

# Delegated Contract Process (DCP) for Local Agency Federal Aid Projects

Always check the [State Aid website](#) for current forms and procedures. Refer to the [State Aid Manual Construction Chapter](#) (PDF) for more information on construction procedures for Federal Aid Projects.

## **READ THE FOLLOWING BEFORE YOU START**

### Approval is required first

Prior approval must be received before expenses are incurred, or they will not be reimbursed.

### This is not a grant program

Federal funds are released after the expense is incurred. Sponsoring agencies must be financially able to make the contract payments.

### This list contains typical federal and state aid requirements

The sponsoring agency is responsible to see that projects are developed and constructed in accordance with all applicable federal/state/local laws, whether they're on this checklist or not.

### This list covers plan development and contracting process only

For information on the environmental review process, refer to the [State Aid Manual Environmental and Design Studies Chapter](#) (PDF).

### This checklist is not all inclusive

Refer to the State Aid Manual for complete information.

### Send in all required forms

The forms linked in this document contain information needed to comply with federal regulations. Do not alter the forms. Failure to provide all the information could jeopardize your federal funds. Shortcut links to all the forms are located at the end. **Forms shall be sent electronically unless otherwise directed.**

### Federal requirements will apply to all work included in the construction contract

Other projects included in a federal contract must follow applicable federal requirements.

### Call if you have any questions

Contact your [District State Aid Engineer](#) or the [SALT Division](#) if you have any questions on your federal aid project. Contact [State Aid Finance](#) for questions related to payments.

## Project Sponsor

In order to be a recipient of a federal aid project, the recipient must either be a public agency, or the project must be sponsored by a public agency on behalf of the recipient.

The project recipient/sponsor must be qualified to administer a federal aid construction contract. To be qualified, the local public agency must be adequately staffed & suitably equipped to undertake & satisfactorily complete the work. Projects must receive adequate supervision & inspection to insure that projects are completed in conformance with approved plans & specifications.

The District State Aid Engineer will determine if a project sponsor is qualified. Qualification is determined on a **project-by-project basis**.

If a project sponsor cannot qualify on their own, but elects to use consultants for engineering services, the local public agency shall provide a full-time employee of the agency, qualified to be in responsible charge of the project.

## Acronyms

- CO = Change Orders
- Corps = Army Corps of Engineers
- DBE = Disadvantaged Business Enterprise
- DCP = Delegated Contract Process
- DME = District Materials Engineer
- DNR = Department of Natural Resources
- DSAE = District State Aid Engineer
- EEO = Equal Employment Opportunity
- FHWA = Federal Highway Administration
- IAS = Independent Assurance Sampler
- LPA = Local Public Agency
- MPCA = Minnesota Pollution Control Agency
- NPDES = National Pollutant Discharge Elimination System
- OCR = Office of Civil Rights
- OJT = On the Job Training
- PDR = Project Development Report
- RGN = Race Gender Neutral
- SAF = State Aid Finance
- SALT = State Aid for Local Transportation
- SAM = State Aid Manual
- TRNS\*PORT = MnDOT's Bid Management System (old BAMS)

