



City Council Meeting - Final

June 03, 2024

7:00 PM

-
- D. ATH2024-087** Authorization for the submittal of the Local Administered Project (LAP) certification application to the Georgia Department of Transportation (GDOT), and authorize the Mayor to sign the “Confirmation of Understanding” letter, the “GDOT LAP Certification Application.”



City of Smyrna

Issue Sheet

A Max Bacon
City Hall
2800 King Street
Smyrna, GA 30080

File Number: ATH2024-087

Agenda Date: 6/3/2024	
-----------------------	--

In Control: City Council

File Type: Authorization

Agenda Section:
Consent Agenda

Agenda Number: D.

Department: Engineering

Agenda Title:

Authorization for the submittal of the Local Administered Project (LAP) certification application to the Georgia Department of Transportation (GDOT), authorize the Mayor to sign the "Confirmation of Understanding" letter, the "GDOT LAP Certification Application", and adopt and authorize the Mayor to sign the "GDOT Procurement Policy for the Procurement, Management, and Administration of Engineering and Design Related Consultant Services".

Citywide

ISSUE AND BACKGROUND:

The City of Smyrna is a recipient of Federal funding and is applying with the Georgia Department of Transportation (GDOT) for Local Administered Projects (LAP) certification to be able to manage these projects independently. As a condition of applying for LAP certification, GDOT requires local governments to sign and execute the application form, and other documents related to the application including the "Confirmation of Understanding" letter. Local governments are also required to adopt and sign the "GDOT Procurement Policy for the Procurement, Management, and Administration of Engineering and Design Related Consultant Services" agreeing to abide by the policy for all State and Federally-funded transportation projects as it pertains to local governments.

RECOMMENDATION / REQUESTED ACTION:

Engineering recommends approval of the authorization for the submittal of the Local Administered Project (LAP) certification application to the Georgia Department of Transportation (GDOT), authorize the Mayor to sign the "Confirmation of Understanding" letter, the "GDOT LAP Certification Application", and adopt and authorize the Mayor to sign the "GDOT Procurement Policy for the Procurement, Management, and Administration of Engineering and Design Related Consultant Services".



2800 King Street
Smyrna, Georgia 30080
(770) 434-6600

City of Smyrna

www.SmyrnaGA.gov

May 20, 2024

Department of Transportation
600 West Peachtree Street, NW, 7th Floor
Atlanta, GA 30308

Attn: Maria L. Roux
Asst. Chief Procurement Officer-QA Compliance
Georgia Department of Transportation
Office of Procurement

The City of Smyrna, Georgia affirms that all staff listed in the submitted Letter of Agreement have attended, passed training, and understands that any future staff who will participate in soliciting, facilitating evaluations, conducting negotiations and contract administration must attend and pass procurement training prior to participating in any of the processes associated with procuring, managing, and administering engineering and design consultant services when Federal Aid Highway Program (FAHP) funds are utilized.

Confirmation Of Understanding:

Please **initial** the below confirming understanding and agreeing to follow all policies and procedures related to the procurement of engineering and design as per 23 CFR 172.

The City of Smyrna, Georgia agrees with and confirms:

_____ They have read and understand all rules, regulations and policies and procedures associated with engineering and design procurement:

- 23 CFR Part 172 Procurement, Management and Administration of Engineering and Design Related Services; Final Rule
- 2 CFR Chapter I, and Chapter II, Part 200 Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards; Final Rule
- 40 U.S.C. 1101-1104 Selection of Architects and Engineers “**The Brooks Act**”
- 48 CFR Part 31 – Contract Cost Principles and Procedures
- Repayment of Preliminary Engineering Cost (Order 2020.1)

Mayor – Derek Norton

City Council: Ward 1 – Glenn Pickens / Ward 2 – Latonia P. Hines / Ward 3 – Travis Lindley
Ward 4 – Charles (Corkey) Welch / Ward 5 – Susan Wilkinson / Ward 6 – Tim Gould / Ward 7 – Rickey N. Oglesby, Jr.

City Administrator – Joe Bennett / Deputy City Administrator & CFO – Kristin Robinson

Interim Assistant City Administrator / Parks & Rec Director – Richard Garland

City Attorney – Scott Cochran / Chief Municipal Court Judge – Phyllis Gingrey Collins / Municipal Court Solicitor – Tim Williams

City Clerk – Heather K. Peacon Corn



2800 King Street
Smyrna, Georgia 30080
(770) 434-6600

City of Smyrna

www.SmyrnaGA.gov

- FHWA Policy for Contractor Certification of Costs in Accordance with Federal Acquisition Regulations (FAR) to Establish Indirect Cost Rates on Engineering and Design-related Services Contracts Order No. 4470.1A
- O.C.G.A. 50-22-1 through 50-22-9
- GDOTs DBE program

_____ The understanding of Qualification Based Selection 23 CFR 172.7(a)(1) and that price may **NEVER** be used as a selection factor or consideration in the selection process.

_____ That *if* it has adopted GDOTs policies and procedures as outlined in the manual and discussed in class that it will follow all policies and procedures unless exceptions have been requested and approved. The City of Smyrna, Georgia agrees with and confirms that while exceptions may be requested for best practices, exceptions to regulatory requirements will not be considered.

_____ That it will comply with all provisions of 23 CFR 172.5(b) including developing and sustaining organizational capacity and provide the resources necessary for the procurement, management and administration of engineering and design related consultant services.

_____ That it will comply with all provisions of 23 CFR 172.9(d)(1) by assigning a full-time, public employee as the Responsible Charge who will fulfill inherently governmental activities which include, at a minimum, contract negotiation; contract payment; evaluation of contract compliance, performance, and quality; familiarity with contract requirements and scope; scheduling and attending progress and project review meetings; ensuring costs billed are allowable in accordance with federal cost principles; ensuring costs are consistent with contract terms; evaluating and participating in decisions for contract modifications; documenting contract monitoring activities; and maintaining supporting contract records in accordance with 2 CFR 200.333.

_____ That only individuals who have attended GDOT's training and passed the test on Procurement, Management, Administration of Engineering & Design Related Services will serve in a role which is decision making and/or which is involved in fulfilling any of the roles necessary in order to complete the full procurement cycle.

Mayor – Derek Norton

City Council: Ward 1 – Glenn Pickens / Ward 2 – Latonia P. Hines / Ward 3 – Travis Lindley
Ward 4 – Charles (Corkey) Welch / Ward 5 – Susan Wilkinson / Ward 6 – Tim Gould / Ward 7 – Rickey N. Oglesby, Jr.

City Administrator – Joe Bennett / Deputy City Administrator & CFO – Kristin Robinson
Interim Assistant City Administrator / Parks & Rec Director – Richard Garland
City Attorney – Scott Cochran / Chief Municipal Court Judge – Phyllis Gingrey Collins / Municipal Court Solicitor – Tim Williams
City Clerk – Heather K. Peacon Corn



2800 King Street
Smyrna, Georgia 30080
(770) 434-6600

City of Smyrna

www.SmyrnaGA.gov

Prequalification

The City of Smyrna, Georgia agrees with and confirms:

- _____ The understanding of GDOT's prequalification process and its purpose as related to federally funded engineering and design related services.
- _____ That all solicitations will specify the unique required area classes for the Prime Consultant as well as the Team (which includes the Prime and all Sub-Consultants) to ensure appropriate responses on all federally funded projects utilizing federal funds.
- _____ The prequalification certificates will be required in the solicitation to be submitted for the Prime and all Team to verify awarded consultant meets all required area classes and has current prequalification.

