<input type="checkbox"/> No concerns <input type="checkbox"/> Needs adjustments (add comments) Comments:
<b>ALL ITEMS INSTALLED AS PER PLAN</b>	<i>Check sign type, size, mounted height, lateral offset from path, etc.</i> <input type="checkbox"/> No concerns <input type="checkbox"/> Needs adjustments (add comments) Comments:
<b>PRECONSTRUCTION MEETING</b>	<input type="checkbox"/> Date held: <input type="checkbox"/> Minutes on file Comments:
<b>CONTRACT MODIFICATION DOCUMENTS</b>	<i>Is the contract modification adding work that is consistent with approved project SMA? Has WisDOT received all contract modifications?</i> <input type="checkbox"/> No concerns <input type="checkbox"/> Needs adjustments (add comments) Comments:
<b>JOB SITE BOARD POSTING</b>	<i>Location: Must be on or adjacent to the project site.</i> <input type="checkbox"/> No concerns <input type="checkbox"/> Needs adjustments (add comments) Comments:
<b>PROJECT CONTRACT DOCUMENTS</b>	<i>Is the project consistent with the contract documents?</i> <input type="checkbox"/> No concerns <input type="checkbox"/> Needs adjustments (add comments) Comments:
<b>VISUAL VERIFICATION</b>	<i>Visually verify items such as structures, boardwalks, curve radii, railings, side slopes, etc.</i> <input type="checkbox"/> No concerns <input type="checkbox"/> Needs adjustments (add comments) Comments:
<b>FINAL WALKTHROUGH</b>	<input type="checkbox"/> Date: <input type="checkbox"/> No concerns <input type="checkbox"/> Needs adjustments (add comments) Comments:
<b>ADDITIONAL COMMENTS:</b>	

# Contract Modification Prior Approval Justification

Sponsor's Guide to Non-Traditional Project Implementation  
SG15a

WisDOT Local Program (Central Office)  
4822 Madison Yards Way, 4<sup>th</sup> Floor South  
Madison, WI 53705  
DOTLocalPrograms@dot.wi.gov



<b>CONTRACT ID:</b>		<b>CONTRACT MODIFICATION NO:</b>	
<b>PROJECT ID:</b>		<b>FEDERAL ID:</b>	
<b>PROJECT DESCRIPTION:</b>		<b>COUNTY:</b>	
<b>MANAGING OFFICE:</b>		<b>SPONSOR:</b>	
1. Description & need for change:			
2. Consequences if this Contract Modification is not approved:			
3. Alternatives considered:			
4. Estimated cost:			
5. Justification of price:			
6. Does this change affect the contract time? <input type="checkbox"/> Yes <input type="checkbox"/> No			
Explanation for consideration of time:			
Additional Number of days:		New completion date:	To be determined:
7. Does this require Exceptions to the Standards? <input type="checkbox"/> Yes <input type="checkbox"/> No			
Explanation for consideration to the standards:			

Prepared By \_\_\_\_\_  
Project Sponsor Representative Date \_\_\_\_\_

Approved \_\_\_\_\_  
WisDOT Local Program Project Manager Date \_\_\_\_\_

### Estimated Cost

Group Code	Item Number	Quantity +/-	Item Unit	Item Description	Contract or Agreed Price	Increase (Decrease)
<b>Total Estimated Charge</b>						

List if New Project(s) and/or Group Code(s) are being added to the subject contract (if available)

Project ID	Group Code	Federal Funding Type	County	Urban/Rural



**NON-TRADITIONAL TRANSPORTATION PROJECT IMPLEMENTATION PROGRAM  
CONTRACT MODIFICATION (SG15b)**

<b>Date:</b>		<b>Contract Modification No.</b>	
Project ID:		Sponsor:	
Project Description:		Contractor:	
Region:	Region Representative:		

Description of Changes:

**Bid Item Increases/Decreases:**

Item Number	Item Description	Unit	Original Quantity (including any previous revisions)	New Revised Quantity	Difference (+ or -)	Unit Price	Total Cost Increase/Decrease	Participating
					0		\$0.00	
					0		\$0.00	
					0		\$0.00	
					0		\$0.00	
					<b>Participating</b>	<b>Subtotal</b>	<b>\$0.00</b>	

Item Number	Item Description	Unit	Original Quantity (including any previous revisions)	New Revised Quantity	Difference (+ or -)	Unit Price	Total Cost Increase/Decrease	Non-Participating
					0		\$0.00	
					0		\$0.00	
					0		\$0.00	
					0		\$0.00	
					<b>Non-Participating</b>	<b>Subtotal</b>	<b>\$0.00</b>	

**New Items:**

Item Number	Item Description	Unit	Original Quantity	Revised Quantity		Unit Price	Total Cost Increase/Decrease	Participating
							\$0.00	
							\$0.00	
							\$0.00	
							\$0.00	
					<b>Participating</b>	<b>Subtotal</b>	<b>\$0.00</b>	

