

TDOT AERONAUTICS ENGINEERING UPDATE

While 2020 has been impacted by COVID-19 and caused us to spend most of the time working from home, we have stayed very busy. This edition of the Engineering Update highlights some of our recent efforts to serve aviation:

- ❖ We've Moved!
- ❖ Change Order and Supplemental Agreement Guide
- ❖ Davis-Bacon Act Policies and Procedures
- ❖ Standard Pay Items/Descriptions/Units
- ❖ Revenue-Producing Facility Application for Eligibility
- ❖ CARES Act Update
- ❖ DBE Program
- ❖ 2020 General Aviation Meetings

WE'VE MOVED!

In March, we moved to our new location! Visitors are not allowed at this time, but we hope to show it off soon.

ADDRESS: 7335 Centennial Boulevard
Nashville, TN 37209



CHANGE ORDER AND SUPPLEMENTAL AGREEMENT GUIDE

We are excited to release a [Change Order and Supplemental Agreements Guide](#) and [Official Forms](#), providing procedural guidance for TDOT review of change orders and supplemental agreements for construction contracts funded by TDOT airport development grants.

All contract modifications will require concurrence from TDOT prior to execution so that any issues regarding eligibility can be addressed. Failure to do so may result in the Sponsor assuming the cost of the entire modification without State or Federal participation.

TDOT concurrence will determine whether the contract modification is *Eligible*, *Partially Eligible*, or *Ineligible* under the grant.



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DAVIS-BACON ACT POLICIES AND PROCEDURES

A new guidance document, [Davis-Bacon Act Policies and Procedures](#), has been developed and added to our [Engineering](#) webpage under *Construction*. It provides an overview of the Davis-Bacon Act and its applicability, covers wage determinations, and offers a guide to compliance for Sponsors, Contractors, and the Aeronautics Division.

STANDARD PAY ITEMS/DESCRIPTIONS/UNITS

Based on the FAA's Standard Specifications for Construction of Airports, [AC 150/5370-10H - Standard Pay Items](#) is an Excel file that has been added to our [Engineering](#) webpage under *Design*. This spreadsheet provides a complete list of the pay items, descriptions, and units contained in Advisory Circular 150/5370-10H. We encourage the use of these pay item numbers/descriptions/units when contracting using FAA specifications.

REVENUE-PRODUCING FACILITY APPLICATION FOR ELIGIBILITY

49 USC §47110(h) requires sponsors of Nonprimary Airports to certify that all airside needs have been, and/or will be accommodated within the next three years through local funding before the FAA/TDOT can fund a revenue producing aeronautical support facility using Non-Primary Entitlements (NPE).

TDOT Aeronautics Division has developed a new [application for eligibility](#) to offer guidance to the Airport Sponsor in evaluating the eligibility of a revenue producing facility for AIP Funding. The Sponsor will complete and submit the application prior to each revenue producing funding request. Ultimately, the Sponsor will receive an eligibility determination letter from TDOT Aeronautics Division. You can find this application on our [Engineering](#) webpage.

Consistent with 49 USC § 47110(b) - *Allowable Cost Standards*, National Plan of Integrated Airport Systems (NPIAS) TN Airports that certify all airside needs will be funded locally for the current FY and next two FYs can now choose to "borrow forward" NPE for up to three FYs (current and next two) for revenue producing aeronautical support facilities. This equates to a maximum of 6 years of NPE that can be reimbursable. **Please understand the future NPE reimbursement will be delayed until the future NPE accrues and will require annual amendments as NPE becomes available.** Borrowing forward is not without liability to the Sponsor, as the State makes no assurances regarding the availability of future FAA funds. Sponsors must comply with all prompt pay laws for work performed.

CARES ACT UPDATE

The Coronavirus Aid, Relief, and Economic Security (CARES) Act (H.R. 748, Public Law 116-136), signed into law by the President on March 27, 2020, includes \$10 billion in funds to be awarded as economic relief to eligible U.S. airports affected by the prevention of, preparation for, and response to the COVID-19 pandemic. CARES Act contains four separate funding sources for Tennessee airports. Tennessee general aviation airports are eligible for funding provided in Parts 1 and 4.

Find out more by going to our [CARES Act Information for Airports](#) webpage. You'll find a copy of our presentation to the airports, learn about Parts 1 and 4, and have access to additional resources.

DBE PROGRAM FOR FEDERAL FY2021-2023

Our DBE Program Plan for Federal Fiscal Years 2021-2023 will be released soon for public comment. Among many updates and clarifications to the program, there will be a NEW REQUIRED FORM FOR CONTRACTORS on Federal-aid projects. This form will enable contractors to report commitments/awards and payments made to

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subcontractors, suppliers, and manufacturers with each pay estimate; making it possible to maintain a running tally of actual DBE attainments in accordance with 49 CFR 26.37. More to follow in the coming weeks...

2020 GENERAL AVIATION MEETINGS

The annual General Aviation Meetings will have a new look and feel this year! The meetings will be hosted virtually on the meeting platform Webex. Two meeting dates will be available with a focus on airport sponsors and managers, and a separate meeting will be scheduled focusing on topics for airport consultants. Meeting and registration information will be released very soon.

Stay safe and healthy!

Sincerely,



John-Paul Saalwaechter [sawl véktər], P.E. | CE Manager 2