

**CITY OF LA VISTA**  
**MAYOR AND CITY COUNCIL REPORT**  
**AUGUST 18, 2009 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
COUNCIL POLICY STATEMENT – PROCESSES AND PROCEDURES FOR FEDERAL-AID TRANSPORTATION PROJECTS	◆ RESOLUTION ORDINANCE RECEIVE/FILE	JOE SOUCIE PUBLIC WORKS DIRECTOR

**SYNOPSIS**

A resolution has been prepared to approve a Council Policy Statement regarding Processes and Procedures for Federal-Aid Transportation Projects.

**FISCAL IMPACT**

N/A

**RECOMMENDATION**

Approval

**BACKGROUND**

The City of La Vista, as a sub-recipient of Federal-Aid funding, is charged with the responsibility of expending said funds in accordance with Federal and State law, the rules and regulations of the Federal Highway Administration, the requirements of the Local Public Agency (LPA) Guidelines Manual of the Nebraska Department of Roads. This includes: the consultant selection process as stated in the LPA Guidelines Manual, the National Environmental Policy Act (NEPA) and the Uniform Relocation Assistance and Real Property Acquisition Policies Act (Uniform Act) and the maintaining of adequate Financial Management Systems.

Failure to meet all requirements for federal funding could lead to a project or projects being declared ineligible from federal funds, which could result in the City of La Vista being required to repay some or all of the federal funds expended for a project or projects.

RESOLUTION NO.\_\_\_\_\_

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING A COUNCIL POLICY STATEMENT PERTAINING TO PROCESSES AND PROCEDURES FOR FEDERAL-AID TRANSPORTATION PROJECTS AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council has determined that it is necessary and desirable to create Council Policy Statements as a means of establishing guidelines and direction to the members of the City Council and to the City administration in regard to various services and procedures which regularly occur in conjunction with Federal-Aid transportation projects, and;

WHEREAS, certain transportation facilities (roads, streets, trails and others) in the City of La Vista have been designated as being eligible for federal funds by the Federal Highway Administration in compliance with federal laws pertaining thereto, and;

WHEREAS, the City of La Vista desires to continue to participate in Federal-Aid transportation construction programs, and;

WHEREAS, the Nebraska Department of Roads, as a recipient of said Federal funds, is charged with the oversight of the expenditures of said funds, and;

WHEREAS, the City of La Vista, as a sub-recipient of said Federal-Aid funding, is charged with the responsibility of expending said funds in accordance with Federal and State law, the rules and regulations of the Federal Highway Administration, the requirements of the Local Public Agency (LPA) Guidelines Manual of the Nebraska Department of Roads, including the consultant selection process as stated in the LPA Guidelines Manual, the National Environmental Policy Act (NEPA) and the Uniform Relocation Assistance and Real Property Acquisition Policies Act (Uniform Act) and the maintaining of adequate Financial Management Systems, and;

WHEREAS, the City of La Vista understands that the failure to meet all requirements for federal funding could lead to a project or projects being declared ineligible for federal funds, which could result in the City of La Vista being required to repay some or all of the federal funds expended for a project or projects.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and City Council of La Vista, Nebraska, does hereby adopt and bind itself to comply with all applicable federal law, including the rules and regulations of the Federal Highway Administration, all applicable state law and rules and regulations (Nebraska Administrative Code) and the requirements of the LPA Guidelines Manual of the Nebraska Department of Roads, including the consultant selection process as stated in the LPA Guidelines Manual, the National Environmental Policy Act (NEPA) and the Uniform Relocation Assistance and Real Property Acquisition Policies Act (Uniform Act), and to maintain adequate Financial Management Systems, and;

BE IT FURTHER RESOLVED, that the Mayor and City Council of the City of La Vista, Nebraska does hereby designate the following as responsible for the management of the following processes:

Consultant Selection Process: Public Works Director of the City of La Vista

## The National Environmental Policy Act (NEPA)      Public Works Director of the City of La Vista

Financial Management  
Systems Certification  
(attached to this Resolution)      Finance Director of the City of La Vista

