



Local Capital Project Delivery (LCPD) Program

Guiding Local Projects Through the
Federal Process



NJTPA

NORTH JERSEY
TRANSPORTATION
PLANNING AUTHORITY

April 2011

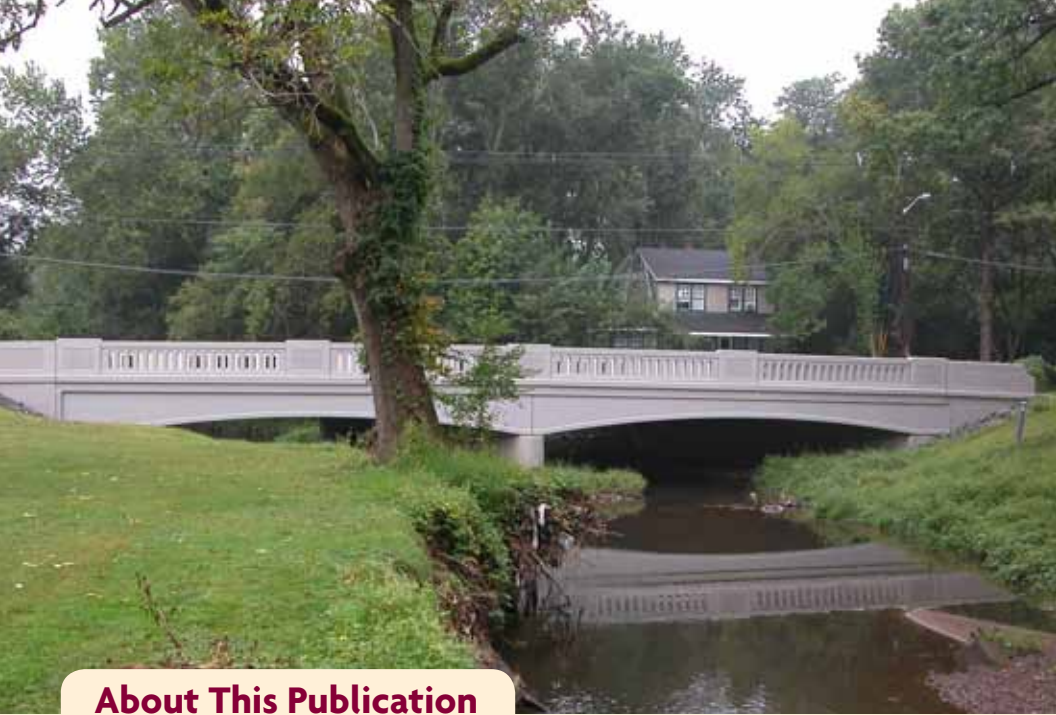
About the NJTPA

The North Jersey Transportation Planning Authority (NJTPA) is the federally authorized Metropolitan Planning Organization for 6.6 million people in the 13-county northern New Jersey region. Each year, the NJTPA oversees the investment of more than \$1 billion in federal funding for transportation projects and provides a forum for interagency cooperation and public input into funding decisions. It also sponsors and conducts studies, assists county planning agencies and monitors compliance with national air quality goals.

The NJTPA Board of Trustees includes 15 local elected officials, including one representative from each of the 13 northern New Jersey counties—Bergen, Essex, Hudson, Hunterdon, Middlesex, Monmouth, Morris, Ocean, Passaic, Somerset, Sussex, Union and Warren—as well as from the cities of Newark and Jersey City. The Board also includes a Governor’s Representative, the Commissioner of the New Jersey Department of Transportation (NJDOT), the Executive Directors of NJ Transit and the Port Authority of New York & New Jersey and a Citizens’ Representative appointed by the Governor.

This document was prepared by the North Jersey Transportation Planning Authority, Inc. with funding from the Federal Transit Administration and the Federal Highway Administration. The NJTPA is solely responsible for its contents.





