



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

ROY COOPER
GOVERNOR

J. ERIC BOYETTE
SECRETARY

DATE: January 25, 2021

TO: Division Engineers
Project Managers

FROM: R. L. Keeter Jr., PE
Chief Engineer

SUBJECT: Certifications Required for STIP Projects

DocuSigned by:
Ronnie Keeter
F03CBB5C6D2D4C6...

To ensure that projects are prepared and ready for advertisement, the Department must review and document that bid packages are complete and that Right of Way acquisition, Utility relocation, and Railroad coordination has occurred, or that arrangements have been made for coordination during construction. Recent FHWA Compliance Assessment Program (CAP) reviews have noted improvements that are needed in these assurances for Division let projects – in the form of our ROW Certification, Utility Certification, Railroad Certification, and Plans Specifications & Estimate (PS&E) approval. These certifications and PS&E approval must be completed prior to construction funding authorization for all state and federally funded STIP projects.

This memo clarifies responsibilities for certifications and approvals for Division and Raleigh let projects as listed below. The Right-of-Way Field Certification form shall be completed by the Division Right of Way Agent for Division let projects and by the Division Right of Way Agent and Right of Way Manager for Raleigh let projects. The Utility Certification form shall be completed by the Division Utility Engineer or Division Construction Engineer if Division managed or by the State Utilities Manager if centrally managed. The Railroad Certification shall be completed by the Surfaces & Encroachments Manager in the Rail Division or the Project Manager for Division let projects and by the Surfaces & Encroachments Manager in the Rail Division for Raleigh let projects. It is best practice to coordinate with the Rail Division on any project with potential Railroad involvement. A PS&E Checklist, to be completed and signed by the Division Contract Officer, has been developed for Division let projects and will serve as the PS&E Approval document. The State Contract Officer will continue to certify PS&E Approval for Raleigh let projects.

The certifications should be complete when submitting the PS&E package. The certification documents shall be emailed to the Division of Planning & Programming – Project Management at FundingHelp@ncdot.gov 4 weeks prior to advertisement of Raleigh let projects. The certification documents, completed Division PS&E Checklist, and line-item estimate shall be attached to the AFRA construction funding request for Division let (DPOC) projects.

Mailing Address:
NC DEPARTMENT OF TRANSPORTATION
OFFICE OF THE CHIEF ENGINEER
MAIL SERVICE CENTER 1536
RALEIGH, NC 27699-1536

Telephone 919-707-2500
Fax: 919-733-9428
Customer Service: 1-877-368-4968

Website: www.ncdot.gov

Location:
1 SOUTH WILMINGTON STREET
RALEIGH, NC 27601

To ensure proper documentation, these certifications shall be stored on the project's Preconstruction SharePoint site. The Right of Way Certification shall be stored as a Key Document in the Right of Way Library. The Utility Certification shall be stored as a Key Document in the Utilities Library. The Railroad Certification shall be stored as a Key Document in the Rail Library.

If additional information is needed please contact Mr. Majed Al-Ghandour at (919) 707-4621 or FundingHelp@ncdot.gov.

Attachments: Right of Way Field Certification form
Utility Certification form – Division Managed
Utility Certification form – Central Managed
Railroad Certification form
Division PS&E Checklist/Approval document

Cc w/ attach:	M. Al-Ghandour, Ph.D., PE	J. M. Pullen, PE
	W. J. Martin, PE	E. B. Tharrington, PE
	B. Sanders Jr., PE	M. L. Sylvester, PE
	R. E. Davenport, PE	C. M. Werner, PE
	H. L. Fulghum	S. R. Morgan, PE
	C. A. Peoples, PE	Division Project Development Engineers
	D. B. Harris, PE	Division Team Leads
	M. B. McLamb	Division Construction Engineers
	B. Hanks, PE	Division Right of Way Agents
	W. K. Fischer, PE	J. F. Sullivan, PE, FHWA Division Administrator

PS&E CHECKLIST FOR DIVISION LET PROJECTS

TIP #:	Construction WBS:	FA #:
County:	Description:	

The checklist in this document will serve as NCDOT's review that all state or federal requirements for a PS&E package have been met.

REQUIREMENT	YES	NO	N/A	COMMENTS
Let date is current in the schedule or a schedule change must be submitted to the Schedule Management Office (SMO)				
Final plan set is complete (including Ped/ADA in work zones)				
Design exceptions documented and approved				
Complete proposal including all the appropriate specifications for the funding type				
DBE / MBE / WBE goal established and inserted in proposal				
Approved Environmental Planning Document / Environmental Consultation (<i>if Environmental Document was signed greater than 12 months prior to construction fund request</i>)				
Final Design (or combined) Field Inspection has been conducted (if warranted)				
All permits are approved (<i>This does not apply for Design-Build projects</i>)				
ROW Certification letter (or ROW Field Certification Form) is complete and signed. (<i>This does not apply to Design-Build projects</i>)				
Utility/Railroad Certification is complete and signed. (<i>This does not apply to Design-Build projects</i>)				
All agreements are fully executed (i.e. Railroad, Municipal, Utility)				
Updated and verified Engineer's Estimate (<i>due 6 weeks prior to the let date on federally funded projects</i>)				
Contract time established and is reasonable. The contract time is the maximum time allowed in the contract for completion of all work contained in the contract documents.				