Item Number	Item Description	Unit	Original Quantity	Revised Quantity		Unit Price	Total Cost Increase/Decrease	Non-Participating
							\$0.00	
							\$0.00	
							\$0.00	
							\$0.00	
					<b>Non-Participating</b>	<b>Subtotal</b>	<b>\$0.00</b>	

**Total Contract Increase/Decrease      \$0.00**

Authorized Contract Amount:	\$0.00
<small>Let amount from Bid Letting plus any approved contract modifications</small>	

Revised Contract Amount	\$0.00
-------------------------	--------

Non-Participating Cost	Non-participating costs this mod	\$0.00
<small>Non-Participating Costs are funded by the Sponsor and are not eligible for Federal reimbursement.</small>	Previous Non-participating costs	\$0.00
	<b>Total non-participating costs</b>	<b>\$0.00</b>

<b>Total Participating Cost</b> <small>(Subtract Non-Participating Cost from Revised Cost)</small> <small>Participating Costs are costs eligible for State or Federal cost sharing and approved for inclusion in this project.</small>		\$0.00
<b>Multiply by Maximum Participating Percentage</b> <small>(See Project Agreement; usually 80%)</small>		80%
<b>Revised Participating Cost</b>		\$0.00
<b>Maximum Participating Cost</b> <small>(See Project Agreement)</small>		\$0.00
<b>Time:</b>		
Original Completion Date/Working Days/Calendar Days		
Additional Calendar Days/Working Days added by this modification		
New Completion Date/ Working Days/Calendar Days		
Recommended By:	Accepted By:	
Signature of Engineer	Signature of Contractor	
Approved By:	Approved By:	
Signature of Sponsor	Signature of Region	



## Bi-Monthly Schedule Worksheet (SG16)

Sunset Date:	
Commencement Date:	
Sponsor/LPA:	
Project ID:	
Project Name/Description:	
Project Limits/County	
Submitted By/Date:	

Project Milestones	Original Schedule		Current Schedule		Actual Schedule		Percent Complete
	Submit	Approve	Submit	Approve	Submit	Approve	
Start of Design							
Operation Planning Meeting (OPM)							
Request for History/Archeology Screening							
Tribal Historic Preservation Letters							
(Traffic Memo/LOS Report Approved)							
Soils Report							
Intersection Control Evaluation Report							
Pavement Design Report (PDR)							
Public Information Meeting (PIM)							
(Preliminary Structure Plan - TSL)							
Section 106							
Phase 1 HMA Approved							
Environmental Document							
Right of Way Plat							
Stormwater Report							
Design Study Reort (DSR)							
Real Estate Acquisition							
(Railroad Package)							
Final Structure Plan							
Utility Status Checklist							
R/W (Cert 1)							
Draft Plans Specials Estimate 90% Plan							
Final PSE (eSubmit)							
LET							

<b>1. Important milestones, events, and/or accomplishments that were made this month:</b>
<b>2. Milestones, events, meetings, etc. to be held/completed in the next two (2) months:</b>
<b>3. Items/tasks that were scheduled to be completed this month but were not (list and explain):</b>
<b>4. Items that are needed from others in the next two (2) months:</b>
<b>5. Issues to be aware of or needing to be resolved:</b>

- Fill in the schedule and approval dates for the tasks/milestones applicable for your project.
- Submit form to Region LPPM every two months

## WAGE/EEO Interview Form

(Nov 2017 and later lets)

<b>Project ID/ Location/Prime contractor</b>		
<b>What is your name?</b> (Optional - Phone #/Email address)		
<b>Who do you work for?</b> How long have you worked there?		
<b>What is your work classification?</b> (Occupation/Job Title)		
What are your <b>job duties</b> ? What <b>tools and/or equipment</b> do you use or operate?		
Are you an <b>apprentice</b> ?	Yes or No	
Are you a <b>union</b> member?	Yes or No	Local #
Who is your <b>supervisor or foreman</b> ?		
How <b>long</b> have you worked on this project? When did you <b>start</b> working on this project?		
<b>What is your wage rate per hour?</b>		
Do you know where the Job Site Posting Board is?	Yes or No	
How many <b>hours</b> do you <b>work</b> per week? Do you get paid for <b>overtime</b> ? <b>What is your overtime rate?</b>		
How are you paid? <b>What day of the week are you paid?</b>	Cash Check Direct Deposit Weekly Bi-Weekly S M T W T H F S	
<b>Do you have any deductions other than taxes &amp; SS?</b>	Yes or No IF YES, EXPLAIN:	
What <b>type of benefits</b> do you receive?	Health Life Dental Holiday/Sick/Vacation Pension 401K Cash in lieu of fringe benefits Other:	
Do you <b>keep records</b> (payments, hours, work performed)?	Yes or No	
<b>Have you ever had any problems with your wages?</b>	Yes or No IF YES, EXPLAIN:	
If you believed that you were not being paid properly, <b>who would you see to file a complaint?</b> <i>Explain: Keep an accurate record of hours worked and work performed (including truck # and equipment used) because they must prove that a wage underpayment has actually occurred</i>		
Do you receive a pay advice statement with your payroll check or direct deposit notification that lists the number of hours worked and rates of pay?	Yes or No	
What are your work assignments?	WisDOT Construction Projects Private Work Shop Work Municipal Projects	
INTERVIEWER NAME:		Date:
HANDOUTS given:	Wage Rates Wage Brochure Business Card Wage Complaint Form Other:	
<b>PAYROLL CROSS REFERENCE:</b>	Consistent with payroll	Inconsistent with payroll