About This Publication

This publication presents information to help municipalities and counties meet the often complex requirements involved in advancing local transportation projects that have been approved for federal funding towards construction. The requirements include the need to investigate alternatives to a proposed project concept, document and address environmental impacts, conduct community outreach, meet federally approved design standards and many others.

A step-by-step “Capital Project Delivery Process” has been put in place by the New Jersey Department of Transportation, in cooperation with federal agencies, to guide project sponsors in meeting all the requirements as projects advance towards funding and construction. The following pages provide an overview of the process, with greater detail available at www.njtpa.org.

This publication was developed primarily for project sponsors participating in the NJTPA’s Local Capital Project Delivery Program, which provides federal funding to member agencies for priority local projects. However, the procedures discussed also apply to local projects drawing on other sources of federal funding, including earmarks provided by Congress.

The Local Capital Project Delivery Program

The Local Capital Project Delivery (LCPD) Program is a competitive program which provides funding to NJTPA subregions—the 13 counties and two cities represented on the NJTPA Board—to prepare proposed transportation projects for eventual construction with federal funding. As described below, this preparation, during which subregions serve as project sponsors, involves completing the multi-step Capital Project Delivery process. This new process is designed to streamline project development and provide a common and consistent framework for federally funded projects at the local, regional and state level. It applies to all federally funded projects, including those supported with congressional earmarks.

Local Project Delivery Process

| PHASES | Local Concept Development | Local Preliminary Engineering | Final Design / Right of Way Acquisition | Construction |
|-------------|--|---|--|--|
| MAJOR TASKS | Purpose and Need Statement | Approved Design Exception Report | Construction Contract Documents and PS&E package | Completed Construction As-Builts |
| | Data Collection and Environmental Screening Report | Cost Estimates (Final Design, ROW and Construction) | Environmental Reevaluations | Update and Finalize Design Communications Report |
| | Selection of Preliminary Preferred Alternative | Approved Environmental Document | Environmental Permits Acquisition of ROW | Close-Out Documentation |
| | NEPA Classification | Approved Project Plan | Update Design Communications Report | |
| | Concept Development Report | Preliminary Engineering Report | | |
| | Create Design Communications Report | Update Design Communications Report | | |

Under the LCPD (which has replaced the NJTPA's previous Local Scoping and Local Lead programs), sponsors will identify problems and needs within their respective subregions, and develop projects through the Local Concept Development (LCD) and Local Preliminary Engineering (LPE) phases of this program. This work enables a project, upon successful completion of LCD and a decision to advance the full project, to be considered for inclusion in the NJTPA's annual Transportation Improvement Program (TIP). Projects must be included in the TIP to receive federal funding for final design, right of way acquisition and construction. Once federal funding through the TIP is obtained, subregions oversee these final phases of work to implement the project.

NEPA

If a project uses any federal funds—even \$1—it must go through the federal process.



The National Environmental Policy Act (NEPA) process, as described in Title 23 of the Code of Federal Regulations (CFR), Part 771, normally must be complied with to gain a Record of Decision, Finding of No Significant Impact (FONSI) or Categorical Exclusion before federal funds can be placed under agreement. All projects utilizing federal funds must follow the steps outlined in 23 CFR part 710, subpart C.

Enacted in 1970, NEPA established a national environmental policy focused on federal activities and the desire for a sustainable environment balanced with other essential needs of present and future generations. NEPA requires the examination and avoidance of potential impacts to the social and natural environment when considering approval of proposed transportation projects.

For more on NEPA and the FHWA, visit www.environment.fhwa.dot.gov/projdev/index.asp.



