

NCDOT Division of Aviation "Next Steps" for Property Acquisition or Easement Activities Award or LOI

February 23, 2016

Note: DoA is presently investigating alternative methods to responsibly improve speed of the acquisition process, as well as the associated cash-flow issues of property and easement acquisition. We realize the process can be lengthy, and that Airports desire to minimize the local "bridge-loan duration" from purchase to reimbursement. As such, we openly acknowledge that this section of Next Steps deserves attention by all stakeholders. DoA is open to constructive suggestions.

Under the Airport Improvement Program (AIP), NCDOT Division of Aviation can reimburse for eligible property acquisition costs after the sponsor provides documentation that proves ownership to good title or easement, and furthermore demonstrates that acquisition costs and methods are acceptable. During this process the local government provides advanced funding and assumes significant risk; therefore strict attention to appropriate protocols is warranted. The Division of Aviation advocates an appropriate level of coordination prior to property acquisition by local government.

Next Steps If you received an **Award or Letter of Intent (LOI) for Property Acquisition or Easement**

1. Most likely, the Division of Aviation has issued an Award Letter or Letter of Intent that identifies a maximum monetary commitment and fiscal year timeframe for property-associated reimbursements. If your award is phased (Example: Property acquisition first, construction later); the Division of Aviation will modify and/or create a new Project Request(s) in the Partner Connect system— Grant Request (PC-GMS) , on the sponsor's behalf. The request will identify the separately-awarded/funded phases.
2. Sponsor begins work immediately with local government to obtain a *Certification of Local Funds and Accounting Information* (Form AV-500 on PC). Note: this task can take numerous weeks, so please plan accordingly.
 - a. Given the comparative low risk/cost of appraisal scope and eligibility acceptance by DoA, Sponsors are advised to consider starting the appraisal process at this time (prior to grant).
3. Division of Aviation will either send an electronic Request for Aid template to the Sponsor, OR will modify an existing grant (pending funding). This action will occur within several weeks of the Award Letter. The Sponsor will receive notification. (Do not wait on receipt of this document to begin preparatory work.)
4. Within 75 calendar days from the date of the award letter, Sponsor should submit the following information package to the regional Airport Project Manager (APM); these items are submitted – and the review occurs - via email:
 - a. Work Authorization (W/A) – if applicable. Includes scope and estimated fees for consultants, sub-consultants, appraisers, surveyors, etc. - that are appropriate to the approved work.
 - 1) See *Summary of Procurement Requirements for Professional Services for Airport Grant Projects*

- 2) Note that for professional services contracts that exceed \$100,000, sponsor shall submit documentation of independent fee analysis (including independent fee estimate) that was used as a basis for fee negotiation;
 - b. Program/Project Budget for entire project, including
 - 1) Updated cost numbers for every budget line item (See Sample Program Budget); the total of these numbers – along with the sponsor’s contribution - will support the final grant amount;
 - 2) Updated cost estimate summary that includes a price estimate for all property and easement acquisition. Include appropriate attorney fees, stamps and recording fees, etc.
 - c. Using Exhibit A and/or other figures, identify the proposed improvement and an associated delineation of required property acquisition and/or easement. Exhibit should clearly identify parcels owned by the airport, other parcel ownership, and all parcels identified for acquisition or easement. Parcel remnants outside the delineated area should be clearly indicated.
 - d. Detailed project schedule from date of Award Letter through construction to end of Project Warranty period, using MS Project scheduling software (See Project Schedule Requirements)
 - e. Other grant supporting documentation (as deemed applicable)
 - 1) Consult AV-100 (Program Development Checklist) for other considerations
 - 2) FAA AC 150/5100-17 Land Project Checklist, with appropriate annotations
5. APM reviews and concurs with the information package, requesting additional information and/or modifications from the Sponsor as needed (Duration: 2-3 weeks);
 6. Sponsor is approved to proceed with property appraisal activities.
 7. Once appraisals are completed, Sponsor coordinates with regional APM to obtain review by NCDOT Right of Way.
 8. NCDOT Right of Way reviews proposed costs, and determines concurrence with Fair Market Value and whether the local government has followed appropriate laws and protocols (4 weeks).
 9. APM notifies Sponsor that proposed Fair Market Value costs are acceptable and eligible for reimbursement.
 - a. Sponsor continues to follow Uniform Act and appropriate FAA A/C's for property acquisition.
 - b. *Note: If the anticipated expenditures exceed the amount stated in the Award Letter or Letter of Intent, and the sponsor is requesting additional grant funds to make up the difference, then project funding is at risk until DoA can determine whether additional funding will be allocated and additional funds are approved by the Board of Transportation. This will add between 2 to 3 additional months to the process to obtain a Grant Agreement. Contact your APM immediately if this is the case.*
 10. Sponsor acquires property and/or easements. ,
 - 1) Consult AV-100 (Program Development Checklist) for approval parameters
 - 2) Use FAA AC 150/5100-17 Land Project Checklist
 11. Sponsor submits an updated *Request for Aid* via Partner Connect, that includes the following uploaded attachments, via Partner Connect - Grant Management System (PC-GMS):
 - a. "A Code" summary listing of funds anticipated for property and easement acquisition (with Justification for any revisions), etc.

- b. Previous documentation from NCDOT Right of Way that concurs with Fair Market Value costs
 - c. Modified Exhibit A and/or other figures that identify the proposed improvement and an associated delineation of required property acquisition and/or easement. Exhibit should clearly identify parcels owned by the airport, other parcel ownership, and all parcels identified for acquisition or easement. Parcel remnants outside the delineated area should be clearly indicated.
 - d. Certification of Local Funds and Accounting Information (Form AV-500 on PC);
 - e. Other grant supporting documentation (as deemed applicable)
12. APM reviews and concurs with the submitted *Request for Aid* package via PC-GMS, requesting additional information and/or modifications from the sponsor as needed. APM forwards to Grant Administrator for review/action. (Duration: 2 weeks)
 13. Grant Administrator prepares a new Grant Agreement and forwards to sponsor for local government/sponsor approval.
 14. Sponsor returns signed Grant Agreement to DOA Grant Administrator.
 15. DoA processes Grant Agreement for NCDOT signatures then returns final executed Grant Agreement to Sponsor along with a Notice to Proceed.
 16. Sponsor proceeds to acquire property and easements, being careful to follow protocols & checklists, while maintaining documentation necessary for reimbursement.

PC-PR refers to the Partner Connect - Project Request System

PC-GMS refers to the Partner Connect- Grant Management System