## EEO Section

1. Who is the **company's EEO Officer** and how can you contact him/her?
2. Who would you **contact** regarding **discrimination and harassment issues or complaints**?
3. While working on this job site and for this company, have you ever **seen or felt any harassment, intimidation, or coercion**?

Also, complete if time permits:

4. Have you worked with **any women or ethnic minorities** on this crew? If no, **WHY** do you think there are not any employed on this crew?
5. Where can you find out about the **company's policies of equal opportunity, non-discrimination and sexual harassment**? Have you looked over the material? If so, how did you receive the information (e.g. meeting, foreman verbal overview, handouts/manual, posting)?
6. Where would you go for assistance with a personnel concern or complaint?
7. Have you been asked to refer qualified minority and women applicants?
8. Have you been informed about training opportunities available (e.g. union/private)? What type of training has been offered to you?
9. Have you been informed about promotions with this company? If so, what is the progression that a person must go through for a promotion?

## TRUCK Section

<b>Project ID/ Location/PRIME Contractor</b>	
<b>Driver Name</b>	
<b>Owner/Operator</b>	Yes (If yes, who hired you?) No (If No, who do you drive for?)
<b>Do you understand that you must pay yourself prevailing wage rate weekly and submit weekly certified payrolls?</b>	
Who writes your payroll check?	
<b>Wage rate</b>	
How are you paid?	Cash Check Direct Deposit
Any deductions other than tax and SS?	Yes or No IF YES, EXPLAIN:
What <b>type of benefits</b> do you receive?	Health Life Dental Holiday/Sick/Vacation Pension 401K Cash in lieu of fringe benefits Other:
Do you <b>keep records</b> (payments, hours, work performed)?	Yes or No
Additional comments:	
Handouts given:	Wage rates Wage Brochure Business Card Trucking guidelines

**CERTIFICATION FOR NON-TRADITIONAL PROJECT ADMINISTRATION AND DELIVERY**

Sponsor’s Guide to Non-Traditional Project Implementation  
SG18

WisDOT Local Program (Central Office)  
4822 Madison Yards Way, 4<sup>th</sup> Floor South  
Madison, WI 53705  
DOTLocalPrograms@dot.wi.gov



WisDOT Project ID Number		Name of Government Agency		WisDOT Region: <b>Southeast</b>	
Project Title		Hwy No Letter	County	Project Limits	
Project Description					
<b>SPONSOR’S PRIMARY POINT OF CONTACT</b>					
Name			Title		
Address			Email		
Phone			Fax		
<b>SPONSOR’S SECONDARY POINT OF CONTACT</b>					
Name			Title		
Address			Email		
Phone			Fax		

Any changes to points of contact, designated Responsible Charge, or information contained within the completed Certification for Non-traditional Project Administration and Delivery (SG18) at any time during the project shall require certification be updated and resubmitted. **The certification form shall be completed and submitted to the regional office LPM within 30 days of completing Sponsor’s Guide Certification Training. The document must be accepted and verified before the SMA will be approved.**

The sponsor has been selected to benefit from the use of federal funds for the construction of a non-traditional transportation project to be administered through the local letting process. By accepting the use of federal funding, the sponsor acknowledges that they understand the applicable federal and state requirements and accepts accountability to complete these requirements. To attain certification, the sponsor must explain the role, if any, that consultants will perform. The sponsor retains responsibility for ensuring adherence to the Sponsor’s Guide to Non-traditional Transportation Project Implementation (Sponsor’s Guide), even if using consultant support. **Whether performed by sponsor agency staff or by a consultant, federal funds shall not be used to pay for administrative function costs described in this document. These costs are the sole responsibility of the sponsor.**