Project Intake Process

The program begins with a project intake process during which the NJTPA screens problem statements submitted by potential project sponsors. These problem statements describe transportation issues and deficiencies that may warrant further investigation through the Local Capital Project Delivery Program. After a proposal is accepted for inclusion in the Local Capital Project Delivery Program, the project must undergo the following four phases of work: Local Concept Development, Local Preliminary Engineering, Final Design/Right of Way, and Construction. Funding for LCD and LPE will be provided through the LCPD Program and the remaining phases will be funded in the TIP. The proposal must address how it would meet the goals of the NJTPA and its long-range regional transportation plan.

Who Can Apply?

The LCPD Program is open to the 13 counties and two cities represented by the NJTPA: the counties of Bergen, Essex, Hudson, Hunterdon, Middlesex, Monmouth, Morris, Ocean, Passaic, Somerset, Sussex, Union, Warren; and the cities of Newark and Jersey City.

Local Concept Development (LCD) Phase

Purpose

Once the problem statement has been accepted, the project will enter the LCD phase. This phase involves drafting a well-defined and well-justified Purpose and Need Statement focusing on the primary transportation need to be addressed. The LCD phase elements include, but are not limited to data collection, coordination and the development of a reasonable number of prudent and feasible conceptual alternatives. The LCD phase also includes the investigation of all aspects of a project: environmental, right of way acquisition, access, utilities, design, community involvement, constructability, etc., and addressing requirements of the NJTPA Congestion Management Process (CMP).

During the LCD phase, the project team (which includes the subregion, NJTPA and the consultant) initiates coordination with both internal and external stakeholders with technical expertise or local knowledge of the project area/problem statement. This collaboration enables further analysis and interpretation of the data that can either support the project or lead to its termination.



A primary task of the project team is to develop “conceptual alternatives,” identify possible fatal flaws and select the Preliminary Preferred Alternative (PPA) based on the Purpose and Need Statement. These alternatives and the PPA are analyzed in “planning level detail” based on the impacts to rights of way, the environment, utilities, etc. As part of addressing the CMP, alternatives to highway capacity expansion must be considered first, and complementary travel demand and operational management strategies must be packaged with any final project that includes capacity expansion.

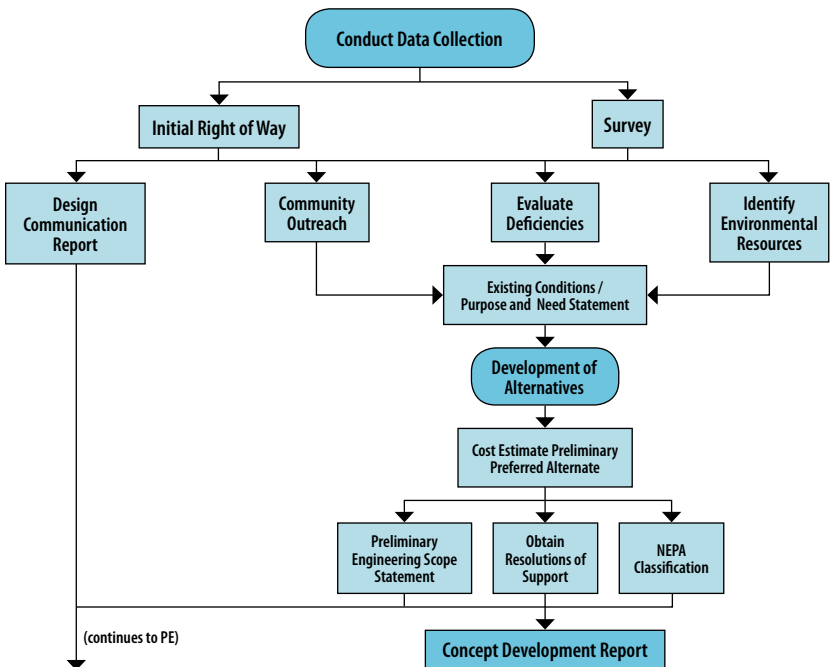
There are three classes of action which determine the level of documentation necessary in the NEPA process: Categorical Exclusion (CE), Environmental Assessment (EA) and Environmental

Impact Statement (EIS). A CE may exempt an agency from the remaining steps in the NEPA process, while the finding of an EA may determine whether an EIS is necessary. A project has completed the LCD phase once the Concept Development Report has been completed and the NEPA classification has been established.

