

2.0 PROGRAMMING



2.0 PROGRAMMING

2.1 Federal Funding

2.1.1 INTRODUCTION

This chapter describes the funding programs, processes, documents, and approvals necessary for obtaining federal funds through KDOT, including discretionary or demonstration funds, otherwise known as earmarks. Federal funds are made available to the LPAs through two separate programs each federal fiscal year, October 1 through September 30. The two programs are the Federal Fund Exchange Program and the development by the LPA of a federal-aid project. The federal-aid project shall be development following established procedures. If the LPA intends to seek federal funds for any phase of a project, all phases must be developed in compliance with this Manual.

A portion of the federal-aid transportation dollars that are made available to the State of Kansas are shared with LPAs. The majority of this “pass-through” of federal funds is comprised of two programs: the Surface Transportation Program (STP) and the Highway Bridge Program (BR). The funds under each of these categories are distributed to cities and counties based on federal law, state statute, or the policy of KDOT and comprise the “obligation authority” or “allocation” that is distributed to each LPA..

STP funds are allocated to each of the counties in the state in accordance with KSA 68-402(b), which provides for the distribution to be in the same proportion as the Special City and County Highway Fund and the County Equalization and Adjustment Fund.

BR funds are allocated to the counties according to each county’s proportional share of deficient bridges, based on square footage of bridge deck, relative to the total deficient bridges in all counties of the state.

LPAs may also apply to KDOT for federal-aid funding from competitive programs. These funding programs will be discussed in detail later in this section.

2.1.2 Federal Fund Exchange

The Federal Fund Exchange Program is a voluntary program that allows a LPA to trade all or a portion of its federal fund allocations in a specific federal fiscal year with KDOT in exchange for state transportation dollars or with another LPA in exchange for their local funds. This funding program will be discussed in detail in Section 18 of this Manual.

2.1.3 Surface Transportation Program (STP)

2.1.3.1 Introduction

This Section describes the funding programs, processes, documents, and approvals necessary for an LPA to obtain Surface Transportation Program (STP) funds through KDOT. STP funds are made available for the federal fiscal year, October 1 through September 30. Any LPA project funded in whole or in part by STP funds shall be developed following established procedures outlined in section 5 of this Manual.

Currently STP funds are available to finance up to 80% of eligible project costs with a minimum 20% match from the LPA.

2.1.3.2 STP Small Urban

STP provides flexibility funding that may be used by the LPAs for projects on any Federal-aid roadway route, including NHS and bridge projects on the Federal route. Pursuant to 23 USC 133(d)(3) after required program deductions all STP small urban funds must be divided between urbanized areas of 200,000 or more in population and the remaining on 1st class cities (population over 5,000 less than 200,000) in the State.

These funds are allowed to be used on eligible project expenses related to preliminary engineering, environmental, Right-of-Way, non-betterment utility relocation/rehabilitation, construction, and construction engineering. However, BLP policy is for STP funds to be used toward construction and CE expenses only and for typical improvements such as upgrading an existing road, roadway reconstruction, resurfacing, ADA/sidewalk/multi-use path improvements, and bridge projects.

2.1.3.3 STP Rural/County

Projects using STP rural funds must be on Federal-aid Routes. For a rural area, Federal routes include arterials and major collectors. Roads classified as local roads or rural minor collectors are not eligible to receive STP rural funding.

These funds are allowed to be used on eligible project expenses related to preliminary engineering, environmental, Right-of-Way, non-betterment utility relocation/rehabilitation, construction, and construction engineering. However, BLP policy is for STP funds to be used toward construction and CE expenses only and for typical improvements such as upgrading an existing road, roadway reconstruction, resurfacing, mil and overlay, ADA/sidewalk/multi-use path improvements, and bridge projects.

2.1.3.4 Transportation Management Area (TMA)

The STP funding available within a TMA is set by Federal law and those funds may only be used within the planning area of the TMA. In Kansas the TMA's are Mid America Regional Council (MARC) and Wichita Area Metropolitan Planning Organization (WAMPO).

2.1.4 Highway Bridge Program (HBP) (Formerly the Highway Bridge Replacement And Rehabilitation Program - HBRRP)

2.1.4.1 Federal Aid Routes

To utilize BR funding on bridges located on the federal aid system, LPAs must accumulate obligation authority for a specific project. Funds can be accumulated for three years when specified for a specific project. With prior approval from BLP, additional years of accumulation may be allowed under special circumstances. In order to accumulate any funds, the LPA must coordinate with BLP.

