



REQUEST FOR LETTERS OF INTEREST (RFLOI)

RFLOI #2683

TITLE: On-Call Professional Services
ISSUE DATE: 6/18/2025
SUBMITTAL DEADLINE: 7/14/2025
ISSUING AGENCY: City of Concord

SYNOPSIS

SUBCONSULTANTS ARE PERMITTED UNDER THIS CONTRACT.

City of Concord is issuing a Request for Letter of Interest (RFLOI) from qualified engineering and planning consultant for on-call services. This contract is 100% local funds. The solicitation, selection, and negotiation of a contract shall be conducted in accordance with all City, County, and State requirements and guidelines. The primary and/or subconsultant firm(s) shall be pre-qualified by the North Carolina Department of Transportation (hereinafter referred to as the Department) to perform Any of the disciplines of the Discipline Codes listed below for the City of Concord. Discipline Codes *preferred* are:

00023 - BRIDGES - SPANS OVER 200'
00024 - BRIDGES - SPANS UNDER 200'
00026 - CAPACITY ANALYSIS – LEVEL 1
00032 - CATEGORICAL EXCLUSIONS/MINIMUM CRITERIA DETERMINATION CHECK
00036 – COMMUNITY IMPACT ASSESSMENT
00070 – EROSION AND SEDIMENT CONTROL DESIGN
00045 - CORRIDOR PLANNING
00063 - ENVIRONMENTAL ASSESSMENT/FINDING OF NO SIGNIFICANT IMPACTS
00123 - INTELLIGENT TRANSPORTATION SYSTEM (ITS) DESIGN
00141 - MULTIMODAL TRANSPORTATION PLANNING
00143 - NBIS MUNICIPAL BRIDGE INSPECTION
00152 – PAVEMENT DESIGN
00155 - PAVEMENT MARKING PLANS
00171 - PUBLIC INVOLVEMENT
00200 - FEASIBILITY STUDIES

00201 - RURAL ROADWAY DESIGN
00207 - SIGNAL DESIGN
00208 - SIGNAL EQUIPMENT DESIGN/APPLICATION
00209 - SIGNAL SYSTEM DESIGN
00210 - SIGNAL SYSTEM TIMING DEVELOPMENT & IMPLEMENTATION
00233 - STRUCTURES CONSTRUCTION ENGINEERING & INSPECTION
00235 – SUE (SUBSURFACE UTILITY ENGINEERING)
00243 – THREATENED & ENDANGERED SPECIES SURVEY & STUDY
00247 – TRAFFIC CONTROL PLANS
00251 - PROJECT LEVEL TRAFFIC FORECASTING
00252 - TRAFFIC IMPACT STUDIES
00260 - COMPREHENSIVE TRANSPORTATION PLANNING DEVELOPMENT
00261 - LONG RANGE TRANSPORTATION PLANNING
00269 - URBAN ROADWAY DESIGN
00270 – UTILITY COORDINATION
00280 – WETLAND & STREAM DELINEATION
00287 – WETLAND & STREAM, & BUFFER PERMITTING
00289 - SIGNAL SYSTEMS INSPECTION
00294 – GEOTECHNICAL ENGINEERING SERVICES & SPECIALTY SERVICES
00295 – STRUCTURE FOUNDATION INVESTIGATION & DESIGN
00296 – RETAINING WALL INVESTIGATION & DESIGN
00309 - TRAFFIC DATA COLLECTION
00315 - MUNICIPAL & REGIONAL PLANNING STUDIES
00316 - MULTI-USE TRAIL DESIGN, SURVEY & LAYOUT
00360 – TOPOGRAPHIC SURVEYING
00361 – BOUNDARY SURVEYING
00362 – EASEMENT SURVEYING
00410 - MULTIMODAL CONNECTIVITY PLANNING
00416 - MULTIMODAL/BIKE-PED/TRANSIT CORRIDOR PLANNING
00433 – TIER 1 BASIC HYDROLOGIC AND HYDRAULIC DESIGN
00497 - TRAFFIC SAFETY DATA SUPPORT
00512 - GRANT WRITING AND MANAGEMENT
00541 – TRAFFIC MANAGEMENT PLAN – LEVEL 1 & 2
00581 - COMPLETE STREETS

This contract has potential to be partially reimbursed with Federal-aid funding through the North Carolina Department of Transportation (hereinafter referred to as the Department). The solicitation, selection, and negotiation of a contract shall be conducted in accordance with all Department requirements and guidelines.