Development

The City of Smyrna, Georgia agrees with and confirms:

- _____ Scope(s) of services will be drafted with as much detail (which makes it clear, complete and logical) as possible and organized in the order in which services will be completed.
- _____ Understanding that the level of detail required in the scope will be determined by the contract type. On-Call and Multi-Phase Project Specific contracts can have more generic and all-inclusive scopes however, project specific contracts must include all services necessary to complete the entire project.
- _____ It will not require the Prime Consultant to be pre-qualified in excessive area classes which could be covered by the team and recognizes that doing so would limit competition and risk not meeting the requirement in 23 CFR 172.7(a)(1)(iv)(D) of the minimum of three responses.
- _____ Solicitations will ensure that area classes and scope are related and that there is associated scope for every area class required.
- _____ Area Classes and/or Scope which is not included in the Solicitation prior to its closing are not eligible to be added later.
- _____ Solicitations will identify the Project Manager and Key Team Roles for which resumes must be submitted to allow the Selection Committee to evaluate qualifications in order to

Mayor – Derek Norton

City Council: Ward 1 – Glenn Pickens / Ward 2 – Latonia P. Hines / Ward 3 – Travis Lindley
Ward 4 – Charles (Corkey) Welch / Ward 5 – Susan Wilkinson / Ward 6 – Tim Gould / Ward 7 – Rickey N. Oglesby, Jr.

City Administrator – Joe Bennett / Deputy City Administrator & CFO – Kristin Robinson
Interim Assistant City Administrator / Parks & Rec Director – Richard Garland
City Attorney – Scott Cochran / Chief Municipal Court Judge – Phyllis Gingrey Collins / Municipal Court Solicitor – Tim Williams
City Clerk – Heather K. Peacon Corn



2800 King Street
Smyrna, Georgia 30080
(770) 434-6600

City of Smyrna

www.SmyrnaGA.gov

determine the most qualified team in accordance with the allowable Qualification Based Selection (QBS) Selection Criteria.

- _____ The understanding of the three procurement methods used in procuring engineering and design services. 23 CFR 172.7(a) – Qualification Based Selection, Small Purchases, and Noncompetitive.
- _____ The understanding of the three contract types used in procuring engineering and design services. 23 CFR 172.9(a) – Project Specific; Multi-Phase Project Specific; Indefinite-Delivery Indefinite Quantity (On-Call)
- _____ The understanding of the payment method(s) associated with engineering and design procurements. 23 CFR 172.9(b) – Cost Plus Fixed Fee; Lump Sum; Cost Per Unit of Work; Specific Rates of Compensation
- _____ Each Solicitation will indicate contract and payment types.
- _____ Each Solicitation will include the selection criteria and associated weights in solicitation.
- _____ Each Solicitation will include only qualification-based selection criteria which are allowable in accordance with 23 CFR 172.7(1)(1)(iii) – Technical Approach; Work Experience; Specialized Expertise; Professional Licensure; Staff Capabilities; Workload Capacity; Past Performance.
- _____ Each Solicitation will include only non-qualification-based selection criteria which are allowable in accordance with 23 CFR 172.7(1)(1)(iii)(D) – Local Presence and Participation of Disadvantaged Business Enterprises.
- _____ Non-Qualification Based Criteria cannot exceed ten (10) percent of the overall evaluation as outlined in 23 CFR Part 172.7.(a)(1)(iii)(D).
- _____ DBE goals must be consistent with GDOT’s current DBE goal or must be approved in advance by GDOT’s Office of Equal Employment Opportunity (EEO) for the utilization of Federal-Aid Highway Program Funds.

Mayor – Derek Norton

City Council: Ward 1 – Glenn Pickens / Ward 2 – Latonia P. Hines / Ward 3 – Travis Lindley
Ward 4 – Charles (Corkey) Welch / Ward 5 – Susan Wilkinson / Ward 6 – Tim Gould / Ward 7 – Rickey N. Oglesby, Jr.

City Administrator – Joe Bennett / Deputy City Administrator & CFO – Kristin Robinson
Interim Assistant City Administrator / Parks & Rec Director – Richard Garland
City Attorney – Scott Cochran / Chief Municipal Court Judge – Phyllis Gingrey Collins / Municipal Court Solicitor – Tim Williams
City Clerk – Heather K. Peacon Corn



2800 King Street
Smyrna, Georgia 30080
(770) 434-6600

City of Smyrna

www.SmyrnaGA.gov

Advertisement 23 CFR 172.7(a)(1)(i)

The City of Smyrna, Georgia agrees with and confirms:

- _____ It has published the solicitation as required by state law to the Georgia Procurement Registry.
- _____ Understanding of the State of Georgia requirement to post solicitation in two (2) phases and understands posting time frames of a minimum of 15 days for Phase 1 (in accordance with O.C.G.A. 50-22-3) and a minimum of 14 days for Phase 2 (for the Technical Approach in accordance with 23 CFR 172.7(a)(1)(ii)(G))
- _____ If adopting GDOT policies and procedures, it understands posting requirements of GDOT.
- _____ That all posting requirements will be met.
- _____ It can provide link to the Georgia Procurement Registry for all federally funded procurements for engineering and design services for the last three (3) years.
- _____ Solicitation Posting will identify the appropriate NIGP codes to obtain adequate competition – minimum of 31842-Engineering Consulting; 91843-Environmental Consulting; 91896-Transportation Consulting; 92513-Bridge Engineering; 92517-Civil Engineering; 92533-Professional Engineer Services; 92535-Environmental Engineering; 92536-Engineering Services.

Evaluation 23 CFR 172.7(a)(1)(iii) - 23 CFR 172.7(a)(1)(iv)

The City of Smyrna, Georgia agrees with and confirms:

- _____ It understands the role and responsibilities of the Selection Committee.
- _____ All members of the selection committee are qualified as per FAR 36.602-2
- _____ All selection committee members have been provided with training and instructions on how to provide scores and comments.
- _____ Evaluations will be conducted in two (2) phases.
- _____ Phase 1 evaluations will result in the shortlist to begin Phase 2.

Mayor – Derek Norton

City Council: Ward 1 – Glenn Pickens / Ward 2 – Latonia P. Hines / Ward 3 – Travis Lindley
Ward 4 – Charles (Corkey) Welch / Ward 5 – Susan Wilkinson / Ward 6 – Tim Gould / Ward 7 – Rickey N. Oglesby, Jr.

City Administrator – Joe Bennett / Deputy City Administrator & CFO – Kristin Robinson
Interim Assistant City Administrator / Parks & Rec Director – Richard Garland
City Attorney – Scott Cochran / Chief Municipal Court Judge – Phyllis Gingrey Collins / Municipal Court Solicitor – Tim Williams
City Clerk – Heather K. Peacon Corn



2800 King Street
Smyrna, Georgia 30080
(770) 434-6600

City of Smyrna

www.SmyrnaGA.gov

- _____ Individual scores *and* comments will be documented for Phase 1, unless the Selection Committee discusses all firms and Selection Committee comments and Scores are provided for all Respondents.
- _____ Phase 1 *and* Phase 2 selection committee meetings will be held and will be documented with Phase 1 and Phase 2 committee scores and comments.
- _____ Upon request, individual and selection committee Phase 1 *and* Phase 2 scores and comments can be provided.

