



Connecticut DOT

Number: ECD-2020-3

Bureau of Engineering and Construction

Date: November 24, 2020

## ENGINEERING & CONSTRUCTION DIRECTIVE

\_\_\_\_\_  
Chief Engineer

### **ENHANCEMENTS TO CE SOLICITATION AND NEGOTIATIONS PROCESSES**

The purpose of this directive is to introduce the enhancements to existing internal processes for Consulting Engineer (CE) designed projects that were proposed by the ACEC/CTDOT Task Force Committee, Contract Administration Group and were approved for implementation in a memorandum dated November 9, 2018 (see [ACEC-CTDOT Recommendations.pdf](#)).

#### **Prior to CE Solicitation**

The lead unit shall coordinate with support units within the Department to determine the breakdown of assignment of work. Internal support units will commit to performing the work or designate the work to be performed by the CE. This information will be provided to prospective firms at the time of solicitation and will assist with the firms' efforts to form teams that will best suit the needs of the project.

The lead unit shall provide supporting documentation to the Consultant Selection Office (CSO) to be posted alongside the Request for Letters of Interest for each solicitation on the CSO website. At a minimum, the lead unit shall provide the following information, if available, to the CSO prior to solicitation: Delegation of Responsibilities, PE Study Report, Concept Plans, and MS Project Schedule.

#### **After CE Selection**

The lead unit shall use Multi-Phase Agreements on all projects unless there is a specific need to use another format agreement. Unlike traditional agreements, the scope development and fee negotiations processes need not be completed prior to the execution of a Multi-Phase Agreement. The letter template notifying the CE of the DOT personnel assigned to administer the design contract has been modified and can be found in the *04.00 - Engineering Libraries\Engineering Templates\Common Forms* folder on ProjectWise ([C-41 Notification of Agreement Administration & Assignment Meeting.docx](#)). The lead unit must send this letter to the selected CE as soon as the selection is announced by the Bureau Chief's Office.

The format for the Assignment Meeting has been modified to separate the administrative functions of the agreement from the engineering aspects of the project. The standard template for the Assignment Meeting agenda has been revised and split into two back-to-back meetings. The agenda templates for each portion of the meeting ([C-42 Assignment Meeting Agenda Part 1.docx](#) and [C-42a Assignment Meeting Agenda Part 2.docx](#)) can also be found in the *04.00 - Engineering Libraries\Engineering Templates\Common Forms* folder on ProjectWise. The first portion of the meeting will cover the administrative details of the project with respect to the agreement such as agreement type, DBE/SBE requirements, invoicing, etc. The first portion of the meeting will be attended by the lead unit, CE, Agreements, and Contract Compliance. The second portion of the meeting, called the Consultant Services Coordination Meeting, will cover the details of the project to develop the scope of work, establish project schedules, designate assignment of responsibilities, and discuss other pertinent information to facilitate the negotiations process and authorization of CE to start work. The lead unit shall invite all support units that are expected to have involvement with the project to the Consultant Services Coordination Meeting. The lead unit shall also invite the Highway Management Unit, Construction, and Maintenance to the meeting in case they have pertinent background knowledge that will aid in the development of the project scope.

The lead unit shall schedule Assignment Meetings to be held in smart conference rooms so that Google Earth can be used to review the project site remotely. The lead unit shall determine whether a field visit is required after the Assignment Meeting to identify and clarify certain aspects of the project to facilitate the development of the scope of work.

### **Development of CE Scope of Work and Negotiations**

When a Multi-Phase Agreement is used on a project, the Preliminary Design (PD) and Final Design (FD) phases may be scoped and negotiated separately. The development of the scope of work for the FD phase as a rule should begin during the PD phase when the design has progressed to a point where the remaining FD tasks are more easily identified. Negotiating the FD tasks separately is expected to reduce the number of extra work assignments required during the course of a project because the work will be better defined at the time of scoping and negotiation.

Both lump sum and cost-plus fixed fee tasks can be negotiated within the same phase of an agreement.

If time-sensitive elements can be negotiated quickly, a Quick-Start Phase may be used to break out certain tasks such as survey and wetland delineation, traffic counts, and environmental/permitting needs.

### **Future Enhancements**

Other recommendations made in the aforementioned November 9, 2018 memo such as scope templates and standardized fee matrices are still under development at this time.