



LAP Community of Practice Quarterly Meeting Minutes

January 18, 2024

1:00 pm to 3:00 pm

In-person and Via Microsoft TEAMS

Welcome & Introductions – Samantha Samford

FHWA Update – Nahir DeTizio

FHWA Update:

[Project Readiness Checklist for DOT Discretionary Grant Applicants | US Department of Transportation](#)

Focus Reviews

- Liquidated Damages Review (Preliminary results)
 - Sample – 17 projects
 - Projects completed in the last 5 years
 - Follow up needed in four projects.
- Time Extensions Review
 - Ongoing

Discretionary Grants in Florida

<https://www.fhwa.dot.gov/bipartisan-infrastructure-law/>

Safe Streets and Roads for All (SS4A) community of practice (CoP)

<https://www.transportation.gov/grants/ss4a/ss4a-community-practice>

DOT Navigator | US Department of Transportation

<https://www.transportation.gov/dot-navigator>

LTAP Update

The Florida LTAP Center

The Florida LTAP Center has been at the Center for Urban Transportation Research at the University of South Florida since 2018.

How we Can Help

- Training and Workshops
- Technical Assistance
- Technology Transfer

- Workforce Development
- Information Services
- Assisting with Other Transportation Needs

www.FloridaLTAP.org

Training Calendar

[Training Calendar - Florida LTAP Center](#)

Recorded LTAP Webinars

[LTAP Recorded Webinars - Florida LTAP Center](#)

Certificate Request

[Certificate Lookup - Florida LTAP Center](#)

Local Programs Page

[Local Programs - Florida LTAP Center](#)

Technical Assistance

[Technical Assistance - Florida LTAP Center](#)

Funding News

[Funding News - Florida LTAP Center](#)

Upcoming Trainings

- In-Person Trainings in FDOT Districts 4 & 6
 - West Palm Beach (February 15th)
 - Miami (February 16th)

Upcoming LTAP Trainings

- We will be offering the Road Safety Champion Program again starting in July.
- We'll also be offering our "Signing, Pavement Markings, and the MUTCD"
- If you have a training need, please contact us and let us know!

Question on ROW requirements from D2

- D2 is requiring a separate certification above and beyond Form 575-095-05 as referenced in LAP Manual 19.4.

Question on ROW acquisition requirements for LAP, example from D2 project given.

To summarize, the example showed that D2 ROW requires an additional statement sent via email from the LA in addition to the ROW form they must fill out for LAP. Do all district ROW offices require something in addition to the form? Why can't this requirement be added to the form so that it is a single task.

Resolution: We have polled the districts to see what if any additional ROW requirements they may have, we will consolidate the responses and see if we are able to add this to the form or update submission procedures, to eliminate the additional step. Updates will be provided.

Break

Liquidated Damages

- Question on Liquidated Damages assessed when a project has a mix of federal and local funding, specific to a time extension granted to the contractor by the LA that was not approved by FDOT so the LD's become the responsibility of the LAs to cover usually by federal funding being reduced. I have asked D2 to look into the project specific information provided by Ramon so that we can get a full picture of what occurred. Updates will be provided.
 - As this was a delegated project during the construction phase, FHWA had no involvement in the determination. However, please reach out to Samantha Samford or Greg Hall if we can provide any assistance.
 - D2 researched this, and it appears that the assessed LD's were deemed to be the result of preventable delays, and as referenced in many places, preventable delays are not considered eligible for reimbursement. FDOT/FHWA do review participation and extensions on delays that out of the control of the contractor such as, weather delays, declarations of emergency, special events, etc. From what the district was able to go back and review the LD's were assessed accordingly, but it appears the city did not withhold the payment to the contractor for these assessed LD's and when the final invoice was issued it reflected the department had over paid/over reimbursed the City and a repayment of those funds were required.

Build America Buy America (BABA) Requirements

Received certification from locals at end of project. Putting things into MAC. Implementation with items on project, to make certain they did comply with BABA. Thought the BABA certification wasn't going to be used anymore. So, how do you verify that BABA requirements were met without the certification.

Construction Administration Checklist.

BABA requirements and required use of items on the APL. Emphasized that the funding source is what drives this requirement, so any project that will use any amount of federal funding must ensure all requirements are met for the whole project, not just the federally funded items/phases. There was a good discussion on how we can get this information out to everyone to help ensure all requirements are being met to prevent any loss of federal funds. For LAP specifically the Division 1 Specs for Class A, B, C already fully cover this, and we are in the process of getting the exact language updated in the Class D Specs as well. To help with getting this information out at the very beginning of projects moving forward I will present the following to leadership for signoff on updating our procedures. This will include have a LAP specific BABA presentation created (spoke with Karen Byrom in CO, she is happy to create) then

work with LTAP to get the course added to their site so it can be accessed at any time and a certificate provided upon completion, then finally updating the LAP Certification requirements to add completion of this training. In the meantime, it was mentioned that pre-con meetings would a good time to discuss to help ensure understanding of requirements and compliance. Also, being sure that the correct APL is being used, locals cannot use their own. Updates will be provided.

Outstanding issues/questions

Mya (D4) asked if there were any federal guidelines or documents on the useful life of a project/improvements so that if an upcoming project would remove or destroy recent work done on another project in an area how/if that could be addressed. Due to the complexity of these situations, it would be recommended to reach out to your FHWA representative or CO LP and their FHWA point of contact.

Agenda topics for upcoming meetings.

None were given.

General Discussion

Discussed takeaways and action items from this meeting.

Next Meeting Dates

Discussed that moving forward if in person meetings did not have a full agenda, meaning on that would use up the entire allotted time or low attendance anticipated from the first call for items sent out in advance of the meeting, that we will revert those online as needed. The costs cannot be justified on our end without these things.

Sent out polls for picking next meeting dates 2/8/2024.

- March/April 2024- virtual
- June/July 2024- In person; preferred location? June 26, 2024 Facers meeting
- September/October 2024- virtual

*****Question on meeting date, the spring and fall dates listed above fall very close to the FACERS meetings. Any thoughts on how this could be consolidated so that requirements are still being met but use of everyone's time maximized?**

Would it be possible to set up an hour during one of days of the FACERS meeting since there will be quite of few members already there? Please let me know if you have any suggestions, if not we can just leave them as is and cancel if needed.***