

Local Administered Project Certification



Local Administered Projects Certification

Rev. 6/21

Georgia Department of Transportation Local Administered Projects Certification

The Georgia Department of Transportation (GDOT) has developed a Local Administered Projects (LAP) Certification process to ensure the resource capacity and ability of the Local Public Agency (LPA) to successfully manage, administer and execute the policies and procedures for Federal and State compliance in order to receive federal funding participation.

The LAP Certification application will be used to determine if Local Public Agencies will qualify to administer federal-aid projects. The GDOT serves as the prime recipient of federal transportation funds. In accordance with 23 Code of Federal Regulation Part 635.105, GDOT is the supervising agency; as such, it is responsible for authorizing performance of the work by the Local Agency on all Federal-aid projects. Please complete the questions provided in this application to ensure a complete review of submitted materials.

If you have any questions about the application, please contact the Office of Program Control at 404-631-1830. For additional information please visit the LAP Programs website at <http://www.dot.ga.gov/PS/Local/LAP>

Table of Contents

Table of Contents	ii
Acronyms	iv
Types of Certification Applications	1
Required Training for Certification	1
Documents to be Submitted	1
LAP Certification Information	2
Local Administered Projects Responsible Charge Worksheet	3
Section A - Title VI - Civil Rights Performance & Assessment Questionnaire	5
Section B - Environmental Questionnaire	7
Section C - Right of Way Questionnaire	10
Section D - Utility Division Questionnaire	12
Section E - Construction Division Questionnaire	13
Section F - Procurement of Engineering and Design Related Services Questionnaire	17
Section G - Certification Acceptance Agreement	19
Section H - Certification Appeal Process	20

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Acronyms

AASHTO – American Association of State Highway and Transportation Officials
(<http://www.transportation.org>)

ADA – Americans with Disabilities Act

ASNT – American Society of Nondestructive Testing

CA – Certification Acceptance

CFR – Code of Federal Regulations

CWP – (GDOT) Construction Work Program

FFPR – (GDOT) Final Field Plan Review

FHWA – Federal Highway Administration (<http://www.fhwa.dot.gov>)

FRA – Federal Railroad Administration (<http://www.fra.dot.gov/>)

GDOT – Georgia Department of Transportation (<http://www.dot.ga.gov>)

GRTA – Georgia Regional Transportation Authority (<http://www.grta.org/>)

LAP – Local Administered Project

LPA/LG – Local Public Agency/Local Government

MPO – Metropolitan Planning Organization

MUTCD – Manual on Uniform Traffic Control Devices (FHWA)

NHS – National Highway System

OCGA – Official Code of Georgia (<http://www.lexisnexis.com/hottopics/gacode/Default.asp>)

OES – (GDOT) Office of Environmental Services

OMAT – (GDOT) Office of Materials and Testing

PCI – Precast-Prestressed Concrete Inspection

PDP – (GDOT) Plan Development Process

PE – Preliminary Engineering

PFPR – Preliminary Field Plan Review

QPL – (GDOT) Qualified Products List

ROW – Right-of-Way

RTT – Roadway Testing Technician as certified by GDOT

GDOT LAP Certification Application

SRTA – State Road and Tollway Authority

STI – GDOT Sampling, Testing and Inspection Manual which is located on the GDOT website under “The Source”.

STIP – State Transportation Improvement Plan.

SWTP – Statewide Transportation Plan (<http://www.dot.ga.gov/IS/SSTP#tab-2>)

TIP – Transportation Improvement Program

TMOS- Testing Management Operations Supervisor

UAM – (GDOT) Utility Accommodation Policy and Standards Manual.
http://www.dot.ga.gov/PartnerSmart/utilities/Documents/2016_UAM.pdf

VT – Verification Testing

Types of Certification Applications

1. Full Certification Acceptance (CA) Status
This status delegates some or all authority to a qualified local agency for approving project development and construction administration.
2. Non-CA Status
 - a) **Option 1:** The Non-CA Local Government could enter into an agreement with a CA Local Government to administer all aspects of the project. There must be a jurisdictional relationship (for example a CA County could have an agreement with a Non-CA City that is within its jurisdictional boundaries). This agreement requires approval by GDOT.
 - b) **Option 2:** GDOT acts as the CA for the Local Government through an approved plan for the administration of projects, which are executed between GDOT and the Local Government.

Required Training for Certification

These courses will be required every 3 years for certification and re-certification:

- Local Administered Projects Training
- Plan Development Process Training
- Right-of-Way Acquisition for Local Public Agencies Training
- Title VI/ADA Training
- Engineering and Design Procurement Training

Documents to be Submitted

Templates can be found on the [LAP Webpage](#)

- Organizational Chart (update chart that identifies by name and title/position of non-consultant staff that will participate in LAP certification)
- Copy of all five (5) Training Certificates
- Title VI Plan or Non-Discrimination Agreement with Assurance
- Procurement Policy Template Letter of Agreement

LAP Certification Information

Date: 11/19/2021

Agency Name: City of Powder Springs

Type of Certification Status: CA Non-CA Option 1 Option 2

GDOT District: Seven Congressional District: Eleven

Interview Conducted By (GDOT) Name: _____

Title: _____

Agency Representative (Local) Name: Tina Garver

Title: Director of Community Development

How Long in Current Position? 7 years

Phone Number: 770-943-8001, ext. 361 Fax Number: 770-943-8003

Email Address: TGarver@cityofpowdersprings.org

Street Address: 4488 Pineview Drive

City: Powder Springs

State: GA County: Cobb Zip Code: 30127

Alternate Agency Full-time Representative (Local) Name: Dwayne Eberhart

Title: Director of Public Works

How Long in Current Position? 2 years

Phone Number: 770-943-1666 Fax Number: 770-943-8003

Email Address: Deberhart@cityofpowdersprings.org

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: Tina Garver

Selection of Annual Program: Tina Garver

Location/Design Approval: Tina Garver

Environmental Documents: Tina Garver

PS&E Approval: Tina Garver

Tied Bids: Tina Garver

Approval of Materials Sources: Tina Garver

Construction Administration: Tina Garver

Construction Inspection: Tina Garver

Acceptance Sampling/Testing: Tina Garver

Change Orders: Tina Garver

Project Files: Tina Garver

OEO Interviews/Monitoring: Tina Garver

Training Goal Attainment: Tina Garver

DBE Compliance/Monitoring: Tina Garver

Utility Certification: Tina Garver

Row Certification: Tina Garver

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

If there is an organizational change this document must be updated within 30days.

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)

Yes. See Appendix B (pg 31)

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 Powder Springs follows GDOT's Title VI Non-Discrimination Agreement between Powder Springs and GDOT. The City's Title VI compliant procedure is located on the City's website, making it easily accessible to the public. See Appendix B (pg - 31).

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.

No. See Appendix B (pg 43) for blank copy of the complaint form.

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?

Tina Garver, Director of Community Development

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

Public hearings are advertised in the Marietta Daily Journal, posted to the City website, and social media. A sign-in sheet is used for record keeping of the attendance of each public meeting, and demographics will be documented using a visual assessment method.

- 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?

All federally funded projects with DBE goals will be closely monitored. The most current DBE program criteria for acceptability information will be included in the bid documents and contract documents for federally funded project. DBE goals will be clearly stated in the bid advertisement. Monthly DBE reports will be required to be submitted along with certified payroll reports and contractor applications for payment.

- 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?

All federally funded projects will be publicly advertised on the City website, in the Marietta Daily Journal, and the Georgia Procurement Registry. The bid advertisement will include verbiage about the DBE goals and Title VI requirements.

- 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.

N/A. There are no current Federally Funded projects.

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

All federally funded projects will have the Title VI and FHWA 1273 forms included in all contracts, subcontracts, and material supply agreements (if applicable).

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/ACEs N/A EA/FONSI N/AEIS

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.