## Part 1: Project Development

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<p><b>1-1</b> LPA prepares &amp; submits Project Memo (PM) or Environmental Assessment (EA) to DSAE for review/approval and submittal to SALT by December 1<sup>st</sup> of the year prior to bidding. <a href="#">PM and EA templates</a> are found on the State Aid Environmental webpage.</p>	<p><b>1-2</b> SALT reviews PM or EA, &amp; requests changes or approves (requests FHWA approval if necessary) &amp; notifies the LPA.</p>
<p><b>1-3</b> LPA submits <a href="#">Request for Contracting Authority (DCP 01)</a> (Word) to DSAE for each federal aid project. Reviewed on a project by project basis.</p>	<p><b>1-4</b> DSAE reviews the request to determine if the agency is "<b>adequately staffed &amp; suitably equipped to undertake &amp; satisfactorily complete the work.</b>" If engineering is to be sublet, DSAE must approve. See <a href="#">Consultant Use on Federal Aid Projects</a> (PDF).</p> <p>If approved, the DSAE signs &amp; submits <a href="#">Request for Contracting Authority (DCP 01)</a> (Word) to SALT.</p>
<p><b>1-6</b> LPA Clerk/Auditor reviews audit requirements:</p> <ul style="list-style-type: none"><li>• Single Audit Act of 1984</li><li>• Office of Mgmt &amp; Budget (OMB) Circular A-133</li><li>• Contact SALT for further information</li></ul>	<p><b>1-5</b> SALT prepares <a href="#">DCP Agency Agreement</a> (PDF) (if one is not on file) &amp; submits to LPA.</p>
<p><b>1-7</b> LPA Financial Officer determines if sufficient financial resources are available to bid &amp; award a contract.</p>	<p><b>1-9</b> SALT executes &amp; distributes the Agency Agreement.</p>
<p><b>1-8</b> LPA reviews/approves Agency Agreement and forwards to SALT for execution.</p>	

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**1-10** LPA prepares plan in conformance with [State Aid Manual Plans and Proposals Chapter](#) (PDF) guidelines.

- Quantities grouped by federally eligible, non- participating, rural, municipal, storm sewer, etc.

**1-11** LPA acquires necessary right-of-way in accordance with Federal laws. Prior authorization is required if Federal funds are used for R/W purchase. Refer to the [State Aid Manual Right of Way Chapter](#) (PDF) for guidance on timing of R/W purchases.

Refer to the [State Aid Manual Right of Way Chapter](#) (PDF) language regarding Environmental Due Diligence for federal aid, local initiated trunk highway, cooperative and other types of partnership projects that include property acquisition that will become state owned property during or after the project.

**1-12** LPA submits request for R/W certification [R/W Certificate # 1](#) (Word) & [R/W Certificate #1 Checklist](#) (Word) to the District R/W Engineer.

**1-13** District R/W Engineer certifies the R/W.

**1-14** LPA processes preliminary & final bridge plans (if any) through State Aid Bridge Engineer.

**1-15** LPA submits an [Application for Bridge Funds](#) (PDF) to the DSAE (if not already requested), if State Bond funds are anticipated.

**1-16** DSAE reviews & approves the **Application for Bridge Funds** & forwards to SALT.

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**1-17** LPA submits plan to DSAE, including:

- [Plan Submittal \(DCP 02\)](#) (Word)
- **Engineer's Estimate** (in Excel spreadsheet with at least 12 point font)
- Plan Review Checklists
  - [Federal Aid Plan Review Checklist](#) (Word)
  - [State Aid Plan Review Checklist](#) (Word)
- [Lab Testing and Plant Inspection Services Request](#) (Word)
- [R/W Certificate # 1](#) (Word) and [R/W Certificate #1 Checklist](#) (Word) OR [R/W Certificate # 1-A](#) (Word) (**with both signatures**)
- Working Day computations
- Permits if any: Corps, DNR, MPCA (NPDES), etc.
- Information on any tied projects in the contract
- The above items are required by April 1st in order to meet the authorization deadline to use *any* federal program funds in the current fiscal year.
- **LPA must contact DSAE to discuss possible extension if April 1st deadline cannot be met.**

**1-18** DSAE reviews the submittal & recommends the plan for approval, OR performs a complete review and approves the plan for State Aid rules/policy compliance and forwards the submittal to SALT.

**1-19** SALT reviews the submittal package & notifies the LPA and DSAE of any missing components.

**1-20** LPA revises plan if necessary

Table 1: Assistance Establishing Bid Opening Dates

Activity	Off-Peak Duration (cal days)	Peak Workload Duration (cal days)
District Review	7	14
SALT Review *	7	28
Authorization	7	14

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DBE Goal Determination – DBE & OJT *	14	14
Proposal & Ad Package *	3	7
Advertising **	25	25
Bid Opening	1	1
OCR Contract Clearance	14	21
Contract Award/Start Date	1	1
<b>Total Time</b>	<b>72</b>	<b>118</b>

\* some activities can occur concurrently.