LCD Phase Deliverables

- Data collection
- Development of alternatives
- Community outreach (public outreach plan)
- Selection of the PPA
- NEPA classification
- Concept Development Report

For more: http://www.njtpa.org/Project/Devel/local_capital_program/local_concept/default.aspx



Local Preliminary Engineering (LPE) Phase

Purpose

The Local Preliminary Engineering (LPE) phase formally begins when the Interagency Review Committee (comprised of staff from the NJTPA, NJDOT, Local Aid and Bureau of Environmental Program Resources, and subject matter experts) approves and advances the Local Concept Development (LCD) project to the LPE phase. A consultant will be selected to either conduct the Preliminary Engineering phase alone or together with all remaining phases of work.

The LPE phase involves performing engineering tasks and technical environmental studies in order to: obtain an approved environmental document (i.e. NEPA document) from the FHWA; design-level mapping; and obtain community consensus (through a public information center). A number of activities are simultaneously set in motion based on the Preliminary Preferred Alternative, such as community involvement (meetings with affected property or business owners), agency consultation, environmental documentation, design level mapping and design services. To obtain the formal community consensus, a public information session will be conducted, which may lead to some minor adjustments to the PPA. Ultimately, the local elected representatives will be asked to provide a resolution of support endorsing the project.

At this time the project's baseline budget and schedule, covering the Final Design, Right of Way Acquisition and Construction phases, can be prepared and the funding needed to initiate these phases secured in the TIP. The Final Design and Right of Way Acquisition authorizations also take place in this LPE phase.