Negotiations 23 CFR 172.7(a)(1)(v)

The City of Smyrna, Georgia agrees with and confirms:

- _____ Professional services contracts and Consultant Services Contracts are to be procured as specified in the Federal Brooks Act, 40 U.S.C 1104(a).
- _____ It can provide the scope of the contract and a supporting task list to start negotiations.
- _____ An Independent Estimate, which will include an appropriate breakdown of the work or labor hours, types or classifications of labor required, other direct costs, and consultant's fixed fee, will be completed by a qualified individual as per 23 CFR 172.7(a)(1)(v)(B) and obtained prior to receiving consultants cost proposal and beginning negotiations.
- _____ That Consultant Cost Proposals will be requested only after completion of the Independent Estimate and that both the Independent Estimate and consultant cost proposal will be available for review upon request.
- _____ Understanding of the different elements of contract costs which must be considered during negotiations and include the Independent Estimate, Indirect Cost Rates (Overhead), Direct Salary or Wage Rates, Fixed Fee, Other Direct Costs, and Sub-Consultant/Vendor Costs.
- _____ Understanding of the Process of Negotiations to include scoping meeting between PM and Consultant team, identification of required tasks/preparation of task list, providing task list to consultant team, agency team preparing hours for task list, agency team identifying appropriate labor classes, consultant team preparing hours for task list, consultant team identifying appropriate labor classes, agency and consultant teams sending required documents to negotiator, negotiator reviewing hours and labor classes and determining where differences are greater than 10% variance in hours, holding negotiations meetings to resolve differences, determining the payment method (of those listed in the solicitation

Mayor – Derek Norton

City Council: Ward 1 – Glenn Pickens / Ward 2 – Latonia P. Hines / Ward 3 – Travis Lindley
Ward 4 – Charles (Corkey) Welch / Ward 5 – Susan Wilkinson / Ward 6 – Tim Gould / Ward 7 – Rickey N. Oglesby, Jr.

City Administrator – Joe Bennett / Deputy City Administrator & CFO – Kristin Robinson
Interim Assistant City Administrator / Parks & Rec Director – Richard Garland
City Attorney – Scott Cochran / Chief Municipal Court Judge – Phyllis Gingrey Collins / Municipal Court Solicitor – Tim Williams
City Clerk – Heather K. Peacon Corn



2800 King Street
Smyrna, Georgia 30080
(770) 434-6600

City of Smyrna

www.SmyrnaGA.gov

as options), applying consultant direct salary/wage rates and indirect costs to determine preliminary costs, negotiating and applying other direct costs, agreeing upon final costs.

- _____ Understanding of the different elements which may require negotiations.
- _____ Understanding of the tools which GDOT uses for negotiating and either uses the same or similar tools which provide the same level of information in order to document negotiation activities in accordance with 23 CFR 172.7(a)(1)(v)(E).

Award

The City of Smyrna, Georgia agrees with and confirms:

- _____ Understanding of the award process including the preparation and approval of the selection package.
- _____ Understanding and inclusion of all required contract provisions as required by 23 CFR 172.9(c).
- _____ Understanding and compliance with all of the requirements for preparing and maintaining all award documentation
- _____ Understanding and compliance with notifications being posted to the Georgia Procurement Registry.

Contract Administration 23 CFR 172.9

The City of Smyrna, Georgia agrees with and confirms:

- _____ All contract provisions have been included in the contract in accordance with 23 CFR 172.9(c).
- _____ The understanding and compliance with assigning a **Responsible Charge** who is a fulltime, government employee - 23 CFR 172.9(d).

Mayor – Derek Norton

City Council: Ward 1 – Glenn Pickens / Ward 2 – Latonia P. Hines / Ward 3 – Travis Lindley
Ward 4 – Charles (Corkey) Welch / Ward 5 – Susan Wilkinson / Ward 6 – Tim Gould / Ward 7 – Rickey N. Oglesby, Jr.

City Administrator – Joe Bennett / Deputy City Administrator & CFO – Kristin Robinson
Interim Assistant City Administrator / Parks & Rec Director – Richard Garland
City Attorney – Scott Cochran / Chief Municipal Court Judge – Phyllis Gingrey Collins / Municipal Court Solicitor – Tim Williams
City Clerk – Heather K. Peacon Corn



2800 King Street
Smyrna, Georgia 30080
(770) 434-6600

City of Smyrna

www.SmyrnaGA.gov

-
- _____ The understanding and compliance with the requirement for Performance Evaluations in 23 CFR 172.9(d)(2), and that these performance evaluations will be used in making future selection decisions.
 - _____ All modifications 23 CFR 172.9(e) made to agreements after execution of contracts will be documented and be provided upon request. All modifications will be in accordance with the solicitation in regards to scope, area classes, contract types, payment methods, etc.
 - _____ Any modifications will be negotiated in the same manner and formality as the original agreements.
 - _____ Notices to Proceed (NTP) will be issued which will serve to document the first day when work is authorized to begin and when charges are eligible for billing to the project.
 - _____ Stop Work Notices will be issued which will serve to document the last day when work is authorized to occur and when charges must cease to the project.

Mayor – Derek Norton

City Council: Ward 1 – Glenn Pickens / Ward 2 – Latonia P. Hines / Ward 3 – Travis Lindley
Ward 4 – Charles (Corkey) Welch / Ward 5 – Susan Wilkinson / Ward 6 – Tim Gould / Ward 7 – Rickey N. Oglesby, Jr.

City Administrator – Joe Bennett / Deputy City Administrator & CFO – Kristin Robinson
Interim Assistant City Administrator / Parks & Rec Director – Richard Garland
City Attorney – Scott Cochran / Chief Municipal Court Judge – Phyllis Gingrey Collins / Municipal Court Solicitor – Tim Williams
City Clerk – Heather K. Peacon Corn



2800 King Street
Smyrna, Georgia 30080
(770) 434-6600

City of Smyrna

www.SmyrnaGA.gov

Additional Confirmation

The City of Smyrna, Georgia agrees with and confirms:

_____ The understanding of:

- Disadvantaged Business Enterprise (DBE) 23 CFR 172.7(b)(2)
- Suspension and Debarment 23 CFR 172.7(b)(3)
- Conflict of interest requirements 23 CFR 172.7(b)(4)
- Consultant Services in Management Support Roles 23 CFR 172.7(b)(5)

Please keep in mind this is only for the remainder of the current certification. The City of Smyrna, Georgia is still required to complete the procurement portion of the application when recertifying at which time they will either be APPROVED or DENIED based on the application.

(Affix signatures and seal)

Mayor – Derek Norton

City Council: Ward 1 – Glenn Pickens / Ward 2 – Latonia P. Hines / Ward 3 – Travis Lindley
Ward 4 – Charles (Corkey) Welch / Ward 5 – Susan Wilkinson / Ward 6 – Tim Gould / Ward 7 – Rickey N. Oglesby, Jr.

City Administrator – Joe Bennett / Deputy City Administrator & CFO – Kristin Robinson
Interim Assistant City Administrator / Parks & Rec Director – Richard Garland
City Attorney – Scott Cochran / Chief Municipal Court Judge – Phyllis Gingrey Collins / Municipal Court Solicitor – Tim Williams
City Clerk – Heather K. Peacon Corn

GDOT LAP Certification Application

LAP Certification Information

Date: 5/20/2024

Agency Name: City of Smyrna, Georgia

GDOT District: 7 Congressional District: 11

Interview Conducted By (GDOT) Name: Joshua Higgins

Title: District Planning Program Liaison

Agency Representative (Local) Name: Eric Randall, P.E.

