COUNTY AGENDA REQUEST

Department:	Public Works	Presenter(s):	Phil Mallon
Meeting Date:	Thursday, November 15, 2012	Type of Request:	New Business

Wording for the Agenda:

Consideration of a proposed 2013 Local Maintenance & Improvement Grant (LMIG) project list for unincorporated Fayette County, and authorization for the Chairman to sign the LMIG Application and related documents contingent upon the County Attorney's review.

Background/History/Details:

The Georgia Department of Transportation (GDOT) has made changes to its LMIG program that allow for greater flexibility. Details of the program are provided in the LMIG Guidelines and Rules packet provided as back-up to this agenda request. Fayette County's formula amount for 2013 is $549,106.95.

Per guidance from GDOT, County staff have prepared a draft project list in excess of this amount. The project list, attached, suggests 15 to 30 percent of the grant money be allocated to preconstruction engineering (PE) and the remainder on asphalt resurfacing. A 30 percent local match is required for all LMIG money.

Fayette County's final LMIG application and project list must be submitted to GDOT no later than January 1, 2013. A check for the LMIG amount, up to $549,106.95, will then be sent to Fayette County.

What action are you seeking from the Board of Commissioners?

Approval of the 2013 Local Maintenance & Improvement Grant (LMIG) project list for unincorporated Fayette County, and authorization for the Chairman to sign the LMIG Application and related documents contingent upon the County Attorney's review.

If this item requires funding, please describe:

A 30 percent match is required for LMIG funds. For resurfacing, the match is available from Road Department's Asphalt & Tack and Technical Services line items. The match for design services would be requested from contingency.

Has this request been considered within the past two years?	No	If so, when?	
Is Audio-Visual Equipment Required for this Request?*	Yes	Backup Provided with Request?	Yes

**** All audio-visual material must be submitted to the County Clerk's Office no later than 48 hours prior to the meeting. It is also your department's responsibility to ensure all third-party audio-visual material is submitted at least 48 hours in advance.***

Approved by Finance	No	Reviewed by Legal	
Approved by Purchasing	Not Applicable	County Clerk's Approval	Yes
Administrator's Approval	Yes		

Staff Notes:

Finance - Can we identify the amount that would be needed from fund balance (contingency)?

2013 Local Maintenance & Improvement Grant (LMIG) Program
Fayette County Project List

No.	Road Name	Length (miles)	Termini	Type of Work	Project Costs			Schedule
					Total	LMIG	Local	
1	Tyrone Road (CR035800)	4.3	SR 74 to SR 54	Scoping study to identify specific operational and safety improvements along the corridor to support future requests for federal aid.	$104,000	$80,000	$24,000	Let contract for scoping services in spring 2013; complete work within 12 months
2	Creekside Drive (proposed new road)	0.8	SR 54 at Yorktown Dr. to First Manassas Road	PE for proposed new road	$208,000	$160,000	$48,000	Let contract for design services in spring 2013; complete work within 18 months
3	North Fayette Drive	1.00	SR 314 to dead end	Resurfacing	$82,987	$63,836	$19,151	CY 2013
4	Wilmington Lane	1.00	North Fayette Drive to Princeton Trace	Resurfacing	$79,795	$61,381	$18,414	CY 2013
5	Princeton Trace	0.60	dead end to dead end	Resurfacing	$54,261	$41,739	$12,522	CY 2013
6	North Fayette Court	0.40	North Fayette Drive to dead end	Resurfacing	$35,110	$27,008	$8,102	CY 2013
7	Gloucester Court	0.10	Wilmington Lane to dead end	Resurfacing	$11,171	$8,593	$2,578	CY 2013
8	Hampton Way	0.10	North Fayette Drive to Wilmington Lane	Resurfacing	$7,980	$6,138	$1,841	CY 2013
9	Seay Road	1.30	SR 92 to SR 85	Resurfacing	$74,905	$57,619	$17,286	CY 2013
10	Ebenezer Church Road	0.89	Redwine Road to Lester Road	Resurfacing	$51,281	$39,447	$11,834	CY 2013
11	White Oak Way	1.10	SR 314 to New Hope Road	Resurfacing	$87,775	$67,519	$20,256	CY 2013
12	Derby Drive	0.70	Kingswood Drive to Essex Circle	Resurfacing	$36,342	$27,955	$8,387	CY 2013