\*\* varies depending on advertising methods and statute requirements.

**Projects submitted at the April 1st deadline may receive bid opening dates as late as July, depending upon District set priorities & workload. LPAs should plan accordingly.**

**1-21** SALT requests authorization of Federal funds when the following are received:

- Approved environmental documents
- Approved STIP Amendment, if not in current STIP year or other reason
- Plans approved by the DSAE
- R/W #1 signed by the Dist R/W Eng

**1-22** SALT submits to OCR for DBE and/or OJT goal determination(s):

- Project description
- Engineer's Estimate
- Estimated working days
- Note if project is on or near tribal lands (if near, include distance in miles)

**1-23** OCR sets goal(s)

**1-24** SALT reviews plan, if not full District review, and checks conformance with approved PDR

**1-25** SALT approves plan for federal funding, scans and prints

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- 1-26** SALT must have the following before a bid opening date can be set:
- FHWA Authorization
  - Any required permits:
    - Corps, DNR, MPCA, etc.
  - Traffic & Erosion Control plans
  - Approved Bridge plan
  - Approved design exceptions/variances

**1-27** SALT notifies LPA of project approval by phone or email.

**1-28** LPA & SALT discuss & select bid opening date.

**DO NOT PLACE AD WITHOUT SALT NOTIFICATION AND REQUIRED LANGUAGE DISCUSSED BELOW**

**1-29** SALT notifies DSAE of bid opening date

**1-30** SALT sends State Bridge Bond Grant approval letter to LPA with instructions on submittal of agreement & resolution.

- 1-31** SALT forwards to LPA:
- Written notice of authorization
  - Approved original plan
  - **REQUIRED** special provisions (**Time Sensitive Material**) including Schedule of Materials Control and required forms for Contractor's Request of DBE & OJT Contract Clearance
  - **REQUIRED** advertisement language

**1-32** LPA must notify SALT if the bid opening date is revised.

- 1-33** LPA prepares bid proposal
- **MUST** include **REQUIRED** specs received from SALT.
  - If more than 2 weeks after receipt, verify if SALT supplied specs are still current, especially federal/state wage rates.
  - Do NOT use special provision boiler plates for trunk highway projects. See [SALT Electronic Proposal Document Tool](#).

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**DO NOT PLACE AD WITHOUT SALT NOTIFICATION AND  
REQUIRED LANGUAGE DISCUSSED BELOW**

**Part 2: Bid Procedures**

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**2-1** LPA sends a copy of the completed ad as it will be published, with a list of where it will be published, to SALT, at the same time it is submitted for publication.

**2-2** LPA places ad (in accordance with State Statutes) for bid opening in:

- A trade publication OR first class city newspaper, where required, and
- LPA Designated Publication
- LPA website
- LPA is strongly encouraged to place a link to the ad on [SALT's eAdvert webpage](#)

*Per [MN Statute 471.345](#) sealed bids shall be solicited by public notice in the manner & subject to the requirements of the law governing contracts by the particular municipality or class thereof.*

*For counties, advertisements must be published once a week for three successive weeks, with at least 10 days between the last ad date & the bid opening. [MN Statute 160.17](#).*

*For Cities, advertisements must be published at least once & at least 3 weeks before the bid opening. [MN Statute 429.041](#)*

**2-3** LPA sells plan/proposal packages

**2-4** SALT monitors wage rates for changes & notifies LPAs with affected bid opening dates.



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**2-5** LPA prepares/distributes addenda if needed.

- Check currency of wage rates
  - State prior to advertising
  - Federal prior to bid opening
- May need addendum (for guidance see [wage determination requirements](#) (PDF))
- Send copy of addendum(s) to SALT & DSAE

**2-6** DSAE approves addenda and notifies SALT of approval.

**2-7** DSAE reviews bid opening procedures with LPA for statewide consistency

**2-8** LPA receives and checks the [federal debarment list](#) (PDF) and [opens bids](#) (Word)

**2-9** DSAE attends at his/her discretion

**2-10** LPA reviews proposals for completeness, errors, & unbalanced bids

**2-11** LPA notifies SALT by phone of low bidder/amount and sends email to OCR.

**2-11a** Provide list of bidders, bid amounts and DBE goal from Back Cover of Proposal if the project has a DBE goal to SALT.

