

## Consultant Advisory

2020-1

January 6, 2020

MDOT, CSD, Consultant  
Contracts Section  
P.O. Box 30050  
Lansing, MI 4890  
Fax/517-355-7446  
[www.michigan.gov/mdot](http://www.michigan.gov/mdot)

Questions regarding this  
Consultant Advisory  
should be directed to:

Keith Simons, PE, PTOE  
517-335-5833  
[simonsk1@michigan.gov](mailto:simonsk1@michigan.gov)

### **2020 Consultant Prequalification Updates**

Contract Services Division (CSD) has published an updated version of the [Consultant Prequalification Application Instructions \(V2.12\)](#). Included within this update are the following changes:

- Updated contact information for MDOT Prequalification Analyst,
- The Classification-specific Review Forms are hyperlinks within the electronic Instructions,
- Updates to the Classification-specific Forms including:
  - o Removing the General Items formerly listed on the first page
  - o Updated contact information for the MDOT Procedural Evaluator
  - o Updated contact information for the MDOT Technical Evaluator (where appropriate)
  - o Updated experience requirements for many Classifications

In addition, the following Financial Prequalification (FPQ) Documents have been updated:

- [Financial Prequalification Questionnaire for the Users of the Safe Harbor Rate](#)
- [Financial Prequalification Questionnaire for Compiled Indirect Cost Rates](#)
- [Financial Prequalification Questionnaire for Audited Indirect Cost Rates](#)
- [NCM Compliance Worksheet](#)
- [Facilities Capital Cost of Money Worksheet](#)
- [Related Party Cost of Ownership Calculation](#)

The following pages contain a description of the revisions to each document.

Please provide the current version of the applicable FPQ during annual prequalification renewal.

## REVISIONS TO MDOT'S FINANCIAL PREQUALIFICATION APPLICATION

### Financial Prequalification Questionnaire for Audited Indirect Cost Rates

| FPQ Page | Original Language                       | Revised Language              |
|----------|---|-------------------------------|
| 1        | <i>N/A - New attachment requirement</i> | Direct Cost Summary Worksheet |

### Financial Prequalification Questionnaire for Compiled Indirect Cost Rates

| FPQ Page | Original Language  | Revised Language   |
|----------|--|--|
| 2        | ... <u>or</u> National Compensation Matrix Compliance Worksheet ( <i>Company Supplied or Worksheet</i> )   | ... <u>or</u> National Compensation Matrix Compliance Worksheet ( <i>Company Supplied or Worksheet</i> ). Note – the National Compensation Matrix is updated by AASHTO every year. The most current version of the matrix can be found on AASHTO's website ( <a href="http://audit.transportation.org">audit.transportation.org</a> ). |
| 20       | H.1 Credits Associated with Direct Costs. Is the indirect cost pool relieved/reduced for credits/reimbursements received for direct costs? ( <i>Yes/No</i> ) | H.1.1 How is the indirect cost pool relieved/reduced for credits/reimbursements received for direct costs?   |
| 20       | <i>N/A – new question under H.1.2</i>  | H.1.2 If the company bills projects directly for company-owned equipment/vehicles, how does the company ensure that costs associated with such company-owned equipment/vehicles (such as maintenance, depreciation, insurance, etc.) are not also included in the indirect cost rate?  |
| 20       | <i>N/A – new question under H.1.3</i>  | H.1.3 If the company bills projects directly for company-performed services (such as lab testing or drilling), how does the company ensure that costs associated with such services (such as lab costs, lab tech labor, etc.) are not also included in the indirect cost rate?   |
| 20       | <i>N/A – new question under H.1.4</i>  | H.1.4 If the company bills projects directly for company-owned equipment/vehicles or company-performed services (such as lab testing or drilling), how does the company determine billing rates for such equipment?  |
| 24       | I.2 ...If no, please complete and attach the National Compensation Matrix compliance worksheet.  | I.2 ...If no, please complete and attach the National Compensation Matrix compliance worksheet. Note – the National Compensation Matrix is updated by AASHTO every year. The most current version of the matrix can be found on AASHTO's website ( <a href="http://audit.transportation.org">audit.transportation.org</a> ).           |

## Financial Prequalification Questionnaire for Users of the Safe Harbor Rate

| FPQ Page | Original Language         | Revised Language   |
|----------|---------------------------|--|
| 6        | <i>N/A – New question</i> | B.7 Within the past three years, has the company had an indirect cost rate (other than the Safe Harbor Rate) accepted by a cognizant agency or State Department of Transportation? |

## Calculation Worksheets

| FPQ Attachment                  | Original Language                             | Revised Language  |
|---------------------------------|---|---|
| NCM Compliance Worksheet        | N/A – New footnote added                      | Added asterisk in Cell N21 and added the following language in row 39:<br>*Note: The National Compensation Matrix Tool is updated by AASHTO every year. The most current version of the matrix tool can be found on AASHTO’s website ( <a href="http://audit.transportation.org">audit.transportation.org</a> ) |
| Related Party Cost of Ownership | The ‘Treasury Rates’ were listed through 2018 | Updated to add 2019 treasury rates  |
| FCCM Calculation                | The ‘Treasury Rates’ were listed through 2018 | Updated to add 2019 treasury rates  |

## Consultant Advisory

2020-2

March 12, 2020

### MDOT Consultant Selections Manual Updates (1 of 4)

As part of the Michigan Department of Transportation's (MDOT) efforts to continually improve our services to our customers, we have reviewed our [Selection Guidelines for Service Contracts](#) to assist the MDOT Project Managers in achieving the MDOT Rebuild Michigan program. The following updates to MDOT policies and procedures will be implemented immediately. The modifications discussed below **will not be retroactive** to existing contracts or RFPs advertised prior to March 10, 2020.

#### **Expedited Contracting Process for Qualifications-Based Selections Only (for 100% State Funded Project Phases Greater than \$250,000)**

The following modifications to the consultant procurement process is only applicable to projects for which the specific phases (PE, PE-S, CON, etc.) for which services are being requested are 100% state funded and are estimated to exceed \$250,000 in value. Note that **vendor pricing/level of effort information shall not be requested in the proposal stage, nor a factor in the selection process**. Pricing/level of effort may only be discussed with the vendor selected through the QBS process.

The consultant procurement process for projects satisfying the requirements noted above have been simplified in an effort to provide greater flexibility, simplicity, and speed in procuring consultants while maintaining the principles of a qualifications-based selection. The highlights of this new process are provided below. For a full description of the process, please review Section 2.3 of the [Selection Guidelines for Service Contracts](#) or the [Expedited Contracting Process Map flowchart](#) available on the [Requests for Proposals](#) website.

- Scope Development
  - o The MDOT PM must specify the following information regarding the consultant response (proposal) within the scope of services:
    - Length of proposal
      - Proposals may be 1 to 3 pages in length (not including resumes in page limits). Specific page limits will be provided within the scope.
      - An Understanding of Service section may be required in the proposal. If a full Understanding of Service is not required, the MDOT PM may request that the consultants provide a description of one challenge or significant issue relating to the project, and how that challenge or significant issue will be addressed during the project in place of the Understanding of Service

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### MDOT Consultant Selections Manual Updates (2 of 4)

- If the Understanding of Service is required, the Scope must be posted to the advertisement website for two (2) weeks
        - If the Understanding of Service is not required, but a challenge or significant issue is, the Scope may be posted to the advertisement website for one (1) week
      - Qualifications of Team must be provided by the consultant in their proposal
      - No additional information, including pricing/level of effort, other than Understanding of Service and/or Qualifications of Team and key staff resumes may be requested by the MDOT PM in the consultant proposal response
      - The MDOT PM must specify a second person to whom proposal responses should be sent.
        - The MDOT PM or designee will be responsible for sending an e-mail to the submitting consultant notifying the consultant that their proposal has been received. If the consultant does not receive an e-mail identifying that their proposal has been received, they should contact the MDOT PM and/or designee (Proposal Agent) to ensure the proposal was received.
- Scope Advertisement
  - The MDOT Selections Analyst will post the scope to the MDOT Request for Proposal website under the heading *100% State Funded Projects Greater than \$250,000*, for the requested duration
    - **The scopes will be posted as soon as possible (not only on Mondays as is the procedure for non-State funded RFPs)**
- Consultant Questions and Answers regarding posted Scopes
  - Consultants will be required to submit questions via e-mail to the MDOT PM no later than three (3) business days of the proposal due date
  - Questions and associated answers will be posted to the [MDOT Request for Proposal](#) website.
- Consultant Selection
  - The MDOT PM and the Region System Manager, or designee will review the submitted proposals and identify the most qualified consultant.
  - Scores for the proposals will neither be generated nor provided to the submitting consultants.

## Consultant Advisory

2020-2

March 12, 2020

### MDOT Consultant Selections Manual Updates (3 of 4)

- Posting of Selections
  - o MDOT will post both the selected consultant name and the names of all submitting consultants to the web on the nearest Friday after receiving the selected vendor.
- Contracting Process
  - o The contracting process will remain unchanged for the consultant.

#### **Tier I Expedited Contracting Process for Qualifications-Based Selections Only (for Both State Funded and Federally Funded Project Phases Less than \$250,000)**

The following modifications to the consultant procurement process is only applicable to Qualifications Based Selections (selections containing engineering, architectural, or survey services) for which the services are estimated to be less than \$250,000 in value and may be used for both State and Federal funded projects.

The expedited Tier I process generally follows the expedited state-funded process detailed above. However, the following exceptions apply:

- Scope Development
  - o Proposals must be 1 page in length only.
  - o The MDOT PM must specify whether or not an Understanding of Service section will be required in the proposal. If a full Understanding of Service is not required, the MDOT PM may request that the consultants provide a description of one challenge or significant issue relating to the project and how that challenge or significant issue will be addressed during the project in place of the Understanding of Service. Note that **vendor pricing/level of effort information shall not be requested in the proposal stage, nor a factor in the selection process.** Pricing/level of effort may only be discussed with the vendor selected through the QBS process.
- Scope Advertisement
  - o The MDOT PM must e-mail the scope to a minimum of three (3) consultants that are prequalified to perform the requested services.
- Proposal Responses
  - o Proposal responses will be sent directly to the MDOT PM and their second person (Proposal Agent).
    - The MDOT PM and/or the Proposal Agent will be responsible for sending a timely e-mail to the submitting consultant notifying the consultant that their proposal has been received. If the consultant does not receive an e-mail identifying that their proposal has been received, they should contact the MDOT PM and/or designee (Proposal Agent) to ensure the proposal was received.