2013 Local Maintenance & Improvement Grant (LMIG) Program
Fayette County Project List

No.	Road Name	Length (miles)	Termini	Type of Work	Project Costs Total	LMIG	Local	Schedule
13	Ridge Way	0.30	Park Hill Lane to dead end	Resurfacing	$15,575	$11,981	$3,594	CY 2013
14	Acorn Ridge	0.40	Mornings Springs Walk to dead end	Resurfacing	$20,767	$15,974	$4,792	CY 2013
15	Deer Forest Road	0.60	Deer Forest Trail to SR 54	Resurfacing	$31,150	$23,962	$7,188	CY 2013
16	Royal Ridge Way	1.00	SR 85 South to dead end	Resurfacing	$51,917	$39,936	$11,981	CY 2013
17	Hampstead Manor	0.50	SR 314 to Heath Way	Resurfacing	$25,958	$19,968	$5,990	CY 2013
18	Heath Way	0.60	Hampstead Manor to dead end	Resurfacing	$31,150	$23,962	$7,188	CY 2013
19	Arnold Road	0.70	Ebenezer Church Road to dead end	Resurfacing	$36,342	$27,955	$8,387	CY 2013
					$1,046,465	$804,973	$241,492	

1. Contact person: Phil Mallon, Fayette County Public Works, 770-320-6010 or pmallon@fayettecountyga.gov
2. Fayette's formula amount for the 2013 LMIG Program is $549,106.95.
3. All "resurfacing" cost estimates include material costs for patching, asphalt cement and tack. Additionally, some projects include costs for milling and/or striping, as determined appropriate by the Road Department. A table showing this breakdown can be provided, upon request.

GEORGIA DEPARTMENT OF TRANSPORTATION
LOCAL MAINTENANCE & IMPROVEMENT GRANT (LMIG)
APPLICATION FOR FISCAL YEAR 2013

TYPE OR PRINT LEGIBLY. ALL SECTIONS MUST BE COMPLETED.

All Applications must be submitted by the Local Governing Official to the Georgia Department of Transportation, Office of Local Grants, 600 West Peachtree Street NW, Atlanta, Georgia 30308.

LOCAL GOVERNMENT INFORMATION

Date of Application: _____

Name of local government: _____
Address: _____
Contact Person and Title: _____
Contact Person's Phone Number: _____
Contact Person's Fax Number: _____
Contact Person's Email: _____

Is the Priority List attached? ☐Yes ☐No

LOCAL GOVERNMENT AFFIDAVIT AND CERTIFICATION

I, _____ (Name), the _____ (Title), on behalf of _____ (local government), who being duly sworn do swear that the information given herein is true to the best of his/her knowledge and belief. Local Government swears and certifies that it has read and understands the LMIG General Guidelines and Rules and that it has complied with and will comply with the same.

Local government further swears and certifies that it has read and understands the regulations for the Georgia Planning Act of 1989 (O.C.G.A. § 45-12-200, et seq.), Service Delivery Strategy Act (O.C.G.A. § 36-70-20, et seq.), and the Local Government Budgets and Audits Act (O.C.G.A. 36-81-1 et seq.) and will comply in full with said provisions. Local government further swears and certifies that the roads or sections of roads described and shown on the local government's Project List are dedicated public roads and are part of the Public Road System in said county/city. Local government further swears and certifies that it complied with federal and/or state environmental protection laws and at the completion of the project(s), it met the match requirements as stated in the Transportation Investment ACT (TIA).

Further, the local government shall be responsible for any claim, damage, loss or expense that is attributable to negligent acts, errors, or omissions related to the designs, drawings, specifications, work and other services furnished by or on behalf of the local government pursuant to this Application ("Loss"). To the extent provided by law, the local government further agrees to hold harmless and indemnify the DEPARTMENT and the State of Georgia from all suits or claims that may arise from said Loss.

GEORGIA DEPARTMENT OF TRANSPORTATION
LOCAL MAINTENANCE & IMPROVEMENT GRANT (LMIG)
APPLICATION FOR FISCAL YEAR 2013

LOCAL GOVERNMENT AFFIDAVIT AND CERTIFICATION

If the local government fails to comply with these General Guidelines and Rules, or fails to comply with its Application and Certification, or fails to cooperate with the auditor(s) or fails to maintain and retain sufficient records, the DEPARTMENT may, at its discretion, prohibit the local government from participating in the LMIG program in the future and may pursue any available legal remedy to obtain reimbursement of the LMIG funds. Furthermore, if in the estimation of the DEPARTMENT, a roadway or bridge shows evidence of failure(s) due to poor workmanship, the use of substandard materials, or the failure to follow the required design and construction guidelines as set forth herein, the Department may pursue any available legal remedy to obtain reimbursement of the allocated LMIG funds or prohibit local government from participating in the LMIG program until such time as corrections are made to address the deficiencies or reimbursement is made.

Local Government:

_____ (Signature)

_____ (Print)
Mayor / Commission Chairperson
_____ (Date)

SEAL:

_____
E-Verify Number

Sworn to and subscribed before me,

This _____ day of__ _____, 20___.
In the presence of:

NOTARY PUBLIC
_____
My Commission Expires:

FOR GDOT USE ONLY

The local government's Application is hereby granted and the amount allocated to the local government is _____. Such allocation must be spent on any or all of those projects listed in the Project List.