**2-12** If bid is 10% over or under the engineer's estimate, LPA prepares justification & submits to DSAE.

**2-13** DSAE determines if additional federal funds will be authorized for the project & notifies LPA & SALT. DSAE coordinates with MnDOT & ATP as needed.

**For Projects WITH a Numerical DBE Goal & OJT**

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**2-14** Immediately following the bid opening, LPA notifies Apparent Low Bidder to submit applicable documents to OCR (as outlined in DCP03):

- DBE Good Faith Efforts Consolidated Form (all projects with federal funding);
- [OJT Program Proposal](#) (PDF) (only if OJT goal); and/or
- Workforce Plan (only if bid is over \$5 million)

Submit to OCR using Contractor OCR Requirements Letter (DCP 03) (see below), and sends forms previously provided by SALT in the [DBE Special Provisions](#) (PDF) pp 15-23 (Parts A thru I).

Contractor OCR Requirements Letter (DCP 03)

- [Greater MN DCP 03](#) (Word)
- [Metro District DCP 03](#) (Word)

See [Civil Rights Contract Clearance Flow Chart](#) (PDF) for a quick look at the clearance process.

Send copy of notification to SALT, DSAE and OCR.

Contractor **must** submit required forms to OCR, on or before:

- For DBE: the **5th calendar day** after the bid opening.
- For OJT and Workforce Plan: the **5th business day** after the bid opening

LPA e-mails list of all the bidders, bid amount and DBE commitments from their bid packages to SALT Federal Aid Plans Engineer.

**2-15** Immediately following the bid opening, LPA sends [Pre-Award Contract Information \(DCP 04\)](#) (Word) to OCR (needed for determining Good Faith Efforts) including: **Bid Abstract** (includes all bidders), including the **DBE commitment** for each bidder.

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## **DO NOT AWARD UNTIL NOTIFIED BY CIVIL RIGHTS OFFICE**

**2-16** OCR reviews/certifies DBE participation, OJT goal, and/or Workforce Plan. OCR notifies contractor and copies LPA, SALT and DSAE.

**2-17** LPA awards to lowest responsible bidder or rejects bids.

Go To **IMMEDIATELY AFTER AWARD**

### **For Projects WITHOUT a Numerical DBE Goal (RGN)**

**2-18** LPA may award the same day as bid opening if all the following apply:

- No numerical DBE goal or RGN goal;
- Bid is under \$5 million
- No OJT goal; and
- Bid checks OK

LPA may reject bids.

**Immediately following the bid opening**, LPA notifies Apparent Low Bidder to submit applicable documents for OCR per Contractor RGN DBE Requirements Letter (RGN DCP 03).

- [Greater MN RGN DCP 03](#) (Word)
- [Metro District RGN DCP 03](#) (Word)
- Good Faith Efforts Consolidated Form Parts A, B, C, D & E; DBE Description of Work (**for each DBE firm that will be on project**) on or before the **5th calendar day** after the bid opening.

**2-19** LPA sends [Post-Award Contract Information Race Gender Neutral \(DCP 07\)](#) (Word) to OCR, including:

- Copy of Award letter
- Bid Abstract

See [Civil Rights Contract Clearance Flow Chart](#) (PDF) for a quick look at the clearance process.

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Go To **IMMEDIATELY AFTER AWAR**

**IMMEDIATELY AFTER AWARD:**

**2-20** For projects requiring a NPDES permit, that was not obtained by the LPA before bid opening, LPA sends NPDES requirements to Contractor, including:

- [NPDES Application Notice](#) (Word)
- [NPDES Declaration](#) (Word)
  
- Contractor submits NPDES Application & fee to MPCA.
  