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## Consultant Advisory

2020-2

March 12, 2020

### MDOT Consultant Selections Manual Updates (4 of 4)

- Any proposals received after the due date/time posted to the [MDOT Request for Proposal](#) website **must be considered non-responsive**. The MDOT PM will be required to notify the submitting consultant that their proposal was considered non-responsive because it was received after the due date/time. **There shall not be any exceptions made to this requirement.**
- Notification of Selection
  - MDOT will post both the selected consultant name and the names of all submitting consultants to the web on the nearest Friday.

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## Consultant Advisory

2020-3

April 29, 2020

MDOT, CSD, Consultant  
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Questions regarding this  
Consultant Advisory  
should be directed to:

Tammy Arnold  
517-335-5827  
[Arnoldt1@michigan.gov](mailto:Arnoldt1@michigan.gov)

### Electronic Submittal of Consultant Prequalification Applications and Information

As part of a continuous effort to streamline the electronic submittal process and maximize efficiencies, on **May 7, 2020**, MDOT will begin utilizing the e-Proposal web site for the submission of all Consultant Prequalification applications and information.

This will include uploading and submitting the following documents:

- **New Vendor Prequalification Information:** Including Financial Information; General Information; and Classification Specific Information
- **Annual Renewal Information:** Including Financial Information; General Information
- **Documentation Supporting Requests for new Classifications**
- **Key Staff Update Information**

An auto-generated email will be received by the submitter upon successful upload of any of the above listed items. Please view the [Instructional video](#) for uploading Consultant Prequalification documents.

To allow time to acclimate to the new process, between May 7, 2020 and September 1, 2020, Consultants will have the option to utilize this new process or may continue to submit all prequalification documentation and information via email to [MDOT-ServicePrequal@Michigan.gov](mailto:MDOT-ServicePrequal@Michigan.gov). **Beginning September 1, 2020, all Consultant Prequalification documentation must be submitted via e-proposal.**

Consultants must have a MILogin account to begin submitting Consultant Prequalification applications and information via e-Proposal. Please follow the link, below, to create a MILogin account. Also, below are instructions for accessing the MDOT e-Proposal site using MILogin.

<https://milogintp.michigan.gov/eai/tplogin/authenticate?URL=/uiseure/tpse/fservice/>

The upgrade of MDOT e-Proposal will take place on Thursday, May 7, 2020, from 11:00 a.m. to 5:00 p.m. Once completed, existing users will be asked to verify Company/Agency, Phone and Fax (if applicable). Users will also notice that MDOT e-Proposal has an updated look as well.

If you have any questions, please contact Tammy Arnold at: (517) 335-5827 or [ArnoldT1@michigan.gov](mailto:ArnoldT1@michigan.gov)

# Instructions for Accessing the MDOT e-Proposal System using MILogin

## Overview

MDOT e-Proposal is available free of charge to registered users for obtaining MDOT project proposals, plans and addenda for advertised projects.

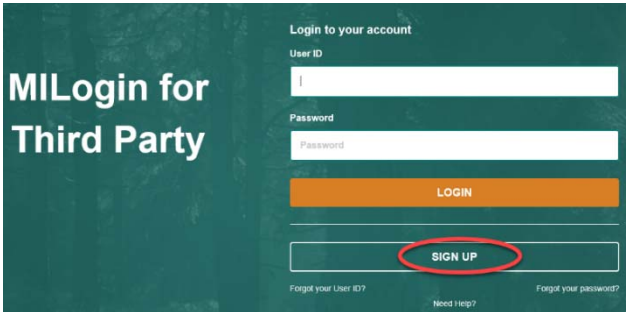
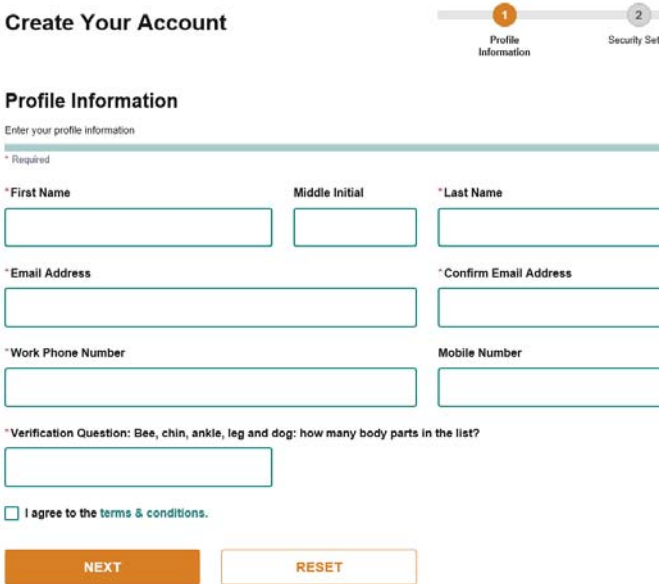
This document includes creating a MILOGIN account, requesting access to MDOT's e-Proposal system, as well as navigating MDOT e-Proposal, adding account to Plan holders list, and submitting Notice to Bidder (NTB) Inquiries.

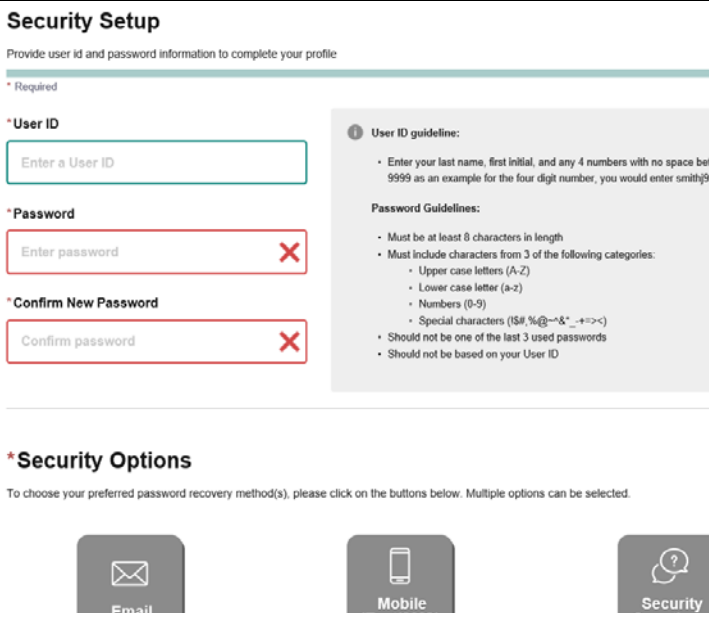
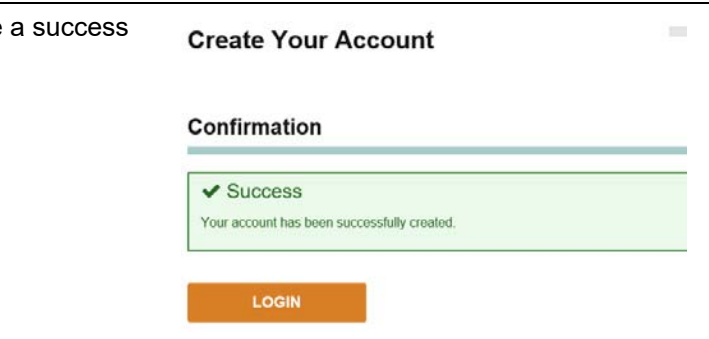
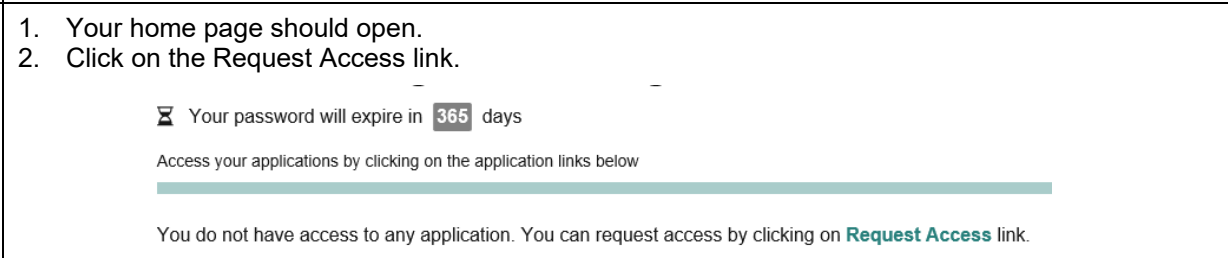
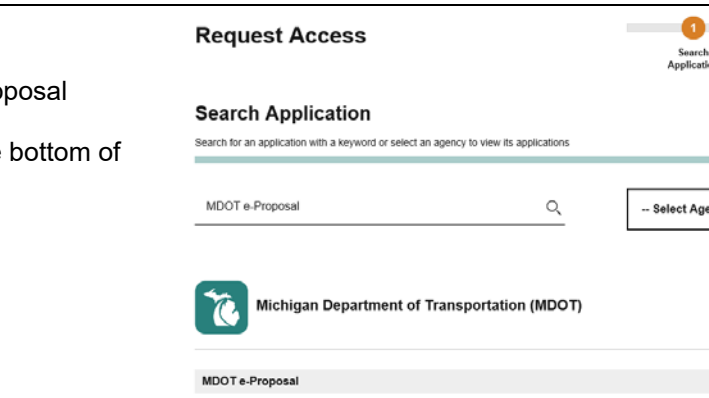
If you have any questions on the e-Proposal site itself, please feel free to contact: [MDOT-eProposal@Michigan.gov](mailto:MDOT-eProposal@Michigan.gov).