Title: Director of Public Works

How Long in Current Position? 2 years

Phone Number: 678-631-5450 Fax Number: 678-631-5443

Email Address: erandall@smyrnaga.gov

Street Address: 2190 Atlanta Road

City: Smyrna

State: GA County: Cobb Zip Code: 30080

Alternate Agency Full-time Representative (Local) Name: Paul Osburn

Title: Assistant Public Works Director

How Long in Current Position? 2.5 years

Phone Number: 678-631-5454 Fax Number: 678-631-5443

Email Address: posburn@smyrnaga.gov

Local Administered Projects Responsible Charge Worksheet

List the name and title responsible for the following functions. Only list Non-Consultant staff positions within your organization. (Attach the most current organizational chart. Each person must have a training certificate applicable for their role as it applies the LAP Program. If the LPA has any name/title changes, a compliance plan along with an updated organization chart must be submitted within 30 days. If not, then the LPA will be viewed as non-compliant and may lose their LAP certification status.)

Compliance Plan can be found on the [LAP Webpage](#).

Statewide Transportation Improvement Program: Eric Randall, P.E. (Director of Public Works)

Selection of Annual Program: Eric Randall, P.E. (Director of Public Works)

Location/Design Approval: Eric Randall, P.E. (Director of Public Works)

Environmental Documents: Paul Osburn (Assistant Director of Public Works)

PS&E Approval: Eric Randall, P.E. (Director of Public Works)

Tied Bids: Kelly Brown (Purchasing Manager)

Approval of Materials Sources: Paul Osburn (Assistant Director of Public Works)

Construction Administration: Paul Osburn (Assistant Director of Public Works)

Construction Inspection: Paul Osburn (Assistant Director of Public Works)

Acceptance Sampling/Testing: Paul Osburn (Assistant Director of Public Works)

Change Orders: Eric Randall, P.E. (Director of Public Works)

Project Files: Eric Randall, P.E. (Director of Public Works)

OEO Interviews/Monitoring: Kelly Brown (Purchasing Manager)

Training Goal Attainment: Kelly Brown (Purchasing Manager)

DBE Compliance/Monitoring: Kelly Brown (Purchasing Manager)

Utility Certification: Eric Randall, P.E. (Director of Public Works)

Row Certification: Paul Osburn (Assistant Director of Public Works)

Organizational Chart included in Attachment #1

GDOT LAP Certification Application

Consultants

For what areas does the agency expect to use consultants?

X Environmental

X Design

X PS&E Preparation

X Right-of-Way Appraisal

X Right-of-Way Negotiation

X Utilities

X Right-of-Way Relocation

X Construction Administration

X Construction Inspection

X Surveying

X Sampling and Testing

Section A - Title VI - Civil Rights Performance & Assessment Questionnaire

Note: Title VI Non-Discrimination Agreements must be submitted once **EVERY** year.

1. Do you have a Title VI Policy, Title VI Notice to the Public, Title VI Assurances and Title VI Plan or non-discrimination agreement in place? Provide proof of your Title VI policy (via web or printed materials)

The City of Smyrna has adopted GDOT's Title VI Non-Discrimination Agreement on 5/6/2024 (see Attachment #2) and will abide by the procedures contained within the document.

2. Please provide a copy of your Title VI complaint procedure for discrimination complaints? What extent is the community aware of it?

The City of Smyrna has a Title VI and ADA Complaint Form that is available to the public on the City's website under the Human Resources section. Please see Attachment #3 for a copy of this form.

3. Have you received any Title VI related complaints during the past two years? If so, how many? (Please attach the complaint form) What were the outcomes? Where there any Title VI complaints lodged by beneficiaries or participants? If so, explain the issues involved.

The City of Smyrna has received no Title VI-related complaints during the past two years.

4. What is the name and title of the person who attended the GDOT Title VI training? Please provide the date and a copy of the training certificate?

Eric Randall, P.E. (4/9/24) ; Paul Osburn (9/12/23); Mark Wolff, P.E. (2/6/24)

Copies of completed training certificates are included as Attachment #4.

5. Are minority members of the community invited to participate in public hearings? If yes, how do you identify potential EJ groups? How do you ensure they attend? If not, what measures have been taken to ensure public participation in public hearings?

GDOT LAP Certification Application

All members of the community are invited to participate in all public hearings, however, minority members of the community and potential EJ groups have not historically been specifically identified and encouraged to attend. In the future, Smyrna will comply with Title VI requirements and focus efforts to ensure minority sectors are reached for public meetings through accommodations such as ADA accessibility at facilities and interpreters at public meetings.

6. Are DBE goals being monitored, included and met for contracts on a programmatic level? If yes, please provide a brief explanation. If not, what provisions have been taken to monitor and meet them?

DBE goals are not currently set and monitored, however, Smyrna will submit the Title VI Assurances to GDOT annually and insert language from DOT Order 1050.2A into contracts & agreements. Smyrna will conform to GDOT's policies & reporting requirements outlined in the Title VI Implementation Plan.

7. Are minority contractors and subcontractors being informed about contracting opportunities with your organization? If yes, provide proof of contracting opportunities to minority contractors. If not, what provisions have been taken to inform minority contractors of contracting opportunities?

Smyrna currently uses the City of Smyrna website, Bid Net, and the Georgia Procurement Registry to advertise contracting opportunities with the City. In the future, the City will actively seek any methods for solicitation to reach as many minority contractors and subcontractors as possible.

8. Are Appendix A of the Title VI assurances and the FHWA 1273 being included in all contracts, subcontracts, and material supply agreements? Provide a sample contract of the inclusion of Appendix A of the Title VI Assurances & FHWA 1273.

Appendix A of the Title VI assurances and the FHWA 1273 will be included in all contracts, subcontracts, and material supply agreements on all project that receive any Federal funding.

9. If you have not done any of the above, please explain how you will address Title VI Federal requirements on Local Administered projects?

As the agency representative, I will make sure that complaints are properly documented, statistical data is collected, and yearly reports are prepared. The City will also increase all efforts to ensure minority sectors are reached for public meetings and provided opportunities as contractors and material supplies. We will also ensure all Title VI Federal requirements are met on Local Administered Projects through accommodations such as ADA accessibility at facilities and interpreters at public meetings.

Section B - Environmental Questionnaire

1. How many types of Environmental Documents listed below are active or under development?
 - 0 Programmatic Categorical Exclusions (PCE – approved by GDOT)
 - 0 Categorical Exclusions (CE – approved by FHWA)
 - 0 Environmental Assessments/Findings of No Significant Impact (EA/FONSI – approved by FHWA)
 - 0 Environmental Impact Statement (EIS – approved by FHWA)

2. Have you had any Environmental Documents approved in the past three years? If so, how many of the following environmental documents were approved?
 - 0 Programmatic Categorical Exclusions (PCE – approved by GDOT)
 - 0 Categorical Exclusions (CE – approved by FHWA)
 - 0 Environmental Assessments/Findings of No Significant Impact (EA/FONSI – approved by FHWA)
 - 0 Environmental Impact Statement (EIS – approved by FHWA)

3. For each document type noted above, what was the average number of review cycles required with GDOT staff to receive NEPA approval or submittal to FHWA? (A cycle is considered each time comments are received without GDOT approval or forwarding to FHWA.)

