

Responsible Charge (RC) Pre-Qualification Form

Name – Please Print

Date Completed



Note: For information that will not fit on this form, attach additional sheet(s).

1. Are you presently a **public** employee? **Yes** **No** If no, contact NDOR LPD Division; you may not need to complete the remainder of the form. If yes, list the official name, business address, and phone number of your employer(s).

2. If your employer is not a city, village, or a county, please list the Nebraska or other statutory provision that makes your employer a “public” entity. Submit all documentation that you believe supports the conclusion that your employer is a “public” entity.

3. Are you considered a **full-time** public employee under your public employer’s definition of full-time?
 Yes **No**

If yes, and you work fewer than 32 hours per week, attach a copy of your employer’s full-time employment policy and any additional information explaining why you are classified as full-time under that policy. If no, you are not eligible to serve as RC, unless you have obtained approval in advance, in writing, from NDOR and FHWA.

4. For what other public entity/entities (*if different than any entity listed above*) have you worked and/or received a paycheck(s) or a payment for services rendered over the past 3 years? List full names, dates of service, job title, duties, and number of hours worked per week for each.

5. Are you an appointed or elected official? **Yes** **No**

If Yes, indicate which one: appointed elected (circle one)

To what office were you appointed or elected?

For which governmental entity?

What date does your term end?

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23 CFR 1.33 prohibits certain types of conflicts of interest in Federal-aid highway programs. As RC, you are subject to the prohibitions of 23 CFR 1.33 which, among other things, prohibit you from hiring a consultant for engineering services with which you have any recent or present written or unwritten employment, contract or financial relationship of any type.

6. Over the last three years, have you been a principal in, employed by, or had any direct or indirect financial or other personal interests in any engineering, environmental or other consulting firm or business that provided any services that could be used in any aspect of the planning, development, design, engineering or construction of a transportation project? **Yes** **No**

If yes, list the following:

Entity name:

Entity address:

Entity phone number:

Dates of services rendered:

Type of work you completed; provide enough details to determine whether your work was similar in type to or would have any relationship to the work of serving as a RC or managing any Federal-aid transportation project activity:

Identify recent or present written or unwritten employment, contract or financial relationships of any type with the above entity:

7. Do you have other related licenses (*Professional Engineer, Highway Superintendent, City Street Superintendent, etc.*)? **Yes** **No**

If yes, list all licenses held at the present time.

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Note for RCs who are not licensed professional engineers: be aware of the requirement of Neb. Rev. Stat. § 81-3445, the statutory definition of the practice of engineering and what constitutes the unlicensed practice of engineering.

Have you ever been suspended or had any of these licenses revoked for any reason?

Yes **No**

If yes, describe the details related to the suspension or revocation.

8. Have you completed all required Responsible Charge training? **Yes** **No**

List all online courses taken (*titles and NHI numbers*) and dates completed:

Dates of classroom training:

Week A:

Week B:

Annual workshop attendance dates:

Professional Development Hours (*PDHs*) completed in the past year (*attach documentation*):

9. Have you served in the capacity of Responsible Charge for a Federal-aid transportation project?

Yes **No**

If yes, complete the following:

Control No.	Project No.	Project Name

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10. Have you been involved in processing Federal-aid (*through FHWA*) transportation projects, although not in the capacity of Responsible Charge? **Yes** **No**

If yes, complete the following:

Control No.	Project No.	Project Name	Capacity	Extent of Involvement

11. Have you ever been involved in processing other types of Federal-aid projects (other than transportation projects through FHWA)? Indicate the projects, the capacity in which you served, and the extent of your involvement.

Yes **No**

If Yes, complete the following:

Control No.	Project No.	Project Name	Capacity	Extent of Involvement

12. Have you ever been removed from the Responsible Charge list? **Yes** **No**

If Yes, explain.

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13. Have you ever been the Responsible Charge of a Federal-aid transportation project phase that was declared ineligible for funding, was cited for fraud, waste or abuse, or for which a monetary or other sanction was imposed? **Yes** **No**

If Yes, explain.

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Definitions

Fully qualified means a person who has satisfactorily completed all applicable Nebraska Department of Roads (NDOR) training courses and who has met the other requirements necessary to be included on the NDOR list of qualified Local Public Agency (LPA) RCs.

