

## Helpful References for Professional Services Procurement

FHWA's Consultant Services Page

<http://www.fhwa.dot.gov/programadmin/consultant.cfm>

23 CFR 172 Administration of Engineering and Design Related Service Contracts; Final Rule

<http://www.gpo.gov/fdsys/pkg/FR-2015-05-22/pdf/2015-12024.pdf>

2 CFR 200 Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards

[http://www.ecfr.gov/cgi-bin/text-idx?SID=512ca5e6616b465f5cb28e0bc36a4a67&node=pt2.1.200&rgn=div5#ap2.1.200\\_1521.ii](http://www.ecfr.gov/cgi-bin/text-idx?SID=512ca5e6616b465f5cb28e0bc36a4a67&node=pt2.1.200&rgn=div5#ap2.1.200_1521.ii)

FHWA's Procurement, Management, and Administration of Engineering and Design Related Services - Questions and Answers

<http://www.fhwa.dot.gov/programadmin/172qa.cfm>

### *Q&A Categories*

- I. Competitive Negotiation/Qualifications Based Selection Procurement Procedure*
- II. Other Procurement Procedures*
- III. Indirect Cost Rates and Audits*
- IV. Compensation (Payment) Methods*
- V. Contract Negotiation*
- VI. Contract Administration*
- VII. Disadvantaged Business Enterprise (DBE) Considerations*
- VIII. Conflicts of Interest*
- IX. Other Considerations*

Contract Administration Core Curriculum Participant's Manual and Reference Guide 2014;

<http://www.fhwa.dot.gov/programadmin/contracts/index.htm>

FHWA Memorandum – “Awarding Engineering and Design Services Contracts Based on Brooks Act Requirements,” December 12, 2005

<http://www.fhwa.dot.gov/programadmin/121205.cfm>

Uniform Audit and Accounting Guide for Audits of Architectural and Engineering (A/E) Consulting Firms, AASHTO, Washington, DC 2012 Edition

[http://audit.transportation.org/Documents/AudAcctgGuide2012\(SPG-complete\).pdf](http://audit.transportation.org/Documents/AudAcctgGuide2012(SPG-complete).pdf)

### **Federal References:**

23 U.S.C. 106, Project Approval and Oversight

23 U.S.C. 112, Letting of Contracts

23 U.S.C. 302, State Transportation Department

23 U.S.C. 306, Mapping

40 U.S.C. Chapter 11, Section 1101 to 1104, Selection of Architects and Engineers (“Brooks Act”)

41 U.S.C. 403(11), Public Contracts, Definitions, Simplified Acquisition Threshold

LAP P.S. References

23 CFR 1.11, Engineering Services

23 CFR 1.33, Conflicts of Interest

23 CFR 172, Administration of Engineering and Design Related Service Contracts

23 CFR 420, Planning and Research Program Administration

48 CFR 31, Contract Cost Principles and Procedures

49 CFR 26, Participation By Disadvantaged Business Enterprises In Department Of Transportation Financial Assistance Programs

FHWA Order 4470.1A: FHWA Policy for Contractor Certification of Costs in Accordance with Federal Acquisition Regulations (FAR) to Establish Indirect Cost Rates on Engineering and Design-related Services Contracts

<http://www.fhwa.dot.gov/legsregs/directives/orders/44701a.cfm>

**Some of Florida's specific references:**

Florida Administration Code Rule, Chapter 14-75 – Qualification, Selection and Performance Evaluation Requirements for Professional Consultants to Perform Work for DOT

Section 287.055, Florida Statutes – Consultant's Competitive Negotiation Act

Chapter 119, Florida Statutes – Public Records, specifically Section 119.0701, F.S. – Public Access to Public Records

Chapter 218, Florida Statutes- Local Government Prompt Payment Act

FDOT Topic 375-030-001, Professional Consultant Qualification

FDOT Topic 375-030-002, Acquisition of Professional Services

<http://www2.dot.state.fl.us/proceduraldocuments/procedures/bin/375030002.pdf>

FDOT Topic 375-030-004, Audit Process for Professional Services Consultants and Contracts

FDOT Topic 375-030-010, Amendments and Task Work Orders for Professional Service Agreements

FDOT Topic 375-020-010, Errors, Omissions, and Contractual Breaches by Professional Engineers on Department Contracts

FDOT Topic 375-030-006, Restriction on Consultant's Eligibility to Compete for Department Contracts (Applicable to LAP contracts.)