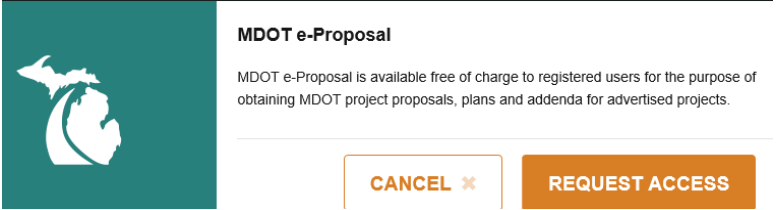
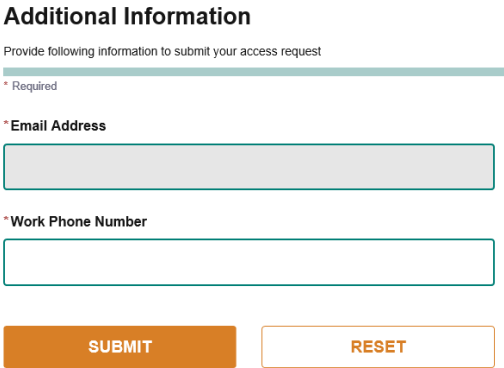
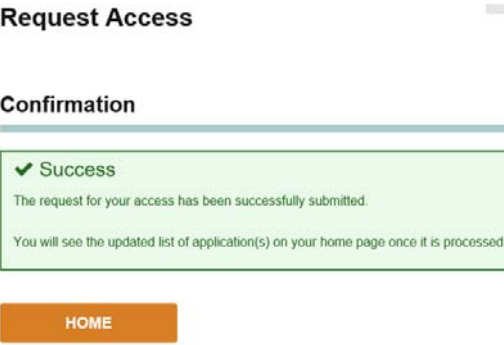
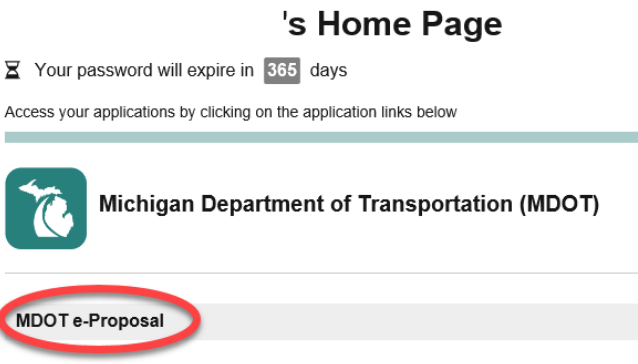


## Create MILogin account

Use the following procedure to create a MILogin account:

\*If you already have a MILogin account, please proceed to step 6.

| Step | Action  |
|------|---|
| 1    | Go to the State of Michigan's MILogin website:<br>Third Party users: <a href="#">MILogin for Third Party</a><br>State of Michigan users: <a href="https://miloginworker.michigan.gov">https://miloginworker.michigan.gov</a>  |
| 2    | Click the <b>Sign Up</b> button.   |
| 3    | A Create Your Account window page will open. <ol style="list-style-type: none"> <li>Fill out all the required fields as well as read and agree to the terms and conditions.</li> <li>Click Next once all required fields have been entered.</li> </ol>  |

| Step | Action  |  |
|------|---|--|
| 4    | <ol style="list-style-type: none"> <li>1. Create a user id and password in the Security Setup window.</li> <li>2. Select a Security Option.</li> <li>3. Click <b>Create Account</b> was complete.</li> </ol>  |    |
| 5    | <p>Upon account creation, you should receive a success confirmation message.</p>  |   |
| 6    | <p>Click the Login button and proceed to login using the user id and password created in step 4.</p>  |  |
| 7    | <ol style="list-style-type: none"> <li>1. Your home page should open.</li> <li>2. Click on the Request Access link.</li> </ol>    |  |
| 8    | <p>In the Request Access's Window:</p> <ol style="list-style-type: none"> <li>1. Search Application enter: MDOT e-Proposal</li> <li>2. Click on Magnifying Glass</li> <li>3. MDOT e-Proposal will appear near the bottom of the window.</li> <li>4. Click on MDOT e-Proposal</li> </ol> |  |

| Step | Action  |
|------|---|
| 9    | <p>On the MDOT e-Proposal window, click Request Access</p>  <p><b>MDOT e-Proposal</b></p> <p>MDOT e-Proposal is available free of charge to registered users for the purpose of obtaining MDOT project proposals, plans and addenda for advertised projects.</p> <p><b>CANCEL ✕</b> <b>REQUEST ACCESS</b></p>   |
| 10   | <p>On the Additional Information window:</p> <ol style="list-style-type: none"> <li>Review email address and work phone number</li> <li>Click Submit</li> </ol>  <p><b>Additional Information</b></p> <p>Provide following information to submit your access request</p> <p>* Required</p> <p>* Email Address</p> <p>* Work Phone Number</p> <p><b>SUBMIT</b> <b>RESET</b></p>  |
| 11   | <p>Upon clicking Submit:</p> <ol style="list-style-type: none"> <li>You should receive a success confirmation message.</li> <li>Click the Home button.</li> </ol>  <p><b>Request Access</b></p> <p><b>Confirmation</b></p> <p>✓ <b>Success</b></p> <p>The request for your access has been successfully submitted.</p> <p>You will see the updated list of application(s) on your home page once it is processed.</p> <p><b>HOME</b></p> |
| 12   | <p>You will be directed back to your home page and MDOT e-Proposal should be listed.</p>  <p><b>'s Home Page</b></p> <p>⌚ Your password will expire in <b>365</b> days</p> <p>Access your applications by clicking on the application links below</p> <p> <b>Michigan Department of Transportation (MDOT)</b></p> <p><b>MDOT e-Proposal</b></p>      |
| 12b  | <p>If you click on the link prior to September 7, 2017 you will receive the following message:</p>  <p><b>MDOT eProposal</b></p> <p><b>Warning!</b></p> <p>This site is currently under construction.<br/>Please continue using the existing site: <a href="http://mdotcf.state.mi.us/public/eprop">http://mdotcf.state.mi.us/public/eprop</a></p>  |
| 13   | <p>If you click on the link on or after September 7, 2017 you will be directed to MDOT e-Proposal's Disclaimer page.</p>  |

## Consultant Advisory

2020-4

June 3, 2020

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517-335-0137  
[meldruma@michigan.gov](mailto:meldruma@michigan.gov)

### Changes to the Submittal of Consultant Proposals

As part of a continuous effort to streamline the electronic submittal process and maximize efficiencies, on **June 29, 2020**, the Michigan Department of Transportation (MDOT) will begin utilizing the e-Proposal web site for the advertisement of Request for Proposals (RFP's), and the mandatory submittal of all Consultant Proposals, in response to MDOT's RFP's. On June 29, 2020, consultants will no longer be able to see MDOT's RFP's on [Request for Proposal webpage](#), and instead will be directed, via a link, to the e-Proposal web site.

- Beginning June 29, 2020, consultant proposals, in response to MDOT's RFP's, will no longer be accepted via email to MDOT-RFP-Response and must be submitted via the e-Proposal website.
- All consultant proposals in response to MDOT's RFP's, submitted prior to June 29, 2020, to MDOT-RFP-Response, will be honored.
- With the exception of the submittal requirement changes, addressed in this Advisory, all current requirements, as documented in MDOT's Selection Guidelines for Service Contracts, remain unchanged.

An auto-generated email will be received by the submitter upon the successful upload of their proposal. Please view the instructional video [Uploading Consultant Proposals in eProposal](#) for uploading Consultant Proposals.

Consultants must have a MILogin account to view Request for Proposals and to begin submitting Consultant Proposals via e-Proposal. Please follow the link, below, to create a MILogin account. Also, below are instructions for accessing the MDOT e-Proposal site using MILogin.

#### [MILogin](#)

If you have any questions, please contact Amy Meldrum at: (517) 335-0137 or [meldruma@michigan.gov](mailto:meldruma@michigan.gov)

# Instructions for Accessing the MDOT e-Proposal System using MILogin

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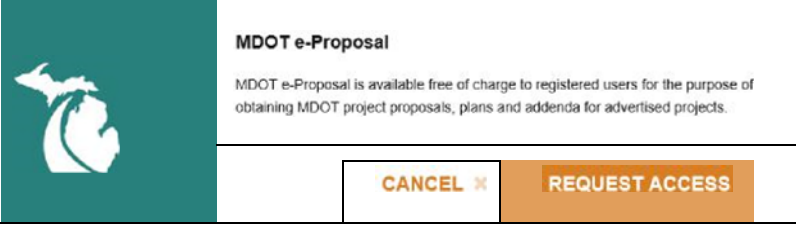
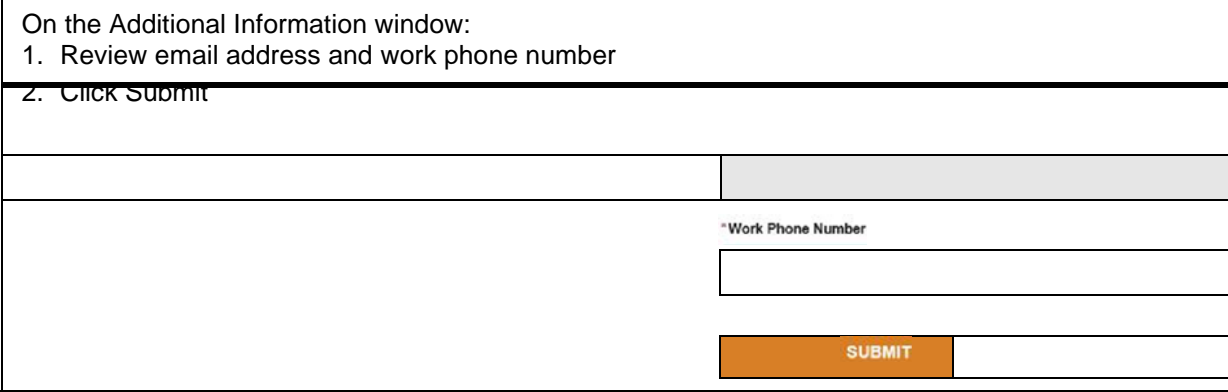
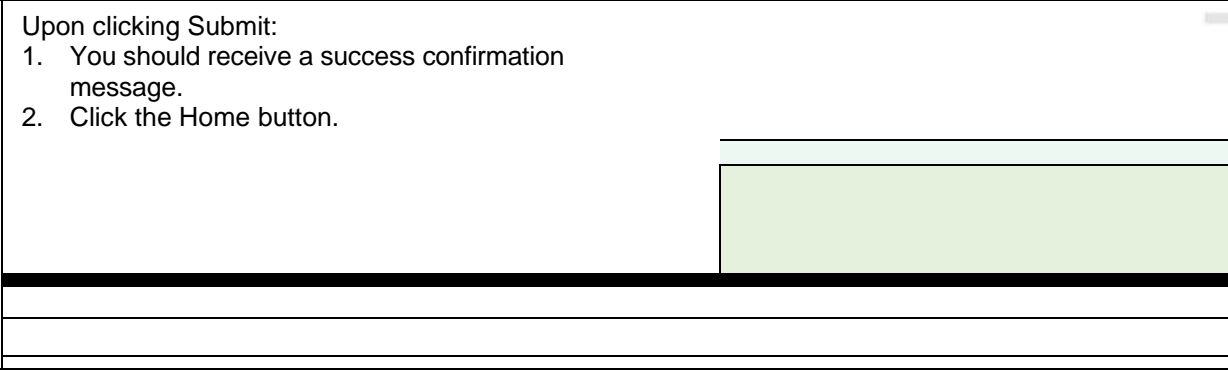
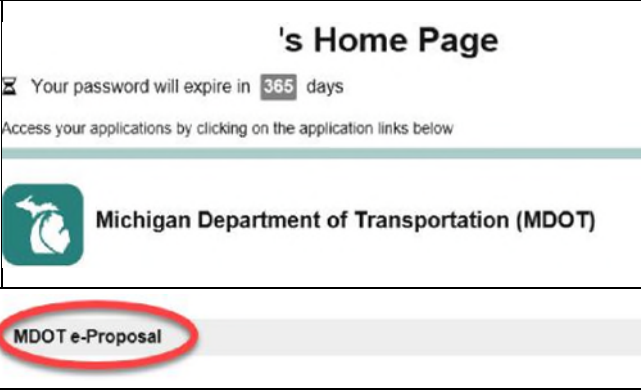