**Definitions**

- **Administration:** Overall management and implementation of the approved project to ensure compliance with all applicable state and federal regulations as explained in the *Sponsor’s Guide*. The sponsor is 100% responsible for all costs associated with administration, some of which may be performed by a consultant.
- **Oversight:** The act of ensuring that the construction project is delivered in compliance with federal and state laws, regulations, and policies. Oversight activities include review and approval actions pertaining to design, plans, specifications, estimates, right-of-way certification statements, contract awards, inspections, and final acceptance.
- **Engineering/Inspection:** All efforts/activities required to complete the four project phases: design, real estate acquisition, letting, and construction.
- **Responsible Charge (23 CFR 172.9(d)(1)):** The project sponsor (LPA) must designate a **responsible charge** to supervise all phases of the project. The designee is a full-time employee of the LPA and will act as authority for all WisDOT delegated responsibilities and project approvals. The designee does not require a PE. Responsibilities for the responsible charge will include:
  - Administering activities related to the project such as contract negotiation, contract payment, and evaluation of performance, compliance, and quality of services provided by the consultant
  - Familiarity with contract requirements, scope of services, and products produced by the consultant
  - Familiarity with the qualifications and responsibilities of the consultant’s staff and evaluating any requested changes

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- Scheduling and attending progress and project review meetings to ensure work is progressing in accordance with the project scope and schedule milestones
- Ensuring consultant costs billed are allowable in accordance with federal cost principles and consistent with the contract terms as well as the acceptability and progress of the consultant’s work
- Evaluating and participating in decisions for contract modifications
- Documenting contract monitoring activities and maintaining supporting contract records
- PE not required

<b>PROJECT DELIVERY MODEL</b>	
<b>Select the Project Delivery Model that the sponsor will use to administer and deliver the non-traditional project</b>	
Design will be completed by <i>(if sponsor, staff professional engineer (PE) is required)</i>	Select response
Construction oversight will be completed by <i>(if sponsor, staff PE is required)</i>	Select response
Project administration will be completed by <i>(if consultant, they cannot be the same consultant selected for design or construction oversight, unless those items are funded 100% locally)</i>	Select response

If federal funding will be used for consultant services, the sponsor states that the consultant will be selected based on the procedures established by WisDOT and FHWA for selection and approval processes, as defined in WisDOT Facilities Development Manual (FDM) Chapter 8-5-20 and 23 CFR 172. The Sponsor states that the use of the Consultant is in compliance with FDM Chapter 8-5-55 regarding Conflict of Interest in the role of a consultant providing management services to a Sponsor.

**If the sponsor elects to contract with a consultant, explain the selection process**

<b>ADMINISTRATION BY SPONSOR</b>			
Individual in Responsible Charge		Title	
		<b>Y/N/NA</b>	<b>COMPLETION</b>
Has the sponsor completed review of the Sponsor’s Guide to Non-Traditional Transportation Project Implementation?		N/A	
Has the sponsor completed the Sponsor’s Guide to Non-Traditional Transportation Project Certification Training?		N/A	
<input type="checkbox"/>	Attach an organizational chart, limited to personnel working on the project, with names/titles of responsible persons.		
<b>List up to five similar projects the sponsor has administered/let (WisDOT projects first).</b>			
Project ID/Description	Year	Cost	WisDOT Reference

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ADMINISTRATION BY CONSULTANT			
Selected/Anticipated Consulting Firm			
Name of Primary Consultant Representative		Title	
Individual in Responsible Charge		Title	
			<b>Y/N/NA</b>
Has the consulting firm completed review of the Sponsor’s Guide to Non-Traditional Transportation Project Implementation?			N/A
Has the consulting firm completed the Sponsor’s Guide to Non-Traditional Transportation Project Certification Training?			N/A
<input type="checkbox"/>	Attach brief description of the firm’s qualifications pertaining to administering the project.		
List up to five similar projects the sponsor has administered/let (WisDOT projects first).			
Project ID/Description	Year	Cost	WisDOT Reference

**Approving Authority:** The sponsor must have an official approving authority for all WisDOT delegated project approvals. This authority (e.g., executive, department head or policy body) must officially approve each project step for which it is the approving authority, as identified in this certification document. Check the appropriate description of the approval authority or completion of each task, as indicated. If no choices apply, describe the sponsor’s process.

**Administrative Functions:** Costs associated with the following administrative funds are ineligible for federal funding, unless otherwise noted. These costs are the responsibility of the sponsor. **Administrative functions on this form are designated in green.**

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<b>PROJECT APPLICATION</b> (administrative function) <i>includes the preparation and submittal of project application, cost estimate.</i>		
<b>Drafted by</b>		
<b>Sponsor staff</b>		
<b>Consultant Name</b>		
<b>Project Application APPROVED BY</b>		
<input type="checkbox"/>	Director of Public Works/City Engineer/Commissioner/Other	
<input type="checkbox"/>	Mayor/Executive/President/Chairperson/Other	
<input type="checkbox"/>	Resolution passed by legislative body	
<input type="checkbox"/>	Committee	
<input type="checkbox"/>	Other	

<b>APPROVAL OF STATE MUNICIPAL AGREEMENT</b> (administrative function) <i>includes the coordination between the sponsor and WisDOT, internal reviews, and subsequent approval of the agreement by the sponsor.</i>		
<b>SMA APPROVED BY</b>		
<input type="checkbox"/>	Director of Public Works/City Engineer/Commissioner/Other	
<input type="checkbox"/>	Mayor/Executive/President/Chairperson/Other	
<input type="checkbox"/>	Resolution passed by legislative body	
<input type="checkbox"/>	Committee	
<input type="checkbox"/>	Other	

