



# FACILITIES DEVELOPMENT MANUAL

Wisconsin Department of Transportation

## TABLE OF CONTENTS

### Chapter 8: Consultant Services

#### **Section 8-1 Introduction**

- 8-1-1 ..... Overview and Roles in Consultant Contracting
  - 1.1 ..... Originator
  - 1.2 ..... Consultant Contract Process Overview
  - 1.3 ..... Definition of Roles in Consultant Contracting
  - 1.4 ..... Contract Administration
- 8-1-3 ..... Contract Administration and Reporting System (CARS)
  - 3.1 ..... General
- 8-1-5 ..... Cost-Benefit Analysis
  - 5.1 ..... Applicability
  - 5.2 ..... Method of Cost Comparison
  - 5.3 ..... Rates for Cost Comparison
  - 5.4 ..... Contract Types
  - 5.5 ..... Routing and Approval
- 8-1-10 ..... Transparency Effort
  - Attachment 10.1 ..... Construction Project Complexity Index
  - Attachment 10.2 ..... Design Issue Notice (DIN)
- 8-1-15 ..... Integrating Consultant Services into COOP Operations
  - 15.1 ... Introduction
  - 15.2 ... Applicability
  - 15.3 ... Authority
  - 15.4 ... References
  - 15.5 ... Policy and Procedures

#### **Section 8-5 Securing Consultant Services**

- 8-5-1 ..... Selection Process
  - 1.1 ..... General
  - 1.2 ..... Solicitation of Interest
  - 1.3 ..... Non-Roster Solicitations
  - 1.4 ..... Selection Authorization
- 8-5-2 ..... Length of Contracts
  - 2.1 ..... Project Contracts
  - 2.2 ..... Period Contracts
  - 2.3 ..... Length of Contracts
  - 2.4 ..... Contract Extensions
  - 2.5 ..... Administrator's Approval for Exceptions
- 8-5-3 ..... Conflict of Interest
  - 3.1 ..... Conflicts of Interest for WisDOT Employees
  - 3.2 ..... Employment of Current or Former WisDOT Employees by Consultants
  - 3.3 ..... Conflict of Interest Relating to WisDOT's Use of Consultants
  - 3.4 ..... Conflict of Interest for Consultants
  - Attachment 3.1 ..... Testing Service Allowed to be Performed by Consultant
- 8-5-5 ..... Sole Source Contracting
  - 5.1 ..... Approval
  - 5.2 ..... Negotiation
  - 5.3 ..... Amendments
  - 5.4 ..... Documentation/Contract Approval Process
- 8-5-10 ..... Small Purchase Contracting
  - 10.1 ... Solicitation of Consultants
  - 10.2 ... Approval
  - 10.3 ... Negotiation

- [10.4](#)...Maximum
  - [10.5](#)...Amendments
  - [10.6](#)...Documentation/Contract Approval Process
- [8-5-15](#) .....State Design and Related Services
  - [15.1](#)...Solicitation
  - [15.2](#)...Selection
  - [15.3](#)...Interviews
  - [15.4](#)...Selection Approval
  - [15.5](#)...Documentation
  - [15.6](#)...Contract Approval
  - [15.7](#)...Contract Amendments
  - [15.8](#)...Web Resources
- [Attachment 15.1](#).....Consultant Contracting Process for Contracts
- [8-5-20](#) .....Local Design
  - [20.1](#)...Cost Estimate
  - [20.2](#)...Solicitation
  - [20.3](#)...Consultant Selection Committee
  - [20.4](#)...Selection
  - [20.5](#)...Selection Approval
  - [20.6](#)...Documentation
  - [20.7](#)...Contract Negotiations
  - [20.8](#)...Contract Approvals
  - [20.9](#)...Contract Amendments
  - [20.10](#)...Potential Conflicts of Interest
  - [20.11](#)...Contract Boilerplates
  - [20.12](#)...Progress Report/Performance Evaluation
- [Attachment 20.1](#).....Consultant Interview Rating Sheet
- [Attachment 20.2](#).....Sample Selection Letter
- [Attachment 20.3](#).....Sample Non-Selection Letter
- [8-5-25](#) .....Construction Engineering
  - [25.1](#)...Solicitation
  - [25.2](#)...Interviews
  - [25.3](#)...Selection Approval
  - [25.4](#)...“Turn-Key” Engineering
  - [25.5](#)...Documentation
  - [25.6](#)...Contract Approval
  - [25.7](#)...Contract Amendments
  - [25.8](#)...Web Resources
- [Attachment 25.1](#).....WisDOT Construction Engineering Services Selection Process
- [8-5-30](#) .....Master Contracts
  - [30.1](#)...Full-Service Masters
  - [30.2](#)...Statewide Specialty Master Contracts
  - [30.3](#)...Master contract work types
  - [30.4](#)...Solicitation and Selection
  - [30.5](#)...Negotiation and Pricing
  - [30.6](#)...Master Contract Periods & Limits
  - [30.7](#)...Master Contract Groups
  - [30.8](#)...Master Contract Group Work Order Maximum
  - [30.9](#)...Master Contract Group Approval Guidelines
  - [30.10](#)...Limitations on Master Contract Usage
  - [30.11](#)...Impacts of Work Orders on Contract Selection
  - [30.12](#)...Monitoring Master Contract Balances
  - [30.13](#)...DBE Goals and Usage
  - [30.14](#)...Work Order Documents
  - [30.15](#)...Work Order Selection
  - [30.16](#)...Web Resources
- [8-5-40](#) .....Request for Proposal
  - [40.1](#)...Definition
  - [40.2](#)...When to Use an RFP

