



Expires – Upon Issuance of LPP

Adopting Caltrans Local Assistance Procedures Manual Chapter 10: Consultant Selection

I. BACKGROUND

Title 23 Code of Federal Regulations Part 172 (23 CFR 172) allows Caltrans Division of Local Assistance (DLA) to prescribe the policies and procedures for engineering and design related services, also known as Architectural and Engineering (A&E). Local Public Agencies (LPAs) are responsible for adopting the written policies and procedures prescribed by the awarding State Transportation Agency (STA).

FHWA's expectation is to achieve a 100% compliance rate in this area. Past process review findings by DLA showed a significant lack of, or incomplete A&E procurement policies and procedures as one of the most common findings. A non-compliance of this matter can result in a loss of funds and/or other sanctions.

II. POLICY

DLA's policies and procedures for A&E presently reside in Local Assistance Procedures Manual (LAPM) Chapter 10 Consultant Selection (Section 10.1: Federally Funded A&E Contracts). LPAs accept this responsibility when receiving federal funds from DLA, and by signing the Master Agreement for Federal-Aid Projects. DLA requires that local agencies adopt LAPM Chapter 10.

III. PROCEDURE

To meet this requirement, LPAs are required to email and provide one of the following documents to the DLA Office of Guidance and Oversight (OGO) at aeoversight@dot.ca.gov:

- 1) A Board Resolution showing that the LPA is adopting Caltrans LAPM Chapter 10; OR
- 2) An official letter signed by the LPA's Public Works Director or equivalent manager addressed to the DLA OGO Office Chief, stating that the LPA is adopting Caltrans LAPM Chapter 10

Examples of adoption resolution and letter are provided - see Attachments 1 and 2. These examples are for reference only; the appropriate language to be used is determined by the individual LPA.

The target deadline for a 100% compliance rate is November 15th, 2021 for LPAs to demonstrate compliance.



IV. APPLICABILITY/IMPACTS

If DLA's policies & procedures are not adopted, then the Independent Office of Audits and Investigations (IOAI) will likely continue to disclose this audit finding. Failure to comply with this requirement may result in loss of funds as well as jeopardizing future opportunities to receive federal and state funds.

Recommended:	<u>Original Signature by</u>	<u>08/04/21</u>
	The' Pham Acting A&E Oversight Program Manager	Date

Approved:	<u>Original Signature by</u>	<u>08/04/21</u>
	Bruce Roberts, Acting Office Chief Office of Guidance and Oversight	Date

Attachments:

- Attachment 1 – [Sample Agency Letter Adopting Chapter 10](#)
- Attachment 2 – [Sample Agency Resolution Adopting Chapter 10](#)