- Contractor sends copy of the NPDES Application & the NPDES Declaration to LPA.
  
- Contractor notifies the MPCA and Project Engineer a minimum of 10 days prior to removal or demolition of a bridge or building. Refer to [Notification Requirements](#) and the [State Aid Manual Hazardous Materials](#) (PDF) section for more information.

**2-21** LPA sends [Post-Award Documentation-- DSAE \(DCP 05\)](#) (Word) to DSAE, preferably in electronic format (use [MFT site](#) (PDF)), including a signed NPDES Application & Declaration.

**2-22** Upon receipt of signed NPDES Declaration or Transfer form or permit, DSAE sends a [Notice to Proceed](#) (Word) to LPA.

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**2-23** LPA sends Post-Award Documentation-- SALT (DCP 08) to SALT.

- [Greater MN DCP 08](#) (Word)
- [Metro District DCP 08](#) (Word)

Including:

- **COMPLETE Bid Proposal Booklet** from low bidder (see [guidance for creating searchable PDFs](#) (PDF)).
- Final Detailed Estimate: *Summary of low bid only, in engineer's estimate format, in Excel with at least 12 pt font*, showing the breakdown of federal participating & non- participating for each category/group.
- Copy of Award letter
- Signed NPDES Application & Declaration or NPDES Transfer Form
- Affidavits of Publication
  - Trade Publication (if used)
  - LPA Designated Publication
  - If website used, see [Affidavit of Electronic Publication Sample](#) (Word)
  - May be sent electronically to [Mark.Channer@state.mn.us](mailto:Mark.Channer@state.mn.us)
  - Subject to MnDOT's 20mb email size restrictions.

See Post-Award Documentation-- SALT Instructions for help in completing this package.

- [Greater MN Instructions](#) (PDF)
- [Metro District Instructions](#) (PDF)

**2-24** DSAE forwards copy of Complete Bid Proposal to:

- District Materials Engineer (DME) / Independent Assurance Sampler (IAS)
- State Materials Engineer (at Maplewood Lab)

**2-25** SALT prepares Funding Participation Distribution & forwards to SAF, with cc's to LPA, DSAE, OCR and MnDOT Programs.

**2-26** SALT notifies LPA of State Bridge Bond grant amount, if any.

**2-27** LPA reviews Participation Distribution against the **Project Setup** under **Federal Aid Projects** in [SAAS Web Reporting](#).

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**2-28** LPA sends single copy of the NPDES Permit Card to the DSAE.

**2-29** DSAE saves a copy of the **NPDES Permit Card** in the State Aid eFiles, & enters the approval date in SALT Project Tracking database.

**2-30** SALT monitors elapsed time to flag overdue submittals beyond bid opening date.

### Part 3: Construction

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**3-1** LPA prepares & executes contract, & notifies Contractor to start work.

**3-2** LPA holds pre-construction conference

- Send copy of notice to [DSAE](#) and [OCR](#) and area [Construction Engineer/Specialist](#).

**3-3** LPA & Contractor **MUST** maintain bulletin board at the project work site with required posters.

**3-4** Information regarding posters and the Poster Board Request Form can be obtained at the [MnDOT Labor Compliance Poster Boards website](#).

**3-5** Required Minnesota Department of Human Rights Contractor Non-Discrimination is the Law poster.

**3-6** LPA verifies the NPDES Permit Card is posted at the construction site.

**3-7** If requesting State Aid funds for matching and/or other costs, LPA submits [State Aid Payment Request](#) (Excel) to the DSAE.

**3-8** DSAE reviews/approves/submits **State Aid Payment Request** to SAF.

**3-9** SAF releases funds in accordance with State Aid Rules:

- 95% of State Aid share
- project development costs
- right-of-way costs

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**3-10** If using State Bridge Bond funds, LPA submits 3 originals of the [State Bridge Bond Grant Agreement](#) (Word) and [Resolution](#) (Word) to SALT.