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## Create MILogin account

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\*If you already have a MILogin account, please proceed to step 6.

| Step | Action   |
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|      | State of Michigan users: <a href="https://miloginworker.michigan.gov">https://miloginworker.michigan.gov</a>   |
| 2    | Click the <b>Sign Up</b> button.   |
| 3    | A Create Your Account window page will open.<br><ol style="list-style-type: none"><li>1. Fill out all the required fields as well as read and agree to the terms and conditions.</li><li>2. Click Next once all required fields have been entered.</li></ol> |

| Step | Action  |
|------|---|
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| 5    | <p>Upon account creation, you should receive a success confirmation message.</p>  |
| 6    | <p>Click the Login button and proceed to login using the user id and password created in step 4.</p>  |
| 7    | <ol style="list-style-type: none"> <li>1. Your home page should open.</li> <li>2. Click on the Request Access link.</li> </ol>  |
| 8    | <p>In the Request Access's Window:</p> <ol style="list-style-type: none"> <li>1. Search Application enter: MDOT e-Proposal</li> <li>2. Click on Magnifying Glass</li> <li>3. MDOT e-Proposal will appear near the bottom of the window.</li> <li>4. Click on MDOT e-Proposal</li> </ol> |

| Step | Action  |   |
|------|---|---|
| 9    | On the MDOT e-Proposal window, click Request Access   |  <p><b>MDOT e-Proposal</b><br/>MDOT e-Proposal is available free of charge to registered users for the purpose of obtaining MDOT project proposals, plans and addenda for advertised projects.</p> <p><b>CANCEL</b> <b>REQUEST ACCESS</b></p>   |
| 10   | <p>On the Additional Information window:</p> <ol style="list-style-type: none"> <li>Review email address and work phone number</li> <li>Click Submit</li> </ol>     |   |
| 11   | <p>Upon clicking Submit:</p> <ol style="list-style-type: none"> <li>You should receive a success confirmation message.</li> <li>Click the Home button.</li> </ol>  |   |
| 12   | You will be directed back to your home page and MDOT e-Proposal should be listed.   |  <p><b>'s Home Page</b></p> <p>Your password will expire in <b>365</b> days</p> <p>Access your applications by clicking on the application links below</p> <p> <b>Michigan Department of Transportation (MDOT)</b></p> <p><b>MDOT e-Proposal</b></p> |
| 12b  | If you click on the link prior to September 7, 2017 you will receive the following message:   |  <p><b>MDOT eProposal</b></p> <p><b>Warning!</b><br/>This site is currently under construction.<br/>Please continue using the existing site: <a href="http://mdotcf.state.mi.us/public/eprop">http://mdotcf.state.mi.us/public/eprop</a></p>  |
| 13   | If you click on the link on or after September 7, 2017 you will be directed to MDOT e- Proposal's Disclaimer page.  |   |

## Consultant Advisory

2020-5

September 3, 2020

### Submittal of Consultant Proposals – Clarification for Consultants Submitting Proposals

On **June 29, 2020**, the Michigan Department of Transportation (MDOT) began utilizing the [e-Proposal web site](#) for the advertisement of Request for Proposals (RFP's), and the mandatory submittal of all Consultant Proposals, in response to MDOT's RFP's.

To Confirm:

Users must initiate the submittal of their proposals prior to the proposal due date identified for each Requisition, or the system will not accept the proposal.

Once a proposal is submitted, consultants will receive an auto generated email from MDOT indicating that the proposal was received. It is important that you retain a copy of this e-mail as proof that the proposal was submitted on time and received by MDOT. *If the e-mail reply has not been received by the consultant, consider the proposal as unreceived.*

If an auto generated email is not received or any issues are incurred, you may contact the following resources:

Email: [MDOT-Eproposal@michigan.gov](mailto:MDOT-Eproposal@michigan.gov)

MI Login Password assistance number: 1-800-968-2644

Amy Meldrum: [MDOT-RFP-Response@michigan.gov](mailto:MDOT-RFP-Response@michigan.gov) or 517-335-0137

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Consultant Advisory

2021-01

February 9, 2021

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**Consultant Contract Expiration Dates**

**For all RFP’s submitted on or after March 1, 2021, Contract Services Division (CSD) will be adding a six-month extension/buffer to consultant contract expiration dates.**

To reduce the number of contract time extensions and retroactive time extensions, CSD will be adding an extension or cushion to consultant contract expiration dates to all engineering services, both design and construction phase, with the exception of as-needed contracts or project specific contracts awarded under an as-needed selection. In addition to the currently provided ‘Anticipated Start Date’ and ‘Anticipated Completion Date’, the following statement will be required in all applicable scopes:

*“The Contract term will be from the Anticipated Service Start Date and extend six months beyond the Anticipated Service Completion Date”.*

**Example for a Six Month Estimated Service Period**

|   |   |  |
|---|---|--|
| <b>Anticipated Service Start Date:</b>      | July 1, 2020  | Date to be determined by PM for inclusion in the RFP |
| <b>Anticipated Service Completion Date:</b> | December 31, 2020   | Date to be determined by PM for inclusion in the RFP |
| <b>Contract Expiration Date:</b>            | June 30, 2021, for the six- month service period, in the example. | Date to be determined by CSD                         |

**Notes:**

- The extension of the contract expiration date by six months does not in any way affect the timeline for the delivery of the services, as determined by the prime consultant and the MDOT Project Manager. This is purely for administrative purposes only.
- The actual contract start date may not always align with the start date identified in the RFP. In these cases, the contract expiration date will be modified accordingly.
- All applicable generic scopes have been updated to include the six-month extension/buffer language.

**Parameters:**

- Not to be implemented for as-needed contracts.
- Not to be implemented for any project specific contracts awarded under an as-needed selection.
- To be used only on contracts that include prequalification classifications.

## Consultant Advisory

2021-02

February 24, 2021

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517-290-9444  
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### **Prequalification Updates**

#### **Financial Prequalification Updates:**

On February 20, 2021, Contract Services Division published updated versions of the following Financial Prequalification documents:

- [Financial Prequalification Questionnaire for Compiled Indirect Cost Rates](#)
- [Financial Prequalification Questionnaire for Audited Indirect Cost Rates](#)
- [Financial Prequalification Questionnaire for the Users of the Safe Harbor Rate](#)
- [Related Party Cost of Ownership Calculation Worksheet](#)
- [Facilities Capital Cost of Money Calculation Worksheet](#)

To avoid inquiries from MDOT requesting additional information, please be sure to supply the most recent version of the applicable Financial Prequalification Questionnaire during the annual prequalification renewal.

The following pages contain a brief description of the revisions to each document.

#### **Classification Specific Updates:**

On October 1, 2020, MDOT CADD Workspace standards were updated to require the use of MDOT's accepted version of Bentley CONNECT products. This update in design standards directly impacts MDOT consultant prequalification requirements, and all classifications where MicroStation was previously required have been updated to include the current Bentley CONNECT module(s).

At this time, no action is required by current prequalified consultants and prequalification in any classification where MicroStation was previously identified will remain current until the firm's annual prequalification renewal. Annually all prequalified vendors are required to supply updated General and Financial Prequalification Information, in which a certification of equipment will be collected via the [Annual Renewal Certification Document](#).

For complete annual prequalification renewal instructions, please review pages fifteen through seventeen of the [MDOT Consultant Prequalification Application Instructions](#).

