


**Local Highway Technical
Assistance Council**

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Memorandum

DATE: January 8, 2024
TO: Children Pedestrian Safety Program 2024 Awardees
FROM: Ken Kanownik, AICP 
Deputy Administrator
Re: 2024 Children Pedestrian Safety Awards and Procedures

The Children Pedestrian Safety Program had both Federal (American Rescue Plan Act) and state funds to award to applications in the 2024 program year. The instructions in this memo only apply to the projects that have Federal funds.

Transfer of Funds:

Recipients of the Federal funds will not receive a check with their signed agreement as has occurred in past years. To minimize administrative reporting to the Department of the Treasury, LHTAC will pay your contractor (up to the award amount) directly after construction begins. In your bid documents, this must be disclosed along with the requirement to complete necessary paperwork, such as I-9 tax forms or direct payment forms. LHTAC is currently working on procedures for processing and submitting payments. Guidance for this will be sent out before projects begin construction in the spring.

Minimal Reporting:

LHTAC is administering the Federal funds to minimize federal reporting, however, some basic information such as project start and end dates, percent complete or other progress information will be needed. This information will be collected monthly, with the start and end dates required before any payments can be made to the contractor.

Federal Requirements:

There are several Federal requirements associated with this funding. It is important to note that this is not Federal Highway Administration funding like LHTAC typically administers and the procedures for compliance are not the same. For these projects, just verification of compliance is required. Guidance on the Federal requirements for the ARPA funds:

Davis-Bacon Wages: Contractors are required to pay Davis-Bacon wages. This should be clear in your contract documents along with a method to verify. This can be as simple as

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randomly selected redacted pay stubs saved to the project file, an affidavit from the contractor outlining the wages, or using the FHWA inserts.

Americans with Disabilities Act (ADA): All facilities constructed with this funding are required to meet ADA requirements. Inspection forms and documentation on technical infeasibility should be kept in the project file. All projects should meet the Public Right-of-Way Accessibility Guidelines 2023 (PROWAG) or have appropriately documented technical infeasibility, preferred before advertisement for construction.

Title VI: This regulation applies generally and broadly, but there is no requirement to have any active role. LHTAC recommends a non-discrimination statement for the agency and contractor in the contract.

Buy America Build America (BABA): For projects that total less than \$500,000, the Buy America provisions will not apply. If you have bundled your CPS project into a larger project, this will trigger the Buy America, Build America requirements into your larger project. LHTAC recommends advertising these projects separately or contacting LHTAC to ensure proper documentation is included.

Should you require any guidance on incorporating the Federal requirements into your project, please consult with LHTAC prior to advertising your project. Please reach out to Deputy Administrator Ken Kanownik (208-530-7469) or TAP Safety Engineer Amanda LaMott (208-530-7463).

All projects have been submitted to the Division of Financial Management (DFM) for inclusion in the U.S. Treasury reporting portal. The final cut-off date for any changes to the project list is January 31st, 2025. This date is set by the Department of the Treasury. If LHTAC does not have all project files needed to demonstrate your project is ready for construction, your project will be removed from the portal and will be ineligible for funds.

All Federal funds must be paid out by August 31, 2026. At this date any unspent funds will be returned to the Division of Financial Management for return to the U.S. Treasury.