



Local Assistance Day Statewide Quarterly Webinar

August 13, 2024

Questions, Answers & Links

Specific questions regarding the quarterly Local Assistance Day Statewide Webinar, please contact: Caltrans.DLA@dot.ca.gov. The August webinar recording can be viewed at the California Local Technical Assistance Program ([CALTAP](#)) [YouTube page](#).

GENERAL QUESTIONS

Q: Does Caltrans Local Assistance have performance measures to track how long it takes agencies to complete a project, average time reductions over time, and federal funding spent in California each year over the past 10 years?

A: While we currently do not have performance data such as that listed, we understand the importance of performance data to maintain accountability and transparency, and in March, we had an IT project approved to modernize our LP2000 database. When complete, we will be able to track performance measures, among many other improvements. Please contact Sammantha Soto (sammantha.soto@dot.ca.gov) if you would like more information on this initiative.

CRITICAL DATES: PROJECT END DATE (PED)

Q: (1) Is it true that the bidding phase (Construction Advertisement) can be done in the Preliminary Engineering (PE) and/or Construction (CON) phase for federal and state funded projects, and (2) if done in the PE phase, the date the project is awarded is the CON start date?

A: This question does not appear to be related to critical dates. (1) Yes, CON advertisement can be done under the PE phase or the CON phase. (2) Technically, this is correct, but construction must be authorized before advertising the project. Failure to have Construction authorized before advertising for bidding will render construction ineligible for federal funding.

If you have project-specific questions, please contact your [District Local Assistance Engineer](#) (DLAE).

Q: How often is the PED Status updated; monthly, quarterly, etc.?

A: Currently being updated monthly.

Q: Is the PED established on the grant application or Federal Transportation Improvement Program (FTIP) award letter?

A: PED is established upon each authorization and is based on the local agency's Exhibit 3-A Project Authorization/Adjustment Request Form. After authorization, it may be reported two (2) ways:

1. Authorization Report that the Caltrans districts will typically send out to the Local Agencies based on what they submit on the 3-A
2. Caltrans Headquarters (HQ) will also report the PED on the LP2000 Finance Letter

Q: When is the best time to submit PED time extension, 1 month, 2 months or 3 months before the PED deadline?

A: When a request for PED time completion comes in, Caltrans processing time depends on staff workload, which can fluctuate. Therefore, it is better to submit as early as possible.

Q: Are expenditures eligible for reimbursement if reversion date is older than PED date and expenses occur after reversion date of funds? If not, does reversion date need to be updated to match PED date?

A: No, based on State Budgetary law, no reimbursement of expenditures may occur after the reversion date. If the PED is set to expire before the reversion date, it may be moved out with justification to coincide with the reversion date, and additional time may be obtained through the [Cooperative Work Agreement](#) (CWA) process.

Q: If the construction taking place can only be performed by a single bidder due to how unique the project is, is there an option to not go out for bid and just award the contract to one (1) uniquely qualified bidder?

A: Yes, you do have the ability to award the contract to a uniquely qualified bidder in this scenario. Please see [Exhibit 12-F: Cost-Effectiveness / Public Interest Finding](#), which must be submitted to your [District Local Assistance Engineer](#) (DLAE).

Q: What if my project is not listed on the PED End Date Reporting spreadsheet?

A: There are some old projects where authorization occurred before PED requirements were established. In this case, you would not have a PED established. If the project comes through for any action, a PED will be established at that time.

CRITICAL DATES: INACTIVE PROJECTS

Q: A project not active for 9 months and a balance of \$50k or more needs to do what?

A: They should be working on the [Inactive Justification Form](#) to justify why the agency or tribe has not invoiced, and work with the Caltrans Division of Local Assistance Office of Project Management Oversight (peter.anderson@dot.ca.gov) to ensure that complete and sufficient justification is provided. Insufficient justification could delay future authorizations.

Q: If I am counting 6 months from the "last" invoice, is the date from when I submit or from when the invoice is approved?

A: When the invoice has been recognized by FHWA and reimburses Caltrans. FHWA does not see when the local agency or tribe is reimbursed by Caltrans, FHWA only sees when they reimburse Caltrans.

Q: If projects have no Federal Funding (i.e., California State Transportation Agency, Port and Freight Infrastructure Program), what is the best source of invoicing guidance?