Public Information Open House (PIOH) meetings will be held when required by the environmental process. These PIOH meetings will be advertised in the Marietta Daily Journal, posted to the City website, and social media.

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 0 Regional 0 Nationwide 0
0 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 N/A Regional N/A Nationwide N/A

N/A Stream Buffer Variances from Georgia Environmental Protection Division (EPD)

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

N/A 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.

Early and continuous coordination with GDOT to understand project schedules and timelines will help ensure the timely delivery of environmental approvals and permits.

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?

We will use GDOT prequalified consultants who are qualified in area class 1.06.

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.

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)
Routine ROW Project Status Reports are submitted to GDOT during the ROW acquisition phase to ensure acquisition stays on schedule. Close coordination with the GDOT project manager to develop a schedule and manage recovery in case delays are encountered.
- b. ROW Project Budget (i.e. development, monitoring and overruns)
A preliminary ROW cost estimate is prepared by a qualified ROW consultant. Close coordination with the GDOT project manager and local government ROW coordinator to monitor budget overruns.
- c. ROW Project Risks associated with adhering to scope, schedule and budget (i.e. mitigation plan)
Routine ROW Project Status Reports are submitted to GDOT during the ROW acquisition phase to ensure acquisition stays on schedule and budget. Close coordination with the GDOT project manager to adhere to scope, schedule, and budget.
- d. ROW Consultant Services (i.e. development and monitoring) when applicable
Routine ROW Project Status Reports are submitted to GDOT during the ROW acquisition phase to ensure acquisition stays on schedule. Close coordination with the GDOT project manager, local government, ROW coordinator, and ROW consultant.

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

GDOT LAP Certification Application

Tina Garver

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

No

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?

We will follow the methods listed in question 3 of this section.

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.

Tina Garver

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).

This Utility Accommodation Policy and Standards Manual outlines the conditions and procedures under which utilities will be permitted to occupy right-of-way in Georgia. This document assists us in our attempt to minimize the impact that these facilities will have on highway safety, improvements, maintenance, and operations. Utility Coordination is a multi-step process from project inception (planning/concept phase) to project construction phase completion, and Chapter 4 of the UAM outlines the policies, procedures, and responsibilities of all involved parties including the utility, local agency, and State and District Utilities offices.

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).

The City used to provide water and sanitary sewer to residents before selling those utilities to Cobb County to reduce costs for residents. The City routinely coordinates with Cobb County and external utility providers during the pre-construction phase of transportation project.

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)

The City routinely coordinates with Cobb County and external utility providers to markup the existing condition plans and coordinate with each to obtain a letter of no conflict or relocation schedule (if needed) during construction.

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?

N/A

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 Tina Garver

Name of Legal Publication Tina Garver

Prequalification of Bidders Tina Garver

Award of Contract Tina Garver

Execution of Contract Tina Garver

Construction Supervision and Administration

Name and Title of individual or individuals that will be responsible for Construction Supervision and Administration: Tina Garver

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

The City of Powder Springs has managed multiple construction projects from bid to completion. We work with Croy Engineering as needed.

Will daily Construction Supervision and Inspection be handled by the Local Government or by a Consultant Firm? Local Government

If Local Government is using a Consultant Firm, is the Firm under a current contract with the Local Government? N/A

If so, what is the name of the Firm? N/A

Is the Firm pre-qualified under the Department's 8.01 Consultant Work Classification? N/A

If a Consultant Firm is used, how will the Local Government monitor the Consultant's work?
The City is on-site during field inspections.

GDOT LAP Certification Application

Name and Title of individual who will check contractor payrolls?
Tina Garver

How will the Local Government handle administration of more than one contract at a time?
Should there be more than one contract at a time, we hold routine project status meetings.

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

The City has several staff members knowledgeable of constructions means and methods.
Should outside assistance be necessary, GDOT pre-qualified consultants may be brought on board to augment City staff.

Change Orders/Contract Modifications

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

Change orders will be recommended for approval by the engineer and contractor. Change orders will then be presented to the City for approval. If approval by the City, the change order will be signed by the City Manager before being sent to GDOT for approval and signature.

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

City staff will document contractor activities with inspection reports and activity log sheets.
Measurements for payment of project bid item will be performed with the contractor, engineer, and City staff.

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

Subcontracts will be provided by the Prime contractor with FHWA 1273 physically attached.
Subcontractors are to be registered or pre-qualified by the Georgia DOT.

Material Testing and Approval

Describe the Local Governments experience with use of materials approved by the Georgia Department of Transportation.

N/A

GDOT LAP Certification Application

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

N/A

Will materials testing and certification be done by the Local Government or by a Consultant Firm? Materials Testing - Consultant Firm, Certification - Local Government

If Local Government is using a Consultant Firm, is the Firm under a current contract with the Local Government? No

If so, what is the name of the Firm?

N/A

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

N/A

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

No

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

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

N/A

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

N/A

Schedule/Workload

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

None

Delivery Performance & Quality Assurance

- Who is responsible for ensuring that payments are in line with percent complete activities (as approved by LPA and GDOT)?
Engineer and City Staff
- Who is responsible for developing the initial Gantt Chart construction schedule identifying the key milestones along with the critical paths?
Contractor
- How is the construction schedule monitored to determine monthly performance?
Monthly project status review meetings with Contractor, Engineer and City Staff
- What industry methods have been implemented to mitigate construction risks and delays?
Pre-construction meeting and coordination with utility providers to avoid delays.
- What assurances are in place to measure and document quality control performance?
Use of GDOT prequalified consultants and contractors before and during construction.

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.
Tina Garver - 10/21/2021

Dwayne Eberhart - Scheduled 12/8-12/9

2. How many procurements for architecture and engineering services for contracts to be funded with Federal Aid Highway Program funds are anticipated and what type of services will be procured?

There are not currently any procurements planned. However, the City has applied for funding through the LCI program, and if funding is awarded, the City will procure the professional engineering services for the design of the project.

3. Provide the written policies and procedures which will be used to procure architecture and engineering services 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.
The City has adopted GDOT's Procurement Policy. See Appendix D (pg 54)

GDOT LAP Certification Application

4. How will the solicitations be 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? How long will the projects be advertised?

The advertisement will be posted to the City website, published in the Marietta Daily Journal, and posted to the Georgia Procurement Registry. Projects are advertised for a minimum of 30 days.

a. What selection criteria will be utilized and what is the range of associated weights which will be applied for each selection criteria?

See Appendix E for a copy of the latest RFQ. The RFQ lists the selection criteria and associated weights. For the attached, the weights were as follows: Relevant Project Experience – 40, Project Understanding/Strategy to Accomplish Project – 30 Proposed Project Personnel 30

b. Describe the information which will be included in the resulting evaluation, ranking and selection packages for each consultant selection. What is the minimum number of statements of qualifications which must be received in order to proceed? What are the anticipated DBE Goals for each contract?

The scoring and results of the criteria shown in Appendix E are included. At least three (3) statements of qualifications must be received to proceed. The DBE goal for each contract will be determined by GDOT.

5. Compliance with 23 CFR 172.7(a)(1)(v) and 23 CFR172.11: After the selection process is completed, describe the negotiation process which will be utilized to determine a fair and reasonable cost for the services provided.

As shown in Appendix D (pg.54), the City has adopted GDOT's Procurement Policy, and follows the negotiation process stated in the policy.

6. What contract types (project specific, multi-phase project specific, on call/Indefinite Delivery/Indefinite Quantity (IDIQ) are anticipated to be procured?

Project Specific

7. If utilizing on call/IDIQ contracts, what will be the maximum contract term?

Not applicable

8. If you have not done any of the above, please explain how you plan to perform Construction Activities on Local Administered Projects?

See Section E above where it was explained how the City plans to perform Construction Activities on Local Administered Projects.

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:

Recommend the City of Powder Springs for full administration of all projects.