<b>DESIGN AND/OR CONSTRUCTION CONSULTANT SELECTION</b> (administrative function) <i>includes all functions required for consultant selection and consultant contract. Functions include the preparation of RFP, solicitation, evaluation, selection, contract negotiations, and execution. If federal funds will be utilized for consultant services, review relevant chapters in the Sponsor's Guide, selection process outlined in the FDM Chapter 8, and WisDOT's Conflict of Interest Policy.</i>					
<b>SOLICITATION PROCEDURE</b>					
<input type="checkbox"/>	Advertisement	<input type="checkbox"/>	WisDOT solicitation	<input type="checkbox"/>	Other
<input type="checkbox"/>	Sponsor's current list	<input type="checkbox"/>	Small purchase procedures	<input type="checkbox"/>	N/A – Procurement only <i>(Move to Bid Advertisement)</i>
<b>BASIS OF SELECTION</b>					
<input type="checkbox"/>	Evaluation		<input type="checkbox"/>	Interview shortlist	
<b>Consultant Selection APPROVED BY</b>					
<input type="checkbox"/>	Director of Public Works/City Engineer/Commissioner/Other				
<input type="checkbox"/>	Mayor/Executive/President/Chairperson/Other				
<input type="checkbox"/>	Resolution passed by legislative body				
<input type="checkbox"/>	Committee				
<input type="checkbox"/>	Other				

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<b>GENERAL DESIGN REVIEW (QUALITY CONTROL/ASSURANCE)</b> (administrative function) <i>includes sponsor's internal review of general design documents (permits, DSR, ROW plat, PS&amp;E, etc.) to ensure design is in accordance with the sponsor's expectations.</i>		
<b>General Design Review APPROVED BY</b>		
<input type="checkbox"/>	Director of Public Works/City Engineer/Commissioner/Other	
<input type="checkbox"/>	Mayor/Executive/President/Chairperson/Other	
<input type="checkbox"/>	Resolution passed by legislative body	
<input type="checkbox"/>	Committee	
<input type="checkbox"/>	Other	

<b>REAL ESTATE (RE) ACQUISITION<sup>1</sup></b> (administrative function) <i>includes the assumption that real estate is not state or federally funded. If funded, some RE functions may be reimbursable. Answer all questions even if RE is not anticipated.</i>				
Is RE acquisition anticipated?	<input type="checkbox"/>	<b>Yes</b>	<input type="checkbox"/>	<b>No</b>
Who will acquire RE <sup>2</sup> ?	<input type="checkbox"/>	<b>Sponsor</b>	<input type="checkbox"/>	<b>Other</b>
<b>RE Acquisition APPROVED BY</b>				
<input type="checkbox"/>	Director of Public Works/City Engineer/Commissioner/Other			
<input type="checkbox"/>	Mayor/Executive/President/Chairperson/Other			
<input type="checkbox"/>	Resolution passed by legislative body			
<input type="checkbox"/>	Committee			
<input type="checkbox"/>	Other			

<b>BID ADVERTISEMENT</b> (administrative function) <i>includes the placement and cost associated with placing the advertisement and obtaining an Affidavit of Publication. Drafting and placement of the bid advertisement can be considered part of design engineering services. Advertisement must be placed a minimum three weeks prior to bid opening publications.</i>				
Drafted by	<input type="checkbox"/>	<b>Sponsor</b>	<input type="checkbox"/>	<b>Design consultant</b>
Advertisement placed by	<input type="checkbox"/>	<b>Sponsor</b>	<input type="checkbox"/>	<b>Design consultant</b>
<input type="checkbox"/>	<b>N/A</b> (State procurement contracts only) – Policies were followed in accordance with the Wisconsin Department of Administration State Procurement Manual in soliciting State Procurement Contract <a href="#">Click or tap here to enter text.</a> (Contract ID: Title). <i>(If checked, move to Execution of Contract)</i>			
<b>Bid Advertisement APPROVED BY</b>				
<input type="checkbox"/>	Director of Public Works/City Engineer/Commissioner/Other			
<input type="checkbox"/>	Mayor/Executive/President/Chairperson/Other			
<input type="checkbox"/>	Resolution passed by legislative body			
<input type="checkbox"/>	Committee			
<input type="checkbox"/>	Other			

<sup>1</sup> Public Law 91-646 Uniform Act is the primary law for acquisition and relocation activities on federally assisted projects and programs. For more information regarding real estate, [click here](#).

<sup>2</sup> WisDOT certification is required for anyone acquiring RE.