N/A PCE N/A CEs N/A EA/FONSI N/A EIS

4. For the approved documents noted in #2 above, how many approvals were received?

N/A On schedule or ahead of schedule as per the approved schedule required by the Project Framework Agreement

N/A After the baseline schedule deadline and less than 3 months late

N/A After the baseline schedule deadline and between 3 and 6 months late

N/A After the baseline schedule deadline and between 6 and 12 months late

N/A After the baseline schedule deadline and more than 12 months late

Please describe the specific reasons for the approval delays noted above. Use additional sheets as necessary.

N/A

GDOT LAP Certification Application

5. List any and all public involvement methods utilized during the environmental process. Use additional sheets as necessary.

N/A

6. How many applications were submitted by the LPA for approval by the Army Corps of Engineers (USACE) and/or Georgia Department of Natural Resources, Environmental Protection Division (EPD)?

0 Section 404 Permits from USACE Individual ___ Regional ___ Nationwide ___
1 Stream Buffer Variances from Georgia Environmental Protection Division (EPD)

7. For each permit type noted above, what was the average number of review cycles required with GDOT staff for submittal to the Army Corps or EPD? (A cycle is considered each time comments are received from GDOT without forwarding to the Corps or EPD.)

N/A Section 404 Permit from USACE Individual ___ Regional ___ Nationwide ___
1 Stream Buffer Variances from Georgia Environmental Protection Division (EPD)

8. For the approved permits noted in #7 above, how many approvals were received?

1 11 or more weeks prior to the GDOT baseline let date
N/A 5-11 weeks prior to the GDOT baseline let date
N/A After 5 weeks prior to the GDOT baseline let date

Please describe the specific reasons for the approval delays noted above. Use additional sheets as necessary.

N/A

9. Please describe any improvements that your agency or GDOT can implement to improve the delivery of environmental approvals or permits. Use additional sheets as necessary.

No improvements appear to be needed at this time based on the approval process to date.

GDOT LAP Certification Application

10. If you have not done any of the above, please explain how you plan to complete Environmental Documents for Local Administered Projects?

Smyrna will be cognizant of environmental impacts (natural, cultural, and social) throughout the decision making process. We will follow NEPA and GEPA regulations throughout the PDP process and ensure that documents are prepared as outlined in the Environmental Procedures Manual. Environmental plans will be assessed in the preliminary design phase by creating least damaging alternative layouts. We will also ensure early coordination with the community by holding public outreach meetings (PIOH and PHOH). PIOH meetings will be advertised twice - three weeks prior to letting and one week prior to the meeting - in accordance with Policies & Procedures #4055-1. Likewise, PHOH meetings will be advertised twice - at least 30 days prior to the meeting date and at least five days prior to to the meeting date. The environmental justice population will be included by contacting community leaders, meeting in those communities, and providing interpreters at meetings when necessary.

Section C - Right of Way Questionnaire

1. Any consultant CONTRACTED for negotiation services for the acquisition of right of way for the County/City must either:

- Hold an active Real Estate license in the State of Georgia or
- Hold an active Real Estate broker’s license in the State of Georgia or
- Be identified as an exception under OCGA 43-40-29

2. Any contracted CONSULTANT for negotiation services or staff negotiator performing negotiation services must have attended the GDOT/FHWA training class every 3 years and hold an active certificate. Provide a copy of the certificate. **Included as Attachment #5.**

3. Please describe your quality assurance and quality control methods to manage the ROW in the following areas:

- a. ROW Project Activity Milestone Delivery: (i.e. schedule development and management recovery)
Right-of-way plans will be submitted at least 60 days before the right-of-way authorization; utility certifications will be completed 11 weeks prior to the let date; final plans will be submitted to the project manager at least 5 months before FFPR and will be completed 10 weeks prior to the let date.
- b. ROW Project Budget (i.e. development, monitoring and overruns)
Smyrna will begin SUE coordination after the preliminary layout to avoid delays that may be timely and costly. We will also coordinate with utility companies as early as possible to avoid delays/design revisions that may affect budget. We will also discuss advance acquisition alternatives when feasible.
- c. ROW Project Risks associated with adhering to scope, schedule and budget (i.e. mitigation plan)
Smyrna will minimize litigation by conforming to the Uniform Act during the negotiation process. We will offer no less than fair market value (in writing), provide relocation advisory assistance in decent, safe, and sanitary housing. We will also ensure that the right-of-way is clear before the start of construction.
- d. ROW Consultant Services (i.e. development and monitoring) when applicable
Any consultant the Smyrna uses for negotiation services for right-of-way acquisition will hold an active real estate license or broker's license in the State of Georgia and will be current on all GDOT/FHWA training.

4. Identify the responsible party and title of staff certifying ROW.

GDOT LAP Certification Application

Scott Cochran; City Attorney

5. Has your LPA received any non-compliance letters or corrective actions? If yes, who provided the service, explain non-compliance?

The City of Smyrna has not received any non-compliance letters or corrective actions.

6. Who will perform the Right of Way Acquisition services? (Please check all that apply)

Staff

Consultants

Both

7. If you have not performed any of the above activities, how do you plan to perform Right-of-Way functions for Local Administered Projects?

Smyrna will abide by the Uniform Act and 49 CFR Part 24 to ensure consistent and fair treatment during the appraisal and/or relocation process by offering no less than Fair Market Value, providing relocation advisory services, and ensuring that no property owner is disproportionately affected. The contractor used for right-of-way services will hold an active real estate license in Georgia and be affiliated with an active broker, or hold an active real estate brokers license in Georgia.

Section D - Utility Division Questionnaire

Local Utility Compliance

1. Name and Title of individual or individuals that will be or have been responsible for Utility Coordination work.
Eric Randall, P.E. (Director of Public Works)

2. In brief and concise sentences, please describe your knowledge of the GDOT's Utility Accommodation Policies and Standards Manual in relation to the Utility Coordination work on projects (use additional sheets).

The GDOT Utility Accommodation Policies and Standards Manual outlines procedures for the issuance of permits along with standard design procedures and practices for the planning and design of utilities within the right-of-way. This manual establishes uniform policies and process to ensure utility coordination has occurred throughout the process. Failure to comply with all requirements may jeopardize project funding by GDOT.

3. In brief and concise sentences, please describe your work experiences that demonstrate your ability to coordinate with utilities during the preconstruction phase on transportation projects (use additional sheets).

I have extensive experience working as a Design Engineer and Project Manager for consulting engineering firms, during which time I oversaw utility locations and was responsible for the design of utility relocations. All phases of this work was coordinated closely with State and Local agencies and private utility companies. The types of projects I have experience working on that require this type of utility coordination include transportation, site development, and linear projects

4. In brief and concise sentences, please describe your ability to provide professional engineering services necessary to ensure utility impacts do not delay the project schedule on both the preconstruction phase or construction phase (use additional sheets)

As the agency representative, I will work closely with our contractors to forsee any potential utility/railroad conflicts, utilize SUE in the design process, and begin coordination early in the PFPR phase in an effort to meet let dates.

5. If you have not done any of the above, please explain how you will perform Utility activities on Local Administered Projects according to Federal and State guidelines?

We will ensure that Smyrna will closely follow the established recommended timelines. This includes coordinating SUE service after the preliminary layout, submitting PFPR plans with the prosed utilities as early as possible, and ensuring that the final plans are back to the Project Manager five months before the FFPR. We will coordinate with utilities and railroad early in the process to minimize conflicts and be aware of potential delays and additional costs. We will work to ensure that utility certifications are received 11 weeks prior to the let date, and final plans are completed 10 weeks prior to the let date.