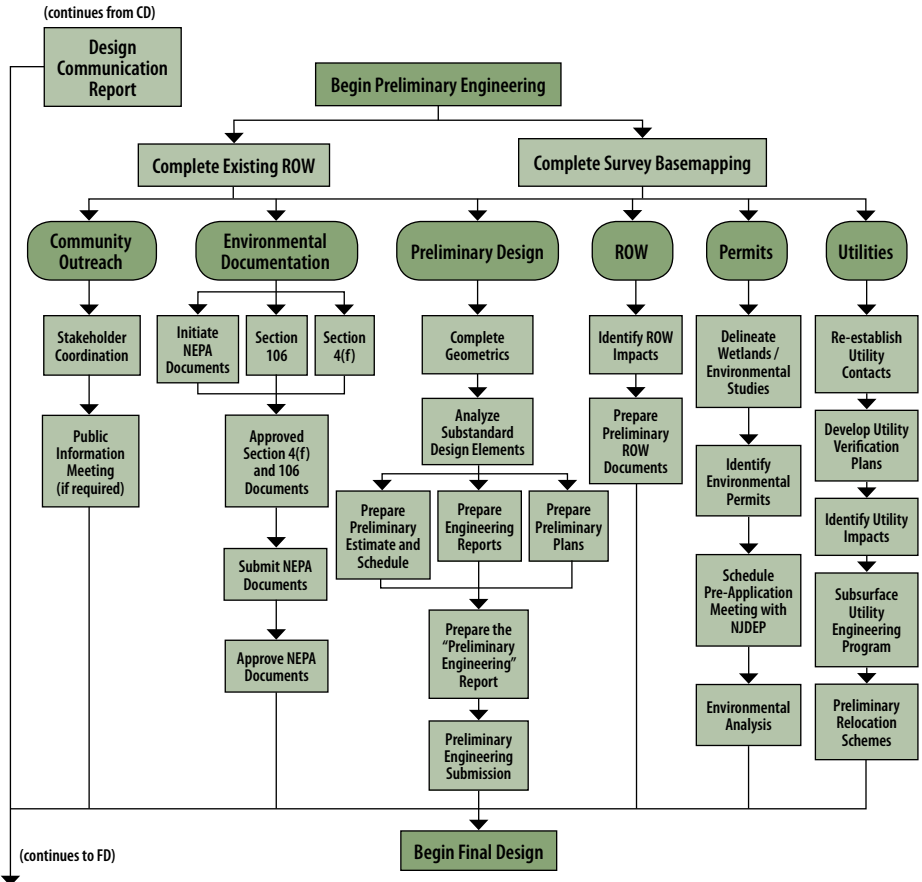
LPE Deliverables

- Approved environmental document
- Development of design level base plans
- Development of geometric design (horizontal, vertical alignment, type, size, location, etc.) sufficient to clarify environmental impacts

and right of way impacts; utility discovery and verification;
 geotechnical studies (soil borings and analysis) for foundation and
 pavement design

- Preliminary drainage work
- Access impact evaluation
- Development of property acquisition cost estimates and project cost estimates

For more: http://www.njtpa.org/Project/Devel/local_capital_program/Local_Preliminary/default.aspx



Final Design / Right Of Way Phase

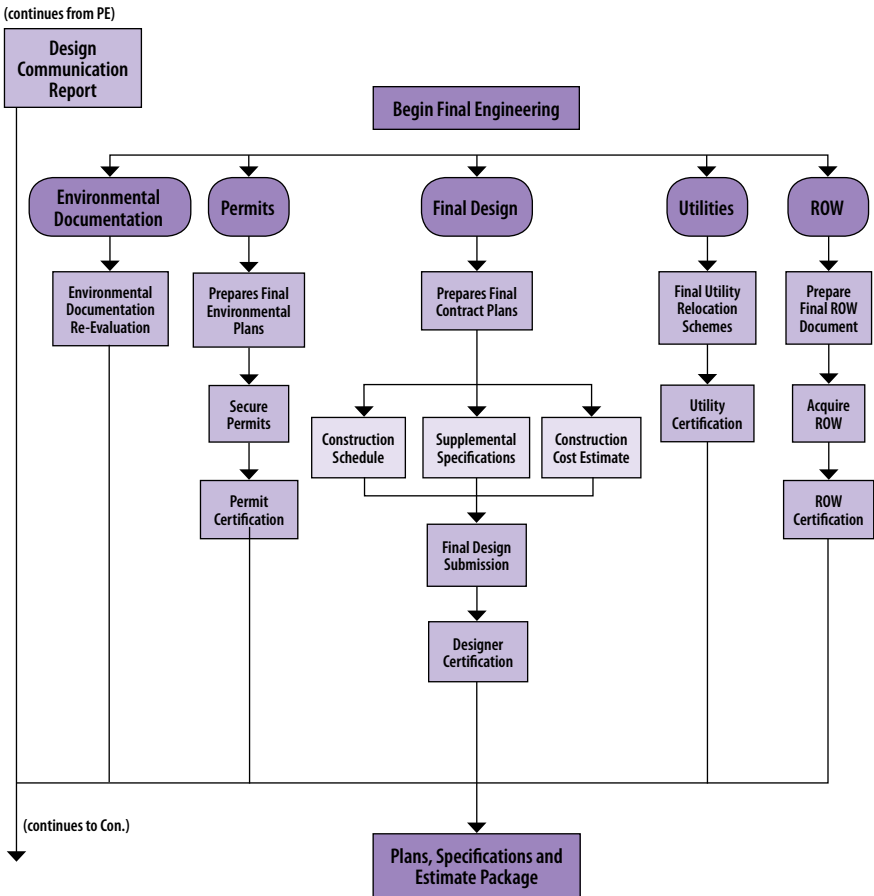
Purpose

Final Design (FD) and Right of Way Acquisition (ROW) is the third phase of the Local Capital Project Delivery Program. The FD/ROW phase of project development formally begins once the FHWA approves the NEPA document and authorizes funds for Final Design. Subject to the project sponsor's discretion (which may include the performance of the consultant), the design consultant selected during the PE phase may be retained to provide the FD phase services. If the consultant is not retained, the subregion must follow the procedure for procurement of professional services before initiating this phase. This phase of project development culminates in the completion of construction contract documents (i.e., project plans, specifications, construction schedule and construction cost estimate).