- Full administration by agency of all projects
- Non – CA Status Option 1
- Non – CA Status Option 2
- 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

The following two options for Non-Certification Acceptance (Non –CA) status are available to Local Public Agencies that cannot meet the CA requirements the agency can participate in Non-CA Acceptance Status either Option 1 or Option 2.

1. **Option 1:** The Non-CA Local Government could enter into an agreement with a CA Local Government to administer all aspects of the project. There must be a jurisdictional relationship (for example a CA County could have an agreement with a Non-CA City that is within its jurisdictional boundaries). This agreement requires approval by GDOT.
2. **Option 2:** GDOT acts as the CA for the Local Government through an approved plan for the administration of projects, which are executed between GDOT and the Local Government.

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.

LOCAL GOVERNMENT, Georgia

Approved By: _____

Albert Thurman

Title: _____

Mayor

Signed, sealed and delivered

This _____ day of _____

19th November

20*21*, in the presence of:

James B. Corner

Witness

Kelly Axt

Notary Public



GEORGIA DEPARTMENT OF TRANSPORTATION

Approved By: _____

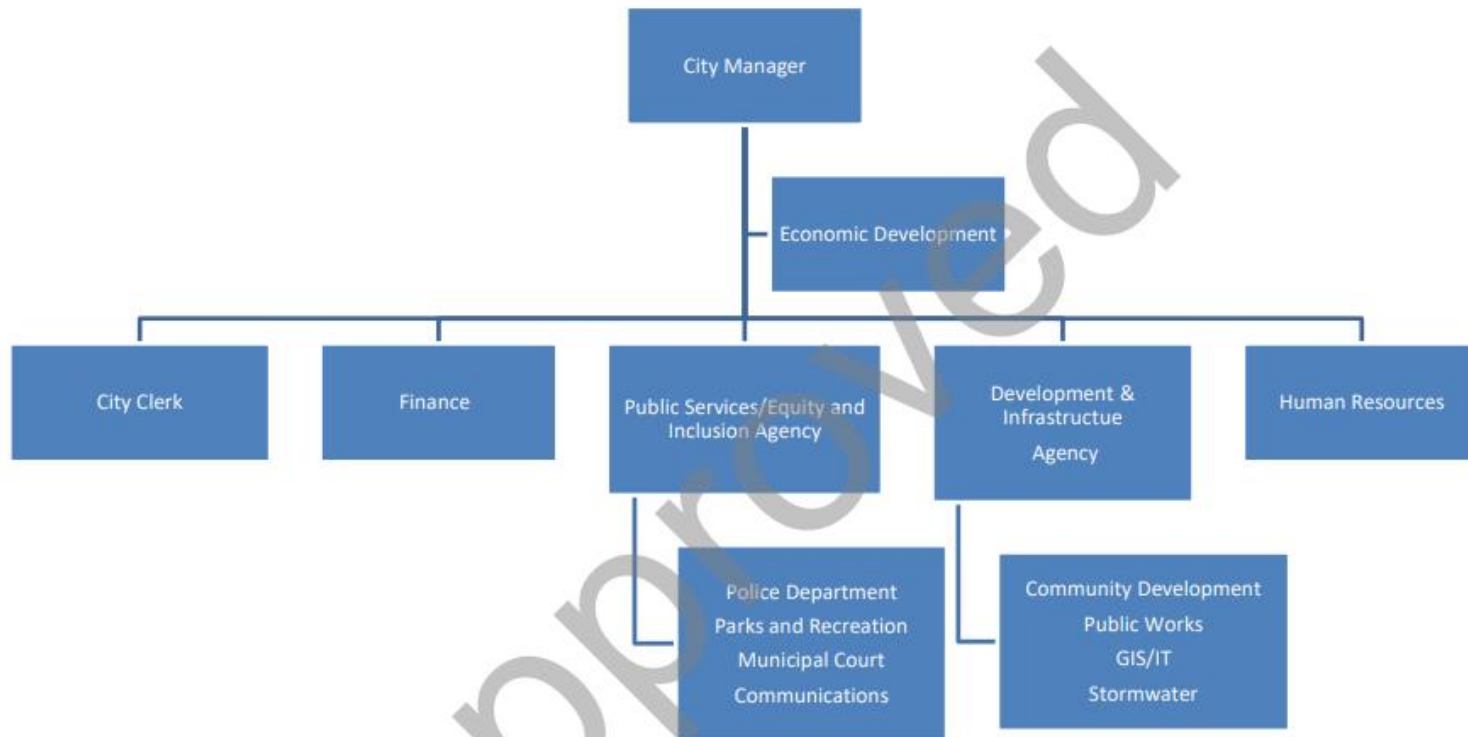
Program Control Administrator

Date

APPENDIX A



The City of Powder Springs Organizational Chart FY2022



APPENDIX B

**TITLE VI
NON-DISCRIMINATION AGREEMENT**

**The Georgia Department of Transportation
and**

City of Powder Springs

Name of Recipient

Policy Statement

The ***(Name of Recipient)*** City of Powder Springs, hereinafter referred to as the "Recipient" assures that no person shall on the grounds of race, color, national origin, or sex, as provided by Title VI of the Civil Rights Act of 1964, and the Civil Rights Restoration Act of 1987 be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity. The Recipient further assures every effort will be made to ensure non-discrimination in all of its programs and activities, whether those programs and activities are federally funded or not.

The Civil Rights Restoration Act of 1987, broadened the scope of Title VI coverage by expanding the definition of terms "programs or activities" to include all programs or activities of Federal Aid recipients, sub-recipients, and contractors/consultants, whether such programs and activities are federally assisted or not.

In the event the Recipient distributes federal aid funds to a sub-recipient, the Recipient will include Title VI language in all written agreements and will monitor for compliance.

The Recipient's ***(Name of person/division)*** Community Development Director, is responsible for initiating and monitoring Title VI activities, preparing reports and other responsibilities as required by 23 Code of Federal Regulation(CFR) 200 and 49 Code of Federal Regulation 21.

Tina Garver

Name of Responsible Agency Official (Please Print)

Community Development Director

Title

October 5, 2021

Date

Title VI Program

Organization and Staffing

Pursuant to 23 CFR 200, **(Name of Recipient)** the City of Powder Springs has appointed a Title VI Specialist who is responsible for **Attachment 1**, which describes the hierarchy for **(Name of Recipient)'s** the City of Powder Springs Title VI Program, including an organization's chart illustrating the level and placement of Title VI responsibilities.

Assurances

49 CFR Part 21.7

The City of Powder Springs, hereby gives assurances:

1. That no person shall on the grounds of race, color, national origin, and sex, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity conducted by the recipient regardless of whether those programs and activities are Federally funded or not. Activities and programs which the recipient hereby agrees to carry out in compliance with Title VI and related statutes include but are not limited to:
 - List all major programs and activities of the recipient and Title VI responsibilities for each one of them. Include information as **Attachment 2** to this Nondiscrimination Agreement.
2. That it will promptly take any measures necessary to effectuate this agreement.
3. That each program, activity, and facility as defined at 49 CFR 21.23(b) and (e), and the Civil Rights Restoration Act of 1987 will be (with regard to a program or activity) conducted, or will be (with regard to a facility) operated in compliance with the nondiscriminatory requirements imposed by, or pursuant to, this agreement.
4. That these assurances are given in consideration of and for the purpose of obtaining any and all Federal grants, loans, contracts, property, discounts or other Federal financial assistance extended after the date hereof to the recipient by the Georgia Department of Transportation (GDOT) under the Federally-Funded Program and is binding on it, other recipients, subgrantees, contractors, sub-contractors, transferees, successors in interest and other participants. The person or persons whose signatures appear below are authorized to sign these assurances on behalf of the Recipient.
5. That the Recipient shall insert the following notification in all solicitations for bids for work or material subject to the Regulations and made in connection with all Federally-Funded programs and, in adapted form all proposals for negotiated agreements.