WORK CODES for each primary and/or subconsultant firm(s) SHALL be listed on the respective RS-2 FORMS (see section ‘SUBMISSION ORGANIZATION AND INFORMATION REQUIREMENTS’).

This RFLOI is to solicit responses (LETTERS of INTEREST, LOIs) from qualified firms to provide professional consulting services to:

The City of Concord desires to engage private engineering consulting firms to provide On-Call Professional Services during fiscal year 2026 with the possibility of extension till 2030.

I. OVERVIEW AND PURPOSE

The City of Concord is soliciting proposals from well-qualified consultants to provide transportation and traffic consulting services on an on-call basis as outlined in Sec. VI Time. The consulting firm selected for the on-call contract will serve as an extension of Concord staff. This on-call contract is intended to provide a flexible and effective way for the City to respond to a range of transportation needs with an available consultant ready to provide multi-dimensional services, as needed.

II. SCOPE OF WORK

The following is a general description of the scope of work required. This is not intended to be all-inclusive.

This is an on-call, open-ended contract for as-needed professional services, primarily transportation and traffic consulting services. The scope and fee will be determined separately for each assignment prior to notice to proceed (NTP). At the direction of the City, project scopes may include, but not be limited to, the following core service areas:

- Provide surveying services, construction design, and corresponding civil engineers cost estimate, including but not limited to, complete drawings and plans.
- Transportation planning, including, but not limited to, sub-area and corridor studies as well as associated modeling, feasibility studies, and long-range plan development
- Transportation engineering, operations, and studies
- Bicycle and pedestrian planning, bike/pedestrian counts, studies, design, and project development
- Comprehensive, small area, and corridor land use planning services
- Assistance to the City in the application and completion of funding grants
- Attendance and presentations at neighborhood public meetings, public hearings, and planning board, council, and other meetings as required
- Engineering, design, planning, permitting, environmental studies, cost estimation, contract administration, inspection, and testing work associated with locally administered transportation infrastructure projects that are locally, Cabarrus Rowan Metropolitan Planning Organization (CRMPO), state, or federally funded
- Construction contract inspections
- National Environmental Policy Act (NEPA) and State Environmental Policy Act (SEPA) environmental studies
- Preparation and acquirement of required permit/environmental letters from agencies/municipalities
- Consultation with individual property owners on design, location, and access questions
- Coordination with applicable local, state, regional, and federal agencies