## REVISIONS TO MDOT'S FINANCIAL PREQUALIFICATION QUESTIONNAIRES

### **Financial Prequalification Questionnaire for Audited Indirect Cost Rates**

| <b>FPQ Page</b> | <b>Original Language</b>   | <b>Revised Language</b>   |
|-----------------|--|---|
| 1               | Indirect Cost Rate Audit Report including all opinions, schedules, and notes for Home Office ( <u>Example 1</u> ), and Field or Project Offices ( <u>Example 2</u> ), as applicable. | Indirect Cost Rate Audit Report including the report on internal controls and all opinions, schedules, notes for Home Office ( <u>Example 1</u> ) and Field or Project Offices ( <u>Example 2</u> ), as applicable. |
| 1               | <i>N/A – New worksheet</i>   | If the company received a Paycheck Protection Program (PPP) loan through the Federal Coronavirus Aid, Relief, and Economic Security Act complete this Worksheet.  |
| 7               | <i>N/A – New question</i>  | B.8. Paycheck Protection Program - Did the company received a Paycheck Protection Program (PPP) loan through the Federal Coronavirus Aid, Relief, and Economic Security Act?  |

### **Financial Prequalification Questionnaire for Compiled Indirect Cost Rates**

| <b>FPQ Page</b> | <b>Original Language</b>   | <b>Revised Language</b>  |
|-----------------|----------------------------|--|
| 2               | <i>N/A – New worksheet</i> | If the company received a Paycheck Protection Program (PPP) loan through the Federal Coronavirus Aid, Relief, and Economic Security Act complete this Worksheet.             |
| 8               | <i>N/A – New question</i>  | B.8. Paycheck Protection Program - Did the company received a Paycheck Protection Program (PPP) loan through the Federal Coronavirus Aid, Relief, and Economic Security Act? |

### **Financial Prequalification Questionnaire for Users of the Safe Harbor Rate**

| <b>FPQ Page</b> | <b>Original Language</b>   | <b>Revised Language</b>  |
|-----------------|----------------------------|--|
| 2               | <i>N/A – New worksheet</i> | If the company received a Paycheck Protection Program (PPP) loan through the Federal Coronavirus Aid, Relief, and Economic Security Act complete this Worksheet.             |
| 8               | <i>N/A – New question</i>  | B.8. Paycheck Protection Program - Did the company received a Paycheck Protection Program (PPP) loan through the Federal Coronavirus Aid, Relief, and Economic Security Act? |

## Calculation Worksheets

| <b>FPQ Attachment</b>           | <b>Original Language</b>                | <b>Revised Language</b>            |
|---------------------------------|---|------------------------------------|
| Related Party Cost of Ownership | Treasury Rates were listed through 2019 | Updated to add 2020 Treasury Rates |
| FCCM Calculation                | Treasury Rates were listed through 2019 | Updated to add 2020 Treasury Rates |

## Consultant Advisory

2021-03

March 03, 2021

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### **Updated MDOT Conflict of Interest Guidance Document**

Since 2008, the Michigan Department of Transportation (MDOT) has utilized a Conflict of Interest document for use by both MDOT Project Managers and consulting firms that contract with MDOT. To bring the guidelines up to date and to document the revised process that must be used in determining whether a conflict of interest exists, a revised Conflict of Interest Guidance document has been implemented. The purpose of the guidance is to ensure that consultants have not entered into a contract where there may be a conflict of interest as well as to ensure compliance with 23 CFR, Section 1.33 Conflicts of Interest.

The Conflict of Interest Guideline is broken down into the following sections:

- Department Responsibilities
- Consultant Responsibilities
- Examples of a Conflict of Interest
- Examples of when the Department will determine whether a Conflict of Interest Exists
- Example of when a Conflict of Interest does not exist

*Please note that these examples are not intended to be all inclusive.*

To disclose a conflict or perceived conflict of interest, a Conflict of Interest Determination Request may happen at any time during the Project/Contracting Process:

- Prior to the submittal of a proposal
- During the Selection of a consultant
- After Selection Approval but prior to contract award
- During the performance of the service

In all cases, the process documented in the Guideline for determining whether a conflict of interest or the appearance of a conflict of interest exists, must be followed.

To review the current [Conflict of Interest Guidance Document](#), please visit MDOT's website.

## Consultant Advisory

2021-4

March 12, 2021

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### MDOT Unique SPs - Migrating from 2012 to 2020 Spec Book

Until MDOT has fully switched over to the new 2020 Spec Book with the **Aug 2021 Letting and beyond, please note the guidance below when updating 2012 Unique SPs to 2020.**

- All Recommended and Template SPs that will be carried over for 2020 (*that are not already approved*) are being tracked internally by MDOT.
  - Before submitting any revised drafts, be sure to check the applicable conversion list found here:  
<https://mdotjboss.state.mi.us/SpecProv/specProvHome.htm>
    - Note: MDOT's technical experts were tasked with updating all of the 2012 Recommended and Template SPs for 2020.
      - **Designers do not need to submit any of these if they are being carried over for the new spec book.**
- MDOT is also tracking updated non-recommended/template 2020 Unique SPs.
  - Before submitting any updated drafts, be sure to check the applicable conversion list found here:  
<https://mdotjboss.state.mi.us/SpecProv/specProvHome.htm>
  - MDOT QA will only be accepting **one** SP for any item of work
    - If you find a Special Provision that is in review but is needed for an earlier letting than noted, please have your MDOT PM notify QA so approval can be coordinated in time to make your specified letting.
  - **Duplicate submittals will be rejected.**
  - If changes are needed, once the 2020 Unique SP is approved (and on the web) you can then submit it with revisions if updates are still needed for your project (ensuring the use of track changes).

• How do you develop and submit Special Provisions for approval?  
• MDOT Design SS/SP Application  
• Special provisions are provided in either Microsoft Word or rich text format (rtf), which allows editing or Adobe Acrobat format (pdf) for those documents should not be edited.

This website was designed to allow designers a single location to find special provisions already approved for inclusion in proposal documents.

Special Provisions - 2012    **Special Provisions - 2020**

-IN REVIEW    -IN REVIEW

Division 1 - General Provisions    2020 FVSP Listing as of 3-9-21.pdf  
Division 2 - Earthwork    2020 Unique SP List as of 3-9-21.pdf  
Division 3 - Bases    Recommended\_Template\_Non-job Related (Other) SPs Submitted as of 3-9-21.pdf

## Consultant Advisory

2021-05

March 19, 2021

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### **Update to Tier I and Expedited Contracting Selection Processes**

In March 2020, MDOT implemented a revised Tier I Contracting Process, applicable for both State and Federally Funded Project Phases less than \$250,000, and established an Expedited Contracting Process, an optional process for 100% State Funded Projects Phases greater than \$250,000. These processes were detailed in [Consultant Advisory 2020-2](#).

Please be advised that the following modifications to the Tier I and Expedited Contracting processes have occurred:

#### **Small Business Program - Tier I Selections:**

Effective January 2021, MDOT made a modification to the Tier I process, requiring all MDOT Project Manager's, when contacting a minimum of three consultants, must contact at least one Small Business Program (SBP) certified vendor, if such is available for the required Primary prequalification classification(s). If this a specialty service with no prequalification classification, there is no SBP contact requirement.

#### **Form 5100D – Tier I and Expedited Selections:**

Effective April 1, 2021, to ensure compliance with recent updates to MDOT's Conflict of Interest Guidance Document, as detailed in [Consultant Advisory 2021-03](#), all Scopes of Services for both the Tier I and the Expedited contracting processes, will require Form 5100D be included with consultant submittals. All applicable internal generic scopes and checklists have been updated to include this requirement.

To review updated process maps and/or the current Form 5100D, please follow the links below:

- [Tier I Process Map](#)
- [Expedited Process Map](#)
- [5100D Form](#)
- [Selection Guidelines for Service Contracts](#)

\* If Form 5100D does not open automatically, please follow these [instructions](#).

## Consultant Advisory

2021-06

April 22, 2021

### Revision to the Conflict of Interest Guidance Document

Consultant Advisory 2021-03, dated March 3, 2021 provided information on MDOT's revised Conflict of Interest Guidance Document. The purpose of the revised Conflict of Interest Guidance Document is to: bring the previous guidelines up to date; to document the revised process that must be used in determining whether a conflict of interest exists; and to ensure compliance with 23 CFR, Section 1.33 Conflicts of Interest.

Following the publication of Consultant Advisory 2021-03, subsequent discussions took place which resulted in a revision to the Conflict of Interest Guidance Document:

- The statement: "If the consultant or their affiliate provided or will provide services to a developer involving the same project", has been moved from the "**Examples of a Conflict of Interest**" section of the document, to become example number four under the section of the document "**The following are examples where the department will judge based on the circumstances whether a conflict of interest exists or not**".

To view the revised [Conflict of Interest Guidance Document](#), please visit MDOT's website.

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## Consultant Advisory

2021-07

May 24, 2021

### Second Revision to the Conflict of Interest Guidance Document

Consultant Advisory 2021-06, dated April 22, 2021 provided an update to the Conflict of Interest Guidance Document. Advisory 2021-07, is to provide notification of an additional revision to the Document, to ensure compliance with 23 CFR, Section 1.33 Conflicts of Interest.

- The statement: “If the consultant or their affiliate provided or will provide services to a developer involving the same project”, has been revised to read: “If the consultant or their affiliate is providing or will provide services to another business entity or organization that is involved with the same project”, and has been moved from the header ***“The following are examples where the department will judge based on the circumstances whether a conflict of interest exists or not”***, to the header ***“Examples of a Conflict of Interest”***.

Consultants and Project Manager’s are encouraged to seek guidance from MDOT if a potential conflict of interest situation seems possible.

To view the revised Conflict of Interest Guidance Document [Conflict of Interest Guidance](#), please visit MDOT’s website.

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## Consultant Advisory

2021-08

August 2, 2021

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### **Treatment of Paycheck Protection Program (PPP) Loan Forgiveness**

On March 24, 2021, the Federal Highway Administration (FHWA) issued guidance on Paycheck Protection Program (PPP) loan forgiveness for Federally funded contracts ([HCFB-30 Memorandum](#)). The FHWA's guidance provided several parameters for use and treatment of forgiven PPP loans. Most notably:

1. Forgiven PPP funds may not be used to pay for direct costs on Federal acquisition Regulation (FAR) based, actual-cost type contracts (FAR Contracts).
2. FAR 31.201-4 requires the applicable portion of any income, rebate, allowance, or other credit relating to any allowable cost to be credited to the Government, either as a cost reduction or by cash refund.
3. Credits for forgiven PPP funds must therefore be allocated via, and be recovered through, a reduction to indirect costs in the year the funds were spent.

In order to comply with the FHWA guidance, and to provide stability in contract pricing and consultant billing, MDOT will require the following:

1. Any consultant receiving forgiveness of PPP loan will calculate the amount, if any, that is ultimately creditable to applicable MDOT *FAR contracts*. **This calculation will not be required unless, or until, a consultant is granted loan forgiveness**, and will comprise two components: 1) Calculating an Indirect Cost Credit and 2) Calculating the Recoverable Amount.
  - MDOT will require consultants to provide documentation supporting a) the allocation of forgiven funds to the consultant's costs during the PPP loan period (e.g. the indirect cost reduction), and b) the allocation of any resulting indirect cost credit to MDOT's *FAR Contracts*.
  - The Indirect Cost Credit and Recoverable Amount shall be calculated and applied to the period\*(s) in which forgiven PPP funds were spent. This ensures proper allocation to the affected cost objectives and eliminates the risk of over or under recovery in the event loan forgiveness occurs in future periods.
2. **Consultants will continue to use their MDOT-approved and accepted full indirect cost rates for invoicing and priced proposal, meaning no PPP credit should be reflected in the indirect cost rate(s) submitted to MDOT for use and acceptance at the time of prequalification.** This will mitigate the administrative burdens and the effect of the project-level credits on future contract estimation, negotiation, and billing.