PASSED AND APPROVED THIS 18<sup>TH</sup> DAY OF AUGUST 2009

## CITY OF LA VISTA

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Douglas Kindig, Mayor

**ATTEST:**

Pamela A. Buethe, CMC  
City Clerk

**LOCAL PUBLIC AGENCY (LPA)**  
**FINANCIAL MANAGEMENT SYSTEMS CERTIFICATION**

Name of Local Public Agency \_\_\_\_\_

Date: \_\_\_\_\_

The above-named local public agency (LPA) certifies that the financial management systems and procedures used by them meet all requirements set forth by the Nebraska Department of Roads (NDOR) and the Federal Highway Administration (FHWA), and are sufficient to satisfy all applicable financial management system standards set forth in 49 CFR Part 18, Uniform Administrative Requirements for Grants & Cooperative Agreements to State & Local Governments, and all the requirements set out on the attachment to this certification document.

By signing this document, the above-named LPA certifies that the local systems and procedures provide an accurate representation of the financial transactions associated with Federal-aid projects, and that financial records are maintained for subsequent audit purposes. In the event the LPA determines that a financial transaction is not accurately shown on the LPA's financial records, the LPA agrees to notify the NDOR and FHWA and disclose and correct the details of that financial transaction. Further, if it is determined that the LPA's systems are no longer compliant with all requirements of the first paragraph of this certification then the LPA will modify their system(s) to make them compliant and submit a new certification to NDOR.

The person signing below hereby certifies that he or she is duly authorized to sign this document and that the statements contained herein are true and correct to the best of his or her knowledge and belief.

LPA's Authorized Representative

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(Print Name)

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(Signature)

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(Date)

STATE OF NEBRASKA)

)ss.

COUNTY OF \_\_\_\_\_ )

Subscribed, sworn to and acknowledged before me by \_\_\_\_\_,

this day \_\_\_\_\_ day of \_\_\_\_\_, 2009

*SEAL*

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Signature of Clerk or Notary Public

NDOR conditionally accepts this certification pending successful completion of an audit by NDOR verifying the statements contained herein.

NDOR \_\_\_\_\_  
Controller Division Head \_\_\_\_\_ Date \_\_\_\_\_

NDOR \_\_\_\_\_  
Local Projects Division Head \_\_\_\_\_ Date \_\_\_\_\_

**LOCAL PUBLIC AGENCY (LPA)**  
**FINANCIAL MANAGEMENT SYSTEMS CERTIFICATION**

**ATTACHMENT**

Name of Local Public Agency \_\_\_\_\_

Date: \_\_\_\_\_

**Additional Financial Management System Requirements**

- A. The LPA is responsible for maintaining an adequate financial management system and will immediately notify the NDOR when the LPA can no longer comply with the requirements established below.
- B. The LPA's financial management system shall provide for:

**Financial Reporting:** The LPA must maintain accurate, current and complete disclosure of the results of the financial audits of Federal financially-assisted activities in conformity with generally accepted principles of accounting, and reporting in a format that is in accordance with the financial reporting requirements of the Federal-aid program.

**Accounting Records:** The LPA must maintain records that adequately identify the source and application of funds for Federal financially-assisted activities. These records must contain information pertaining to Federal financial assistance and authorizations, project expenditures to date and the project funds remaining and available to pay for future expenditures. The LPA agrees to grant NDOR and FHWA access to these records immediately upon request.

**Internal Control:** The LPA must maintain effective internal and accounting controls over all funds, property and other assets. The LPA shall adequately safeguard all such assets and assure that they are used solely for authorized purposes.

**Budget Control:** The LPA will maintain records for Federal financial assistance that compares actual expenditures or outlays with budgeted amounts. Financial information must be related to performance and productivity data including the development of unit cost information.

**Allowable Cost:** The LPA must have procedures for determining whether costs are reasonable, allowable, and allocable; consistent with State and Federal requirements.

**Source Documentation:** The LPA must maintain, or cause to maintained, the source documentation for its accounting records.

- C. The NDOR will periodically review the adequacy of the financial management system of any applicant for financial assistance, as part of a pre-award review or at any time during the Federal-aid project. If NDOR determines that the LPA's accounting system does not meet the standards described in paragraph B above, the NDOR will require remedial action by the applicant to maintain eligibility for federal assistance. Failure to comply with any requirements imposed by the NDOR may result in sanctions as identified in Chapter 15 of the LPA Guidelines Manual.