HBP funds may be used for:

1. The total replacement (BR funds) of an eligible structurally deficient or functionally obsolete highway bridge on any public road with a new facility constructed in the same general traffic corridor,
2. The rehabilitation (BH funds) that is required to restore the structural integrity of an eligible structurally deficient or functionally obsolete bridge on any public road, as well as the rehabilitation work necessary to correct major safety (functional) defects,

2.1.4.2 Structurally deficient and functionally obsolete highway bridges eligible for replacement or rehabilitation must be over waterways, other topographical barriers, other highways, or railroads. The condition of highway bridges may also be improved through systematic preventative maintenance. Off System Bridges

Federal law and regulations require that not less than 15 percent of a state's apportionment of Highway Bridge Program (HPB) funds be used for replacement or rehabilitation of eligible bridges located on roads that are not on the federal-aid system. To comply with this requirement, KDOT has established an Off-System Bridge Program. The federal funds for this program, approximately \$8 million annually, are set aside prior to distribution of the remaining federal apportionment to eligible LPAs. The program is competitive and local agencies are required to apply for the funds. Projects will be selected for the program from the applications received during the annual application period. Projects approved for the program that fail to meet the fiscal year bid letting must re-apply for funding in a future fiscal year.

To be eligible for the program, the following apply:

- The bridge must have a current NBI inspection report.
- The bridge must be classified as either structurally deficient or functionally obsolete.
- The bridge is eligible for replacement if its sufficiency rating (S.R.) is less than 50.
- The bridge is eligible for rehabilitation only if its S.R. is greater than 50 but less than 80.
- The bridge is only eligible if it is located on a road/street functionally classified as a rural minor collector, rural local road, or urban local street.

This is a federal program and the participation will be maximum 80 percent federal and minimum 20 percent local funding for construction and CE.

Interested officials may submit an application to the BLP for consideration for the Off-System Bridge Program. To be considered for an Off-System Bridge Project, the following documents will be required at the time of application.

- The completed application form.
- A scale map of the bridge location.
- A detailed cost estimate.
- A current signed DOT Form 1302 Request for Construction Project.

Forms can be found at www.ksdot.org/burlocalproj/default.asp.

After the announcement of the selected projects, the BLP Project manager will coordinate with the LPA in determining an appropriate project schedule.

Applications submitted will remain active for two years upon confirmation from the LPA. After two years a new application packet including an updated Form 1302 must be submitted.

2.1.5 Congestion Mitigation and Air Quality (CMAQ) Improvement Program

2.1.5.1 Introduction

The Congestion Mitigation and Air Quality (CMAQ) Improvement Program is a federally funded program of surface transportation improvements designed to improve air quality and relieve congestion. CMAQ projects must follow federal laws and regulations. Although funded by FHWA, if the LPA is an urbanized transit agency the CMAQ project can be administered by the Federal Transit Administration (FTA) by transferring any funding from FHWA to FTA.

Eligibility for CMAQ funds requires a project to be included in an MPO's current Long Range Transportation Plan and TIP. In nonattainment and maintenance areas, the project must meet the conformity provisions contained in Section 176(c) of the Clean Air Act and the transportation conformity rule contained in 40 CFR Parts 51 and 93. In addition, all CMAQ projects need to follow the National Environmental Policy Act (NEPA) requirements (explained in further detail in section 4 of this Manual) and meet basic eligibility requirements for funding under Titles 23 and 49 of the United States Code.

CMAQ is a "reimbursement" program. For LPA-Administered projects, KDOT will reimburse the LPA based on eligible expenses as incurred. In most cases, CMAQ projects require a 20% minimum local match. For KDOT-Administered projects, project payments are made directly to the Contractor following established payment procedures.

The funds for CMAQ projects programmed for a designated fiscal year must be obligated within that year. For example, if a project is programmed to let in federal fiscal year (FFY) 2012, the funds must be obligated between October 1, 2011 and September 30, 2012. Any portion of the funding not used by this date may no longer be available for obligation.

Guidance for CMAQ funded projects can be found at the following link:

http://www.fhwa.dot.gov/environment/air_quality/cmaq/policy_and_guidance/cmaq08gm.cfm

2.1.5.2 CMAQ – Non-Construction Project Process

The following process is intended to guide the administration and implementation of CMAQ funded purchase type projects such as alternative fuel vehicles, Intelligent Transportation Systems (ITS), and other CMAQ-related equipment and materials. LPA's are encouraged to follow the steps outlined below to assist them with non-construction CMAQ projects.