The Recipient, in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d to 2000d-4 and Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the Department of Transportation issued pursuant to such Act, hereby notifies all bidders that it will affirmatively ensure that in any contract entered into pursuant to this advertisement, disadvantaged business enterprises as defined at 49 CFR Part 23 will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, national origin, or sex in consideration for an award.

6. That the Recipient shall insert the clauses of Appendix A of this Agreement in every contract subject to the Act and the Regulations.
7. That the Recipient shall insert the clauses of Appendix B of this Agreement, as a covenant running with the land, in any deed from the United States effecting a transfer of real property, structures, or improvements thereon, or interest therein.
8. That the Recipient shall include the appropriate clauses set forth in Appendix C of this Agreement, as a covenant running with the land, in any future deeds, leases, permits, licenses, and similar agreements entered into by the Recipient with other parties: (a) for the subsequent transfer of real property acquired or improved under a Federal Aid Program; and (b) for the construction or use of or access to space on, over or under real property acquired, or improved under a Federal Aid Program.
9. The Recipient agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Act, the Regulations, and this agreement.

Implementation Procedures

This agreement shall serve as the recipient's Title VI plan pursuant to 23 CFR 200 and 49 CFR 21.

For the purpose of this agreement, "Federal Assistance" shall include:

1. grants and loans of Federal funds,
2. the grant or donation of Federal property and interest in property,
3. the detail of Federal personnel,
4. the sale and lease of, and the permission to use (on other than a casual or transient basis), Federal property or any interest in such property without consideration or at a nominal consideration, or at a consideration which is reduced for the purpose of assisting the recipient, or in recognition of the public interest to be served by such sale or lease to the recipient, and
5. any Federal agreement, arrangement, or other contract which has as one of its purposes, the provision of assistance.

The recipient shall:

1. Issue a policy statement, signed by the head of the recipient, which expresses its commitment to the nondiscrimination provisions of Title VI. The policy statement shall be circulated throughout the recipient's organization and to the general public. Such information shall be published where appropriate in languages other than English.
2. Take affirmative action to correct any deficiencies found by GDOT or the United States Department of Transportation (USDOT) within a reasonable time period, not to exceed 90 days, in order to implement Title VI compliance in accordance with this agreement. The head of the recipient shall be held responsible for implementing Title VI requirements.
3. Establish a civil rights unit and designate a coordinator who has a responsible position in the organization and easy access to the head of the recipient. This unit shall contain a Title VI Specialist, who shall be responsible for initiating and monitoring Title VI activities and preparing required reports.
4. Adequately staff the civil rights unit to effectively implement the civil rights requirements.
5. Process complaints of discrimination consistent with the provisions contained in this agreement. Investigations shall be conducted by civil rights personnel trained in discrimination complaint investigation. Identify each complainant by race, color, national origin or sex, the nature of the complaint, the date the complaint was filed, the date the investigation was completed, the disposition, the date of the disposition, and other pertinent information. A copy of the complaint, together with a copy of the recipient's report

of investigation, will be forwarded to GDOT's Office of Equal Employment Opportunity (OEEEO) within 10 days of the date the complaint was received by the recipient.

6. Collect statistical data (race, color, national origin, sex) of participants in, and beneficiaries of the programs and activities conducted by the recipient.
7. Conduct Title VI reviews of the recipient and sub-recipient contractor/consultant program areas and activities. Revise where applicable, policies, procedures and directives to include Title VI requirements.
8. Conduct training programs on Title VI and related statutes.
9. Prepare a yearly report of Title VI accomplishments for the last year and goals for the next year.

a) Annual Work Plan

Outline Title VI monitoring and review activities planned for the coming year; state by which each activity will be accomplished and target date for completion.

b) Accomplishment Report

List major accomplishments made regarding Title VI activities. Include instances where Title VI issues were identified and discrimination was prevented. Indicate activities and efforts the Title VI Specialist and program area personnel have undertaken in monitoring Title VI. Include a description of the scope and conclusions of any special reviews (internal or external) conducted by the Title VI Specialist. List any major problem(s) identified and corrective action taken. Include a summary and status report on any Title VI complaints filed with the recipient.

Discrimination Complaint Procedure

1. Any person who believes that he or she, individually, as a member of any specific class, or in connection with any disadvantaged business enterprise, has been subjected to discrimination prohibited by Title VI of the Civil Rights Act of 1964, the American with Disabilities Act of 1990, Section 504 of the Vocational Rehabilitation Act of 1973 and the Civil Rights Restoration Act of 1987, as amended, may file a complaint with the recipient. A complaint may also be filed by a representative on behalf of such a person. All complaints will be referred to the recipient's Title VI Specialist for review and action.
2. In order to have the complaint consideration under this procedure, the complainant must file the complaint no later than 180 days after:
 - a) The date of alleged act of discrimination; or
 - b) Where there has been a continuing course of conduct, the date on which that conduct was discontinued.

In either case, the recipient or his/her designee may extend the time for filing or waive the time limit in the interest of justice, specifying in writing the reason for so doing.

3. Complaints shall be in writing and shall be signed by the complainant and/or the complainant's representative. Complaints shall set forth as fully as possible the facts and circumstances surrounding the claimed discrimination. In the event that a person makes a verbal complaint of discrimination to an officer or employee of the recipient, the person shall be interviewed by the Title VI Specialist. If necessary, the Title VI Specialist will assist the person in reducing the complaint to writing and submit the written version of the complaint to the person for signature. The complaint shall then be handled according to the recipient's investigative procedures.
4. Within 10 days, the Title VI Specialist will acknowledge receipt of the allegation, inform the complainant of action taken or proposed action to process the allegation, and advise the complainant of other avenues of redress available, such as GDOT and USDOT.
5. The recipient will advise GDOT within 10 days of receipt of the allegations. Generally, the following information will be included in every notification to GDOT:
 - a) Name, address, and phone number of the complainant.
 - b) Name(s) and address (es) of alleged discriminating official(s).
 - c) Basis of complaint (i.e., race, color, national origin or sex)
 - d) Date of alleged discriminatory act(s).
 - e) Date of complaint received by the recipient.
 - f) A statement of the complaint.

- g) Other agencies (state, local or Federal) where the complaint has been filed.
 - h) An explanation of the actions the recipient has taken or proposed to resolve the issue raised in the complaint.
6. Within 60 days, the Title VI Specialist will conduct an investigation of the allegation and based on the information obtained, will render a recommendation for action in a report of findings to the head of the recipient. The complaint should be resolved by informal means whenever possible. Such informal attempts and their results will be summarized in the report of findings.
 7. Within 90 days of receipt of the complaint, the head of the recipient will notify the complainant in writing of the final decision reached, including the proposed disposition of the matter. The notification will advise the complainant of his/her appeal rights with GDOT, or USDOT, if they are dissatisfied with the final decision rendered by the Recipient. The Title VI Specialist will also provide GDOT with a copy of this decision and summary of findings upon completion of the investigation.
 8. Contact for GDOT's Title VI staff is as follows:

Georgia Department of Transportation
Office of Equal Opportunity, Title VI/ Program
600 West Peachtree Street, N.W. 7th Floor
Atlanta, GA 30308
(404) 631-1497

Sanctions

In the event the recipient fails or refuses to comply with the terms of this agreement, the GDOT may take any or all of the following actions:

- a) Cancel, terminate, or suspend this agreement in whole or in part;
- b) Refrain from extending any further assistance to the recipient under the program from which the failure or refusal occurred until satisfactory assurance of future compliance has been received from the recipient.
- c) Take such other action that may be deemed appropriate under the circumstances, until compliance or remedial action has been accomplished by the recipient.
- d) Refer the case to the Department of Justice for appropriate legal proceedings.