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**ACCEPTANCE, OPENING AND APPROVAL OF BIDS, AWARD OF CONTRACT** *includes the acceptance, opening, review, evaluation, and approval of contractors' bids or vendor proposals, as well as awarding of the contract. Review and evaluation of contractors' bids may be considered part of design engineering services.*

Bids received by	Select option
Bids opened by	Select option
Bids evaluated by	Select option

**LOW BID ACCEPTED BY**

<input type="checkbox"/>	Director of Public Works/City Engineer/Commissioner/Other
<input type="checkbox"/>	Mayor/Executive/President/Chairperson/Other
<input type="checkbox"/>	Resolution passed by legislative body
<input type="checkbox"/>	Committee
<input type="checkbox"/>	Other

**EXECUTION OF CONTRACT** (administrative function) *includes the execution of the contract between the sponsor and the contractor or vendor.*

**CONTRACT TO BE SIGNED BY**

<input type="checkbox"/>	Director of Public Works/City Engineer/Commissioner/Other
<input type="checkbox"/>	Mayor/Executive/President/Chairperson/Other
<input type="checkbox"/>	Resolution passed by legislative body
<input type="checkbox"/>	Committee
<input type="checkbox"/>	Other

**CONTRACTOR PAYMENTS** *includes the issuance of payment to the contractor or vendor for work performed. The creation of the pay estimate, including determining quantities and total cost, is considered a construction oversight duty.*

**PAYMENT APPROVED BY**

<input type="checkbox"/>	Director of Public Works/City Engineer/Commissioner/Other
<input type="checkbox"/>	Mayor/Executive/President/Chairperson/Other
<input type="checkbox"/>	Resolution passed by legislative body
<input type="checkbox"/>	Committee
<input type="checkbox"/>	Other

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<b>FINAL RECORDS RETENTION</b> <i>Records must be available for review by FHWA and WisDOT as requested.</i>		
Records retained by	<input type="checkbox"/>	<b>Sponsor</b>
Address where records will be stored		

<b>EQUAL EMPLOYMENT OPPORTUNITY (TITLE VI), DBE, AND PREVAILING WAGES (Davis-Bacon)</b> <i>may include obtaining copies of the contractor's EEO policy, assessing DBE work, explaining processes for ensuring current federal prevailing wages in contract. For each section, describe the sponsor's policies for ensuring contractor compliance with federal regulations. Attach additional pages as necessary.</i>	
<b>TITLE VI OF THE CIVIL RIGHTS ACT OF 1964</b>	
<b>DISADVANTAGED BUSINESS ENTERPRISE (DBE)</b>	
<b>PREVAILING WAGE RATES (DAVIS-BACON)</b>	
<b>AMERICANS WITH DISABILITIES ACT (ADA)</b>	

<b>APPROVAL FOR CHANGED CONDITIONS, INCREASED/DECREASED QUANTITIES</b> <i>includes the review and approval of contract change orders at the sponsor level.</i>			
Evaluation and recommendation	<input type="checkbox"/>	<b>Sponsor</b>	<input type="checkbox"/> <b>Administrative consultant</b>
<b>APPROVAL BY</b>			
<input type="checkbox"/>	Director of Public Works/City Engineer/Commissioner/Other		
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<input type="checkbox"/>	Resolution passed by legislative body		
<input type="checkbox"/>	Committee		
<input type="checkbox"/>	Other		

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LOCAL FORCE ACCOUNT			
Will the sponsor request permission to perform any project work through a Local Force Account (LFA)?	<input type="checkbox"/>	Yes	<input type="checkbox"/> No
If yes, the sponsor acknowledges that they have read and understood requirements and limitations associated with the use of LFAs as stated in the <i>Sponsor's Guide</i> .		____ Sponsor Initial	
Cost effectiveness finding (CEF) drafted	<input type="checkbox"/>	Sponsor	<input type="checkbox"/> Design consultant
CEF APPROVED BY			
<input type="checkbox"/>	Director of Public Works/City Engineer/Commissioner/Other		
<input type="checkbox"/>	Mayor/Executive/President/Chairperson/Other		
<input type="checkbox"/>	Resolution passed by legislative body		
<input type="checkbox"/>	Committee		
<input type="checkbox"/>	Other		

FEDERAL AID BILLING <i>includes the preparation and submittal of reimbursement requests.</i>			
Invoices prepared by	<input type="checkbox"/>	Sponsor	<input type="checkbox"/> Administrative consultant
COSTS REVIEWED AND APPROVED FOR SUBMITTAL BY			
<input type="checkbox"/>	Director of Public Works/City Engineer/Commissioner/Other		
<input type="checkbox"/>	Mayor/Executive/President/Chairperson/Other		
<input type="checkbox"/>	Resolution passed by legislative body		
<input type="checkbox"/>	Committee		
<input type="checkbox"/>	Other		