This _____ day of _____, 20___.

_____
Terry L Gable
Local Grants Administrator

Phil Mallon

Keith Golden, P.E., Commissioner

GEORGIA DEPARTMENT OF TRANSPORTATION

One Georgia Center, 600 West Peachtree Street, NW
Atlanta, Georgia 30308
Telephone: (404) 631-1000

RECEIVED
SEP 13 2012
PUBLIC WORKS

September 7, 2012

Mr. Herbert Frady, Chairman
Fayette County Board of Commissioners
140 Stonewall Avenue West
Fayetteville, GA 30214

RE: FY 2013 Local Maintenance & Improvement Grant (LMIG) Program

Dear Chairman Frady:

The Department is proud to announce the official rollout of the FY 2013 Local Maintenance and Improvement Grant (LMIG) program. We apologize for being late this year. We felt in order to best manage the funds, we would wait until after the TIA vote to know exactly how your LMIG funds would be impacted by the new match requirements. In cooperation with ACCG, GMA, and others, this year's program brings about new changes in how the Department will administer your Local Maintenance and Improvement Grant (LMIG) allocation. Changes to the program are described in detail in the attached LMIG Guidelines and Rules packet. Your formula amount for the 2013 LMIG Program is $549,106.95. Each local government will be required to match this formula amount in accordance with Code Section 48-8-244(d).

Administering the Program with less people, more efficiency and with new match requirements are all challenges that we have to tackle. These challenges necessitate a major change in the Program. Helping local governments help themselves is our goal and we believe that this new program will allow each local government greater flexibility and the ability to address some of their most needed projects quickly. Additional investment in our road network is much needed and we trust that each local government in this state greatly values having an adequately maintained transportation system. We also desire that each local government far surpass the local contribution requirements spelled out in the guidelines. There will be an informational webcast held on September 28, 2012 at 10:00 am regarding the new LMIG process. More information on the webcast will be available on the Department's website at www.dot.ga.gov/localgovernment//FundingPrograms/LMIG.

If you should have any questions regarding the LMIG Program please contact the Local Grants Office in Atlanta at (404) 347-0240.

Sincerely,

Keith Golden

Keith Golden, P.E
Commissioner

KG:TLG:gd
Attachment
cc: Hon. Darryl Jordan; Hon. John Yates; Hon. Matt Ramsey; Hon. Roberta Abdul-Salaam; Hon. Ronnie Chance; Hon. Valencia Seay; Hon. Virgil Fludd; Mr. Sam Wellborn; Mr. David Millen

LOCAL MAINTENANCE & IMPROVEMENT GRANT (LMIG) PROGRAM

GENERAL GUIDELINES AND RULES

1. Since the implementation of the LMIG program, local governments have had to complete all required design activities and right of way certifications for each project prior to a contract being authorized. This process, along with preparing the contracts, could be time consuming which delayed getting funding to local governments. In an effort to treat this more as a grant program, *the Department will send a check directly to the local government for their total LMIG allocation.*

2. For your FY 2013 LMIG grant, please complete the attached application and attach your 2013 project list containing only the road name, length, termini, type of work, and total project cost. This allows GDOT to make sure you plan to spend the LMIG funds only on "Public Roads" as required by Georgia Law. A time schedule must also be submitted with your project list detailing any preliminary engineering, right of way, utility and construction dates.

3. Submit your application and project list to the Local Grants Office in Atlanta immediately, but no later than January 1, 2013. Additional copies of the application, general guidelines and rules, and your formula allocation can be found on the Department's website at www.dot.ga.gov/localgovernment//FundingPrograms/LMIG.

4. The following activities/projects will be eligible for LMIG funds:

   - Preliminary engineering (including engineering work for R/W plans and Utility plans)
   - Construction supervision & inspection
   - Utility Adjustments or replacement
   - Patching, leveling and resurfacing a paved roadway
   - Grading, Drainage, Base and Paving existing or new roads
   - Replacing storm drain pipe or culverts
   - Intersection improvements
   - Turn lanes
   - Bridge repair or replacement
   - Sidewalk adjacent (within right of way) to a public roadway or street
   - Roadway Signs, striping, guardrail installation
   - Signal installation or improvement
   - Aggregate Surface Course for dirt road maintenance

5. The following activities/projects will not be eligible for LMIG funds:

   - Right of Way acquisition
   - Street Lighting
   - Beautification & Streetscapes
   - Walking trails and tracks
   - Landscaping
   - Administrative Services

****Georgia Code does not allow state motor fuel tax dollars to be used for the acquisition of right of way on a county or city road system. However, locally purchased R/W will be eligible to go toward the 10% or 30% match.*

6. The LMIG budget for FY 2013 is based on collection of motor fuel taxes from FY 2012. For FY 2013, the LMIG budget is $110 million which was approximately 11% of the total motor fuel tax collected in FY 2012.