SIGNED FOR THE GEORGIA DEPARTMENT OF TRANSPORTATION:

Signature

EEO Director

Title

Date

NAME OF RECIPIENT:



Signature

Mayor

Title

October 5, 2021

Date

Appendix A

During the performance of this contract, the contractor/consultant, for itself, its assignees and successors in interest (hereinafter referred to as the "contractor") agrees as follows:

1. Compliance with Regulations

The contractor shall comply with the Regulations relative to non-discrimination in federally assisted programs of United States Department of Transportation (USDOT), Title 49, Code of Federal Regulations, part 21, as they may be amended from time to time, (hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this contract.

2. Non-discrimination

The contractor, with regard to the work performed by it during the contract, shall not discriminate on the grounds of race, color, sex, or national origin in the selection and retention of sub-contractors, including procurement of materials and leases of equipment. The contractor shall not participate either directly or indirectly in the discrimination prohibited by Section 21.5 of the Regulations, including employment practices when the contract covers a program set forth in Appendix B of the Regulations.

3. Solicitations for Sub-contracts, Including Procurement of Materials and Equipment

In all solicitations either by competitive bidding or negotiations made by the contractor for work to be performed under a sub-contract, including procurement of materials or leases of equipment, each potential sub-contractor or supplier shall be notified by the contractor of the contractor's obligations under this contract and the Regulations relative to non-discrimination on the grounds of race, color, sex, or national origin.

4. Information and Reports

The contractor shall provide all information and reports required by the Regulations or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the contracting agency or the appropriate federal agency to be pertinent to ascertain compliance with such Regulations, orders and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish this information, the contractor shall so certify to GDOT or the USDOT as appropriate, and shall set forth what efforts it has made to obtain the information.

5. Sanctions for Non-compliance

In the event of the contractor's non-compliance with the non-discrimination provisions of this contract, the contracting agency shall impose such contract sanctions as it or the USDOT may determine to be appropriate, including, but not limited to:

- Withholding of payments to the contractor under the contract until the contractor complies, and/or;
- Cancellation, termination, or suspension of the contract, in whole or in part

6. Incorporation of Provisions

The contractor shall include the provisions of paragraphs (1) through (5) in every sub-contract, including procurement of materials and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto. The contractor shall take such action with respect to any sub-contractor or procurement as the contracting agency or USDOT may direct as a means of enforcing such provisions including sanctions for non-compliance.

Provided, however, that in the event a contractor becomes involved in, or is threatened with, litigation with a sub-contractor or supplier as a result of such direction, the contractor may request GDOT enter into such litigation to protect the interests of the state and, in addition, the contractor may request the USDOT enter into such litigation to protect the interests of the United States.

Appendix B

The following clauses shall be included in any and all deeds affecting or recording the transfer of real property, structures or improvements thereon, or interest therein from the United States.

GRANTING CLAUSE

NOW THEREFORE, Department of Transportation, as authorized by law, and upon the condition that the state of Georgia will accept title to the lands and maintain the project constructed thereon, in accordance with Title 23, United States Code, the Regulations for the Administration of Federal Aid for Highways and the policies and procedures prescribed by the United States Department of Transportation and, also in accordance with an in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, the Department of Transportation GDOT (hereinafter referred to as the Regulations) pertaining to and effectuating the provisions of Title VI of the Civil Rights Act of 1064 (78 Stat. 252: 42 USC 2000d to 2000d - 4) does hereby remise, release, quitclaim, and convey unto the state of Georgia all the right, title, and interest of the Department of Transportation in and to said land described in Exhibit A attached hereto and made a part thereof.

HABENDUM CLAUSE

TO HAVE AND TO HOLD said lands and interests therein unto the state of Georgia, and its successors forever, subject, however, to the covenants, conditions, restrictions and reservations herein contained as follows, which will remain in effect for the period during which the real property or structures are used for a purpose for which the federal financial assistance is extended or for another purpose involving the provisions of similar services or benefits and shall be binding on the state of Georgia, its successors, and assigns.

The state of Georgia, in consideration of the conveyance of said lands and interests in lands, does hereby covenant and agree as a covenant running with the land for itself, its successors and assigns, that (1) no person shall on the grounds of race, color, sex or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subject to discrimination with regard to any facility located wholly or in part on, over, or under such lands hereby conveyed (,)(and)* (2) that the state of Georgia, shall use the lands and interests in lands so conveyed, in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, part 21, Non-discrimination of federally assisted programs of the Department of Transportation - Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended (,) and (3) that in the event of breach of any of the above mentioned non-discrimination conditions, the department shall have a right to reenter said lands and facilities on said land, and the above described land and facilities shall thereon revert to and vest in and become the absolute property of the Department of Transportation and its assigns as such interest existed prior to this instruction.¹

¹ Reverter Clause and related language to be used only when it is determined that such a clause is necessary in order to effectuate the purpose of Title VI of the Civil Rights Act of 1964.

Appendix C

The following clauses shall be included in all deeds, licenses, leases, permits, or similar instruments entered into by (Recipient) pursuant to the provisions of Assurance 8.

The LESSEE, for himself or herself, his or her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree as a covenant running with the land that in the event facilities are constructed, maintained, or otherwise operated on the said property described in this lease, for a purpose of which a Department of Transportation program or activity is extended or for another purpose involving the provision of similar services or benefits, the LESSEE shall maintain and operate such facilities and services in compliance with all other requirements imposed pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, part 21, Non-discrimination in federally assisted programs of the Department of Transportation - Effectuation of Title VI of the Civil Rights Act of 1964, as said Regulations may be amended.

That in the event of breach of any of the above non-discrimination covenants, the STATE shall have the right to terminate the lease, and to reenter and repossess said land and the facilities thereon, and hold the same as if said lease has never been made or issued.

The following shall be included in all deeds, licenses, leases, permits, or similar agreements entered into by the Georgia State Department of Transportation pursuant to the provisions of Assurance 8.

The LESSEE, or himself or herself, his or her personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree as a covenant running with the land that (1) no person, on the grounds of race, color, sex, or national origin, shall be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities, (2) that in the construction of any improvements on, over or under such land and furnishing of services thereon, no person on the grounds of race, color, sex, and national origin shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination, (3) that the LESSEE shall use the premises in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, part 21, Non-discrimination in federally assisted programs of the Department of Transportation - Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended.

That in the event of breach of any of the above non-discrimination covenants, the STATE shall have the right to terminate the lease, and to reenter and repossess said land and the facilities thereon, and hold the same as if said lease had never been made or issued.

Title VI Complaint Form

The purpose of this form is to assist you in filing a complaint with City of Powder Springs. You are not required to use this form; a letter containing the same information will be sufficient. It is important, however, to include all information related to items marked with a star (*), whether or not the form is used.

1.* State your name and address

Name: _____

Address: _____

Telephone Number: Home: _____ Work: _____

2.* Person discriminated against if different from above:

Name: _____

Address: _____

Telephone Number: Home: _____ Work: _____

Please explain your relationship to this person(s):

3." Agency or program that discriminated:

Name: _____

Any individual (if known): _____

Address: _____

Telephone Number: _____

4A." Non-Employment: Does your complaint concern discrimination in the delivery of services or in other discriminatory actions of the transit system in its treatment of you or others? If so, please indicate below the base(s) on which you believe these discriminatory actions were taken (e.g., "Race: African American" or "Sex: Female).

Race/Color: _____

National Origin: _____

Sex: _____

Religion: _____

Age: _____

Disability: _____

4B.* Employment: Does your complaint concern discrimination in employment by the transit system? If so, please indicate below the base(s) on which you believe these discriminatory actions were taken (e.g., "Race: African American" or "National Origin: Canadian").

Race/Color: _____

National Origin: _____

5. What is the most convenient time and place for use to contact you about this complaint?

6. If we will not be able to reach you directly, you may wish to give us the name and phone number of a person who can tell us how to reach you and/or provide information about your complaint:

Name: _____

Telephone Number: _____

7. If you have an attorney representing you concerning the matters raised in this complaint, please provide the following:

Name of attorney: _____

Address of attorney: _____

Telephone number of attorney: _____

8.* To your best recollection, on what date(s) did the alleged discrimination take place?