- 40.3...Qualification Based Selection
- 40.4...When to Use QBS
- 40.5...Solicitation Options
- 40.6...Process
- 40.7...Guidelines for an RFP
- 40.8...Example of an RFP
- Attachment 40.1.....Guideline for a Request for Proposal
- Attachment 40.2.....Sample Request for Proposal
- 8-5-45.....Eligible Consultants
  - 45.1...Roster of Eligible Engineering Consultants
  - 45.2...Certificates of Insurance
  - 45.3...Consultant Extranet
  - 45.4...Web Resources
- 8-5-47.....Consultant Financial Report
  - 47.1...Submittal of Forms
  - 47.2...Startup Firms
  - 47.3...Firms with Changes in Entity
  - 47.4...Acceptance
- 8-5-50.....Disadvantaged Business Enterprise (DBE) Program
  - 50.1...DBE Qualifications Criteria
  - 50.2...DBE Certification Process
  - 50.3...DBE Goal Setting on Federally Funded Consultant Contracts
  - 50.4...State and Local DBE/MBE/WBE Requirements
  - 50.5...DBE Commitment Form (DT1029) and Instructions
  - 50.6...Termination or Reduction of Services of DBE Subconsultant
  - Attachment 50.1.....Flowchart for Solicitations and Contracts with DBE Goals
  - Attachment 50.2.....Instructions for WisDOT DT1029
  - Attachment 50.3.....Example for Various Scenarios
  - Attachment 55.1.....Management Consultant Approval Email Record
- 8-5-55.....Consultants in Management Roles
  - 55.1...Federal Approval
  - 55.2...Consultant Management Roles in Local Government
  - 55.3...WisDOT Approval

**Section 8-10 Contract Negotiation**

- 8-10-1.....Scoping and Estimating
  - 1.1.....Scoping
  - 1.2.....Estimating Hours and Costs
  - 1.3.....Submitting Contract Cost Estimates
  - 1.4.....Labor Costs for Principals and Management Classifications
  - Attachment 1.1.....Summary of Staff Hours & Direct Labor Costs
  - Attachment 1.2.....Staff Work Schedule
  - Attachment 1.3.....Specific Rate Contract Staff Hours and Direct Labor Costs
- 8-10-5.....Contract Negotiation Process
- 8-10-10.....Fixed Fee
  - 10.1...Fixed Fee Determination
  - 10.2...Fixed Fee Factors
  - 10.3...Fixed Fee for Subcontracts
  - Attachment 10.1.....Example Fixed Fee Calculation
- 8-10-15.....Methods of Payment
  - 15.1...Allowable Methods
  - 15.2...Prohibited Methods
- 8-10-20.....Cost Accounting Requirements and Principles
  - 20.1...Cost Accounting Requirements
  - 20.2...Cost Principles
  - 20.3...Field Rate Accounting
- 8-10-25.....Subconsultants
  - 25.1...Contract Requirements
  - 25.2...Post Contract Execution
- 8-10-30.....Contract Fee Computation

- 30.1...Direct Labor Costs
- 30.2...Indirect Costs
- 30.3...Fixed Fee
- 30.4...Non-Labor Direct Costs
- 30.5...Subcontracts
- 30.6...Fee Computation by Basis of Payment
- Attachment 30.1.....Consultant Contract Direct Labor Detail
- Attachment 30.2.....Fee Computation Summary by Engineering Task
- Attachment 30.3.....Direct Costs by Item
- Attachment 30.4.....Consultant Contract Total Fee Computation
- Attachment 30.5.....Phased Contract
- Attachment 30.6.....Specific Rate Contract Direct Labor Detail for Contracts Solicited Prior to January 2013
- Attachment 30.7.....Specific Rate Contract Direct Labor Detail for Contracts Solicited after January 1, 2013
- Attachment 30.8.....Specific Rate Fee Computation Summary by Engineering Task
- Attachment 30.9.....Specific Rate Contract Total Fee Computation