7. The amount of your allocation is based on the total centerline road miles for your local road system and the total population of your county or city as compared with the total statewide centerline road miles and total statewide population. To ensure the Department uses current mileage numbers for your county or city it is critical that you keep our Office of Data Transportation updated on any revisions or changes to your local road system. We have sent several letters to local governments over the last few years concerning mileage information. Please contact our Office of Transportation Data at 770-986-1431 if you have any questions.

8. If a local government does not submit a project list, they will not receive local assistance for that program year. The LMIG funds will be used for emergencies, economic development or school access projects elsewhere in the state, on an as needed basis, as determined by the Commissioner.

9. Starting this fiscal year, you will be responsible for a 10% or 30% match to obtain your LMIG funds as stated in the Transportation Investment Act (TIA). The counties and cities in the River Valley Region, Central Savannah River Area, and the Heart of Georgia Region will be at the 10% match. All other remaining counties and cities will be at the 30% match. *For example, if your formula allocation is $100,000 and your county's match requirement is 30%, then your project list must have a total in value dollar amount over $130,000.* If the project list you submit does not equal or exceed your Formula Amount plus your required match, you will be asked to resubmit your application. At the end of the year, the Department will ask for certification that you have met the requirements of the match.

NOTE: 30% of match, not project total

10. The LMIG funds can be escrowed by the local government for a maximum of three (3) fiscal years for the construction of larger projects. We expect the vast majority of the projects to be completed within the fiscal year of the grant. Escrowed funds cannot be used on any preliminary engineering cost or utility improvement cost.

11. All LMIG projects shall be completed *as soon as possible* but substantially complete within three (3) years from the date of the application. On escrowed funds, the completion date will be (3) years from the date of the last application.

12. If needed a local government can make a request to the Department for a time extension on the project completion date and/or a time extension on the escrowed funds. The county or city will need to write the Department a letter describing the project and giving justification for the request. The Department will review the request and approve or reject it based on the justification and history of previous requests.

13. All preconstruction activities, advertisements, lettings, and quality control of work and materials will be the responsibility of the local government. *It's important to remember that all of these expenses are eligible for LMIG funds and the match requirements.*

14. Wherever practical and feasible, GDOT encourages the use of locally owned, disadvantaged business enterprises, and veteran owned businesses in any project that is funded in whole or in part with LMIG funds. GDOT ask each Local Government to report, at the end of the year, any DBE usage on LMIG contracts to your local District State Aid Coordinator. This measure will be used to assist GDOT in meeting the 2012-2015 Race Neutral DBE Goals. If you have any questions concerning firms that are DBE Certified, please visit our web page at www.dot.ga.gov.

15. The local government shall accomplish all of the design activities in connection with the projects identified on the project list. Design activities must be accomplished in accordance with the applicable guidelines of the American Association of State Highway and Transportation Officials ("AASHTO") and the Manual on Uniform Traffic Control Devices (MUTCD).

16. In addition, all projects on the state route system shall be done in accordance with DEPARTMENT design policies & guidelines where applicable. The local government shall also be responsible for submitting permit applications to the District Traffic Operations Office or the District Utilities Office if the project is on a state route.

17. All projects identified on the project list should be constructed in accordance with the DEPARTMENT's Standard Specifications Construction of Transportation Systems (current edition) and Supplemental Specifications (current edition).

18. Authorized representatives of the DEPARTMENT may at all reasonable times review and inspect the work, activities and data collected in connection with the projects identified on the project list, including but not limited to, all reports, drawings, studies, specifications, estimates, maps and computations prepared by or for the local government.

19. All projects on the project list shall be subject to audit at any time. The audit may be performed by employees of the DEPARTMENT or by an independent auditor on behalf of the DEPARTMENT. Local governments shall make a good faith effort to cooperate with the auditor(s).

20. GDOT encourages all local governments to partner with other local jurisdictions or your Georgia Regional Commission to bid out their resurfacing projects in a single contract if possible.

21. For any questions about the LMIG process, please contact the Local Grants Office in Atlanta at 404-347-0240 or call your local District State Aid Coordinator at the following locations:

District Office	State Aid Coordinator	Contact Number
District One – Gainesville	Robby Oliver	[redacted]
District Two – Tennille	Barry Wood	[redacted]
District Three – Thomaston	Dane Bishop	[redacted]
District Four – Tifton	Jeff Bridges	[redacted]
District five – Jesup	Hayden Rozier	[redacted]
District Six – Cartersville	Steve Sanders	[redacted]
District Seven – Chamblee	Katie Mullins	[redacted]