Full-time public employee means a public employee who meets all the requirements and is afforded all the benefits of full-time employees as that phrase is applied to other employees of the employing public entity. A person is not a full-time public employee if that person provides outside private consulting services, or is employed by any private entity, unless that person can prove to NDOR in advance, that employee's non-public employment is in a field unrelated to any aspect of the project for which federal aid is sought.

Public employee means a person who is employed solely by a county, a municipality, a political subdivision; a Native American tribe; a school district; or another entity that is either designated by statute as public or quasi-public, or an entity included on a list of entities determined by the Nebraska Department of Roads, and approved by the Federal Highway Administration (FHWA), as fulfilling public or quasi-public functions.

Responsible charge means the public employee who is fully empowered by LPA and has actual day-to-day working knowledge and responsibility for all decisions related to all aspects of the federal-aid project from planning through construction project activities, including all environmental commitments. The RC is the day-to-day project manager, and the LPA's point-of-contact for the project. Responsible charge does not mean merely delegating the various tasks; it means active day-to-day involvement in identifying issues, investigating options, working directly with stakeholders, making decisions, and actively monitoring project construction. It is understood that the RC may delegate or contract certain technical tasks associated with the project so long as the RC actively manages and represents the owner's interests in the delegated technical tasks.

Duties of RC and Signature

I understand that, as RC, I have the duty to:

- Serve as the LPA's contact for issues or inquiries for Federal-aid projects to which I am assigned by the LPA;
- Ensure that all applicable Federal, State and local laws, rules, regulations, policies and guidelines are followed during the development and construction of the project;
- Know and follow the NDOR LPA Guidelines Manual for Federal-aid Projects;
- Have active day-to-day involvement in identifying issues, investigating options, working directly with stakeholders, and decision-making;
- Ensure that the project plans and specifications are sealed, signed and dated by a professional engineer licensed in the State of Nebraska, and that estimates have been prepared and the construction has been observed by a professional engineer licensed in the State of Nebraska or a person under the direct supervision of a professional engineer licensed in the State of Nebraska (*reference Neb. Rev. Stat. § 81-3445*);
- Competently manage and coordinate the project day-to-day operations, including all project-related decisions, on behalf of the LPA, which includes the LPA's governing body, staff and any extended staff dedicated to the project such as consulting engineers;

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- Ensure that project documents are thoroughly checked, reviewed and have had quality control measures applied, prior to submitting to NDOR and/or FHWA;
- Monitor the progress and schedule of the project and be responsible for ensuring that the project is completed on time in accordance with established milestone dates;
- Properly serve as the owner's representative, and to visit the project site during construction on a frequency commensurate with the magnitude and complexity of the project;
- Ensure that proper construction management processes have been developed and implemented for the project;
- Serve as a steward of the public funds, i.e. ensure that the public gets what it is paying for;
- Attend all required training including the annual workshop; and
- Fulfill continuing education requirements as specified in the NDOR LPA Guidelines Manual for Federal-aid Projects.

Duties of RC and Signature

I understand that as RC, I must be fully empowered by the LPA and have actual day-to-day responsibility for all decisions related to all aspects of the federal-aid project. I know that being in responsible charge does not mean merely supervising, overseeing or delegating the various tasks; it means active day-to-day involvement in identifying issues, investigating options, working directly with stakeholders, decision-making, and actively monitoring project construction. As RC, I understand that I will be held accountable for ensuring that all applicable Federal and State regulations are followed on the project and have the responsibility, authority and resources to manage a Federal-aid project efficiently and effectively.

I understand that failure to meet any eligibility requirements for Federal funding may result in the loss of all federal funding for the project and that in such an instance, LPA will be required to repay NDOR some or all previously paid Federal funds and any costs or expenses NDOR has incurred for the project, including but not limited to, those costs for the RC.

I hereby certify that all of the statements and information I have submitted above are true and accurate to the best of my knowledge and belief; that I understand the meaning of the definitions set out above, that I will make my best good faith efforts to meet all applicable Federal, state and local requirements and guidelines, and that I pledge to fulfill all duties and responsibilities of the Responsible Charge position. I also agree to notify NDOR Local Projects Division in the event my full-time status or public employee status changes, or in the event any conflict-of-interest or potential conflict-of-interest situation arises.

I, _____
(Print your full name – first, middle, and last)

I, _____
(Your signature)

Date (M/D/Y)

Attest:

I, _____
(Signature of City or County Clerk or Notary Public)

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Additional Sheet(s)