1. The project may not proceed or federal funds may not be applied until the project is included in an approved TIP. Projects may be programmed at KDOT in advance being programmed in the TIP, however, the project funds may not be obligated until the funds become available in the appropriate FFY.

2. The LPA must submit a KDOT form 1312: "Request for CMAQ project" to BLP with a copy of the project's TIP listing. The form 1312 must include the signature of the City Council or Commission Chair and two additional members. The form 1312 is found at: http://www.ksdot.org/burLocalProj/Forms/1312_CMAQ.pdf

3. BLP will program the project upon receipt of the completed 1312 form and an 883 will be generated. KDOT and FHWA project numbers will be assigned.

4. BLP will notify the LPA of the appropriate BLP project manager for future project development and administration.

5. BLP will develop the city-state agreement and work with the LPA to fully execute the agreement.

6. BLP will initiate the environmental review of the project. Final environmental clearance may take 30-90 days. See section 4 of this Manual for more information regarding the NEPA process.

7. The LPA will submit their procurement procedures to KDOT for review and approval to provide consistency with applicable state and federal rules. Any comments regarding the LPA procurement procedures will be addressed immediately by BLP and a resolution reached. KDOT needs to only approve the procurement procedures for the local jurisdiction once, and KDOT will maintain a list of those entities with approved procedures. The LPA should notify BLP in the event the procedures are changed.

8. The BLP project manager will generate the Purchase Summary Document following receipt of the environmental clearance.

9. The LPA will submit a bid proposal package to KDOT for review (see list-following of required documents):

Required Contract Specifications

- 08-10-66-R05- Required Contract Provision - Certification - Noncollusion and History of Debarment
- 04-26-90-R04- Required Contract Provision - Limitations on Use of Federal Funds for Lobbying
- 08-04-92-R03-Required contract Provision-Certification-Contractual Services with a Current Legislator or Current Legislator's Firm.
- 01-01-11-Required Contract Provision-Tax Clearance Certificate

Additional Clauses for inclusion in the RFP and vendor contract

- **FALSE STATEMENTS CONCERNING HIGHWAY PROJECTS**

In order to assure high quality and durable construction in conformity with approved plans and specifications and a high degree of reliability on statements and representations made by engineers, contractors, suppliers, and workers on Federal-aid highway projects, it is essential that all persons concerned with the project perform their functions as carefully, thoroughly, and honestly as possible. Willful falsification, distortion, or misrepresentation with respect to **any** facts related to the project is a violation of Federal law.

- **Nondiscrimination**

The Special Attachment No. 1 shall be included in all bid documents that are issued for these purchase type projects.

Required Bid Documents

- RFP with bid specs
- Scope of work as necessary
- Instructions on how to bid
- Any warranty information
- Required special provisions

10. Upon approval of documents by BLP, KDOT will obligate the federal funds.

11. BLP will issue the Authority to Advertise to the LPA via email.

12. The LPA will issue the invitation to bid utilizing the approved procurement procedures.

13. The LPA will send the bid tabs to BLP for review and concurrence of the lowest responsible bidder. BLP will issue the Authority to Award via email after the following steps are complete:

- a. Verify all required special provisions were included in final proposed bid package
- b. Review bid tabs with KDOT Construction and Maintenance or other qualified staff to assess the bids.
- c. Verify all required special provisions are signed by vendor as appropriate.
- d.

14. The LPA will provide a letting summary document and bid tab worksheet (with a break-down by work type) identifying participating and non-participating items. The worksheet will be an excel worksheet that utilizes formulas for calculating extended costs.

15. The LPA will submit the DBE Amounts (07-19-80) along with the DBE commitment letters to BLP.

16. The LPA will submit reimbursement requests to BLP. The request must include the completed tracking spreadsheet with each invoice submitted. This tracking spreadsheet will include: make, model, year, cost, and VIN of the vehicle OR similar ID number and cost for non vehicle purchases.

2.1.6 Special Federal Funding

2.1.6.1 Highway Safety Improvement Program (HSIP)

SAFETEA-LU established the Highway Safety Improvement Program (HSIP) as a Federal-aid program. The overall purpose of this program is to attempt to achieve a significant reduction in traffic fatalities and serious injuries on all public roads through the implementation of infrastructure-related highway safety improvements.

The specific provisions pertaining to the HSIP, are defined in Section 1401 of SAFETEA-LU, which amended Section 148 of Title 23, *United States Code* (23 USC 148) to incorporate these provisions. These requirements include the development of **Strategic Highway Safety Plans (SHSPs)**, in consultation with other key State and local highway safety stakeholders, and a number of reporting requirements.