DESIGN ENGINEERING			
Will federal funding be utilized for design costs?	<input type="checkbox"/>	Yes	<input type="checkbox"/> No
<i>Indicate whether tasks will be performed by the sponsor (s), consultant (c) or N/A.</i>			
Tasks performed by	Project application update	Tasks performed by	Environmental clearance
Tasks performed by	Design Study Report (DSR)	Tasks performed by	Utility coordination
Tasks performed by	Relocation order, ROW plat	Tasks performed by	Plans development
Tasks performed by	Draft bid advertisement	Tasks performed by	PS&E preparation

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<b>CONSTRUCTION ENGINEERING</b>			
Will federal funding be utilized for construction oversight?		<input type="checkbox"/>	<b>Yes</b> <input type="checkbox"/> <b>No</b>
<i>Indicate whether tasks will be performed by the sponsor (s), consultant (c) or N/A.</i>			
Tasks performed by	Construction staking	Tasks performed by	Materials testing and inspection
Tasks performed by	Materials documentation	Tasks performed by	Daily diary
Tasks performed by	Measurement of quantities	Tasks performed by	Estimates for payment
Tasks performed by	Time charges	Tasks performed by	Change orders
Tasks performed by	Final acceptance	Tasks performed by	Maintenance of records
Tasks performed by	Contractor payroll collection	Tasks performed by	Field interviews
Tasks performed by	Job site board compliance check(s)		

**ON BEHALF OF THE SPONSOR**

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**Signature** **Title** **Date**

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**Signature** **Title** **Date**

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**Signature** **Title** **Date**

**CONSULTANT ADMINISTRATION ON BEHALF OF THE SPONSOR**

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**Signature** **Date**

---

**Firm/Title**

**ACCEPTED BY WISDOT**

---

**Signature** **Title** **Date**

## 9 Glossary

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**Additional special provisions (ASPs):** Directions or project specific requirements that are not otherwise explicitly stated in the current edition of the Standard Specifications for Highway and Structure Construction.

**Bike/ped:** Bicycle and pedestrian projects

**Cognizant agency:** A federal agency that reviews, negotiates, and approves indirect cost proposals and cost allocation plans on behalf of all federal agencies.

**Condemnation authority:** Condemnation is the process a government uses to legally acquire property. It may occur as part of the real estate process.

**Cost Effectiveness Finding (CEF):** Documents the efficient use of labor, equipment, materials, and supplies used by a municipality force (rather than a private contractor) to assure the lowest overall cost benefits the public's general interests. For more information, review [FDM 3-5-10.9.1](#).

**Design standards:** Guidelines for engineers that help avoid design failures in transportation facilities.

**Disadvantaged Business Enterprise (DBE):** A DBE is a small business that is at least 51% owned by a socially and economically disadvantaged individual(s). To be considered disadvantaged, the person(s) must identify as a member of a disadvantaged group (women, Black Americans, Hispanic Americans, Native Americans, Asian-Pacific Americans, Subcontinent Asian-Pacific Americans, or other minorities found to be disadvantaged by the U.S. Small Business Administration (SBA)).

**Division of Transportation Investment Management (DTIM):** WisDOT's Division of Transportation Investment Management conducts long-range, multimodal transportation planning, and guides the use of state and federal transportation dollars based on research and data analysis of the state's transportation systems.

**Encumbers/Encumbered dollars:** To encumber something is to restrict it in such a way as to make it difficult to move. Encumbered dollars are funds that have been set aside to pay for future obligations.

**Environmental services:** Environmental services include planning (location studies, planning studies, planning and environmental linkage studies), mitigation (impacts to sensitive habitats), permits and environmental clearances, documentation, threatened and endangered species habitat studies, socioeconomic studies, traffic noise studies, and Section 106 consultant and cultural resources.

**Escrow:** Escrow is a legal arrangement where a neutral third party holds money or property on behalf of two or more parties involved in a transaction.

**Facilities Development Process:** A strategic approach to managing physical assets that involves continuous improvement, expansion, and adaptation.

**Hazardous materials:** Substances in quantities or forms that may pose a reasonable risk to health, property, or the environment.

**Incur costs:** To become liable for expenses related to a project.

**Local Force Account (LFA):** The LFA agreement is used by local governments to perform work on their own road systems, state trunk highways, or connecting highways.

**Let (Local let, state let):** Letting is the process of opening bids, determining the lowest bidder, and awarding contracts for construction and maintenance projects. In a local let, the sponsor leads the letting process. In a state let, WisDOT leads the letting process.

**Local Public Agency (LPA):** A county or municipality that can receive federal funds to support transportation projects and programs.

**Metropolitan Planning Organizations (MPOs):** An organization of primarily local elected officials who provide a forum for local decision-making on transportation issues of a regional nature. An MPO must be designated for each locality with a population greater than 50,000. There are 14 MPOs in Wisconsin representing 17 metropolitan areas.

**National Environmental Protection Act (NEPA):** NEPA requires federal agencies (and federally funded projects) to assess the environmental effects of their proposed actions prior to making decisions. Using the NEPA process, agencies evaluate the environmental and related social and economic effects of their proposed actions.