- Preparation of computerized visualization/3-D modeling of design information suitable for use at public input opportunities as well as for placement on project websites
- GIS database, design, set up and maintenance, database administration
- Review and respond to citizen feedback related to signal operations through the City work order system.
- Evaluating existing operations and implement local controller programming in response to identified issues or citizen/staff feedback concerns
- Answering staff questions concerning procedures, troubleshooting, system operations, and communications configurations/settings,
- Assisting with documenting procedures for adding, modifying, or removing devices within the signal system software,
- Assisting with updates to traffic signal geometric or electrical detail design plans
- Assisting in active traffic management during active work zone detours, heavy shopping days, or special events
- Assisting with network management of the fiber optic cable splice plans or network configurations for the traffic signal network.
- Complete comprehensive documentation and analysis of pavement performance measures and distress types based on the latest American Society for Testing and Materials (ASTM) standard criteria, deduction values and protocols
- Overall pavement condition index (PCI) rating generated for the entire street system maintained by the City
- Aggregated PCI rating by street segment in reference to cross road intersections, or other such method as seen fit
- Robust web-based or desktop software application, configured spreadsheet, or other similar data management program for viewing and on the fly analysis purposes
- Afore mentioned application or software must have the following capabilities: allow interactive budgetary restriction input, provide multiple recommendation scenarios, and generate multiyear cost-benefit analysis of maintenance scenarios accounting for deterioration projections. Full use of any application or software for a period of 12 months from the Final Report delivery date shall be included in the initial proposed cost.
- The data and software application shall be GIS compatible
- Access to all acquired data including, but not limited to; video footage, imagery, distress scores, raw un-aggregated condition ratings, and spatial data in a non-proprietary format capable of being saved on the City's server and viewed for future reference without the requirement of recurring software subscriptions or service fees.
- Applicable software and data services support and backup
- Final report showing recommended treatment applications for street segments based on annual budget optimized for 3 years. Road segments should be grouped based on construction methods to minimize potential contractors' mobilization costs.

The firm selected for an on-call contract will be required to enter into a master agreement with the City of Concord. This master agreement will:

1. Fulfill the consultant solicitation and selection process for the work to be performed under the on-call contract; and
2. Establish current hourly rates as well as a method of calculation and payment for all other direct/indirect project expenses.

Work performed under the Master Agreement will be conducted in one of the following ways:

1. Small tasks not representing a complete project will be based on hourly rates as provided in the master agreement or applicable supplemental agreement. Such hourly agreements will be established through a supplemental agreement/project work plan to be updated annually.
2. Specific projects and/or deliverables identified by the City of Concord will be negotiated through scope-fee discussions and arranged through supplemental agreements. Supplemental agreements will identify work scope, timeframe, deliverables, and total cost.

The selected firm will report directly to the City of Concord. The selected firm is to administer the contract and ensure that all work is performed in accordance with the contract requirements.

The professional engineering firm (PEF) will be responsible for providing engineers, planners, landscape architects, and technicians with the appropriate skills and qualifications to ensure contract compliance. The PEF will be directly responsible for project oversight on behalf of the City.

Any firm wishing to be considered must be properly registered with the Office of the Secretary of State and with the North Carolina Board of Professional Engineers, Professional Landscape Architects, and Land Surveyors. Any proposed corporate subsidiaries or subcontractors must also be properly registered with the appropriate NC Board of Registration for their role in the project. The engineers or landscape architects performing the work and in responsible charge of the work must be registered Professional Engineers or Landscape Architects in the State of North Carolina and must have a good ethical and professional standing. It will be the responsibility of the selected private firm to verify the registration of any corporate subsidiary or subcontractor prior to submitting a qualifications package.

The firm and subconsultants shall not discriminate on the basis of race, religion, color, national origin, age, disability, or sex in the performance of any contract entered into under this pre-qualification process.

The firm must have the financial ability to undertake the work and assume the liability.

Refer to the attached Professional Services contract for additional terms.

Questions concerning the scope of this project should be directed in writing to Jamie Williams, PE, Transportation Project Engineer, prior to July 2nd, contact information below. Any amendments to the RFLOI shall be made in writing and distributed as an addendum.

Jamie Williams, PE
Transportation Project Engineer
Alfred M. Brown Operations Center
PO Box 308
Concord, NC 28026
704-920-5341
Email: williamsjm@concordnc.gov

Firms should have no contact related to this project with elected officials or City of Concord Employees other than as directed herein, during the RFLOI process. Any such contact will subject the firm to immediate disqualification for consideration for this project. At the option of the selection committee, interviews may be held if it is determined to enhance the selection process.

