



Connecticut DOT

Number: ECD-2021-5

Bureau of Engineering and Construction

Effective Date: March 19, 2021**ENGINEERING & CONSTRUCTION DIRECTIVE**

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Chief Engineer

**Consultant Engineer Staff Wage Rate Changes  
For Consulting Engineering Agreements**

This directive establishes an approval process for wage rate increases for Consultant Engineer personnel engaged in Consulting Engineering agreements consistent with Policy No EX.O.-12 "Consultant Fee Negotiations and Agreement Oversight". This directive is in effect immediately and can be applied to current agreements up to 30 days prior to the effective date indicated above.

Following initial Department approval (of a specific agreement), individual employees' approved billable wage rates may only be increased if the below requirements are met. Written requests for adjustment for all categories listed below shall be submitted to the appropriate bureau manager with delegated approval authority. For the Bureau of Engineering and Construction, the District Engineer or Division Chief shall be the approval authority. The Construction District or Engineering Division will provide the Financial Management and Support Division (FM&S) with the certification submitted by the consultant engineering firm (identified below) for validation of the rates. The Department has discretion regarding any specific employee remaining billable on a project at the rate proposed.

To facilitate payment of invoices, the district or division shall also notify FM&S of all revised wage rate approvals, regardless of the reason or basis for the change.

**1. Annual Increases:**

Annual cost of living/merit increases are required to be submitted to the Department for documentation of revisions to the certified payroll, but do not require Department approval. Submission of annual cost of living/merit increases shall contain the following information: employee name, current classification, current and proposed rate of pay, percent increase, rate of pay and job classification one (1) year prior to the proposed increase, average rate of

pay of other employees within the same classification, applicable CORE-CT Contract ID(s), and effective date of the proposed increase. This information shall be submitted in the form of a certification under penalty of false statement.

In no case shall the new wage rate exceed the maximum hourly rate in the agreement for the job classification.

## **2. Promotions:**

Promotions are required to be submitted to the Department for approval. Promotions based on an employee's merit and past performance alone, however justified, is not a sufficient basis for approval of an increase in the employee's billable wage rate. Requests for billable wage rate increases associated with employee promotions will be considered based on the Department's needs and interests. Promoting current staff into higher positions with a corresponding wage increase is sometimes appropriate, such as to fill vacant positions or provide additional staff capacity.

When requesting approval of a billable wage rate increase in association with promoting an employee, the Consultant Engineer shall provide justification for the promotion, an explanation of the additional duties to be performed, and how the individual meets the minimum requirements for the position. The Consultant Engineer shall explain how, if the request is approved, it will be able to stay within the maximum contract amount of the agreement.

The Consultant Engineer shall also provide the following: employee name, current classification, current and proposed rate of pay, percent increase, rate of pay and job classification one (1) year prior to the proposed increase, average rate of pay of other employees within proposed classification, applicable CORE-CT Contract ID(s), and effective date of the proposed increase. This information shall be submitted in the form of a certification under penalty of false statement along with the Department's standard Certified Payroll form.

### **a. Promotions to Classifications Currently Listed Within the Agreement:**

When proposing an employee for a wage rate increase associated with promotion to a classification currently listed in the agreement, in no case shall the salary rate exceed the maximum hourly rate in the agreement for the job classification.

### **b. Adding New Classifications due to Promotion:**

When proposing the addition of a new classification not listed in the agreement, the Consultant Engineer shall include a clear and compelling statement on the benefits accrued to the Department by adding the new classification. The Consultant Engineer shall explain whether this new classification is intended to replace an existing position classification and why this reclassification is being proposed, or a new proposed position that is required in order to execute the work within the agreement.

The individual proposed for the new classification / position must meet the minimum requirements for the position.

Once the District Engineer or Division Chief has determined that the classification meets the above requirements, the request and documentation shall be forwarded to the Negotiations Committee for resolution with the Consultant Engineer. The Negotiations Committee will contact the Consultant Engineer to agree on a maximum hourly rate for the proposed new classification.

## **Timeliness**

Requests for wage rate adjustments shall be submitted in writing to the District Engineer or Division Chief within 30 days of the effective date of the adjustment and documented by certified payroll. In no case shall the consultant invoice the Department at the adjusted rates prior to the request for annual adjustments, or approval in the case of promotions.

## **Limitations and Exceptions**

The Department reserves the right to limit the amount of any increase based upon the Department's needs and appraisal of an individual's past performance and qualifications. If the Department approves an increase less than the amount proposed by the Consultant Engineer, the reason for the reduction will be provided in writing to the Consultant Engineer.

## **Adjustments Due to Consultant Wage Rate Freeze**

The provisions within this Directive shall be superseded by any Commissioner issued policy that imposes wage rate freezes. This directive will govern once the wage rate freeze is lifted.

Consultant wage rate adjustments for Cost of Living/Merit Increases and/or promotions under existing reimbursable agreements may be requested as of the effective date of the wage freeze lift. The revised reimbursement rate shall be limited to the lesser of:

- The current rate of pay. If different from pre-freeze rate of pay, justification per item 1 (Cost of Living/Merit Increases) and/or 2 (Promotions) above is required
- The maximum rate in the agreement

Pre-negotiated task-based agreements that included annual escalation of maximum billable rates for the term of the agreement shall be adjusted to the current year wage rates by the initiating unit.

Multiyear Lump Sum agreements that were negotiated during the wage freeze that did not include escalation can be adjusted through a supplemental agreement. The escalation will only include the years remaining beyond the lift of the wage freeze.