A: You should work through your [District Local Assistance Engineer](#) (DLAE).

Q: If CON project is placed in suspension due to delays in material procurement, and no Payment Applications have been processed to Contractor, how would you recommend this be justified?

A: It's a good practice to include authorization of some CE funds when construction funds are authorized so that CE can be billed against, and it will keep the project off the inactive list.

Q: Is there a "minimum" invoice amount to keep a CON project off the inactive list?

A: On the invoice, it states the minimum is 2% of the total Federal and/or State funds or \$1,000, whichever is greater, unless authorized by the DLAE to prevent inactivity.

Q: Caltrans's inactive project list page shows "All projects with an unexpended balance greater than or equal to \$150,000 with no activity for the past 9 months are subject to this review as well as those projects with an unexpended obligation of \$50,000 to \$150,000, which were authorized more than 9 months ago and have no expenditures." Could you clarify that?

A: The \$50,000 is the controlling number for inactivity. This referenced language is out of date and will be updated.

Q: Does the 6-month requirement of invoicing apply to state funding after approved allocation date as well?

A: Inactivity applied to federally funded projects and does not apply to State-allocated funds.

Q: How we can get the slides of today's training?

A: Visit the [DLA Blog](#) and click on the [DLA Quarterly Webinar page](#).

CRITICAL DATES: REVERSION DATE/COOPERATIVE WORK AGREEMENTS (CWA)

Q: For clarity: if we have a reversion date of 06/30/24, we need to submit an invoice of April 1st? What is the April 1st deadline? Only for CWA approved projects?

A: This is the recommended date to submit the invoice for the reversion date of June 30, 2024, to give time for Caltrans to review and process the invoice, including any corrections needed. This is because the invoice must be paid before June 30th. If the invoice is not paid by June 30th, then the funds lapse and will not be eligible for reimbursement unless a CWA extension is granted.

Q: I had an invoice rejected due to appropriation 19108 lapsed in June 2024. I am not sure where this deadline came from, but it according to the Accounting Division, it supersedes the reversion date which is 06/30/2024.

1. How do I find when the appropriation lapses? Is this for all state and fed projects?
2. Which takes precedent?
3. Is there any way to recover the funds in the project? I have been told to work with the agency to request a CWA?

A: 19108 is an Appropriation Unit that appears on the LP2000 Finance Letter. The “19” references the appropriation year (2018-19). The “108” is only a budgetary code. Knowing the funds were appropriated using fiscal year 2018-19, the reversion date would be June 30, 2024, which is consistent with State budgetary law.

1. When appropriations lapse, they can be found on the LP2000 Finance Letter.
2. There is no precedent. Funds encumbered in 2018-19 would have a reversion date of June 30, 2024.
3. A CWA may extend the reversion date an additional 2 years. The request for a CWA must occur before the reversion date expires. The process starts in the fall of the year that reversion is set to expire.

TIMELY USE OF FUNDS CALCULATOR

Q: Is this set of instructions (TUF Calculator) available somewhere for reference?

A: Currently, there is not a set of instructions available for the Timely Use of Funds (TUF) Calculator. While the TUF Calculator is intended to be self-guided, the TUF Group plans to develop the instructions for its use to provide additional support. If there are additional questions on the TUF Calculator or TUF Policies and Procedure, you can contact the TUF Teams:

- Elijah Hall (Acting Branch Chief): elijah.hall@dot.ca.gov
- Leslie Avila (STIP): leslie.avila@dot.ca.gov
- Courtnie Ayers (STIP): courtnie.ayers@dot.ca.gov
- Michelle Rochon (ATP): michelle.rochon@dot.ca.gov
- Gabriel Nessar (SB1): gabrial.nessar@dot.ca.gov

Q: Can you send a link to this (TUF Calculator) spreadsheet?

A: <https://dot.ca.gov/programs/local-assistance/fed-and-state-programs/active-transportation-program/timelyuse>

OVERVIEW OF LOCAL CIVIL COMPLIANCE

Q: Can you provide the list of contacts for each district?