III. SUBMITTAL REQUIREMENTS

The selection of the firm will be based on the totality of the qualifications of the firm as presented in the detailed qualifications statement. The presence or absence of one or more of the items listed below, except for those items required by law, shall not be totally disqualifying but shall be taken into consideration as a portion of the totality reflecting positively or negatively on the qualifications of the firm. Qualification statements should clearly and concisely address the following:

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1. Cover Letter

Provide a cover letter addressed to Phillip L. Graham, PE, Transportation Director. The cover letter is limited to one (1) page and should contain the following information:

- Expression of firm's interest and why you feel your firm is best suited for the On-Call Transportation Services contract.
- Statement regarding firms' possible conflict(s) of interest for the work.
- The name, phone number, and email address of the person who the City should contact if questions arise regarding the firm's submittal.

2. Organization of Consultant Team

Provide a team organization chart showing all firms and names of specific staff proposed for this project, including their titles. Although there is no required goal, the City encourages use of any minority-owned, women-owned, and small business enterprises (M/W/SBE).

Statement indicating how the work described in this RFLOI will fit into the total workload of the firm. Detailed resumes for key staff. Please include the office location in which each individual is located.

3. Qualifications and Experience

- Provide a summary of at least three (3) projects similar, including administering federally and state funded projects, to those that may be identified under this on-call contract. Please only include projects within the last five (5) years for which the Consultant was primarily responsible. Each of the project summaries shall include the following:
 - a. Description of the project including size and scope. Please indicate if the project was publicly funded.
 - b. Description of services rendered by the Consultant.
 - c. Key staff involved, along with their assigned responsibilities.
 - d. Project duration.
 - e. Project references including current names, addresses, telephone numbers, and email.

4. Core Services

- Provide a brief description of the firm's capability to perform the following:
 - a. Provide transportation planning and engineering services to include, preparation of TIAs, long-range transportation plan (LRTP), corridor and area studies, multimodal transportation planning, project planning/development, functional/conceptual designs, programmatic Categorical Exclusion (CE), feasibility studies, cost estimates, and permits.
 - b. Provide examples of your firm's successful track record for timely project completion. Completing projects efficiently and timely is imperative. There will be projects with federal deadlines, gathering and compiling information for permits and conceptual design services must be undertaken immediately after NTP to expedite construction documentation and construction of the project.
 - c. Discuss experience developing construction plans, specifications, and cost estimates in coordination with a municipality and NCDOT as part of a turn-key design service from feasibility study through preparation of final construction documents.
- There may be projects that would possibly require a PEF to provide right-of-way acquisition services. Your proposal should indicate if you have in-house capability or if you would subcontract the work.

5. Project Management

- Describe the project team's method of quality control.
- Describe the method of keeping pre-construction activities, to include Design, Environmental Documentation, Right-of-Way Certification and final PS&E package on schedule.
- Approach to ensuring accurate coordination during all phases of project development.

IV. QUALIFICATION STATEMENT DEADLINE

The statement of qualifications shall be limited to 15 pages **inclusive** of the cover sheet. ONLY ELECTRONIC SUBMISSIONS WILL BE ACCEPTED. Submissions should be in .pdf format. **Electronic submission of the statement of qualifications are due no later than 2:00 p.m. on July 14th, 2025, at the email address below.** No statement of qualifications will be accepted after this time.

The City reserves the right to reject any and all statements of interest. It is anticipated that a firm will be selected and notified by beginning of August.

The statement of qualifications should be sent to the following e-mail address as a .pdf file: williamsjm@concordnc.gov. An electronic receipt will be sent when your submission is downloaded to our server. Paper copies are not required. The subject line should contain the firm's name and "On-Call Professional Services".

V. SELECTION CRITERIA

The considerations below will be utilized for selection of the firm(s). Selection will be made after thorough review conducted by a City panel. Actual interviews may be conducted after review of the responses by interested firms.