**Non-attainment and maintenance counties:** A non-attainment area is an area that exceeds pollution limits for one or more criteria pollutants: ozone, atmosphere particulate matter, lead, carbon monoxide, sulfur oxides, and nitrogen oxides. Areas previously in non-attainment that subsequently meet the standard for criteria pollutants are called maintenance areas.

**Non-traditional transportation project:** Projects that operate as reimbursement programs, wherein the sponsor must pay for the project prior to requesting funds.

**Partial release:** A method of splitting up a piece of property that is currently under a mortgage lien. It may occur as part of the real estate process.

**Plans, specifications and estimates (PS&E):** The final engineering documents produced during the design phase of a project that contain the construction details and are part of the bid documents.

**Professional Engineer (PE):** Professional Engineer (PE) is a state credential that qualifies an engineer to practice engineering.

**Project delivery:** The characteristics of how a construction project is designed and built, as well as the responsibilities of those parties involved.

**Public involvement:** The process that involves the public in transportation decision-making, and considers public feedback in the development of plans, programs, and projects.

**Qualifications-based selection (QBS):** A procurement process that prioritizes a service provider's qualifications, skills, and experience over cost when selecting them for a project.

**Real estate (RE):** The land, permanent structures, and improvements attached to the land, whether they are natural or man-made.

**Reversionary clauses:** A statement in a deed that, upon the occurrence or non-occurrence of a specific event(s), title to the deeded property returns or reverts to the original owner. It may occur as part of the real estate process.

**Safe Routes to School (SRTS):** A program that encourages children (grades K-8) to walk and bike to school by creating safer walking and biking routes. SRTS programs improve walking and biking travel options, promote healthier lifestyles in children, and decrease auto-related emissions near schools.

**Transportation facility (facility):** Buildings, equipment, or services that are provided for a specific purpose.

**Wisconsin Environmental Protection Act (WEPA):** WEPA is the state of Wisconsin's environmental policy. Under WEPA, all state agencies must analyze, consider and disclose the anticipated environmental impacts of certain proposed actions, along with reasonable alternatives to those actions.

## 10 Local Program Acronyms

<b>ABA</b>	Architectural Barriers Act	<b>LPM</b>	Local Program Manager
<b>ADA</b>	American Disabilities Act	<b>LPPM</b>	Local Program Project Manager
<b>APE</b>	Area of Potential Effect	<b>LPREM</b>	Local Program Real Estate Manual
<b>BIL</b>	Bipartisan Infrastructure Law	<b>LPREPM</b>	Local Program Real Estate Project Manager
<b>BOS</b>	Bureau of Structures	<b>MPO</b>	Metropolitan Planning Organization
<b>CE</b>	Categorical Exclusion	<b>NEPA</b>	National Environmental Protection Act
<b>CEC</b>	Categorical Exclusion Checklist	<b>NHS</b>	National Highway System
<b>CEF</b>	Cost-Effectiveness Finding	<b>OBOEC</b>	Office of Business Opportunity and Equity Compliance
<b>CEQ</b>	Council on Environmental Quality	<b>PE</b>	Professional Engineer
<b>CMAQ</b>	Congestion Mitigation Air Quality Program	<b>PS&amp;E</b>	Plans, Specifications & Estimates
<b>CMM</b>	Construction Management Manual	<b>RE</b>	Real Estate
<b>CRP</b>	Carbon Reduction Program	<b>ROW</b>	Right-of-Way
<b>CRT</b>	Cultural Resources Team	<b>SMA</b>	State-Municipal Agreement
<b>DATCP</b>	Department of Agriculture, Trade and Consumer Protection	<b>SRTS</b>	Safe Routes to School
<b>DBE</b>	Disadvantaged Business Enterprise	<b>STBG</b>	Surface Transportation Block Grant
<b>DBRA</b>	Davis-Bacon and Related Acts	<b>STH</b>	State Trunk Highway
<b>DNR</b>	Department of Natural Resources	<b>STIP</b>	State Transportation Improvement Program
<b>DSR</b>	Design Study Report	<b>STP</b>	Surface Transportation Program
<b>DTIM</b>	Division of Transportation Investment Management	<b>TAP</b>	Transportation Alternatives Program
<b>DTSD</b>	Division of Transportation Systems Development	<b>TIP</b>	Transportation Improvement Program
<b>EEO</b>	Equal Employment Opportunity	<b>TMA</b>	Transportation Management Area
<b>FDM</b>	Facilities Development Manual	<b>TMP</b>	Traffic Management Plan
<b>FHWA</b>	Federal Highway Administration	<b>WBFDH</b>	Wisconsin Bicycle Facilities Development Handbook
<b>FTA</b>	Federal Transit Administration	<b>WBM</b>	WisDOT Bridge Manual
<b>LFA</b>	Local Force Account	<b>WEPA</b>	Wisconsin Environmental Protection Act
<b>LP</b>	Local Program	<b>WHD</b>	Wage and Hour Division