**Section 8-15 Contracts**

- 8-15-1.....Contract Types & Formats
  - 1.1.....General
  - 1.2.....Contract Format
  - 1.3.....Contract Cover/Signature Pages and Boilerplates
  - 1.4.....Design Special Provisions
  - 1.5.....Construction Management Contract Special Provisions
- 8-15-2.....Contract Types and Formats
  - 2.1.....Redistribution Contract Provisions
  - 2.2.....Use of Redistribution Contract Provisions
  - 2.3.....Budget/Encumbrance
  - 2.4.....Basis of Payment/Contract Period
  - 2.5.....Contract Provisions
  - 2.6.....Contract Management/Invoicing

**Section 8-20 Contract Procedures**

- 8-20-1 .....Submittal and Approval Procedures
  - 1.1.....Contract/Work Order Submittal Requirements
  - 1.2.....Instructions for Submitting Work Orders
  - 1.3.....Instructions for Completing the DT25 Form
  - 1.4.....Approval Procedures
  - 1.5.....Contracts Less Than \$3,000
  - 1.6.....Contracts of \$3,000 or More
  - 1.7.....Work Orders Less Than \$50,000
  - 1.8.....Work Orders of \$50,000 or More
  - 1.9.....Web Resources
- 8-20-5 .....Authorization of Contract Work
  - 5.1.....Design and Construction Engineering Services
  - 5.2.....Master Contract Work Orders
  - 5.3.....Phased Consultant Contracts
  - 5.4.....If Authorized by Written Notice to Proceed
  - 5.5.....Authorization Letters and Contract Encumbrance
- Attachment 5.1.....Authorization Letter to Begin Work
- Attachment 5.2.....Authorization Letter to Begin Work - Fiscally Phased Contract
- Attachment 5.3.....Notice to Proceed Letter for "If Authorized" Consultant Work
- Attachment 5.4.....All Services Section for "If Authorized" Cover/Signature Page

**Section 8-25 Contract Management**

- 8-25-1 .....Progress Reports
  - 1.1.....Design and Design Related Contracts
  - 1.2.....Amendments to Contract

- 1.3.....Phased Contracts
- 1.4.....Progress Meetings
- 1.5.....Construction Engineering Contracts
- Attachment 1.1.....Sample Monthly Progress Report
- Attachment 1.2.....Checklist for Design Progress Meeting at 30% Completion
- Attachment 1.3.....Example Construction Project Progress Report
- Attachment 1.4.....Example Construction Project Progress Report
- Attachment 1.5.....Example Construction Project Progress Report
- 8-25-5.....Performance Evaluations
  - 5.1.....Design and Related Services Evaluations
  - 5.2.....Construction Evaluations
  - 5.3.....Master Contracts/Work Orders
  - 5.4.....Evaluation Submittal
  - 5.5.....Appeal Procedure
- 8-25-10.....Consultant Contract Payments
  - 10.1...Consultant Preparation of Invoice
  - 10.2...WisDOT Approval and Processing
  - 10.3...Disputes
  - 10.4...Payments of Three-Party Contracts
  - 10.5...Invoicing for Charges in Approved Indirect Cost Rate - Actual Cost Plus Fixed Fee Contracts Only
  - 10.6...Web Resources
  - Attachment 10.1.....Consultant Contract Invoice
  - Attachment 10.2.....Notice of Good Faith Dispute/Improper Invoice
  - Attachment 10.3.....Request to Adjust Indirect Cost Rates
  - Attachment 10.4.....Request to Adjust Indirect Cost Rates
  - Attachment 10.5.....Direct Labor Summary Expense
- 8-25-15.....Contract Amendments
  - 15.1...Overview
  - 15.2...Approval of Amendments
  - 15.3...Submittal to BSHP-CAU
  - 15.4...Amendments to Work Orders
  - 15.5...Web Resources
  - Attachment 15.1.....Sample Contract Amendment
- 8-25-20.....Conflict Resolution Process
  - 20.1...Introduction
  - 20.2...When Should the Process Be Used
  - 20.3...When Should the Matrix Be Filled Out
  - 20.4...How Should the Matrix Be Filled Out
  - 20.5...General Guidelines
  - 20.6...Conflict Resolution Process
- 8-25-25.....Process for Consultant Contract Claims and Disputes
  - 25.1...General Policy
  - 25.2...Early Notification to The Consultant
  - 25.3...Claims Process
  - 25.4...Hearing Procedures
  - 25.5...Appeals
- 8-25-30.....Audits
  - 30.1...Indirect Cost (Overhead) Rate Audit
  - 30.2...Pre-Award Review
  - 30.3...Final Cost Audit
  - 30.4...Confidentiality/Disclosure of Indirect Cost Rates
  - Attachment 20.1.....Conflict Resolution Matrix
  - Attachment 20.2.....Sample Conflict Resolution Matrix - Large Design Project
  - Attachment 20.3.....Sample Conflict Resolution Matrix - Small Design Project
  - Attachment 20.4.....Sample Conflict Resolution Matrix - Construction Project