A: Please see the following list of contacts for Local Civil Compliance, up to date as of August 2, 2024

- For general questions, email local.compliance@dot.ca.gov
- For project-specific questions, please contact your district DBE coordination:

District	Disadvantaged Business Enterprise (DBE) Coordinator Email	District	DBE Coordinator Email
1	rachel.barry@dot.ca.gov	7	vitavat.buranabul@dot.ca.gov
2	freda.londen@dot.ca.gov	8	eduardo.castaneda@dot.ca.gov
3	angel.araiza@dot.ca.gov	9	sasha.smirensky@dot.ca.gov
4	jimmy.panmai@dot.ca.gov	10	alma.sparks@dot.ca.gov
5	cori.marsalek@dot.ca.gov	11	benjamin.querrero@dot.ca.gov
6	simin@abdollahian@dot.ca.gov	12	mannedel.gomez-cruz@dot.ca.gov

Q: Currently, our Agency has a Request for Proposal (RFP) for Engineering Design Services. This has a DBE goal of 10%. The LAPM mentions that Local Agencies are

satisfied that the Consultant's Organization Is not disbarred or suspended from state or federally-funded contracts. Per 23 CFR 172.7(b)(3) "A contracting agency shall verify suspension and debarment actions and eligibility status of consultants and subconsultants prior to entering into an agreement or contract in accordance with 2 CFR 1200 and 2 CFR 180." Ensuring this requirement is met, our Agency included Caltrans' Debarment and Suspension Certification Form for FY24/25. Does this form have to be signed by an Attorney? Or may this be signed only by the proposing firm president/owner?

A: Just to "shed some light" on this, LAPM Chapter 10 has a section that mentions: Before approving a contract for consulting services, the Contract Administrator must be satisfied that the consultant's organization:

- Is qualified to perform the services required;
- Is in a position, considering other work commitments, to provide competent and experienced personnel to perform the services in the time allowed;
- Is fully aware of all applicable federal and state laws including implementing regulations, design standards, specifications, previous commitments that must be incorporated into the design of the project, and administrative controls including those of Caltrans and FHWA. Local Assistance Procedures Manual Chapter 10 Consultant Selection Page 43 of 69 January 2024
- Has an adequate financial management system as required by the applicable federal regulations.
- Is not disbarred or suspended from state or federally funded contracts.

Q: How long until the online portal is live?

A: Will vary by district, as the online portal is currently being beta tested in select Caltrans districts. Statewide implementation is anticipated for November 2024.

Q: Who ensures that the DBE consultants are actually getting work on the project? Who ensures that a DBE sub gets work from the prime?

A: The Caltrans Office of Civil Rights (OCR) ensures that DBE subconsultants are hired onto a project and that they are actually receiving the work they were contracted to do. Before the solicitation for contractors/consultants is sent out, OCR looks at the engineer's estimate for the project's expenses and verifies that the maximum number of subcontracting opportunities is being included in the contract's DBE Goal. For example, there are some tasks that a firm would prefer to do on their own because they already have a crew and equipment on site. However, regardless of the prime's preferences, if there is a task that could be done by a DBE, it will raise the DBE goal of the project.

Q: What is acceptable as 'we tried to get DBE but couldn't select / qualify one'

A: This process is called a Good Faith Effort and there are many different ways to document that steps were taken to solicit (a) DBE subcontractor(s). There is no one-size fits all for a good faith effort. Some common best practices include doing outreach with Trade, Focus and Referral Organizations, Procurement events, and Small Business Councils within your area. The quality of effort made to solicit a DBE has to be assessed on a case-by-case basis. [The US DOT has an online training on this topic available here.](#)

Important Links

Division of Local Assistance (DLA) website: <https://dot.ca.gov/programs/local-assistance>

Contact DLA: Caltrans.DLA@dot.ca.gov

DLA Blog – News & Office Bulletins: <https://www.localassistanceblog.com>

DLA Email Announcement Sign-up for News & Trainings:
<https://dot.ca.gov/programs/local-assistance/other-important-issues/subscribe-to-dla-email-list>

Local Technical Assistance Program (LTAP) Website: <https://caltap.org/>

UC Berkeley Tech Transfer Trainings: <https://www.techtransfer.berkeley.edu/>

Tribal Technical Assistance Program (TTAP) – FHWA: <https://www.fhwa.dot.gov/clas/ttap/>

District Local Assistance Engineers Contacts: <https://dot.ca.gov/programs/local-assistance/other-important-issues/local-assistance-contacts>