2.1.6.1.1 Railway-Highway Crossings Program

As part of the HSIP, funds are set aside each fiscal year for the **Railway-Highway Crossings Program** (23 USC 130). These funds provide for the elimination of hazards and the installation of protective devices at public railway-highway crossings. For more information regarding this program contact KDOT Coordinating Section of the Bureau of Design.

2.1.6.1.2 High Risk Rural Roads (HRRR)

The High Risk Rural Roads (HRRR) program is intended to improve safety where crashes have been a problem or have a potential to increase in the future. Projects funded through this competitive program receive 90% matching federal funds with maximum dollar amounts decided by committee. Periodically, BLP will request applications for HRRR projects. Projects can fit into three categories: site-specific, road safety assessment (RSA), or systematic corridor improvement.

Site- Specific Project

If there is sufficient data to show that a crash problem exists at a specific location, a site-specific project can be requested. For more information on required data, contact the BLP Safety Engineer.

Road Safety Assessment (RSA)

KDOT may identify corridors in a county that will appear on a public report to FHWA. Counties may also identify corridors for assessment. BLP may offer to perform a road safety assessment (RSA) to identify potential improvements to reduce the number or severity of crashes. The RSA may be used for support for future HRRR projects.

Systematic Corridor Improvement

If a project is intended to remove fixed objects from the right-of-way or to lessen the severity of consequences of a vehicle leaving the travelled lane through a defined corridor, then the

systematic corridor improvement approach could be used in the application for HRRR funding. No crash data is required to be provided for the systematic corridor approach.

2.1.6.2 Emergency Relief Program (ER)

The Emergency Relief (ER) program is intended to provide funding to help with repairs on federal aid routes due to a state and nationally recognized natural disaster. Additional information regarding this program can be found in Section 13.0 of this manual.

2.1.6.3 Transportation Engineering Assistance Program (TEAP)

The Traffic Engineering Assistance Program (TEAP) is a federally funded program that allows local units of government to have traffic safety studies performed at no cost to the LPA. For additional information about this program, please refer to Section 14.0 of this manual.

2.1.6.4 Discretionary Grant Program

The FHWA administers discretionary programs through its various offices. These discretionary programs represent special funding categories. FHWA solicits candidates and selects projects for funding based on applications received. Each program has its own eligibility and selection criteria established by law, by regulation, or administratively. Descriptions for each program, along with selection criteria, are available at: <http://www.fhwa.dot.gov/discretionary/>.

Periodically, BLP will issue a call for project applications to LPA partners. For jurisdictions located in Metropolitan Planning Organizations (MPOs), coordination with the MPO staff prior to submittal of the application is encouraged. The proposed project should be consistent with the MPO's Metropolitan Transportation Plan. Applications should be completed and returned to the individual specified in the call for projects correspondence.

2.1.6.4.1 Innovative Bridge Research and Deployment Program (IBRD)

The Innovative Bridge Research and Deployment Program (IBRD) provides funding for the promotion, demonstration, evaluation, and documentation of the application of innovative designs, materials, and construction methods in the construction, repair, and rehabilitation of bridges and other highway structures. Funds may be used for costs of preliminary engineering, repair, rehabilitation, or construction of bridges or other highway structures, and costs of project performance evaluation and performance monitoring of the structure following construction.

2.1.6.4.2 National Scenic Byways Program (NSBP)

The National Scenic Byways Program (NSBP) is a collaborative effort established to help recognize, preserve and enhance selected roads throughout the United States. The laws guiding implementation of the program can be found at Section 162, Title 23, of the United States Code. The NSBP recognizes roads having outstanding scenic, historic, cultural, natural, recreational, and archaeological qualities. NSBP funding supports projects that manage and protect these intrinsic qualities, interpret these qualities for visitors, and improve visitor facilities along byways. The grants are made available to States and Indian Tribes to implement projects on highways designated as National Scenic Byways or All-American Roads, or as State or Indian tribe scenic byways. Projects submitted for consideration should benefit the byway's travel experience, whether it will help manage

the intrinsic qualities that support the byway's designation, shape the byway's story, interpret the story for visitors, or improve visitor facilities along the byway.

