

## **Stewardship and Oversight of Local Public Agencies**

- The administration of Federal-aid projects by LPAs may lack a systematic or comprehensive oversight approach;
  - Current oversight activities, as a whole, may be inconsistent from State to State; and
  - Current oversight activities may be ineffective for ensuring that Federal-aid requirements are met on LPA-administered projects.
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- LPA Program is a high risk area that requires attention.
  - State DOTs must fulfill their responsibilities regarding local projects.
  - Appears to be a need for a more systematic approach to fulfilling these program responsibilities.
  - Mechanisms and tools need to be developed to improve stewardship and oversight of local projects.
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- Per 49 CFR 24.4, the requirement to follow the Uniform Act and its regulation applies when Federal financial assistance is made available for a project which results in real property acquisition or relocation.
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- FHWA policy states that a project becomes a Federal project as soon as \$1.00 of Federal money is used in any phase of the project.

## **When Must an Agency Follow The Uniform Act**

- ✓ When any phase of a project is federally-funded, and:
- ✓ Real property is acquired, and/or
- ✓ Property owners and/or tenants are displaced as a direct result of land acquisition, demolition or property redevelopment

## **Local Public Agency Oversight**

- 23 CFR 710.201(b) says that the State DOT shall have responsibility for the acquisition, management, and disposal of real property on Federal-aid projects.
- Thus, the State DOT is ultimately responsible for the acquisition activities of LPAs on Federal-aid projects.

## **FHWA Oversight Agreements**

Agreement between FHWA and ADOT  
Addresses property-related FHWA oversight and approval actions for non-interstate projects  
ADOT responsible for oversight of LPAs

- State DOT oversees LPA's administration of project
- LPAs should consult State DOT for assistance

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### **State DOT Assistance to LPAs**

- LPA coordinator in real estate section.
  - Training for LPA personnel in real estate requirements.
  - LPA Guidance or Manual which is State specific.
  - Monitoring on a regular and ongoing basis.
  - Technical service to LPAs on a regular basis.
  - Advisory service, brochures, forms, and sample letters developed to meet Federal and state requirements.
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- It is critical that LPA coordinators are aware of Uniform Act time requirements
  - Time to consider just Compensation Offer
  - Time requirement for each Relocation Notice

### **Commons Issues, Problems and Concerns**

- Weak knowledge of federal requirements and/or the need for training LPAs
- Poor policy/procedural guidance for LPAs
- Lack of statewide policy and/or procedural consistency
- Poor project documentation
- Inadequate staffing and resources
- Financial controls and billing issues
- Lack of proper project inspection
- Poor quality control
- Consultant selection and oversight issues
- Project eligibility issues

Improper application of standards