Earliest date of discrimination: _____

Most recent date of discrimination: _____

9.* Please explain as clearly as possible what happened, why you believe it happened, and how you were discriminated against. Please indicate who was involved. Be sure to include how other persons were treated differently from you. (Please use additional sheets if necessary and attach a copy of written materials pertaining to your case). _____

10. The laws we enforce prohibit recipients of federal funds programmed through the transit system from intimidating or retaliating against anyone because he or she has either taken action or participated in action to secure rights protected by these laws. If you believe that you have been retaliated against (separate from the discrimination alleged in #9), please explain the circumstances below. Be sure to explain what actions you took which you believe were the basis for the alleged retaliation. _____

11. Please list below any persons (witnesses, fellow employees, supervisors, or others), if known, whom we may contact for additional information to support or clarify your complaint.

Name _____ Address _____ Area Code/Telephone Numbers _____

12. Do you have any other information that you think is relevant to our investigation of your allegations? _____

13. What remedy are you seeking for the alleged discrimination? _____

14. Have you (or the person discriminated against) filed the same or any other complaints with other agencies such as the Federal Transit Administration Office of Civil rights, etc.?

Yes No

If so, do you remember the complaint number? _____

Against what agency and department or program was it filed? _____

Address: _____

Telephone Number: _____

Date of filing: Agency: _____

Briefly, what was the complaint about? _____

What was the result? _____

15. Have you filed or do you intend to file a charge or complaint concerning the matters raised in this complaint with any of the following? _____

U.S. Equal Employment Opportunity Commission

Federal or State Court

Your State Equal Opportunity Office and/or local Office of Human Rights

16. If you have already filed a charge or complaint with an agency indicated in #15 above, please provide the following information (attach additional pages if necessary):

Agency: _____

Date Filed: _____

Case or Docket Number: _____

Date of Trial/Hearing: _____

Location of Agency/Court: _____

Name of Investigator: _____

Status of Case: _____

Comments: _____

17. How did you learn that you could file this complaint? _____

18.* We cannot accept a complaint if it has not been signed. Please sign and date this complaint form below.

(Signature)

(Date)

Please feel free to add additional sheets to explain the present situation to us. Please mail the completed, signed Discrimination Complaint Form (please make one copy for your records) to:

City of Powder Springs

PO Box 46

Powder Springs, GA

e-mail: CommDev@cityofpowdersprings.org

Appendix C

Training Certificates

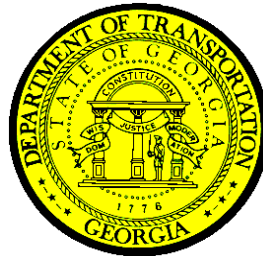
Tina Garver

Georgia Department of Transportation

Tina Garver
City of Powder Springs

has satisfactorily completed
Local Administered Project (LAP) Manual
Conducted by Georgia Department of Transportation

September 21-22, 2021
2-Day Course, 10 PDH Hours



GDOT
Virtual Training

Bobby Hilliard

*Bobby Hilliard, Program Control
Administrator*

Malik Al-Kush

*Malik Al-Kush, Local Administered Project
Coordinator*

Georgia Department of Transportation

Tina Garver

City of Powder Springs

has satisfactorily completed

Plan Development Process (PDP)

Conducted by Georgia Department of Transportation

August 31 – September 1, 2021
2-Day Course, 12 Classroom Hours



GDOT
Virtual Training

Bobby Hilliard

*Bobby Hilliard, Program Control
Administrator*

Malik Al-Kush

*Malik Al-Kush, Local Administered Project
Coordinator*



Georgia Department of Transportation

Office of Procurement

Certifies that

Tina Garver

Has successfully completed all requirements for

Engineering and Design Procurement Policy and Procedure

CEU 12

DATE: October 21, 2021

Virtual

SCORE: 87%

A handwritten signature in black ink, appearing to read "T. Young", written over a horizontal line.

Treasury T. Young
Chief Procurement Officer

A handwritten signature in black ink, appearing to read "Maria L. Roux", written over a horizontal line.

Maria L. Roux
QA Compliance Manager

GEORGIA DEPARTMENT OF TRANSPORTATION

CERTIFICATE OF ATTENDANCE

This certificate is awarded to

GARVER, TINA

TITLE VI/ ADA TRAINING



Signatures: _____ *Tara Jackson* _____ ADA Coordinator

_____ *Byron Browning* _____ Title VI Coordinator

September 15, 2021

Right-of-Way Acquisition for Local Public Agencies Training
Training completed on September 1, 2021, awaiting certificate.

Training Certificates

Dwayne Eberhart

Georgia Department of Transportation

Dwayne Eberhart

City of Powder Springs

has satisfactorily completed

Local Administered Project (LAP) Manual

Conducted by Georgia Department of Transportation

September 21-22, 2021
2-Day Course, 10 PDH Hours



GDOT
Virtual Training

Bobby Hilliard

*Bobby Hilliard, Program Control
Administrator*

Malik Al-Kush

*Malik Al-Kush, Local Administered Project
Coordinator*

Engineering and Design Procurement Policy and Procedure
Scheduled 12/8-12/9

APPENDIX D



October 5, 2021

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 Powder Springs (the "City") 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 agrees to and acknowledges the following:

1. The City agrees to and acknowledge 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.
2. The City has 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. The City is familiar with the requirements and understands 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

Powder Springs Procurement Agreement Letter October 2021

4. The City understands other procurement methodology to include:
 - a. Small Purchases
 - b. Non-competitive

5. The 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)

On behalf of the City, I 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.

Sincerely,



Al Thurman
Mayor

APPENDIX E

City of Powder Springs
Request for Qualifications and Proposals for Design-Build Services
for a new Municipal Complex
RFQ/RFP 21-007

Contents

Section One -General Information

- A. Introduction
- B. Project Background and General Description
- C. Scope of Work
- D. Submission Instructions
- E. Evaluation Criteria

Section Two -Attachments

- A. Provisional Project Management Plan-Design/Build Approach
- B. Schedule

City of Powder Springs
Request for Qualifications and Proposals for Design-Build Services
for a new Municipal Complex
RFQ/RFP 21-007

A. Introduction

The City of Powder Springs is requesting qualifications from Design Builders that are interested in, and capable of providing, a combination of professional services, to provide Architectural/Engineering design services, pre-construction consulting services and construction and renovation services for a new city facility (“Project”) at the existing Municipal Court building located at 4483 Pineview Drive, Powder Springs, Georgia. This project is for the renovation of the existing facility to house City Hall, Community and Economic Development and Municipal Court services due to the City’s urban redevelopment plan to redevelop underutilized properties and facilities as private, mixed use development to accomplish the goals and objectives of the Comprehensive Plan of the City of Powder Springs.

These services would include the confirmation of compatibility of the space program, renovation and expansion with a second story addition, and cost budget through design, construction, contract closeout and warranty enforcement, preparation of all design and construction documents and construction compliance inspection services, pre-construction consulting services to control project cost and schedule during the design, and construction services.

The Design Builder, through either in-house staff or outside consultants, shall have experience in providing construction program management services including: project management, cost management, information management, schedule management and quality assurance services; architectural and engineering design services; pre-construction cost control and schedule management services; and construction management and construction services for projects of similar nature and size of this project.

Based on the content of the statement of qualifications and the proposal, it is anticipated that the Owner will select, notify and award a contract to complete the scope of work.

B. Project Background and General Description

This project is in response to redevelopment plans for the downtown as outlined in the City’s various planning documents, including the Comprehensive Plan, Livable Centers Initiative Plan and Urban Redevelopment Plan. The City of Powder Springs will be the sole occupant of this facility. The site is currently owned by the City of Powder Springs but will require site improvements through renovation and expansion and the addition of needed parking.

