



# Navigating the Federal Process

## next steps for projects with federally funded right-of-way

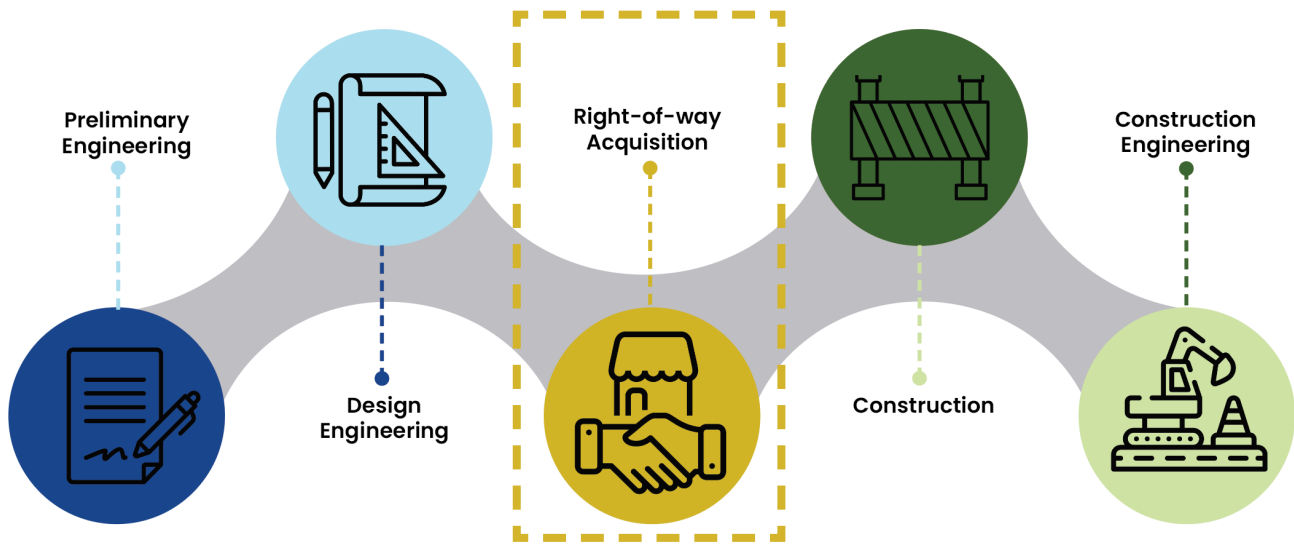
Securing funding is only one of many steps in implementing a project. Now that your project has been awarded funding, you might be wondering about the next steps that need to be taken. This document aims to guide sponsors through those steps to ensure your project reaches its anticipated milestones and letting date.

Projects that leverage federal funds have a set of requirements that must be fulfilled to be able to use those funds for the implementation of that project. Now that your project has been awarded surface transportation funds (STP) from your local council for right-of-way (ROW), it is required that you follow federal guidelines. By understanding these requirements early in the process and anticipating the type of coordination that is needed to meet these requirements, sponsors are better able to successfully implement their projects on schedule and on budget. Not knowing these federal requirements and the timing

that is involved between each, increases the risk that your project gets delayed or that the funding is withdrawn all together.

The following steps are tailored specifically to projects receiving federal funds for right-of-way. If ROW is the first phase your project is leveraging federal funding for, there are actions the project will need to take prior to commencing ROW to maintain eligibility for the awarded funds. The steps included in this document walk through the actions that will need to be taken before, during, and after using your federally awarded funds. While most of these steps are required, it does not mean that your project is subject to other guidelines under certain circumstances. Please work with your project team to identify particular circumstances early in the process.

**Attention:** This information is current as of October 18th, 2022, and is meant to be general guidance on the processes that apply to most federally-funded projects within the CMAP region. This document is not a substitute for the IDOT BLRS manual or any IDOT or other regulatory agencies' policies and procedures.



**Figure 1:** Project implementation consists of five interconnected phases. This document focuses on the steps that need to be taken to complete right-of-way.

### Program Requirements for all Projects

Before your project tackles the federal process, it will first need to fulfill actions that are required under the STP programs active program management policies. Additionally, there are various deadlines outlined in APM policies that project staff should be aware of to avoid project delays. Lastly, no matter the phase being federally funded, all projects will need to have an approved PPI.