2.1.6.4.3 Public Lands Highways Discretionary Program (PLHD)

The Public Lands Highways Discretionary (PLHD) Program provides funding for transportation planning, research, and engineering and construction of, highways, roads, parkways, and transit facilities that are within, adjacent to, or provide access to Indian reservations and Federal public lands, including national parks, refuges, forests, recreation areas, and grasslands. PLHD funds can be used for any type of Title 23 transportation project providing access to or within Federal or Indian lands and may be used for the State/local matching share for apportioned Federal-aid Highway Funds, as described in 23 USC 120(l).

2.1.6.4.4 Transportation, Community, and System Preservation Program (TCSP)

The Transportation, Community, and System Preservation (TCSP) Program provides funding for a comprehensive initiative including planning grants, implementation grants, and research to investigate and address the relationships among transportation, community, and system preservation plans and practices and identify private sector-based initiatives to improve those relationships.

2.1.6.4.5 Truck Parking Facilities Discretionary Program

The Truck Parking Facilities Discretionary Program authorizes a wide range of eligible projects and activities, ranging from construction of commercial motor vehicle (CMV) spaces and other capital improvements that facilitate CMV parking including the use of intelligent transportation systems (ITS) technology to increase information on the availability of both public and private CMV parking spaces. For purposes of this program, long-term parking is defined as parking available for 10 or more consecutive hours.

2.2 State funding

2.2.1 Introduction

State-funded transportation projects administered by BLP include Geometric Improvements (GI) program projects, KLINK resurfacing program projects, and Economic Development (ED) Program projects. In some cases State funds may be used for a transportation project outside of the programs listed above.

2.2.2 GI Projects

The GI Program is a highway constructing program that is intended to improve geometric deficiencies on City Connecting Links. BLP will solicit applications for GI projects for each year in which funding is available.

2.2.2.1 DEFINITIONS:

City Connecting Link - A City Connecting Link means a routing inside the city limits of a city which:

1. connects a state highway through a city;
2. connects a state highway to a City Connecting Link of another state highway;
3. is a state highway which terminates within such city;
4. connects a state highway with a road or highway under the jurisdiction of the Kansas Turnpike Authority; or
5. begins and ends within a city's limits and is designated as part of the national system of Interstate and Defense Highways.

2.2.2.2 PROCEDURAL GUIDELINES:

Eligibility - All cities with City Connecting Links within their city limits are eligible for Geometric Improvements of City Connecting Links. All City Connecting Links on the State Highway System are eligible except those on the Interstate System and fully controlled access sections on the Freeway System. The applicant must have an accounting system capable of documenting costs for all phases of a project.

Project Limitations - Projects are limited to geometric improvements to the driving lanes on the connecting links. Accordingly, KDOT will **not** participate in funding of the following:

- storm sewer costs resulting from drainage more than one block away from the proposed improvements;
- construction costs beyond the curb returns or touchdown point where grade changes are not a result of the project;
- extra lanes for parking;
- other similar betterments, such as sidewalks and street lighting.

Project Identification - Upon receipt of the call for projects from BLP, city officials may present a proposal to BLP for consideration of funding under the Geometric Improvement Program.

Proposals must include:

- **LOCATION** - The project location must be described on the application form and illustrated on an attached map.
- **SCOPE** - The type of work anticipated for the proposed improvement must be described on the application form in as much detail as possible.
- **PROJECT COSTS** - Proposed project scopes and cost estimates must meet current State design standards for the type of improvement requested and be included on the application form. A copy of the estimate computations must be submitted along with the application.

Applications - Before an application is submitted, cities are encouraged to review the proposed projects with the KDOT District or Area Engineer.

Governmental bodies within urbanized area (populations greater than 50,000) should also submit copies of their applications to their Metropolitan Planning Organization (MPO).

After submission of the application, BLP will review the proposed project's scope and estimated cost.

All projects will be reviewed onsite by a multidisciplinary team of KDOT staff. During these reviews, City officials will have the opportunity to share project-related information with the team.

The projects will then be rated considering factors, such as traffic impacts, system preservation impacts, safety, and local contribution. The KDOT team will recommend a set of projects to the Secretary of Transportation for funding.

Participation - KDOT will participate in funding for those projects selected as City Connecting Link Geometric Improvement Projects. The maximum amount KDOT will contribute toward recipients is dependent upon the population of the city. The table below identifies the rate for all cities.

City Population Group	Participation Ration		Maximum State Participation For Each City Per Year
	Minimum City %	Maximum State %	
0 - 2,499	0	100	\$700,000
2,500 - 4,999	5	95	\$750,000
5,000 - 24,999	10	90	\$800,000
25,000 - 49,999	15	85	\$850,000
50,000 - 99,999	20	80	\$900,000
100,000 – greater	25	75	\$950,000

GI project administration will adhere to the same BLP project review process that other State-funded KDOT-let projects follow. For more details regarding project development, see section 5.0 of this Manual.