C. Scope of Work

The selected design-build team will provide the overall administration and management of all aspects of the design and construction of the project. The services to be provided will have as their objective the successful completion of the project on schedule, at or less than budgeted cost.

City of Powder Springs
Request for Qualifications and Proposals for Design-Build Services
for a new Municipal Complex
RFQ/RFP 21-007

The project will be procured using a design/build approach where the selected firm, either through in-house staff or outside consultants/contractors, will serve as construction manager/contractor and provide all construction activities and services necessary for the design, construction and occupancy of the Project.

The Design Builder will coordinate and conduct program validation, design review meetings and construction meetings as required to facilitate the project, and will maintain and provide all records of these meetings with the action agendas.

The Design Builder shall be responsible for thorough documentation of all activities associated with the administration and management of the Project Design Builder Services

Design Builder Services will include the following activities and as hereinafter described in the Provisional Project Management Plan – Design/Build Approach included as Attachment a.

- Development and maintenance of a priority sequence and a master program schedule
- Development of conceptual and budget estimates and maintenance of a master program budget
- Development and maintenance of the project management information acquisition and reporting system.
- Pre-qualification and selection of construction delivery methods and construction professionals.
- Development and management of value engineering for the project, including life-cycle evaluation and constructability.
- Assist the Owner with all permits and inspections required by local authorities and other agencies having jurisdiction.
- Bidding, negotiation, selected procurement and construction phase administration services including quality control services.

Design Professional

The Architect and Engineer design professionals shall provide design and construction administration services and activities as hereinafter described in the Provisional Project Management Plan – Design/ Build Approach included as Attachment A.

City of Powder Springs
Request for Qualifications and Proposals for Design-Build Services
for a new Municipal Complex
RFQ/RFP 21-007

Pre-construction Services

Pre-construction consulting services shall be provided by a multi-disciplined team of construction professionals and shall include a pro-active consultation with the design team and Owner to provide cost estimating, cost management, value analysis, value engineering, cost tradeoff pricing, and peer review. The pre-construction consulting team will attend and participate in all design team meetings and presentation, and provide those services and activities as hereinafter described in the Provisional Project Management Plan – Design/Build Approach included as Attachment A.

Construction

Construction services will include the procurement and furnishing of all the necessary management, labor and materials, bonds, and insurance necessary and required to construct the project in accordance with the contract.

Project Budget

The project has a stated cost limitation of \$3,500,000.00 inclusive of all fees, demolition, design and construction costs and loose equipment.

Project Event Calendar

A project event calendar highlighting major project milestones has been included as Attachment B.

D. Submission Instructions

To be considered, the response to this Request must include a complete response to this RFQ/RFP. Partial or incomplete responses will not be considered. The format identified in this section is mandatory.

The response shall be limited to 30 (standard, single side 8.5” X 11”) bound pages and shall include the following sections.

Subject	Max. Number of Pages
Authentication Letter	1 (use as cover)
Table of Contents	1
Firm(s) Description(s)	6
Proposed Project Team	7 (includes project team composition form)
Resumes	8 (use summary format)
Basis for Design Builder’s Qualifications	4
References	3
Maximum	30 pages

City of Powder Springs
Request for Qualifications and Proposals for Design-Build Services
for a new Municipal Complex
RFQ/RFP 21-007

The preceding sections of the Response document should be organized as follows:

Authentication Letter – A letter executed by the owner or authorized corporate officer of the Design Builder committing to the requirements as specified and expected by the RFQ/RFP document and providing a brief summary of the Design Builder’s relevant experience and capabilities in related endeavors with public agencies.

Table of Contents – A table of contents referring to specific sections within the response to this Request.

Firm(s) Description(s) – Description or other documentation of each member firm of the team including sub-consultants describing the relevant services and capabilities for the design professional component of the submission. Also furnish a Standard Form 254 for each firm. (The SF254 forms unadorned with photos or other supplementing information, should be included as an appendix to the proposal and will not be counted as part of the 30-page maximum.)

Proposed Project Team – An organizational chart (1 page) and written description (5 pages) showing the specific service that each member of the team (along with the represented firm) will provide. Show key individuals’ project function, title and reporting relationship. Also indicate the firm of employment for each team member and their office location. Include the Project Team Composition form that is included as Attachment “B” with this Request. Any contract that results from this Request will be between the Owner and a single (prime) firm. Substitution or replacement of key team members will not be allowed without written permission of the Owner.

Resumes – Provide resumes of each key team member. Highlight professional qualifications and relevant individual experience.

Basis for Design Builder’s Qualifications – Provide, in no more than four pages, an explanation of what differentiates your team as the best candidate for this unique project.

References – Provide the names, addresses and telephone numbers of all references for which you have provided services similar to those anticipated by this Request document. Provide the project name(s) and service(s) provided for each reference.

Delivery of Response – No later than 12:00pm, noon, on July 23, ten (10) original copies of the form of Response to this Request are required to be delivered to Owner in care of City Clerk, Kelly Axt, City of Powder Springs, GA 30127. It is the sole responsibility of the responder to assure delivery to the appropriate party, at or before the time identified; the Owner cannot accept responsibility for incorrect delivery, regardless of reason.

City of Powder Springs
Request for Qualifications and Proposals for Design-Build Services
for a new Municipal Complex
RFQ/RFP 21-007

E. Evaluation Criteria

All proposals will be evaluated from the written responses to the requirements set forth in this Request document. The evaluations will be based on the following criteria that are listed in descending order of importance to Owner.

1. Relevant Project Experience

- a. Experience in providing comprehensive construction program management and pre-construction consulting services for County and/or municipal government facilities.
- b. Experience in providing contract documents for county and/or municipal government facilities.
- c. Experience in providing design and construction services on a “Design/Build” approach for county and/or municipal government facilities.
- d. Experience relative to the professional tasks (project management, cost estimating, schedule management, quality assurance, architectural design, engineering and construction) necessary to accomplish this project on schedule within budget.
- e. Experience relative to the tasks necessary to provide construction services required to accomplish this project on schedule within budget.

2. Project Understanding and Firm’s Strategy to Accomplish Project

- a. Methodology for providing the services anticipated
- b. Methodology for providing the technical support necessary to achieve the objectives of this program
- c. Adequacy of staff capabilities
- d. Evaluation of proposer’s described methodology
- e. The pairing of staff capabilities to job/task requirements

3. Proposed Project Personnel

- a. In-house labor resources and production capability
- b. Assignment of appropriate personnel vis-à-vis work requirements
- c. Previous work together as a team

City of Powder Springs
Request for Qualifications and Proposals for Design-Build Services
for a new Municipal Complex
RFQ/RFP 21-007

Attachment A

Provisional Project Management Plan
Design/Build Approach

The following is a project management outline and schedule that has been developed to convey to the respondents the anticipated activities and schedule necessary to complete the project.

Select Design/Build Team

Owner shall interview and select a Design Builder that can provide program management services, interior design, architectural and engineering design services, pre-construction consulting services, and construction services.

Program and Budget

Owner will deliver, concurrent with identification of selected firm building schematics and layout for the Project. The renovation and expansion of the existing municipal court building into a new municipal building to house various city services shall include additional components not included in the schematics that will provide or address high speed internet access, telecommunication systems, cybersecurity measures and heating and air ventilation systems that take into account health recommendations relating to pandemic incidents.

Project Management Plan

It will be the responsibility of the selected Design Builder to develop a comprehensive Project Management Plan which will define and document to the Owner's satisfaction the project program of requirements in narrative form with the activities tied to computerized project schedule and budget which incorporates all project activities.