*\*Period refers to the consultant's fiscal year used for financial reporting purposes in accordance with generally accepted accounting principles.*

## **Treatment of Paycheck Protection Program (PPP) Loan Forgiveness - (Continued)**

### Calculating the Indirect Cost Credit

The amount of the forgiven PPP loan will be credited to indirect costs for the period\*(s) in which forgiven PPP funds were spent. The amount of the forgiven PPP loan credited to indirect costs can be reduced for the following items:

1. PPP funds spent on unallowable indirect costs, as supported by the forgiveness application.
2. PPP funds spent on direct costs for contracts other than *FAR Contracts*.

MDOT may request detailed support for any figures in this credit calculation.

### Calculating the Recoverable Amount

Consultants will allocate the Indirect Cost Credit to its direct labor base for the period in which the forgiven PPP funds were spent. The portion allocable to MDOT's FAR contracts represent the amount recoverable by MDOT.

#### Step 1:

Using the direct labor base for the applicable-period's indirect cost rate calculation, segregate the base into 1) labor applicable to MDOT's *FAR Contracts*, and 2) all other contracts.

#### Step 2:

Calculate the percentage of the base represented by MDOT's FAR Contracts.

#### Step 3:

Multiply the Indirect Cost Credit by the percentage from Step 2. This is the Amount to be Recovered.

### MDOT Recovery

The Amount to be Recovered by MDOT (Step 3 above) will be repaid pursuant to an agreement by each firm with MDOT. For example, the firm can make one payment, either through check or through a reduced future invoice, or the firm and MDOT can agree to a payment plan that includes several payments or reductions to several future invoices on any affected contracts until MDOT has collected the entire Amount. To reiterate, the indirect cost *rate* will not be adjusted as part of whatever repayment process is settled upon.

Should the FHWA provide additional guidance, or if regulations are changed or clarified, MDOT will revisit the preceding determination to ensure it is in compliance with any authoritative directives.

## Consultant Advisory

2021-09

November 23, 2021

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### **Paycheck Protection Program Loan – Q&A Session Information**

On October 19, 2021, MDOT hosted an informational session regarding the treatment of forgiven Paycheck Protection Program (PPP) loans through an expanded explanation of the process components identified within MDOT Consultant Advisory [2021-08 – Treatment of PPP Loan Forgiveness](#).

During the session, representatives from MDOT's Contract Services Division and Office of Commission Audits provided an overview of FHWA issued guidance, compliance requirements, and the approach Consultants must utilize when calculating the Cost Credit and the Recoverable Amount. MDOT discussed its anticipated approach to collect/review/approve the Recoverable Amount calculations, and repayment plan, via invoice reduction(s). Following the initial presentation, participants were given the opportunity to provide feedback and/or ask questions.

To provide additional clarity for session attendees and offer inclusion to industry partners that were unable to attend, MDOT has posted the following documents:

- Treatment of PPP Loans – 10/19/2021 [Presentation Slides](#)
- Treatment of PPP Loans – 10/19/2021 [Question and Answer Responses](#)

MDOT is working to finalize all process documentation and anticipates issuing formal guidance for the following processes in the near future. The process steps will include:

- Notifying MDOT of loan forgiveness
- Submittal/Acceptance of Recoverable Amount calculations
- Recovery Amount repayment via invoice reduction, when applicable
- Compliance requirements

As a reminder, no PPP credit should be reflected in the indirect cost rate(s) submitted to MDOT during annual prequalification renewal. Consultants will continue to use their MDOT-approved/accepted full indirect cost rate(s) during invoicing and priced proposal.

## Consultant Advisory

2022-01

February 7, 2022

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### **PPP Loan Forgiveness Cost Recovery Process**

Consulting firms which received Paycheck Protection Program (PPP) loans and have received loan forgiveness will be required to calculate the amount, if any, that is creditable to applicable MDOT FAR contracts. Upon review/acceptance of the repayment calculation, MDOT will recover any PPP credits through reduced future invoices. Please see the process below for submittal, acceptance, and recovery of any calculated credits.

#### **Consultant Submittal of Loan Forgiveness and Repayment Calculation Information**

Using MDOT's [PPP Repayment Calculation Worksheet](#), consultants must:

- Notify MDOT Contract Services Division (CSD) of PPP loan forgiveness and the loan forgiveness amount.
- Calculate the recoverable amount.
- Provide an anticipated repayment plan. The repayment(s) may not exceed 12 months from the date on the acceptance letter, as described below.
- Digitally sign and supply the completed worksheet via MDOT's eProposal website.

The MDOT PPP Repayment Calculation Worksheet must be submitted within 60 days from the date of loan forgiveness, or 60 days from the date of this Advisory, whichever is later.

#### **MDOT Review/Acceptance of the Calculation Worksheet and Support, if Applicable**

MDOT's Office of Commission Audits will review the PPP Repayment Calculation Worksheet. If necessary, MDOT may request support that the consultant 1) allocated its loan in accordance with FHWA guidance when calculating its indirect-cost reduction, and 2) how the firm allocated the indirect-cost reduction to MDOT FAR and all other projects.

Once satisfied, MDOT will issue a letter accepting the Repayment Calculation and proposed repayment plan.

## **PPP Loan Forgiveness Cost Recovery Process (Continued)**

### Recovery of the PPP credits through reduced future invoices

1. Both Prime and Subconsultant must individually use the MDOT [PPP Credit Voucher Template](#) to document their individual total invoice amount, PPP Credit Amount, and Net Payment Amount, each time they choose to reduce an invoice.
2. Subconsultants may choose to reduce their subconsultant invoices, but if at all possible, reducing their invoices as a prime consultant is preferable.
3. Prime consultants must summarize all Prime and Subconsultant information on the PPP Credit Voucher for the entire invoice submitted.
4. It is preferable that firms limit the number of job numbers to which credits are applied.
5. CSD will track all reduced invoices until the credit (Recoverable Amount) is fully recovered.

### Additional Resources

On October 19, 2021, MDOT hosted a session regarding treatment of forgiven PPP loans. During the session, an overview of FHWA issued guidance was presented, as well as the approach consultants must utilize when calculating the Cost Credit and the Recoverable Amount. The Presentation Slides and Questions and Answers from that session are provided in the links below:

- [PowerPoint - Treatment of PPP Loan Forgiveness \(michigan.gov\)](#)
- [PPP Loan Session QA \(michigan.gov\)](#)

## Consultant Advisory

2022-02

March 17, 2022

### **Updates to Consultant Priced Proposal & Invoicing Templates**

The Consultant Priced Proposal and Invoicing templates were recently updated and are available for use on MDOT's Vendor/Consultant Services website. Use of the updated templates is required when proposing costs for all new contracts/amendments, and all future invoice submittals. To download the most recent version of each document, please follow the links below:

[Consultant Priced Proposal Template](#)  
[Consultant Invoicing Template](#)

Summary of template modifications:

#### Consultant Priced Proposal Template

- Form 5102 – Documentation of Changes to the MDOT Scope of Services: Language/layout adjusted to provide greater clarity if/when changes have been made to the original Scope of Services.
- Form 5101S - Subconsultant Priced Proposal Cover Sheet and Intent to Subcontract: Language was added to the Certification Statement ensuring Other Direct Costs were not also included within the approved Indirect Cost Rate.
- Form 5101B - Derivation of Prime Consultant Costs: Language was added to ensure Other Direct Costs were not also included within the approved Indirect Cost Rate and the method of calculating escalation was adjusted.
- Form 5101C - Derivation of Subconsultant Costs: Language was added to ensure Other Direct Costs were not also included within the approved Indirect Cost Rate and the method of calculating escalation was adjusted.

#### Consultant Invoicing Template

- Form 5106C – Standard Consultant Invoice Form: Language was added to the Certification Statement ensuring Other Direct Costs were not also included within the approved Indirect Cost Rate.

MDOT, CSD, Consultant  
Contracts Section  
P.O. Box 30050  
Lansing, MI 4890  
[www.michigan.gov/mdot](http://www.michigan.gov/mdot)

Questions regarding this  
Consultant Advisory  
should be directed to:

Mike Meddaugh  
517-335-1095  
[MeddaughM@michigan.gov](mailto:MeddaughM@michigan.gov)

## Consultant Advisory

2022-02 - Revised

March 22, 2022

MDOT, CSD, Consultant  
Contracts Section  
P.O. Box 30050  
Lansing, MI 4890  
[www.michigan.gov/mdot](http://www.michigan.gov/mdot)

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### **Updates to Consultant Priced Proposal & Invoicing Templates - Revised**

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[Consultant Priced Proposal Template](#)  
[Consultant Invoicing Template](#)

Summary of template modifications:

#### Consultant Priced Proposal Template

- Form 5102 – Documentation of Changes to the MDOT Scope of Services: Language/layout adjusted to provide greater clarity if/when changes have been made to the original Scope of Services.
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#### Consultant Invoicing Template

- Form 5106C – Standard Consultant Invoice Form: Language was added to the Certification Statement ensuring Other Direct Costs were not also included within the approved Indirect Cost Rate.

<sup>1</sup> Invoice submittals for all contracts/amendments executed after 03/17/2022 are required to utilize the updated Consultant Invoicing Template.

<sup>2</sup> Contracts/Amendments executed prior to 03/17/2022 for which invoices have not been submitted will require the use of the updated Consultant Invoicing Template.

<sup>3</sup> Contracts/Amendments executed prior to 03/17/2022 for which invoices have previously been supplied will not be required to convert to the updated Consultant Invoicing Template.

## Average Labor Rate by Work Classification Calculation Worksheet

### **Independent Cost Estimates:**

To ensure compliance with 23 CFR 172.7(a)(1)(v)(B), prior to receipt or review of the most highly qualified consultant's priced proposal, MDOT is required to prepare a detailed independent estimate containing the appropriate breakdown of the following elements, as related to the defined scope of work:

- Labor or work hours
- Types of classifications of labor required
- Other direct costs
- Consultants fixed fee

### **MDOT Average Labor Rate Calculation Worksheet:**

To comply with federal requirements and assist MDOT Project Managers when preparing independent estimates, MDOT is requiring all consultants seeking financial prequalification to complete and return the [MDOT Average Labor Rate Calculation Worksheet](#).