**3-11** SALT executes & distributes the Grant Agreement.

**3-12** SAF encumbers the State Bridge Bond funds.

**3-13** LPA approves [Request to Sublet Forms](#) (PDF) and maintains them in the project files.

- 3-14** LPA provides inspection
- Certified Testers required
  - **Schedule of Materials Control required** (see special provisions)
  - Notify the MnDOT Independent Assurance Inspector of project schedule
  - See [State Aid Manual Construction Chapter](#) (PDF) and [Construction Tools – References webpage](#) for requirements and guidance.
  - Refer to the Building and [Bridge Removal/Demolition guidance](#) and the [State Aid Manual Hazardous Materials](#) (PDF) section if the project involves any such activities.
    - Contractor shall utilize [MnDOT – approved pre-qualified vendors for asbestos abatement](#) (Word).
    - Contractor shall dispose the asbestos – contained waste at the [Minnesota Pollution Control Agency – approved sites](#) (PDF).

**3-15** MnDOT District or Central Lab provides testing, if requested, & will bill the LPA for services, see [Lab Testing and Plant Inspection Services Request](#) (Word).

**3-16** MnDOT District will provide an Independent Assurance Inspector & will bill the LPA for services

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**3-17** LPA submits required documentation to DSAE

- [Change In Contract Construction Status](#) (Word)
- [Weekly Construction Diary](#) (Word)  
(If requested by DSAE) **NOTE:** for federal aid projects, submit diary for **last full week in July** to OCR.

**3-18** DSAE monitors progress during construction

**3-19** LPA submits [Contractor Documentation \(DCP 10\)](#) (Word) from Contractor, to OCR (*do not use EEO-2 form*), including:

#### Contract Compliance

- [Contractor Employment Data \(EEO 12\)](#) (PDF)
  - *Due at beginning of project*
- [Monthly Employment Compliance Report \(EEO 13\)](#).
  - *Due monthly for federal aid projects.*
- [On-the-Job Training OJT Program Proposal](#) (PDF)
  - *Due within 5 business days following bid opening*
- [On-the-Job Training OJT Trainee Application](#) (PDF)
  - *Due prior to construction or within 30 days of employee start date*
- [On-the-Job Training OJT Mentorship Agreement](#) (PDF)
- [On-the-Job Training Certification of OJT Hours](#) (PDF)
  - *Due monthly*
- [On-the-Job Training OJT Trainee Departure Form](#) (PDF)
  - *Due within 15 calendar days of an OJT trainee leaving the company*

#### Small Business Contracting

- [DBE Description of Work \(Exhibit A\) and Field Monitoring Report](#) (LPA complete Section (G) when DBE work is  $\frac{1}{3}$  to  $\frac{1}{2}$  complete)
- Requirements are in bid proposal
- Copy to DSAE

**3-20** OCR monitors project



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**3-21** LPA reviews contractor payroll reports & trucking reports for compliance with Federal & State Prevailing Wage Rates & truck rental rates.

- See [Certified Payroll Reports](#)
- See [Trucking Information](#)

**3-23** LPA prepares **Partial Estimate** at least monthly

- Must be in engineer's estimate format; showing breakdown for each category/group.
- Certified by Project Engineer & Contractor (**Per Spec 1906.1 the acceptance of the payment constitutes certification by the Contractor**)

**3-24** LPA pays contractor

**NOTE: LPA may submit DCP Partial Payment Request (see below) after the expense has been incurred but prior to paying the contractor, provided they have an approved payment process assuring the contractor is paid promptly upon receiving reimbursement of the Federal share.**

**3-25** LPA submits DCP Partial Payment Request for Federal Aid share (**required within 6 months of project bid opening**) and bridge bonding funds (if any) to SAF.