### Quarterly Status Updates (QSU)

Project updates are required quarterly as outlined in both CMAQ/TAP-L and STP active program management (APM) policies. After a project has been awarded CMAQ, TAP-L, STP-SF, or STP-L funding, an initial quarterly status update is required to be submitted to CMAP with estimated dates of project milestones. When a milestone is reached, or there is a change in a milestone estimate, the next status update should reflect these dates. QSU's are required every March, June, September, and December until the project has been financially closed out. For STP, QSU's must be submitted by the technical or financial managers. Failure to submit a QSU can result in removal or deferral of project funding. More information on QSU's can be found on the [QSU instructions](#).

### Project Manager Form

Received with your notice of award letter, this form designates a technical and financial manager for the project. The technical manager is the point of contact for the project ensuring implementation of the project, including the managing of consultants hired. The financial manager, among other things, ensures the correct local match is included in the Local Public Agency's (LPA) budget. These designations are required by the region's STP active program management policies.

### Project Programming Information Form (PPI)

Discussed further in step 1 of the federal process, the PPI is the first step to initiate a project at IDOT District 1 and must be approved before initiating any funding agreements. The PPI must match the CMAP TIP in order to be approved and for federal funds to be authorized.

# Right-of-way

## 1 Project Programming Information Form

Prior to initiating ROW, a PPI must be completed and approved. A PPI is the first step to initiate a project at IDOT District 1 and must be approved before initiating any funding agreements. The PPI is what activates your project in the IDOT financial database. A PPI summarizes the scope and funding, including phase allocations and local match requirements, of a project. The initial PPI for a project establishes the state job and federal project numbers for each phase of the project. It is the project sponsor's responsibility to complete the initial PPI and any subsequent revisions.

The PPI must match the CMAP TIP in order to be approved and for federal funds to be authorized. All PPI's must be submitted and processed through the appropriate Planning Liaison (PL) or TIP Programmer, who will then submit on to IDOT. PPI's submitted directly from the project sponsor or their consultants will not be accepted by IDOT.

Anytime a project change is made that impacts information detailed on the PPI, the project sponsor needs to update and resubmit the PPI to their PL or TIP programmer for transmittal to IDOT. Be sure to always obtain the current version of the PPI form from the IDOT website. Submitting an old version of the form will cause it to be rejected by IDOT and may delay the project.

Note: for projects located in Kendall, Grundy, or DeKalb counties with IDOT District 3, PPI forms are not required.

**Timeline to prepare:** After award notice, and prior to the start of the year in which federal funds are programmed

**Timeline for approval:** Approximately two weeks

**Final Deliverable:** Approved copy from IDOT



1

Initial/Updated PPI

2

Funding Agreements

3

ROW Acquisition

4

Certification

## 2 Funding Agreements

Following the initial PPI approval by IDOT, project sponsors should prepare the appropriate BLRS 5310 form for submittal and send it to their PL for review and final submittal to IDOT. Funding agreements are project sub-award agreements between the State DOT and the local public agency that makes the funding available. There are two types of funding agreements:

- BLR 05310PE: used for engineering 1, engineering 2, and ROW.
- BLR 05310C: used for construction and construction engineering

Like the PPI, engineering agreements need to be sub-

mitted to IDOT directly from the appropriate Planning Liaison.

**Timeline to prepare:** Before beginning any work

**Timeline for approval:** Approximately 9-12 months

**Final Deliverables:** Executed agreement

### 3 ROW Acquisition

A project should identify early in the process whether right-of-way (ROW) needs to be acquired, which includes physical property, easements, leases, or access rights. If acquisition is necessary, federal guidelines need to be followed under the Uniform Act, regardless of the phase that is being federally funded. ROW acquisition cannot begin until the completion of the environmental process and design approval unless rare circumstances arise as outlined [Chapter 22-3.06 of the BLRS manual](#).

Appraisers, Review Appraisers, Negotiators and Relocation Agents all form a team with which the property owner will interact with and are key players in fulfilling the Uniform Act. The first step in the process is for the local agency to prepare a right-of-way plan for the project, in accordance with the [IDOT Land Ac-](#)

[quisition Policies and Procedures Manual](#). This is the basic document that will be used to receive federal reimbursement for any costs incurred. Once a plan is submitted and approved, appraisals can begin to establish a basis for determining just compensation.

Once an appraisal has been made, the LPA can begin to acquire the property. Any displaced person must be offered relocation assistance and payments as required by the Uniform Act. In the event that condemnation is necessary after negotiations are exhausted or for any other statutory reason, a request for condemnation should be made. The condemnation process takes no less than 90 days and can take much longer.

### 4 Certification

All right-of-way must be secured before the project is authorized by FHWA and advertised for a letting. For the right-of-way to be clear, the right-of-way must be secured, paid for, and vacated. Prior to each letting, the district must submit a right-of-way certification letter to the Central BLRS for each project involving right-of-way at least 2 days before authorization.