Team organization and structure	10%
Project personnel qualifications, experience, knowledge, familiarity and past performance with the desired services, similar on-call contract experiences with local governments	30%
Specialized experience of firm and related experience on similar projects within the last five years for other NC municipalities or the NCDOT	20%
Core services experience; transportation planning and engineering services	30%
Firm commitment to provide personnel resources and capacity	10%

It is an absolute requirement of the City that the project work site and work force be drug free and that associated individuals, including subcontractors, working on the project be free of prior or pending felony convictions, the qualifications statement should include a commitment to this requirement and an indication of the plan of the firm to ensure compliance with this requirement.

The City of Concord panel will negotiate a contract with the top-rated firm following selection. If a contract cannot be successfully negotiated with the top-rated firm, the panel will proceed to the second rated firm. Firms that are not selected will be notified.

VI. Time

The City will award the On-Call Transportation Services contract to a firm for Fiscal Year 2026, ending June 30, 2026. The awarded firm will be pre-qualified for on-call consulting services for an 4 additional years, total of 5 years, ending June 30, 2030.

The City of Concord may qualify additional consultants for the aforementioned period. The selected firm shall provide consulting services on as-needed, on-call basis for projects to be determined during the term of the agreement.

Refer to the attached Standard form of Agreement for Professional Services, Sec. 4. Time of Service.

VII. CONTRACTING

Any contract developed for this work shall be construed and enforced in accordance with the laws of the State of North Carolina. Any controversy or claim arising as a result of contracting shall be settled by an action initiated in the appropriate division of the General Court of Justice in Cabarrus County, North Carolina.

VIII. EQUAL EMPLOYMENT OPPORTUNITY

The local government of the City of Concord does not discriminate administering any of its programs and activities. The Consultant awarded the contract for work will be required to assure that no person shall be denied employment or fair treatment, or in any way discriminated against on the basis of race, sex, religion, age, national origin, or disability.

VIX. FEDERAL PROVISIONS

The following list of contract provisions shall be included in all contracts or subcontracts that include federal funding.

- Title 2 CFR 200 is the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards and is applicable government-wide to any contract with Federal Funding. Appendix II contains a list of contract provisions that should be included in contracts.

- Title 23 CFR 172 is the Procurement, Management, and Administration of Engineering and Design Related Services, subject to the provisions of 23 USC 112(a) – related to construction. Contract provisions that are not already included in 2 CFR 200, are listed below. These should be included in all professional engineering contracts.
- Construction Contracts, funded under Title 23 of the US Code (Federal-aid Highway Program), have specific required contract provisions. Resources to build the contract proposal and include appropriate provisions are listed below.

ALL CONTRACTS AND SUB-CONTRACTS WITH FEDERAL FUNDS

Pursuant to Title 2 Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, the following list of contract provisions should be incorporated into every sub-recipient contract, if federal funds will be used on the contract. Please note applicability requirements.

2 CFR 200, Appendix II

<https://www.gpo.gov/fdsys/pkg/CFR-2014-title2-vol1/xml/CFR-2014-title2-vol1-part200-appII.xml>

- Contracts for more than the simplified acquisition threshold currently set at \$150,000, which is the inflation adjusted amount determined by the Civilian Agency Acquisition Council and the Defense Acquisition Regulations Council (Councils) as authorized by 41 U.S.C. 1908, must address administrative, contractual, or legal remedies in instances where contractors violate or breach contract terms, and provide for such sanctions and penalties as appropriate.
- All contracts in excess of \$10,000 must address termination for cause and for convenience by the non-Federal entity including the manner by which it will be effected and the basis for settlement.
- Equal Employment Opportunity. Except as otherwise provided under 41 CFR Part 60, all contracts that meet the definition of “federally assisted construction contract” in 41 CFR Part 60-1.3 must include the equal opportunity clause provided under 41 CFR 60-1.4(b), in accordance with Executive Order 11246, “Equal Employment Opportunity” (30 FR 12319, 12935, 3 CFR Part, 1964-1965 Comp., p. 339), as amended by Executive Order 11375, “Amending Executive Order 11246 Relating to Equal Employment Opportunity,” and implementing regulations at 41 CFR part 60, “Office of Federal Contract Compliance Programs, Equal Employment Opportunity, Department of Labor.”
- Davis-Bacon Act, as amended (40 U.S.C. 3141-3148). When required by Federal program legislation, all prime construction contracts in excess of \$2,000 awarded by non-Federal entities must include a provision for compliance with the Davis-Bacon Act (40 U.S.C. 3141-3144, and 3146-3148) as supplemented by Department of Labor regulations (29 CFR Part 5, “Labor Standards Provisions Applicable to Contracts Covering Federally Financed and Assisted Construction”). In accordance with the statute, contractors must be