Section E - Construction Division Questionnaire

Note: If you are utilizing consultants, they must be GDOT certified.

Advertisement, Award, and Execution of Contract

Position Responsible for:

Approval to Advertise Kelly Brown, Purchasing Manager
Name of Legal Publication Kelly Brown, Purchasing Manager
Prequalification of Bidders Kelly Brown, Purchasing Manager
Award of Contract Kelly Brown, Purchasing Manager
Execution of Contract Kelly Brown, Purchasing Manager

Construction Supervision and Administration

Name and Title of individual or individuals that will be responsible for Construction Supervision and Administration: Eric Randall, P.E. (Director of Public Works); Paul Osburn (Assistant. Public Works Director); Mark Wolff, P.E. (City Engineer)

Describe the Local Governments experience with construction supervision and inspection related to transportation construction projects:

In the past, locally-funded transportation projects completed by Smyrna have been supervised and inspected both by consultants hired by the City, with oversight from the Public Works Department, and by managers and inspectors on staff in the Public Works Department.

Will daily Construction Supervision and Inspection be handled by the Local Government or by a Consultant Firm? Daily construction supervision and inspection will be handled by a Consultant Firm.

If Local Government is using a Consultant Firm, is the Firm under a current contract with the Local Government? Yes

If so, what is the name of the Firm? Croy Engineering

Is the Firm pre-qualified under the Department's 8.01 Consultant Work Classification? Yes

If a Consultant Firm is used, how will the Local Government monitor the Consultant's work?
The City will provide oversight to ensure that all work is complete, accurate, and consistent with the agreed contract. We intend for our Purchasing Manager, Kelly Brown, to provide oversight of the contract, including contract negotiation, payment and evaluation, contract modifications, and contract documentation. As the Agency Representative, I provide oversight in scheduling, project review meetings, coordination with other regulatory agencies, and work with SME's in regard to project scope, plans, and schedules/critical paths to pro-actively catch any errors that may affect the project timeline and/or budget.

GDOT LAP Certification Application

Name and Title of individual who will check contractor payrolls?

Eric Randall, P.E., Director of Public Works; Kelly Brown, Purchasing Manger

How will the Local Government handle administration of more than one contract at a time?

We currently have three City staff members who have completed - or have nearly completed - all GDOT/ FHWA LAP training classes. All trained individuals will maintain their training certifications and, if needed, we will have additional staff attend the training to ensure adequate administration.

How will Local Government handle inspection and administration of several active phases of a project concurrent (e.g. grading, drainage, paving, structures)?

Through the consultant contract, the City will ensure the consultant has adequate staff, and will increase staffing as needed, to fulfill all required project inspection and monitoring.

Change Orders/Contract Modifications

What is the Local Government’s current change order process, including approval levels and final signature required for execution?

For locally-funded projects, the merits of any change order requests are evaluated by City staff and the City Administrator. For contract modifications over \$50,000, the City Attorney also reviews the request, and a staff recommendation is presented to the City Council for consideration of approval.

Describe the Local Government’s requirements for documenting Contractor activities and making measurement and payment for project bid items.

For local projects, daily and weekly inspections are handled by City staff and invoices are reviewed based on the percent complete and material and labor quantities.

Describe the Local Governments process for subcontract approval(s).

For local projects, subcontract approvals are handled by the prime contractor. The City of Smyrna does not directly approve subcontractors.

GDOT LAP Certification Application

Material Testing and Approval

Describe the Local Governments experience with use of materials approved by the Georgia Department of Transportation. If there is no previous experience, please describe how materials testing will be performed on federal-aid projects.

The City of Smyrna does not have this experience. The City will follow the materials certificate checklist to assist in data collection and to have a specific documentation system. All test results will be submitted to GDOT.

Describe the Local Governments experience with materials testing related to transportation construction projects.

Materials testing for transportation projects has been handled by contractors and consultants for recent locally-funded projects.

Will materials testing and certification be done by the Local Government or by a Consultant Firm? Consulting Firm

If Local Government is using a Consultant Firm, is the Firm under a current contract with the Local Government? Yes

If so, what is the name of the Firm?

Geo-Hydro Engineers, Inc.

Is the Firm pre-qualified under the Department's 6.04a and 6.04b Consultant Work Classifications?

Yes

Is the Local Government planning and developing any projects that may contain and bridges or structures?

No bridges or structures are included in any projects in the planning and development stages.

If yes, does the Local Government or its Consultant have PCI certified inspection personnel or will the Local Government request the assistance of GDOT for inspection and approval?

N/A

GDOT LAP Certification Application

Does the Consultant have ASNT (American Society of Nondestructive Testing) Level III certified welding inspectors for steel bridges?

Yes

Does the Consultant have ASNT certified VT or MT inspectors? (visual and magnetic particle)

Yes

Schedule/Workload

If any, list the Local Governments schedule of Federal Aid Projects and their projected Construction Begin Date.

South Cobb Drive from Windy Hill Rd to Concord Rd (0018265); estimated begin date is 2027

Delivery Performance & Quality Assurance

- Who is responsible for ensuring that payments are in line with percent complete activities (as approved by LPA and GDOT)?
Eric Randall, P.E. (Director of Public Works)
-

- Who is responsible for developing the initial Gantt Chart construction schedule identifying the key milestones along with the critical paths?
Consultant, with oversight by Eric Randall, P.E. (Director of Public Works)
-

- How is the construction schedule monitored to determine monthly performance?

A project schedule, with appropriate and realistic let dates, will be created with the involvement of SMEs. Baseline and actual schedules will be provided. We will use this schedule along with the critical path to evaluate monthly performance.

- What industry methods have been implemented to mitigate construction risks and delays?
Frequent meeting with SMEs and early coordination with railroad and utility companies.
-

- What assurances are in place to measure and document quality control performance?

Smyrna will ensure that all materials, standards, and contract specifications are in compliance with the provisions of the awarded contract. We will also inform the contractor to use suppliers on the QPL. We will adhere to 23 CFR 637N (Quality Assurance Procedures for Construction) and GDOT's STI (sampling, testing, and inspection) Manual and provide test results to GDOT through the approved Data Collection System. Smyrna will ensure that the consultant firm used is prequalified in Area Class 6.04a & 6.04b. Consultants will be required to complete the MC Checklist and submit to the Materials Audit Unit at OMAT per the GDOT Construction Manual.

Section F - Procurement of Engineering and Design Related Services
Questionnaire

Please answer the following questions specific to “Procurement, Management, and Administration of Engineering and Design Related Services” for Federal-Aid projects to enable the Department to determine compliance with 23 CFR 172.

Note: Procurement will not be approved unless training has been completed. All staff involved in the procurement process **must** attend training.

- Any person(s) responsible for the solicitation, facilitating Evaluations, Negotiations and Contract Management must attend and pass the Procurement training
- Policies shall only be submitted once training has been completed. If the LPA’s staff has not attended training, they shall not contact Procurement with questions related to the language, submittal of policy
- The application will be used to review the LPA’s policy and knowledge of the process and all attachments are required with application (solicitation, evaluation, scoring, comments, etc...)

Also, if the LPA would like to adopt GDOT’s procurement policy, please reference the additional resources on the LAP webpage for the documentation.

