

## **Project Management For Locally-Administered Projects**

Federal law allows the New York State Department of Transportation (NYSDOT) to “utilize, under its supervision, the services of well-qualified and suitably equipped engineering organizations of other governmental instrumentalities for making surveys, preparing plans, specifications and estimates, and for supervising the construction of any project.” Federal law further states that NYSDOT “is not relieved of its responsibilities under Federal law . . . in the event it utilizes the services of any [other] engineering organization.”

Therefore, responsibility for locally-administered projects must be assigned to the engineering department in a county or municipality, except when:

- Another department within the county or municipality has an engineering unit. For example: a planning or parks department could be assigned responsibility for a project to construct a bike/pedestrian trail if that department contains an engineering unit.
- Another department within the county or municipality is more appropriately staffed to manage the project. For example, a planning department could be assigned responsibility for a corridor, sustainable development, land use or transportation study.
- On a limited case by case basis, the county or municipality provides, in writing, to the Region 8 Local Projects Unit compelling reasons for assigning responsibility to another department within the county or municipality.

**A responsible local official and a project manager must be assigned for each project.**

***Responsible Local Official:*** The *Procedures for Locally Administered Federal Aid Projects* manual defines Responsible Local Official as “the top municipal official or top official of [the] public entity with ownership of the project facility with authority to enter into an agreement with NYSDOT to progress a transportation project and grant project approvals.” The Region 8 Local Projects Unit (LPU) recognizes that county governments are large organizations headed by individuals who have significant responsibility, and have accepted heads of county departments as Responsible Local Officials. Thus, a Responsible Local Official must be one of the following:

<u>Sponsor</u>	<u>Responsible Local Official</u>
County	County Executive, Chairperson of the County Board of Supervisors, or head of appropriate County department
City or Village	Mayor
Town	Supervisor

The Responsible Local Official is generally responsible for signing key project documents or granting key project approvals. Examples include granting design approval and approval of non-standard features, signing the Right-of-Way Clearance Certificate, granting contract document approval, approving the construction management plan, recommending construction contract award, accepting construction contracts, and signing reimbursement requests.

# Project Management

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**Project Manager:** Each project must have an individual who serves as project manager. Effective project management is essential to the successful implementation of a project. Because project management is so important, there is language in federal law that specifically relates to project management. Most of the local projects currently on the Region 8 local program are federally funded, making federal law directly applicable to those projects. Region 8 also applies these fundamental rules to state aided projects.

Federal law states that the local public agency must provide a project manager who is a full-time employee of the agency and who is in responsible charge of the project. Responsible charge of the project means that the project manager:

- Is aware of day-to-day operations and progress on the project
- Is aware of the qualifications, assignments, on-the-job performance, etc. of consultant staff at all stages of the project,
- Is aware of, and involved in, project decisions, including those related to changed conditions and those which require supplemental agreements or change orders, and
- Visits the project (especially during construction) on a frequency that is commensurate with the magnitude and complexity of the project.

In the event that a municipality does not have a qualified person on staff to manage a project, a consultant engineer may be used for this purpose at the municipality's expense. This would apply to towns, villages and cities where a private engineering firm is hired and designated as the town, village or city engineer. Costs for utilizing a consultant in a management role are not reimbursable unless;

- Prior approval is received from NYSDOT and, in the case of a federally aided project, the Federal Highway Administration (FHWA), and
- The hiring of the consultant is done in compliance with applicable rules.

The project manager is responsible for coordinating project activities within his/her county or municipality, other involved agencies, consultants and/or contractors. Other people within the county or municipality may perform specific tasks relative to a project (for example, an accountant may track project expenses and reimbursements, a lawyer may be involved in acquiring property, or a contract administrator may manage a consultant contract), but the project manager has overall responsibility for the entire project.

In addition to the responsibilities described above, the project manager is the primary conduit for communication and coordination between his/her county or municipality and the Region 8 Local Projects Unit (LPU):

- All project related correspondence (letters, memos, e-mails, faxes, etc.) initiated by the county/municipality or its agents (e.g., project consultants and/or contractors) intended for NYSDOT should be sent to the LPU by the project manager. Correspondence sent by someone other than the project manager will be returned to the sender with instructions that the document must be submitted through the project manager. All project correspondence from the LPU to the county or municipality will be addressed to the project manager. To expedite project activities and facilitate coordination among

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- involved persons, the LPU will send copies of correspondence sent to the project manager to other key people (for example, the responsible local official, consultant design/inspection engineer, etc.) involved in the project.
- The project manager must attend all project meetings involving LPU staff. To make meetings as productive as possible, the project manager must forward a meeting agenda and a list of prospective meeting attendees to the LPU prior to scheduling the meeting.
- All phone conversations involving LPU staff regarding significant project activities must include the project manager; for significant issues that involve people other than the project manager, a conference call should be held. At the LPU staff's and project manager's discretion, conversations regarding non-significant issues (such as the clarification of a minor review comment) may be held with or without the direct involvement of the project manager.

While it is permissible for each project to have a different project manager, the number of project managers for a given county or municipality should be kept to a minimum. When there are multiple project managers, the county or municipality must develop a plan to effectively oversee the multiple project managers to ensure that information and "lessons-learned" are shared among project managers, that there is consistency among project managers, and that project managers are trained in federal and state requirements for developing projects.

In cases where a sponsor (e.g., the county or municipality) and a third party (usually a not-for-profit organization) have entered into a three-party project agreement with NYSDOT or when the sponsor enters into a separate inter-municipal agreement with a third party, the sponsor should designate a Responsible Local Official and Project Manager. The sponsor cannot delegate all responsibility or authority for the project to the third party. To effectively manage the project, the third party should also designate a lead person. The Region 8 Local Projects Unit will work with the sponsor's project manager and the third party's lead person throughout project development as described above.

The Region 8 Local Projects Unit (LPU) is the single point of contact within NYSDOT for locally administered projects, and is the conduit for coordination with the Federal Highway Administration (FHWA) with regard to locally administered federal aid projects.