required to pay wages to laborers and mechanics at a rate not less than the prevailing wages specified in a wage determination made by the Secretary of Labor. In addition, contractors must be required to pay wages not less than once a week. The non-Federal entity must place a copy of the current prevailing wage determination issued by the Department of Labor in each solicitation. The decision to award a contract or subcontract must be conditioned upon the acceptance of the wage determination. The non-Federal entity must report all suspected or reported violations to the Federal awarding agency. The contracts must also include a provision for compliance with the Copeland “Anti-Kickback” Act (40 U.S.C. 3145), as supplemented by Department of Labor regulations (29 CFR Part 3, “Contractors and Subcontractors on Public Building or Public Work Financed in Whole or in Part by Loans or Grants from the United States”). The Act provides that each contractor or subrecipient must be prohibited from inducing, by any means, any person employed in the construction, completion, or repair of public work, to give up any part of the compensation to which he or she is otherwise entitled. The non-Federal entity must report all suspected or reported violations to the Federal awarding agency.

- Contract Work Hours and Safety Standards Act (40 U.S.C. 3701-3708). Where applicable, all contracts awarded by the non-Federal entity in excess of \$100,000 that involve the employment of mechanics or laborers must include a provision for compliance with 40 U.S.C. 3702 and 3704, as supplemented by Department of Labor regulations (29 CFR Part 5). Under 40 U.S.C. 3702 of the Act, each contractor must be required to compute the wages of every mechanic and laborer on the basis of a standard work week of 40 hours. Work in excess of the standard work week is permissible provided that the worker is compensated at a rate of not less than one and a half times the basic rate of pay for all hours worked in excess of 40 hours in the work week. The requirements of 40 U.S.C. 3704 are applicable to construction work and provide that no laborer or mechanic must be required to work in surroundings or under working conditions which are unsanitary, hazardous or dangerous. These requirements do not apply to the purchases of supplies or materials or articles ordinarily available on the open market, or contracts for transportation or transmission of intelligence.
- Rights to Inventions Made Under a Contract or Agreement. If the Federal award meets the definition of “funding agreement” under 37 CFR §401.2 (a) and the recipient or subrecipient wishes to enter into a contract with a small business firm or nonprofit organization regarding the substitution of parties, assignment or performance of experimental, developmental, or research work under that “funding agreement,” the recipient or subrecipient must comply with the requirements of 37 CFR Part 401, “Rights to Inventions Made by Nonprofit Organizations and Small Business Firms Under Government Grants, Contracts and Cooperative Agreements,” and any implementing regulations issued by the awarding agency.
- Clean Air Act (42 U.S.C. 7401-7671q.) and the Federal Water Pollution Control Act (33 U.S.C. 1251-1387), as amended—Contracts and subgrants of amounts in excess of \$150,000 must contain a provision that requires the non-Federal award to agree to comply with all applicable standards, orders or regulations issued pursuant to the Clean

Air Act (42 U.S.C. 7401-7671q) and the Federal Water Pollution Control Act as amended (33 U.S.C. 1251-1387). Violations must be reported to the Federal awarding agency and the Regional Office of the Environmental Protection Agency (EPA).