The FD phase includes the continued advancement and completion of those project development tasks initiated during the PE phase, such as roadway design, bridge design, right of way and access engineering, utility engineering, environmental permits and clearances and community outreach. The completion of those tasks will involve various internal and external project stakeholders such as municipalities, local historic groups or others interested in the project. Stakeholders participate in project review meetings with project sponsors, the NJTPA and NJDOT. Consultations with local officials, the general public and other state and federal agencies are also required. Coordination with the public and local officials is guided by a project-specific public outreach plan (developed in LCD phase).



The FD phase is completed when the project is authorized for construction. At this time, activities are undertaken to close out the FD phase and transition to the Construction phase. Activities include: closing the project's design job number and issuing an addendum to the design consultant's contract covering any needed construction engineering services.



FD / ROW Deliverables

- Design communications report
- Environmental reevaluations
- Environmental permits
- Access permits
- Acquisition of ROW
- Construction contract documents
- Supporting agreements

For more: http://www.njtpa.org/Project/Devel/local_capital_program/Final_Design/default.aspx



Construction Phase

Purpose

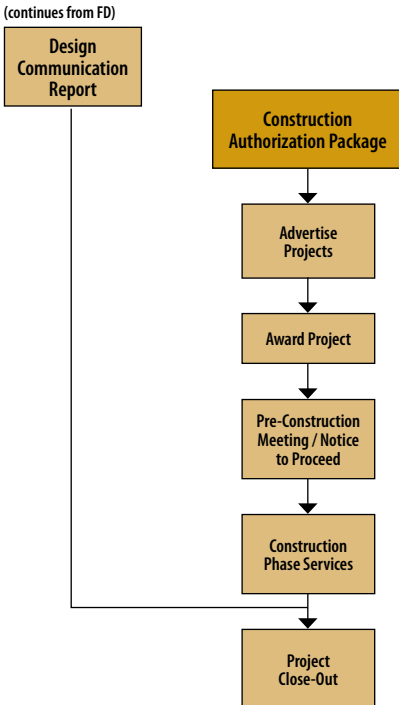
The Construction phase of the project formally begins after construction plans, specifications, and estimates (PS&E) are submitted to the NJDOT and authorization is granted by the FHWA. This phase includes the work required to advertise and award the contract, set up construction management systems and processes, mobilize for construction, execute and control the actual construction, complete contract work, and close out the project. The phase is closed when all construction work and as-builts (drawings of the project and its area) are completed, the project is accepted by the FHWA, the final change order is processed, final

payment is made, and the records are stored (closed out). At that time all project related tasks must be complete. There is to be no further close-out work done beyond the Construction phase.

Deliverables

- Design communications report
- As-builts
- Close-out documentation

For more: http://www.njtpa.org/Project/Devel/local_capital_program/Construction/default.aspx



Website and Contact Information

In an effort to assist the subregions, project managers and consultants with the new project delivery process summarized in this booklet, the NJTPA has created a Local Project Delivery Guide (LPDG), flowchart and webpage specifically for this program.

The flowchart details the tasks required to complete each phase. This interactive educational tool allows the user to become familiar with each phase and its related tasks. By selecting one of the boxes on the LCPD Program's web page, the user will be redirected to a page which provides a phase-specific description, and a link to the interactive flowchart. The user can then click on a specific task and view details such as general description, work tasks, next steps, frequently asked questions (FAQ), definitions, resources and related links.

For more: http://www.njtpa.org/Project/Devel/local_capital_program/default.aspx

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