This worksheet will collect each consultant's average labor rates for common labor classifications and must be submitted annually within each consultant's annual financial prequalification information. MDOT will leverage the data collected to identify industry wide rate averages for these common labor classifications. Only the calculated industry wide rate averages will be provided to and utilized by MDOT Project Managers for use during the preparation of their independent cost estimates.

### **Worksheet Submittals:**

- FYE 2021 Submittals:
  - **Annual Financial Prequalification has already been submitted to CSD?**  
Convert the completed worksheet to PDF and submit electronically to [MDOT e-Proposal Website](#) by July 31, 2022.
  - **Annual Financial Prequalification Information has not yet been submitted to CSD?**  
Convert the completed worksheet to PDF and supply within the consultant's annual financial prequalification submittal.
- FYE 2022 and Future Submittals:
  - Worksheet to be converted to PDF and submitted within each consultant's annual financial prequalification submittal.

### **Proposal Submittal Requirements – Linked Digital Resources**

MDOT has identified a trend in which Consultants, when submitting responses to MDOT's Request for Proposals, (RFP's), are adding additional information by including links to digital resources such as YouTube and/or other web-based platforms. Linking to additional information gives the impression that submitting firms may be seeking to circumvent page limitation requirements, as defined by [MDOT's Selection Guidelines for Service Contracts](#).

Unless otherwise specified in the RFP, MDOT is requesting consultant submittals exclude links to digital resources and include only information which does not exceed maximum page limit requirements. All future response submittals containing links to digital resources and/or not adhering to selection guidelines may be deemed non-responsive.

## **Modifications to the MDOT Safe Harbor Overhead Rate Guidelines**

In 2016, as part of MDOT's permanent implementation of the safe harbor rate, Safe Harbor Overhead Rate Guidelines were developed. The 2016 guidelines stated in part, "Any existing contracts utilizing the Safe Harbor rate must be invoiced at the Safe Harbor rate for its entirety". This language prohibited safe harbor users who subsequently established an MDOT approved compiled/audited overhead rate to utilize the current rate for invoicing purposes. This became especially relevant for consultants with multi-year contracts, or contracts where amendments were deemed necessary.

In an effort to allow safe harbor users who have since established an MDOT approved compiled, audited or cognizant overhead rate, the [MDOT Safe Harbor Overhead Rate Guidelines](#) have been revised to state:

*If during the life of a contract, a consulting firm, utilizing the safe harbor rate, establishes a compiled, audited, or cognizant rate, that is approved by MDOT, that rate must be used for contracting and invoicing purposes, for the effective dates indicated in the MDOT overhead acceptance letter.*

This revision allows firms with safe harbor contracts to utilize current MDOT approved rates on all invoice submittals for work performed on or after the date of this Advisory. Per MDOT guidelines, there will be no adjustments in the contract maximum attributable to overhead rate changes. Overhead rates are effective for a period of twelve months.

## **Travel Policy Update: Consultant Meal Allowances**

On December 19, 2022, the Michigan Civil Service Commission approved changes to the State of Michigan Standardized Travel Regulations. These changes directly affect consultant reimbursement of meal costs.

### **Meal allowances for meal costs incurred on or after January 1, 2023:**

Any consultant performing services under a contract with MDOT and requesting a meal allowance reimbursement for meal costs incurred on or after January 1, 2023, may enter the full allowable meal allowance rate for the specific meal(s), regardless of the actual cost incurred for the meal. The meal allowance may not exceed the amounts set forth in the current State of Michigan Standardized Travel Regulations. This change suspends meal receipt requirements.

Current State of Michigan Travel Rate information can be found on [DTMB's Travel website](#).

### **Meal allowance for meal costs incurred on or before December 31, 2022:**

Any consultant performing services under a contract with MDOT and requesting a meal allowance reimbursement for meal costs incurred prior to January 1, 2023, must continue to submit reimbursement for the actual cost of the meal. The meal allowance may not exceed the amounts set forth in the current State of Michigan Standardized Travel Regulations.

Reimbursement requests for meal costs incurred prior to January 1, 2023, will continue to be subject to the submittal of receipts and audit, as per MDOT's policy.

## OneSpan Digital Signatures: Consultant Contracts and Related Documents

To conform with the digital signature solution mandated for all State of Michigan agencies, MDOT is transitioning from a site hosted DocuSign Digital Signature Appliance (DSA) to the cloud based OneSpan Digital Signature software. This transition will be complete on June 30, 2023, and MDOT's DSA will no longer be available for use.

Please review the following guidelines regarding consultant contract and invoice documents submitted to MDOT Contract Services Division (CSD):

### **Required Use of OneSpan:**

CSD is requiring only the final contract and/or amendment document to be signed digitally using OneSpan. MDOT will initiate the OneSpan signing process following acceptance of all internal reviews/approvals.

### **Alternate Electronic Signing Methods:**

All other consultant contract and invoicing related documents (prequalification forms, selection forms, price proposals, subcontracts, and invoices) may utilize any electronic signature method available.

### **Contract Award Process:**

CSD will route contracts to the authorized signer designated on Form 5101 - Price Proposal Cover Sheet. When the contract is ready for signature, the designated authorized signer will receive an email with an imbedded link and additional instructions. The authorized signer *will not* be required to establish a OneSpan account to sign contracts. Following final contract execution, two notifications will be provided to signers:

1. A OneSpan system generated email notifying all signing parties of final contract execution.
2. A CSD generated "*Notice To Proceed*" email with an attached copy of the awarded Contract. This email will be provided by a CSD Contract Administrator and will be sent to the prime's designated authorized signer, prime's designated recipient for signed contract distribution (as specified on form 5101 in the price proposal), the MDOT Project Manager, and other applicable MDOT stakeholders.

Work must not begin until the formal *Notice to Proceed* email (identified in #2 above) has been issued by CSD.

Support resources regarding this Consultant Advisory can be found at:

MDOT Digital Signature Website:

Technical Support:

Contract Services:

[Michigan.gov/eSign](https://Michigan.gov/eSign)

[MDOT-eSign@Michigan.gov](mailto:MDOT-eSign@Michigan.gov)

Mike Meddaugh - [MeddaughM@Michigan.gov](mailto:MeddaughM@Michigan.gov)

July 28, 2023

## **Pre-Year End Notification**

### **Why is this notification being sent?**

Over the last few years, the Michigan Department of Transportation (MDOT) has received audit findings related to the estimation of consultant accounts payable. Due to the State of Michigan's fiscal year-end being September 30, 2023, Contract Services Division (CSD) is sending this notification to consultants to proactively begin year-end processes and ensure the most accurate information regarding accounts payable is being provided.

### **Why do accurate accounts payable estimates matter?**

Having accurate estimations of all accounts payable will ensure that all expenditures applicable to Fiscal Year 2023 are recognized and reported in the proper fiscal year, resulting in the reduction of payable write-offs and overages. Compliance with MDOT procedures will help ensure timely payment of invoices as well as improved accounts payable estimates.

### **What actions should consultants be taking in preparation for Fiscal Year-End 2023?**

1. Establish a list of all active MDOT contracts which include all subconsultants and unbilled amounts for completed work.
2. Prime consultants should submit all up-to-date invoices into ProjectWise for actual costs of work in a timely manner. Per the MDOT Terms and Conditions for Consultant Engineering Services Contracts, Section 15 (b), invoices should be submitted promptly no more than sixty (60) days after completion of the services. This includes submittal of invoices for subconsultant work.
3. Subconsultants need to ensure all up-to-date invoices have been submitted to the prime consultant in a timely manner, and as required by the Contract Terms and Conditions.
4. If the invoice is final, ensure it is marked as "final".

### **What to expect next?**

MDOT anticipates sending formal fiscal year-end instructions and deadlines in August 2023.

## Who to contact for questions?

### Consultant Name Starts With:

A,I,P,R

### Payment Technician:

Hayden Platte

[platteh3@michign.gov](mailto:platteh3@michign.gov)

517-643-6839

H,M,O, Planning

Jill Foreback

[Forebackj@michigan.gov](mailto:Forebackj@michigan.gov)

517-243-7636

B,Q,S,T

Vacant - See Dee Grover

[Groverd1@michigan.gov](mailto:Groverd1@michigan.gov)

517-275-1767

C,D,E,F,G,J,K,L,N,U,V,W,X,Y,Z

Liz Marshall

[Marshalle2@michigan.gov](mailto:Marshalle2@michigan.gov)

517-643-4938

General Questions

Dee Grover, Manager

[Groverd1@michigan.gov](mailto:Groverd1@michigan.gov)

517-275-1767

## Requirements for Establishing Reasonableness of Non-Prequalified Subconsultant Costs

On September 12, 2024, MDOT held a webinar providing an overview of both new and revised requirements for establishing the reasonableness of costs for non-prequalified consultants/vendors. The webinar introduced the newly developed [MDOT Bid Collection Spreadsheet](#) template, as well as the revised [Financial Requirements for Non-Prequalified Consultants](#). These updates were designed to ensure continued compliance with federal requirements, while maintaining operational practicality for both industry partners and MDOT.

### Implementation – December 1, 2024:

Use of the revised Financial Requirements for Non-Prequalified Consultants and the MDOT Bid Collection Spreadsheet will be mandatory for projects advertised on or after December 1, 2024.

### Applicability:

#### Financial Requirements for Non-Prequalified Consultants

The Financial Requirements for Non-Prequalified Consultants apply only to QBS Selections, and unless otherwise requested, are required only when the total individual costs for services performed by a subconsultant exceed \$100,000.

#### Bid Collection Spreadsheet

The MDOT Bid Collection Spreadsheet must be utilized when non-prequalified subconsultant costs are proposed using the following payment types:

- Unit of Work
- Lump Sum / Milestone derived from Unit(s) of Work

### Audit Requirements:

While documentation supporting cost reasonableness for non-prequalified subconsultants with service costs under \$100,000 is no longer required with each price proposal, MDOT reserves the right to request additional information from consultants or subconsultants at any time to validate costs or support the contracting process. In all cases, industry is still expected to perform responsible sourcing to ensure that services are obtained at a fair and reasonable cost.