- Mandatory standards and policies relating to energy efficiency which are contained in the state energy conservation plan issued in compliance with the Energy Policy and Conservation Act (42 U.S.C. 6201).
- Debarment and Suspension (Executive Orders 12549 and 12689)—A contract award (see 2 CFR 180.220) must not be made to parties listed on the governmentwide Excluded Parties List System in the System for Award Management (SAM), in accordance with the OMB guidelines at 2 CFR 180 that implement Executive Orders 12549 (3 CFR Part 1986 Comp., p. 189) and 12689 (3 CFR Part 1989 Comp., p. 235), “Debarment and Suspension.” The Excluded Parties List System in SAM contains the names of parties debarred, suspended, or otherwise excluded by agencies, as well as parties declared ineligible under statutory or regulatory authority other than Executive Order 12549.
- Byrd Anti-Lobbying Amendment (31 U.S.C. 1352)—Contractors that apply or bid for an award of \$100,000 or more must file the required certification. Each tier certifies to the tier above that it will not and has not used Federal appropriated funds to pay any person or organization for influencing or attempting to influence an officer or employee of any agency, a member of Congress, officer or employee of Congress, or an employee of a member of Congress in connection with obtaining any Federal contract, grant or any other award covered by 31 U.S.C. 1352. Each tier must also disclose any lobbying with non-Federal funds that takes place in connection with obtaining any Federal award. Such disclosures are forwarded from tier to tier up to the non-Federal award.
- See §200.322 Procurement of recovered materials.

PROFESSIONAL SERVICES CONTRACTS

Pursuant to Title 23 CFR 172, Procurement, Management, and Administration of Engineering and Design Related Services, the following contract provisions should be included, either by reference or by physical incorporation into the language of each contractor or subcontract, as applicable. Provisions that are not already noted in 2 CFR 200 are in **bold**.

- (i) Administrative, contractual, or legal remedies in instances where consultants violate or breach contract terms and conditions, and provide for such sanctions and penalties as may be appropriate;
- (ii) **Notice of contracting agency requirements and regulations pertaining to reporting;**
- (iii) **Contracting agency requirements and regulations pertaining to copyrights and rights in data;**
- (iv) **Access by recipient, the subrecipient, FHWA, the U.S. Department of Transportation's Inspector General, the Comptroller General of the United States, or any of their duly authorized representatives to any books, documents, papers, and records of**

the consultant which are directly pertinent to that specific contract for the purpose of making audit, examination, excerpts, and transcriptions;

(v) Retention of all required records for not less than 3 years after the contracting agency makes final payment and all other pending matters are closed;

(vi) Standard DOT Title VI Assurances (DOT Order 1050.2);

(vii) Disadvantaged Business Enterprise (DBE) assurance, as specified in 49 CFR 26.13(b);

(viii) Prompt pay requirements, as specified in 49 CFR 26.29;

(ix) Determination of allowable costs in accordance with the Federal cost principles;

(x) Contracting agency requirements pertaining to consultant errors and omissions;

(xi) Contracting agency requirements pertaining to conflicts of interest, as specified in 23 CFR 1.33 and the requirements of this part; and

(xii) A provision for termination for cause and termination for convenience by the contracting agency including the manner by which it will be effected and the basis for settlement.

(xiii) All contracts and subcontracts exceeding \$100,000 shall contain, either by reference or by physical incorporation into the language of each contract, a provision for lobbying certification and disclosure, as specified in 49 CFR part 20.

CONSTRUCTION CONTRACTS

NCDOT has developed guidance to help Local Government Agencies build a contract proposal for highway construction projects that complies with applicable federal and state requirements. LGAs should reference this website first for assistance and direction on developing contract documents:

<https://connect.ncdot.gov/municipalities/Pages/Bid-Proposals-for-LGA.aspx>

For other non-highway construction or service contracts, please reference FHWA's Contract Provision matrix, noting applicability requirements:

<http://www.fhwa.dot.gov/construction/contracts/provisions.cfm>