REQUIREMENT	YES	NO	N/A	COMMENTS
Time related incentives / disincentives (i.e. liquidated damages) have been considered. The use of I/D provisions should be restricted to critical projects where it is essential to minimize traffic delays				
Funding authorization complete before advertisement.				

No Federal-aid or State-funded project will be advertised for bids prior to authorization of the PS&E package by NCDOT personnel as documented in the NCDOT/FHWA Stewardship and Oversight Agreement. Therefore, the North Carolina Department of Transportation has conducted a final review of the subject project pertaining to the completion of plans, specifications and estimates (PS&E). The project is substantially complete and contains the appropriate components within the PS&E package that meet state or federal-aid requirements in accordance with 23 Code of Federal Regulations except as noted below:

Comments:

Printed Name: _____

Signature: _____

Title: _____

Date: _____

RAILROAD CERTIFICATION

TIP / ID NUMBER		WBS ELEMENT	
COUNTY		FEDERAL AID PROJECT NUMBER	

In connection with the above referenced project, I certify that all necessary and applicable railroad work complies with Federal and State laws and regulations. I further certify that one of the following has application:

- _____ 1. Railroad work is complete,
- _____ 2. That all necessary arrangements have been made for applicable railroad work to be undertaken and completed as required for proper coordination with the physical construction schedule to the extent deemed necessary. There will be appropriate notification in the contract documents identifying the railroad work that is to be undertaken concurrently with project construction,
- Or
- _____ 3. No railroad conflicts.

This certification assures compliance with all applicable Federal and State laws, rules, and policies.

DATE: _____ APPROVED _____
[Insert Title]

RIGHT OF WAY FIELD CERTIFICATION

TIP No. _____
WBS Element: _____
County: _____
Description: _____

In connection with the above-referenced project, I certify that there were:

- 1) No persons displaced for this project or that all individuals and families have been relocated to DSS housing, Comparable replacement housing has been made available to relocates in accordance with applicable Federal and State laws and regulations.
- 2) The steps relative to relocation advisory assistance and payments as required by current FHWA directive(s) covering the administration of the Highway Relocation Assistance Program have been taken, as required.
- 3) Any necessary utility easements have been acquired for utility relocations
- 4) Any land needed by NCDOT from any active or non-active Railroad Company has been acquired in accordance with all state and federal laws.

I further certify that one of the following has application:

- _____ 1. All necessary right of way has been acquired or the State has legal right of physical possession of that right of way,
- or
- _____ 2. The acquisition or right of occupancy and use of a few remaining parcels is not complete, but all occupants of the residences on such parcels have had replacement housing made available to them in accordance with 49 CFR 24.204. I assure that, if the physical construction of the project proceeds, displaced persons who have not yet moved from the right of way will be protected against unnecessary inconvenience and disproportionate injury or any action coercive in nature. I believe that it will be in the best public interest to proceed with this project. The following information is provided regarding excepted parcels and will be provided in the contract documents. These parcels will require delays of entry noted as follows:

TIP/PARCEL	PROPERTY OWNER	REASON FOR DELAY REQUEST	RELO (Y/N)	DELAY OF ENTRY UNTIL

This certification assures compliance with all applicable Federal and State laws, rules and policies.

Date: _____

DIVISION RIGHT OF WAY AGENT

Date: _____

MANAGER, RIGHT OF WAY UNIT
(required for Raleigh Let projects only)

UTILITY CERTIFICATION

I. D. No.
County:

W.B.S. Element:
F. A. Project No.

In connection with the above referenced project, I certify that all necessary utility work applicable is in accordance with Federal and State laws and regulations. I further certify that one of the following has application:

_____ 1. Completed,

_____ 2. That all necessary arrangements have been made for it to be undertaken and completed as required for proper coordination with the physical construction schedule and, to the extent deemed necessary. There will be appropriate notification in the contract documents identifying the utility work that is to be undertaken concurrently with the project construction,

Or

_____ 3. No utility conflicts.

This certification assures compliance with all applicable Federal and State laws, rules and policies.

DATE:

APPROVED _____

State Utilities Manager

UTILITY CERTIFICATION

I. D. No.
County:

W.B.S. Element:
F. A. Project No.

In connection with the above referenced project, I certify that all necessary utility work applicable is in accordance with Federal and State laws and regulations. I further certify that one of the following has application:

_____ 1. Completed,

_____ 2. That all necessary arrangements have been made for it to be undertaken and completed as required for proper coordination with the physical construction schedule and, to the extent deemed necessary. There will be appropriate notification in the contract documents identifying the utility work that is to be undertaken concurrently with the project construction,

Or

_____ 3. No utility conflicts.

This certification assures compliance with all applicable Federal and State laws, rules and policies.

DATE:

APPROVED _____

Division Engineer