

February 23, 2015

Puget Sound Clean Air Agency
1904 3rd Ave, Suite 105
Seattle, WA 98101

F.A. No. ****_****(***)

Letter of Understanding for Project Administration

Attn.: Craig Kenworthy
Executive Director

Dear Sir:

Washington State Department of Transportation Local Programs (Local Programs) is to define, for projects utilizing Federal funding, the responsibilities for grant administration, consultant selection, consultant agreements, development of plans, specifications, and estimate, environmental documents, acquisition of right of way, advertisement, award and execution of contract, and construction administration including but not limited to inspection, change orders and final project documentation.

The Puget Sound Clean Air Agency (AGENCY), operating under an extension of Local Programs Certification Acceptance (CA), shall administer all associated projects entirely in accordance with the Local Agency Guidelines (LAG), this Letter of Understanding (LOU) and direction as provided by the Local Programs Engineer (LPE). Failure to comply with the LAG, this LOU or the direction of the LPE may result in loss of Federal funds.

- 1) The STATE and the AGENCY have designated CA managers as shown below:

STATE
WA State Department of Transportation
Ed Conyers, Local Programs Engineer
PO Box 330310
15700 Dayton Avenue North, NB82-121
Seattle, WA, WA 98133-9710
(206) 440-4734
FAX (206) 440-4806

AGENCY
Puget Sound Clean Air Agency
Amy Fowler, Clean Air Initiatives Manager
1904 3rd Ave, Suite 105
Seattle, WA 98101

(206) 689-4017
FAX (206) 343-7522

The AGENCY CA Manager designated above, or her designee, shall be the Responsible Charge who manages the project as a full-time employee of the AGENCY. All formal submittals outlined herein, either from the STATE or the AGENCY, will be sent through the designated CA Manager.

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- 2) The AGENCY shall obtain concurrence from the Local Programs Engineer (LPE) for any Grant application that requires CA status and administered under this document prior to submittal to the appropriate Grant Program administrator.
- 3) The AGENCY shall submit monthly progress billings to the LPE for federal funding reimbursement. The AGENCY shall include copies of contract progress estimates and/or consultant billings to verify the amount of reimbursement requested in the progress bill.
- 4) The AGENCY shall obtain approval from the LPE in the solicitation and selection of a Consulting Engineering firm for Preliminary Engineering, Right of Way and Construction Engineering services. The AGENCY shall utilize qualified consultants, approved by the LPE, for contract administration, inspection, and materials testing. In addition, the AGENCY shall obtain the approval from the LPE of the Consulting Engineering Agreement prior to execution. (See LAG chapter 31).
- 5) Contract plans, specifications and cost estimates (PS&E) shall be prepared in accordance with the current State of Washington Standard Specifications for Road, Bridge and Municipal Construction, and amendments thereto, and adopted design standards (see LAG chapter 44). The LPE will review the PS&E to ensure compliance with the LAG.
- 6) Any deviations to design standards must be approved and stamped by a Professional Engineer licensed in the State of Washington. The AGENCY shall submit the design deviation to the LPE for further processing and approval.
- 7) The AGENCY shall be responsible for all required environmental documentation (SEPA and NEPA) and shall submit all required NEPA documentation to the LPE for further processing and approval. (See LAG chapter 24). The AGENCY shall be responsible for obtaining all required permits and approvals.
- 8) No R/W action shall proceed until the AGENCY contacts the Local Agency Right of Way Coordinator. The AGENCY shall follow current Right of Way (R/W) Procedures as described in the LAG (see LAG chapter 25). The LPE shall be advised of all meetings preliminary to R/W acquisition. All acquisitions of R/W such as construction easements, donations, permits, etc. shall be certified by the AGENCY and the STATE.
- 9) The AGENCY shall forward the proposed advertisement for bids to the LPE for approval. Upon approval, the AGENCY may begin advertisement for bids (see LAG chapter 46). The AGENCY shall keep the LPE advised on any pre-award issues affecting the quality and timing of the contract. Any required addenda to the contract documents shall be approved by the LPE prior to issuance.

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- 10) The AGENCY shall notify the LPE of the Bid Opening date and time. The AGENCY shall transmit to the LPE, the Engineer's Estimate and Bid Tabulations along with the complete Bid Packages of the apparent three (3) lowest bidders. Upon approval by the LPE, the AGENCY may Award the Contract to the lowest responsive bidder (see LAG chapter 46).
- 11) Upon the AGENCY's execution of the contract for construction, the AGENCY shall administer and inspect the Project in accordance with the contract documents, WSDOT Standard Specifications for Road Bridge and Municipal Construction, the WSDOT Construction Manual, and all applicable State and Federal laws (see LAG chapter 52). Per Item 4 in this LOU, the AGENCY shall utilize consultants, approved by the LPE, for this work. The AGENCY shall notify the LPE of the date, time, and location of the pre-construction meeting with the contractor. The LPE will conduct periodic construction documentation reviews which are typically performed at 25%, 75%, and 100% of contract completion, or as warranted.
- 12) Changes to the contract will be documented by change order as defined in the current edition of the WSDOT Standard Specifications for Road, Bridge and Municipal Construction Section 1-04.4. The AGENCY Project Manager shall initiate, negotiate, and document all change orders. Prior to obtaining the contractor signature the AGENCY Project Manager shall provide a copy of all change orders to the LPE for review. All signed Change Orders shall be sent to the LPE or the LPE's representative for final approval.
- 13) The AGENCY shall request the LPE to inspect the project prior to providing the final "punch list" to the Contractor (see LAG chapter 53).

Signature below constitutes concurrence with this Letter of Understanding.

PUGET SOUND CLEAN AIR AGENCY

STATE OF WASHINGTON
DEPARTMENT OF TRANSPORTATION

By: 

Craig Kenworthy
Executive Director

By: 

Ed Conyers, P.E.
Local Programs Engineer

Date: 2/24/2015

Date: 3/2/15