- The DCP Payment Request must be prepared on the [SAF website](#), printed out, signed and the first page of the printout submitted with a copy of the Contract Voucher and for multi-group projects include a Cost Breakdown in the engineer's estimate format by category/group to SAF and scanned and emailed to [greg.schauff@state.mn.us](mailto:greg.schauff@state.mn.us).
- Check with your DSAE to see if they want a copy

**3-22** Labor Compliance Unit monitors project

See the [DCP Payment Request Guide](#) (PDF) for detailed instructions on preparation of the

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**DCP Payment Request.**

**3-26** SAF reimburses the LPA for the Federal Aid and bridge bonding share of the Partial Estimate.

- Typically within one week
- Up to amount encumbered

**3-27** LPA may execute [Change Order\(s\)](#) (Word) with the contractor if modifications to the Contract are needed. See [State Aid Manual Construction Chapter, Contract Changes Section](#) for guidance.

**3-28** LPA submits Change Order to DSAE for information and approval of funding, if requested. This should be completed on projects with federal funds before inclusion in federal reimbursement::

- Must include costs by Group/Funding Category.
- **Work is not eligible** until approved by DSAE.

**3-29** DSAE reviews Change Order for compliance with federal regulations, and notified the LPA of acceptability.

- Change Orders that change the scope of a federal project require FHWA approval.
- DSAE notifies the LPA if the Change Order is eligible for federal funding.
- DSAE signs the Change Order for funding and approves the funding types.
- DSAE forwards the Change Order to State Aid Finance if additional funds are available and being requested.

**3-30** LPA may grant time extensions or suspend work.

**3-31** LPA may request Federal participation in claims. Requests should be sent to the DSAE.

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**3-32** DSAE reviews claim for compliance with federal regulations, & notifies LPA of acceptability.

- Notifies LPA & SALT if additional federal funds will be authorized for the project.
- Coordinates with MnDOT Programs & ATP as needed.

## Part 4: Completion

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**4-1** LPA notifies DSAE and OCR of project completion Final [Change in Contract Construction Status](#) (Word).

**4-2** DSAE conducts final inspection

- Use [Final Inspection Report](#) (Word) form.

**4-3** For all projects regardless of DBE goal, **LPA notifies to Contractor** that the following information must be submitted to OCR and cc the LPA:

- [DBE Total Payment Affidavit](#) (PDF) and
- [Contractor Payment Form](#) (PDF)

LPA emails OCR to request DBE Final Clearance.

- Include any signed Exhibit A's not already submitted

**4-3a Contractor must submit [DBE Total Payment Affidavit](#) (PDF) and [Contractor Payment Form](#) (PDF) to OCR for DBE Final Clearance review (Spec 1908). **NOTE:** Contactor need to cooperate with OCR requests in timely manner during the review.**

**4-3b Contractor must complete and submit [Indian Employment Tracking form](#) no later than 30 days after project acceptance.**

**4-4** OCR reviews/approves [DBE Total Payment Affidavit](#) (PDF), [Contractor Payment Form](#) (PDF) and OJT goal. OCR

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notifies the LPA and SALT that final payment can be made.

**4-5** LPA submits copy of [Materials Certification Exceptions Summary](#) (Word) and [Tester Inventory](#) (Excel) to District Materials Engineer for certification that all Independent Assurance (IA) requirements have been met. Then, the LPA will send it to the DSAE

- See Chapter 6 III.F “Materials” in the electronic State Aid Manual (eSAM) for certification of materials.

**4-6** LPA contacts Labor Compliance Unit regarding labor holds.

**4-7** LPA prepares **Final Estimate**

- **Must** be in engineer's estimate format, showing the breakdown by category/group.
- In Excel, at least 12 point font
- Certified by Project Engineer
- Documented & adjusted for:
  - liquidated damages
  - surplus materials
  - materials failures
  - incentives/disincentives

LPA makes final payment to the Contractor.

**NOTE: If finaling process & payment to Contractor is anticipated to exceed 90 days, process a DCP Partial Payment Request.**

**4-8** LPA submits **DCP Final Payment Request** for Federal Aid share & bridge bonding funds (if any) **to DSAE**.

- The **DCP Final Payment Request** must be prepared on the [SAF website](#), printed out, signed, & submitted with the following required documents to the DSAE
  - All the pages of the payment detail report should be sent with the payment request to the DSAE.