The Project Management Plan must include as a minimum the following components:

- a. Project Description
- b. Master Schedule
- c. Organization Chart and Staffing Plan
- d. Description of the roles, responsibility, and authority of each of the project team members

City of Powder Springs
Request for Qualifications and Proposals for Design-Build Services
for a new Municipal Complex
RFQ/RFP 21-007

- e. Project budget
- f. Description of management information systems
- g. Bid packaging/contracting strategy
- h. Quality assurance
- i. Project turnover strategy

PHASE 1-PRE-DESIGN SERVICES

Program/Budget Validation

The Owner will provide to the Design Builder upon selection a draft copy of the building schematics. The Design Builder will participate in the review and completion of the final program of requirements and budget and provide verification of Programming and Needs Assessment.

The Design Builder shall verify in writing that the building scope of work and budget are compatible.

The Design Builder will also be asked to address parking as a separate and additional component.

Schematic Design

Based on the approved Detailed Program of Requirements, construction cost budget, and in cooperation with the Owner, the Design Builder shall complete the Preliminary Design and shall provide all customary Design Development activities and services, including but not limited to including MEP, Fire Protection, Fire Alarm, Communication, Security, Audio-Visual, Civil, and Landscape Architecture services. Design Builder shall prepare a major task-based schedule/Gantt chart and a provisional construction schedule indicating methods and sequencing of construction. This shall include developing requirements for safety, quality assurance, and schedule adherence.

Administrative Review and Permitting

As directed by the Owner, the Design Builder shall submit Preliminary Design documents to any reviewing agencies and governmental authorities having jurisdiction as required to secure necessary approvals. The Design Builder shall submit by formal presentation the preliminary documents to the Owner for approval.

Establish GMP

City of Powder Springs
Request for Qualifications and Proposals for Design-Build Services
for a new Municipal Complex
RFQ/RFP 21-007

Based on the completed preliminary design documents, the Design Builder will prepare, in conjunction with the City, and submit a proposal for a Guaranteed Maximum Price for completion of the design and construction of the project.

Upon confirmation that the proposed GMP contains all of the Project program and scope requirements, and is within the stated cost limitation of the Owner's budget, and meets the Owner's scheduled occupancy requirements, the Owner will authorize the Design Builder to proceed with the Phase II scope of work. Construction will commence with the release of distinct work packages while the total design documents are being finalized. No work will commence until a GMP has been committed by the Design-Builder and approved by the City Council. The Contractor must be able to work within the approved schedule, and should be able to demonstrate within their Proposal their experience in dealing with this type of Project under a schedule requirement - including the specific tasks as provided within this request. This also should take into account the role of the Owner.

PHASE II-DESIGN/BUILD

Construction Documents

Construction Document phase will include all activities and services as called for in the program requirements.

In addition to the above, and subject to meeting budget requirements and the Owner's approval, the Design Builder may initiate construction activities it deems necessary to meet the construction schedule requirements. This work might include work such as interior fit-up, structural modifications, utility modifications, and procurement of long lead items (i.e., mechanical and electrical major components, controls, special construction components, etc.) and any other construction activities or items as determined by the Design Builder.

Administrative Review and Permitting

The Design Builder shall submit Construction Documents as required to any reviewing agencies and governmental authorities having jurisdiction as required to acquire all necessary approvals and permits to meet the project schedule. Design Builder will perform a "constructability" and "maintainability" review of the construction documents.

Convert to Lump Sum Contract

City of Powder Springs
Request for Qualifications and Proposals for Design-Build Services
for a new Municipal Complex
RFQ/RFP 21-007

Design Builder will provide detailed construction cost estimates to achieve Owner's budget. This shall include analysis of different construction methods in each major trade group for potential quality, cost, and schedule enhancements. Design Builder will develop cost model for facility to be utilized during design, develop budget to be maintained throughout construction, and develop value management options. Upon 100% completion of the contract documents, the Owner will convert the contract to a fixed price, lump sum contract.

Early Construction Packages

Based on the Owner's acceptance of the Design Builder's GMP proposal, construction activities may proceed on items that are required to meet the project schedule. This includes, but is not limited to:

- a. Arrange bid packages to include sample contract.
- b. Provide (with Team recommendations) Bid Packages for Owner approval.
- c. Accept the assignment of all Purchase Orders and Contracts from The City of Powder Springs, GA with respect to the approved Bid Packages.
- d. Develop requirements to assure time, cost and quality control during construction.
- e. Provide a provisional construction schedule (CPM) for issuance with bid packages.
- f. Identify bidders and generate bidder documents.
- g. Schedule and conduct pre-bid conferences in conjunction with the Architect.
- h. Advertise and distribute bidding documents.
- i. Monitor bidder activity.
- j. Review and analyze bids.
- k. Update schedule.

Construction

After completion of the construction documents, the Design Builder may proceed with all remaining construction activities required to complete the project. This includes, but not limited to:

- a. Maintain on-site staff for construction management.
- b. Establish and maintain coordinating procedures.
- c. Develop and maintain a detailed schedule (CPM) including delivery, approvals, inspection, testing, construction and occupancy.
- d. Conduct and record job meetings.

City of Powder Springs
Request for Qualifications and Proposals for Design-Build Services
for a new Municipal Complex
RFQ/RFP 21-007

- e. Prepare and submit change order documentation for approval of the City.
- f. Maintain a system for review and approval of shop drawings.
- g. Maintain records and submit bi-weekly reports and formal monthly reports to the City.
- h. Maintain quality control and ensure conformity to plans.
- i. Provide cost control through progress payment review and verifications according to the approved schedule and contract amounts.
- j. Develop as-built drawings and deliver to the City for inclusion into a CADD disk for maintenance and operations use.
- k. Coordinate post-completion activities, including the assembly of guarantees, manuals, closeout documents, training, and the Owner's final acceptance.

Contract Closeout

The Design Builder shall obtain the final certificate of occupancy and final completion documents and authorize occupancy of the project.

Warranty Phase

Design Builder will coordinate and monitor the resolution of any remaining "punchlist" items. Design Builder will monitor and resolve all warranty issues to the satisfaction of the City during the one-year general warranty period and as extended. All Local, County, State, and Federal codes and regulations must be followed with particular emphasis on Building Codes, Life Safety Codes, and the Americans with Disabilities Act. Equipment

The Design Builder is responsible for move-in, set-up, and trial run for all loose furniture, fixtures and equipment (FFE) under this contract. Once building renovations are complete, the FFE inventory will be delivered and installed in place throughout the building. Furniture layout plans should be prepared by the Design Builder and show where existing FFE will be placed.

The existing FFE includes but is not limited to the following items: large desks, tables, chairs, modular furniture, file cabinets, filing systems, bookcases, credenzas, TV monitors, copier machines, dishwashers, refrigerators, reception area furnishings, white boards, wall furnishings, and decorative items. All existing FFE will be inventoried with asset label applied by the Design Builder.

City of Powder Springs
Request for Qualifications and Proposals for Design-Build Services
for a new Municipal Complex
RFQ/RFP 21-007

Subcontractors selected must include protection of existing flooring and finishes as needed. Return, placement, and reassembly of the FFE inventory will be in the newly renovated space where protection of new flooring and freshly painted walls will be required. Relocation and installation provider must have familiarity with modular furniture systems, disassembly and reassembly. All subcontractors for relocation services must be licensed and insured to perform these relocation services.

Move-in

The users shall take possession of the project and move in and set up all items not furnished under the construction contract.

City of Powder Springs
Request for Qualifications and Proposals for Design-Build Services
for a new Municipal Complex
RFQ/RFP 21-007

Attachment B Schedule

Advertise June 18 – July 9

Mandatory Site visit/pre-submission conference July 23, 2021 at 1:00 pm 4483 Pineview Drive

Response to RFQ/RFP August 6, 2021

Award Design/Build contract August 16, 2021

Design/Build notice to proceed September 1, 2021

Budget/program validation and design phase completed December 15, 2021

Construction phase (incl. demo) completed December 15, 2022

Certificate of occupancy January 15, 2023

Post construction meeting February 1, 2023