1. Please list all staff (names and titles) that has taken the procurement class and provide dates the class was completed. Please provide a copy of the training certificates.

Kelly Brown (Purchasing Manager) 2/17/22; Paul Osburn (Assistant Public Works Director) 12/13/24
Certificates included in Attachment #4.

2. How many procurements for architecture and engineering services were performed for contracts to be funded with Federal Aid Highway Program funds within the past three years? Provide a list of all and answer the project specific questions below for the three most recent procurements using Federal-Aid funds.

The City has not had any procurements in the last three years for architecture and engineering services for projects funded by the Federal Aid Highway Program.

3. Provide the written policies and procedures used to procure architecture and engineering services for the three most recent procurements using Federal-Aid funds, which are in accordance with §172.5(b)(1). If none are available, describe the process followed from beginning to end.

GDOT LAP Certification Application

The City of Smyrna has adopted GDOT's Procurement Policy on 7/6/23 and will abide by GDOT's policies and procedures. The template letter of agreement was approved by the Mayor of Smyrna (see Attachment #6). Smyrna is aware of the seven stages in the Procurement process (Pre-Qualification, Development, Advertisement, Evaluation, Negotiation, Award, and Contract Administration) and will abide by the required policies and procedure of each stage.

Please answer the following questions for your 3 most recent Federal-Aid projects to enable the Department to determine if compliance with 23 CFR 172, entitled "Procurement, Management, and Administration of Engineering and Design Related Services". Provide all necessary documentation to support your answers and refer to the page number the information can be found. The City of Smyrna has not participated in any recent Federal-Aid projects. The City staff is fully trained, prepared, and capable of managing a Federal-Aid project and complying with 23 CFR 172 and GDOT's policies and procedures. In particular, the established procurement process stages including requirements for pre-qualification, development, advertisement, evaluation, negotiation, award, and contract administration will be followed.

Project 1

1. Prequalification

- a. What area classes were used for;
 - i. Prime _____
 - ii. Team _____

b. Provide a copy of the prequalification certification to verify awarded consultant met all required area classes.

2. Development

a. Which of the three (3) contract types did you select for the project and why?

b. Which payment type(s) did you indicate in the solicitation could be used? Indicate page in the solicitation where this is mentioned.

c. Provide the list of the selection criteria your entity used to score and the associated weights.

3. Advertisement

a. How was the solicitation announced, advertised, or published in a public forum or method that assured qualified in-state and out-of-state consultants were given a fair opportunity to be considered? (Provide a link to the advertisement)

b. How long was the advertisement? (Provide dates)

GDOT LAP Certification Application

4. Evaluation

a. Selection Committee:

- i. How many members? _____
- ii. List the names and qualifications of committee members

b. Describe the evaluation process provide evaluation documents of short listed firms

c. Provide a copy of instructions provided to selection members

d. What is your scoring methodology?

e. Were individuals required to provide scores and comments? Please provide documentation.

f. Provide phase 1 committee scores and comments

g. Provide phase 2 committee scores and comments

h. Provide rationale for final award

5. Negotiations

a. Provide scope of contract and supporting task list to start negotiations

b. Provide independent estimate prior to receiving consultant cost proposal

c. Provide consultant cost proposal

d. Provide final cost proposal agreed upon and process used for negotiating differences between independent estimate and consultant cost proposal

e. Verification of Overhead Rate

- i. How did you achieve verification that consultant is using currently approved audited rate?

GDOT LAP Certification Application

6. Award

- a. Copy of contract which contain required provisions from CFR §172.9(c)
- b. Where was the award noticed posted? Provide a copy of the printed page confirming the posting.

7. Contract

- a. Were there any modifications to the agreement after execution of the contract? If yes, provide a summary and rationale and copies.

- b. Provide a copy of the Notice To Proceed (NTP)
- c. Provide a copy of the Stop Work Notice

Project 2

1. Prequalification

- a. What area classes were used for;
 - i. Prime

 - ii. Team

- b. Provide a copy of the prequalification certification to verify awarded consultant met all required area classes.

2. Development

- a. Which of the three (3) contract types did you select for the project and why?

- b. Which payment type(s) did you indicate in the solicitation could be used? Indicate page in the solicitation where this is mentioned.

- c. Provide the list of the selection criteria your entity used to score and the associated weights.

3. Advertisement

GDOT LAP Certification Application

- a. How was the solicitation announced, advertised, or published in a public forum or method that assured qualified in-state and out-of-state consultants were given a fair opportunity to be considered? (Provide a link to the advertisement)

- b. How long was the advertisement? (Provide dates)

4. Evaluation

- a. Selection Committee:

- i. How many members? _____
- ii. List the names and qualifications of committee members

- b. Describe the evaluation process provide evaluation documents of short listed firms

- c. Provide a copy of instructions provided to selection members

- d. What is your scoring methodology?

- e. Were individuals required to provide scores and comments? Please provide documentation.

- f. Provide phase 1 committee scores and comments

- g. Provide phase 2 committee scores and comments

- h. Provide rationale for final award

5. Negotiations

- a. Provide scope of contract and supporting task list to start negotiations
- b. Provide independent estimate prior to receiving consultant cost proposal
- c. Provide consultant cost proposal

GDOT LAP Certification Application

- d. Provide final cost proposal agreed upon and process used for negotiating differences between independent estimate and consultant cost proposal
- e. Verification of Overhead Rate
 - i. How did you achieve verification that consultant is using currently approved audited rate?

6. Award

- a. Copy of contract which contain required provisions from CFR §172.9(c)
- b. Where was the award noticed posted? Provide a copy of the printed page confirming the posting.

7. Contract

- a. Were there any modifications to the agreement after execution of the contract? If yes, provide a summary and rationale and copies.
- b. Provide a copy of the Notice To Proceed (NTP)
- c. Provide a copy of the Stop Work Notice

Project 3

1. Prequalification

- a. What area classes were used for;
 - i. Prime _____
 - ii. Team _____
- b. Provide a copy of the prequalification certification to verify awarded consultant met all required area classes.

2. Development

- a. Which of the three (3) contract types did you select for the project and why?

- b. Which payment type(s) did you indicate in the solicitation could be used? Indicate page in the solicitation where this is mentioned.

GDOT LAP Certification Application

-
- c. Provide the list of the selection criteria your entity used to score and the associated weights.

3. Advertisement

- a. How was the solicitation announced, advertised, or published in a public forum or method that assured qualified in-state and out-of-state consultants were given a fair opportunity to be considered? (Provide a link to the advertisement)

- b. How long was the advertisement? (Provide dates)

4. Evaluation

- a. Selection Committee:

- i. How many members? _____

- ii. List the names and qualifications of committee members

- b. Describe the evaluation process provide evaluation documents of short listed firms

- c. Provide a copy of instructions provided to selection members

- d. What is your scoring methodology?

- e. Were individuals required to provide scores and comments? Please provide documentation.

- f. Provide phase 1 committee scores and comments

- g. Provide phase 2 committee scores and comments

- h. Provide rationale for final award

GDOT LAP Certification Application

5. Negotiations

- a. Provide scope of contract and supporting task list to start negotiations
- b. Provide independent estimate prior to receiving consultant cost proposal
- c. Provide consultant cost proposal
- d. Provide final cost proposal agreed upon and process used for negotiating differences between independent estimate and consultant cost proposal
- e. Verification of Overhead Rate
 - i. How did you achieve verification that consultant is using currently approved audited rate?