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See the [DCP Payment Request Guide](#) (PDF) for detailed instructions on preparation of the DCP Final Payment Request.

- **Required documents to attachment:**
  - **Final Contract Voucher** including a copy of the **Final Estimate** (adjusted as stated above). See [Final Contract Voucher Sample](#) (PDF)
  - [Contractors Certificate of Final Contract Acceptance](#) (Word)
  - [Materials Certification Exceptions Summary](#) (Word)
  - **MnDOT Office of Civil Rights DBE Clearance Letter ([How to request final DBE clearance](#))** (Word)
  - [Overrun Justification](#) (Word)
  - **Supplemental Agreements**, if applicable.
  - **Change Orders**, if applicable.
  - If requesting State Aid funds for matching and/or other costs, include [State Aid Payment Request](#) (Excel).
  - [Evaluation for Consultants Administering Federal Project Construction](#) (PDF)
- *While it is no longer required to submit the Certificate of Performance form to State Aid, note that [MN Statute 160.17 Subd.3](#) requires that the work be certified to the county board or the town board, & the certificate filed in the office of the county auditor or town clerk.*

See the [DCP Final Payment Request Sample Packet](#) (PDF) for additional help in preparing the final submittal packet.

**4-9** DSAE reviews/approves/submits **DCP Final Payment Request** package, including signed copy of [Final Inspection Report](#) (Word) and any missing Change Orders to SALT.

Local Public Agency	MnDOT
<p><b>4-14</b> LPA retains records according to MnDOT retention schedule--10 years from date of final Federal action—project is not finalized if it appears on the <b>Construction Aging Report</b> under <b>State Aid County and Municipality Reports</b> in <a href="#">SAAS Web Reporting</a>.</p>	<p><b>4-10</b> DSAE reviews/approves/submits <b>State Aid Payment Request</b> to SAF (include <b>Bid Abstract</b> if this is the first State Aid Payment Request).</p> <p><b>4-11</b> SALT reviews/approves/forwards <b>DCP Final Payment Request</b> to SAF.</p> <p><b>4-12</b> SAF reimburses the LPA for the final Federal aid &amp; bridge bonding share.</p> <p><b>4-13</b> SAF releases funds in accordance with State Aid Rules.</p> <p><b>4-15</b> Audit may be conducted by FHWA or MnDOT</p>

## DCP Forms

- [Request For Contracting Authority \(DCP 01\)](#) (Word)
- [Plan Submittal \(DCP 02\)](#) (Word)
- Contractor DBE Requirements Letter (DCP 03)
  - [Greater MN DCP 03](#) (Word)
  - [Metro District DCP 03](#) (Word)
- Contractor RGN DBE Requirements Letter (DCP 03)
  - [Greater MN RGN DCP 03](#) (Word)
  - [Metro District RGN DCP 03](#) (Word)
- [Pre-Award Contract Information \(DCP 04\)](#) (Word)
- [Post-Award Documentation--DSAE \(DCP 05\)](#) (Word)
- [Post-Award Contract Information RGN \(DCP 07\)](#) (Word)
- Post-Award Documentation--SALT (DCP08)
  - [Greater MN DCP 08](#) (Word)
  - [Metro District DCP 08](#) (Word)
- Post-Award Documentation--SALT (DCP08) Instructions
  - [Greater MN Instructions](#) (PDF)
  - [Metro District Instructions](#) (PDF)
- [Contractor Documentation \(DCP 10\)](#) (Word)

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Pg. 1	<a href="#">District State Aid Engineer</a>

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2-2	<a href="#">MN Statute 471.345</a>
2-2	<a href="#">MN Statute 160.17</a>
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2-5	<a href="#">Wage Determination Requirements</a>
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<b>Part 2: Bid Procedures</b>	
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4-3a	<a href="#">DBE Total Payment Affidavit</a> (PDF)
4-3a	<a href="#">Contractor Payment Form</a> (PDF)
4-3a	<a href="#">Indian Employment Tracking form</a>
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