2.2.3 **KLINK Projects**

The KLINK Resurfacing Program is a portion of the KDOT’s Local Partnership Program which is intended to improve the roadway surfacing of City Connecting Links of the State Highway System. BLP will solicit applications for KLINK resurfacing projects for each year in which funding is available.

Each City will be notified to apply for projects via an email which will include information regarding funding details and an application. It is important for the City to submit their application complete within the specified deadline.

If requested funds exceed available funds, projects will be prioritized on the basis of pavement survey conditions.

For more details regarding the KLINK Resurfacing Program, see section 16.0 of this Manual.

2.2.4 **Economic Development Projects**

The ED Program is administered by the Bureau of Program and Project Management. ED projects that are on the State System will be administered by BLP or KDOT Road Design. Other ED projects may be administered by KDOT Corridor Management.

2.2.4.1 Procedural Guidelines

ED projects for which project development will be administered by BLP shall adhere to the same BLP project review process that other State-funded KDOT-let projects follow. For more details regarding project development, see section 5.0 of this Manual.

2.3 Public Information Requirements

The LPA is responsible for public involvement in the selection/prioritization process, which is commensurate with the scope and complexity of the proposed project. At a minimum, public involvement should include a public notice indicating when a governing body will be making a decision on reviewing needs, selecting projects and setting priorities for federal aid projects. In later stages of project development more public involvement may be warranted. The public involvement in the project development process will be in accordance with KDOT's publication "Sharing the Future, Public Involvement in the Kansas Transportation System".

More complex projects, or those that have a high potential for environmental impact, may require early and extensive public involvement and extensive documentation in accordance with 23 CFR 771. Documentation in these cases may be in the form of either an EIS (Class I) or an EA (Class III). The public involvement process flow charts included in KDOT's "Sharing the Future, Public Involvement in the Kansas Transportation System" provides the process used to categorize projects along with the sequence of events that need to be completed for each classification.

See KDOT's Design Manual, Volume I, Part A, Section 5.9 and the KDOT publication "Sharing the Future, Public Involvement in the Kansas Transportation System" for additional information.

2.4 Request for Construction Project

The Local Public Authority (LPA) is required to submit a Request for Construction Project (Form 1302) to BLP in order to program a Federal or State funded project. The Form 1302 can be downloaded from the BLP website at <http://www.ksdot.org/burLocalProj/>. The Form 1302 must be completed in its entirety, including required attachments, and sent to BLP to the attention of the Programming Section.

BLP will review the request and verify the project is eligible for funding. The project must meet certain Federal and/or State Guidelines to be eligible for funding. The LPA will be contacted if clarification or more information is required to complete the review. After the review is complete, the project will be assigned a KDOT Project Number and a preliminary schedule for submitting plan checks and documentation. The project agreement process will also be initiated.

When the project has been programmed, plan review will be administered by BLP in accordance with this manual.

2.5 **Project Agreements**

2.5.1 **Introduction**

For local projects administered by KDOT and/or funded by Federal or State funds a project agreement is generally executed between KDOT and the LPA. Project agreements are initiated by KDOT and sent electronically to the LPAs approximately a year before project letting.

2.5.2 **LPA Agreements**

2.5.2.1 **County Umbrella Agreements**

KDOT and counties have executed umbrella agreements in the past pursuant to KSA 68-402b which allow for the Secretary to administer and let federal-aid projects for the county. These agreements cover all situations where the county requests a federal-aid project on their system and the project is funded with federal-aid at an eighty percent federal, twenty percent local ratio and there is no maximum on the federal funds obligated for the project. For any project in a county that does not fall under the current umbrella agreement with KDOT, a project agreement will be drafted and sent electronically to the LPA.

2.5.2.2 **Project Agreements**

Project agreements will be executed for all local projects administered by KDOT and/or funded by Federal or State funds, unless they are covered by a County Umbrella Agreement. Project agreements are initiated by KDOT and will be sent to the LPA electronically. The LPA will be asked to execute two copies of the project agreement and mailed both back to KDOT for execution. The LPA will receive a copy once the agreement is fully executed.

2.5.2.3 **Supplemental**

Supplemental agreements will be prepared when necessary to change or correct the terms of the original project agreement. The most common reason to supplement a project agreement is a change in funding. Supplemental agreements will also be initiated by KDOT and will follow the same process as project agreements.