6. Award

- a. Copy of contract which contain required provisions from CFR §172.9(c)
- b. Where was the award noticed posted? Provide a copy of the printed page confirming the posting.

7. Contract

- a. Were there any modifications to the agreement after execution of the contract? If yes, provide a summary and rationale and copies.

- b. Provide a copy of the Notice To Proceed (NTP)
- c. Provide a copy of the Stop Work Notice

Section G - Certification Acceptance Agreement

The agency agrees to comply with the following requirements when developing all Federal Highway Administration (FHWA) projects under GDOT’s Qualification Certification Agreement.

1. Adherence to the *Local Administered Project Manual* and all policies and procedures promulgated by the Georgia Department of Transportation (GDOT) which accomplish the policies and objectives set forth in Title 23, U.S. Code, Highways, and the regulations issued pursuant thereto.
2. All projects will be constructed in conformance with the GDOT current *Standard Specifications for Road, Bridge, and* such specifications that modify these Specifications as appropriate.
3. Construction administration and material sampling and testing will be accomplished in accordance with the GDOT *Construction Manual* and the *Local Administered Project Manual*.
4. All projects under Certification Acceptance shall be available for review by the FHWA and/or GDOT at any time and all project documents shall be retained and available for inspection during the plan development and construction stages and for a three year period following acceptance of the project by GDOT.
5. Approval of the local agency certification by the GDOT may be rescinded at any time upon local agency request or if, in the opinion of the LAP Certification Committee, it is necessary to do so. The rescission may be applied to all or part of the programs or projects approved in the local agency certification. The Local Government accepts liability to reimburse the GDOT and FHWA for all accrued payments received for applicable projects not complying with this agreement.

Recommendation(s) of action to be taken by Agency from GDOT Reviewer:

Full administration by agency of all projects

Deny approval for Certification Acceptance

Interview Conducted By: _____ **District Planning Programming Liaison** **Date** _____

Section H - Certification Appeal Process

If certification has been denied, the Local Public Agency will then receive a letter explaining the reasons for denial. The LPA can then appeal any deficiencies found within 30 days. GDOT will then approve or deny the appeal based on additional information provided by the LPA.

Removal from the certification program may also occur at any time for unsatisfactory performance, which includes, but is not limited to:

- Failure to comply with applicable laws, regulations and policies
- Failure to meet the commitments of the LAP Program
- Failure to meet required timeframes for project delivery



GDOT LAP Certification Application

This signature ensures that the agency agrees to comply with the previous requirements when developing all Federal Highway Administration projects under GDOT's Qualification Certification Agreement. **FAILURE TO COMPLY** may require repayment for all or a portion of Federal funds. This applies to all successors from here.

CITY OF SMYRNA, Georgia

Approved By: _____

Title: _____

Signed, sealed and delivered

This ____ day of _____,

20__, in the presence of:

Witness

Notary Public

GEORGIA DEPARTMENT OF TRANSPORTATION

Approved By: _____

Program Control Administrator

Date

ATTACHMENT #6

GDOT Procurement Policy

Adopted 7/6/2023



2800 King Street
Smyrna, Georgia 30080
(770) 434-6600

City of Smyrna

www.SmyrnaGA.gov

May 22, 2024

Department of Transportation
600 West Peachtree Street, NW, 7th Floor
Atlanta, GA 30308

Attn: Maria L. Roux
QA Compliance Manager Office of Procurement

RE: Adoption of GDOT Procurement Policy for The Procurement, Management and Administration of Engineering and Design Related Consultant Services

The City of Smyrna, Georgia will adopt the Georgia Department of Transportation Procurement Policy for The Procurement, Management and Administration of Engineering and Design Related Consultant Services. The City has read the policy and will abide by the policy for all state and federally funded transportation projects as it pertains to local governments.

The City of Smyrna agrees to and acknowledges the following:

1. City agrees to and acknowledges that all personnel involved in the procurement, management and administration of engineering and design related consultant services must attend GDOT Manual training and pass the test administered. Please provide a list of names of all involved in advertising the solicitation, facilitating evaluations, conducting negotiations and contract administration of Engineering and Design related procurements:
Kelly Brown, Purchasing Manager; GDOT Procurement Training completed 2/17/22
Paul Osburn, Assistant Public Works Director; GDOT Procurement Training completed 12/13/23
2. Personnel listed of City involved have read and understands the Federal Laws and Regulations {23 CFR Part 172) along with any State of Georgia laws (O.C.G.A. 50-22-1 through 50-22-9) that pertain to these services where FAHP funds will be utilized must be followed and adhered to.
3. City understands that only the above listed personnel have been certified to participate in in advertising the solicitation, facilitating evaluations, conducting

Mayor – Derek Norton

City Council: Ward 1 – Glenn Pickens / Ward 2 – Latonia P. Hines / Ward 3 – Travis Lindley
Ward 4 – Charles (Corkey) Welch / Ward 5 – Susan Wilkinson / Ward 6 – Tim Gould / Ward 7 – Rickey N. Oglesby, Jr.

City Administrator – Joe Bennett / Deputy City Administrator & CFO – Kristin Robinson
Interim Assistant City Administrator / Parks & Rec Director – Richard Garland
City Attorney – Scott Cochran / Chief Municipal Court Judge – Phyllis Gingrey Collins / Municipal Court Solicitor – Tim Williams
City Clerk – Heather K. Peacon Corn



2800 King Street
Smyrna, Georgia 30080
(770) 434-6600

City of Smyrna

www.SmyrnaGA.gov

- negotiations and contract administration of Engineering and Design related procurements.
4. City is familiar with the requirements and understands 23 CFR Part 172 and the requirements of 40 U.S.C. 1101-1104 Selection of Architects and Engineers commonly referred to as "The Brooks Act" or Qualification Based Selection (QBS) to include:
 - a. Solicitation process
 - b. Evaluation Factors
 - c. Non-Qualification Evaluation Factors
 - d. Evaluation, Ranking and Selection
 - e. Negotiation

 5. City acknowledges and agrees to adhere to the below additional procurement requirements:
 - a. Common Grant Rule 49 CFR Part 18
 - b. Georgia DOT's Disadvantaged Business Enterprise (DBE) program
 - c. Suspension and Debarment
 - d. Compliance with Title VI
 - e. Compliance with E-Verify (this is not necessary if state funds are not utilized)

 6. City has no exceptions to GDOT's Engineering and Design Procurement Policy.

Signatures below agree to the above acknowledgements agreeing to follow GDOT's Procurement Policy for engineering and design related services when using FAHP funds, as it applies to local governments certified through GDOT's LAP program.

Respectfully,

Derek Norton, Mayor
City of Smyrna, Georgia



ATTEST:

Heather K. Peacon-Corn, City Clerk

Mayor – Derek Norton
City Council: Ward 1 – Glenn Pickens / Ward 2 – Latonia P. Hines / Ward 3 – Travis Lindley
Ward 4 – Charles (Corkey) Welch / Ward 5 – Susan Wilkinson / Ward 6 – Tim Gould / Ward 7 – Rickey N. Oglesby, Jr.

City Administrator – Joe Bennett / Deputy City Administrator & CFO – Kristin Robinson
Interim Assistant City Administrator / Parks & Rec Director – Richard Garland
City Attorney – Scott Cochran / Chief Municipal Court Judge – Phyllis Gingrey Collins / Municipal Court Solicitor – Tim Williams
City Clerk – Heather K. Peacon Corn