### Resources:

- [MDOT Bid Collection Spreadsheet Training](#)
- [Financial Requirements for Non-Prequalified Consultants](#)
- [MDOT Bid Collection Spreadsheet Template](#)

### Questions:

Mike Meddaugh  
CSD – Consultant Contracts  
517-342-4856  
[MeddaughM@Michigan.gov](mailto:MeddaughM@Michigan.gov)

December 5, 2024

## 2024 Consultant Prequalification Updates

Contract Services Division (CSD) has published an updated version of the [Consultant Prequalification Application Instructions \(V2.14\)](#). Included within this update are the following changes:

- Updated contact information for MDOT Technical Evaluators and Prequalification staff.
- Adjusted language within the Consultant Loss of Key Staff Policy to clarify MDOT's ability to administratively shift Supplemental Key Staff into Primary Key Staff roles, following notification of a key staff departure, without reapplication.
- Requirement updates were made to the following prequalification classifications:

| Classification:  | Modification(s):   |
|--|--|
| Construction Engineering: Bridges & Ancillary Structures | <ul style="list-style-type: none"> <li>• Removed FieldManager Training requirement.</li> <li>• An expiration date has been added to the MDOT Bridge Deck Construction Inspection &amp; Bridge Rehabilitation Inspection Certification. Now valid for 5 years; certificates without expiration dates will be accepted until 12/31/2026.</li> </ul>                          |
| Construction Engineering: Roadway                        | <ul style="list-style-type: none"> <li>• Removed FieldManager Training requirement.</li> </ul>   |
| Construction Engineering: Roadway - Local Agency Program | <ul style="list-style-type: none"> <li>• Removed FieldManager Training requirement.</li> </ul>   |
| Construction Inspection: Bridge Painting                 | <ul style="list-style-type: none"> <li>• An expiration date has been added to the MDOT Bridge Paint Certification. Now valid for 5 years; certificates without expiration dates will be accepted until 12/31/2026.</li> </ul>  |
| Construction Inspection: Bridges & Ancillary Structures  | <ul style="list-style-type: none"> <li>• An expiration date has been added to the MDOT Bridge Deck Construction Inspection &amp; Bridge Rehabilitation Inspection Certification. Now valid for 5 years; certificates without expiration dates will be accepted until 12/31/2026.</li> </ul>  |
| Construction Services: Office Technician                 | <ul style="list-style-type: none"> <li>• Removed FieldManager Training requirement.</li> </ul>   |
| Design - Bridges   | <ul style="list-style-type: none"> <li>• Added AASHTO LRFD specification requirement for out-of-state projects.</li> <li>• Added language to clarify applicable project examples.</li> </ul>   |
| Design - Bridges: Complex                                | <ul style="list-style-type: none"> <li>• Expanded duration of consideration for completed projects/experience from 10 years to 15 years.</li> <li>• Reduced mixed/non-MDOT project requirement from 8 to 5.</li> <li>• Added AASHTO LRFD specification requirement for out-of-state projects.</li> <li>• Added language to clarify applicable project examples.</li> </ul> |

|   |  |
|---|--|
| Design - Bridges: Railroad                                    | <ul style="list-style-type: none"> <li>• Added AREMA design standards requirement for out-of-state projects.</li> <li>• Added language to clarify applicable project examples.</li> </ul>  |
| Design - Bridges: Safety Inspection <sup>1</sup>              | <ul style="list-style-type: none"> <li>• Expanded Education and Experience requirement options.</li> <li>• Added Bridge Inspection Refresher Certificate and Field Proficiency exam requirements.</li> <li>• <i>See "Notes" below for additional information specific to this classification.</i></li> </ul> |
| Design - Bridges: Safety Inspection – Underwater <sup>1</sup> | <ul style="list-style-type: none"> <li>• Expanded Education and Experience requirement options.</li> <li>• Added Bridge Inspection Refresher Certificate and Field Proficiency exam requirements.</li> <li>• <i>See "Notes" below for additional information specific to this classification.</i></li> </ul> |
| Design – Geotechnical   | <ul style="list-style-type: none"> <li>• Updated manual requirement: from MDOT Geotechnical Investigation and Analysis Requirements for Structures; to the MDOT Geotechnical Manual.</li> </ul>  |
| Design - Geotechnical: Advanced                               | <ul style="list-style-type: none"> <li>• Updated manual requirement: from MDOT Geotechnical Investigation and Analysis Requirements for Structures; to the MDOT Geotechnical Manual.</li> </ul>  |
| Design - Hydraulics I <sup>2</sup>                            | <ul style="list-style-type: none"> <li>• Updated software requirement: from Geopak Drainage; to ORD Drainage and Utilities.</li> <li>• <i>See "Notes" below for additional information specific to this classification.</i></li> </ul>   |
| Design - Hydraulics II <sup>2</sup>                           | <ul style="list-style-type: none"> <li>• Updated software requirement: from Geopak Drainage; to ORD Drainage and Utilities.</li> <li>• Added SMS-SRH-2D to software requirements.</li> <li>• <i>See "Notes" below for additional information specific to this classification.</i></li> </ul>                 |
| Design – Traffic: ITS Design & System Manager                 | <ul style="list-style-type: none"> <li>• Updated software requirement: from Turbo Architecture; to ARC-IT and SET-IT.</li> </ul>   |
| Design - Traffic: Signal Operations                           | <ul style="list-style-type: none"> <li>• Updated resources requirement: from Michigan Signal Optimization Guidelines, and Michigan Timing Plan Preparation Guidelines; to Electronic Traffic Control Device Guidelines, and MDOT's current analyses spreadsheets and timing permit forms.</li> </ul>         |
| Design - Traffic: Signal Operations - Complex                 | <ul style="list-style-type: none"> <li>• Updated resources requirement: from Michigan Signal Optimization Guidelines, and Michigan Timing Plan Preparation Guidelines; to Electronic Traffic Control Device Guidelines, and MDOT's current analyses spreadsheets and timing permit forms.</li> </ul>         |
| Design - Traffic: Signing - Freeway                           | <ul style="list-style-type: none"> <li>• Updated to allow self-certification of MiSign Training.</li> </ul>  |
| Design - Traffic: Signing - Non-Freeway                       | <ul style="list-style-type: none"> <li>• Updated to allow self-certification of MiSign Training.</li> </ul>  |

|                              |   |
|------------------------------|---|
| Design - Wetlands            | <ul style="list-style-type: none"> <li>Removed geographic restrictions from project requirements.</li> </ul>  |
| Environmental: Contamination | <ul style="list-style-type: none"> <li>Added OSHA recertification requirement.</li> </ul>   |
| Surveying: Hydraulics        | <ul style="list-style-type: none"> <li>Added completed projects requirement to CADD Operator role.</li> <li>Added language to clarify applicable project descriptions.</li> </ul> |
| Surveying: Right of Way      | <ul style="list-style-type: none"> <li>Added completed projects requirement to CADD Operator role.</li> <li>Added language to clarify applicable project descriptions.</li> </ul> |
| Surveying: Road Design       | <ul style="list-style-type: none"> <li>Added completed projects requirement to CADD Operator role.</li> <li>Added language to clarify applicable project descriptions.</li> </ul> |
| Surveying: Structure         | <ul style="list-style-type: none"> <li>Added completed projects requirement to CADD Operator role.</li> <li>Added language to clarify applicable project descriptions.</li> </ul> |

### Notes

#### <sup>1</sup> Design – Bridges: Safety Inspection and Design – Bridges: Safety Inspection – Underwater

- Key staff requirements have been updated to include the MDOT Field Proficiency Examination.
- Consultants currently prequalified in either classification will have six (6) months to submit a full classification specific prequalification application confirming key staff meet the current exam, certification and experience requirements.
- MDOT CSD will provide all consultants currently prequalified in these classifications with an independent notification of the updated requirements and timelines for resubmittal.
- Prequalification will remain in place for all consultants prequalified in either classification through evaluation of the resupplied application or until revocation for non-responsive consultants.

#### <sup>2</sup> Design – Hydraulics I and Design – Hydraulics II

- Software requirements have been updated to include ORD Drainage and Utilities for both the Design – Hydraulics I and Design – Hydraulics II classifications, as well as SMS-SRH-2D for the Design – Hydraulics II classification.
- Consultants currently prequalified in either classification will have six (6) months to provide a document certifying your firm owns, and has staff trained to use the current software.
- MDOT CSD will provide all consultants currently prequalified in these classifications with an independent notification of the updated requirements and timelines for resubmittal.
- Prequalification will remain in place for all consultants prequalified in either classification through evaluation of the resupplied certification or until revocation for non-responsive consultants.

### Questions:

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CSD – Consultant Contracts  
517-249-0005  
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CA 2025-1

2025 Selection Guidelines Update

April 3, 2025



## 2025 Consultant Selection Guidelines Update: Version 21

Contract Services Division (CSD) has published an updated version of the [Selection Guidelines for Service Contracts](#). Version 21 updates addressed the following topics:

### 1. Presentations

CSD made changes to utilization and notification for the use of presentations during the consultant/vendor selection process. Presentations will continue to be optional for all Tier III selections and excluded from all Tier I QBS selections; however, presentations may now be utilized for Tier I non-QBS, and all Tier II selections, with prior authorization by the CSD Division Administrator. Further, presentation scheduling may utilize less than a 3-week notification, when initially indicated within the subject RFP.

Updates to presentation requirements can be found in Sections 2.2, 2.5, and 3.2.6.

### 2. Miscellaneous

CSD made miscellaneous updates throughout the guidelines to correct contact information, correct definitions, and provide clarification on existing processes. These updates are mostly minor and do not reflect significant changes to current requirements:

| Miscellaneous Updates:   | Affected Sections:  |
|--|---|
| LARA contact information and application process for Michigan's "2/3rds Principal" rule. | Section 1.10.1.2  |
| Public display of Tier II and III selection information.                                 | Section 1.15  |
| MDOT requirements for signatures, digital signatures and software usage.                 | Section 1.17  |
| Signature/digital approval requirements for scope approvals.                             | Sections 2.1.1 & 2.3                                      |
| MDOT staff titles, roles, and contact information.                                       | Sections 2.1.2, 2.2, 2.3, 2.4, 2.5, Submission Assistance |
| Required members of Expedited selection teams.   | Section 2.3   |
| Changes to a posted RFP.   | Important Notes   |
| MILogin definition.  | Section 5   |

Questions:

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