

## Consultant Selection Exception Request

If the LPA chooses to use a consultant not on the current ODOT list they must demonstrate that the consultant is qualified to perform the work. All exceptions must be reviewed and concurred by ODOT. Please submit exception request to the [certification mailbox](#).

Local Public Agency	
Project Name	
Supplemental Agreement Number	
Amount of Contract	
Type of Project	<input type="checkbox"/> Biology <input type="checkbox"/> Environmental <input type="checkbox"/> Right of Way <input type="checkbox"/> Archeology

Consultant Name	
Address	
Contact Number	
E-Mail	
Specialty	

Has appropriate LPA staff reviewed qualifications and experience of the selected consultant?	YES <input type="checkbox"/> NO <input type="checkbox"/>
Does the consultant have an Active Exclusion on the System for Award Management (SAM) which is available at <a href="http://sam.gov">http://sam.gov</a> ?	YES <input type="checkbox"/> NO <input type="checkbox"/>
Unless operating as their <a href="#">real and true name</a> , does the consultant have an active registration to do business in Oregon ( <a href="#">Business Registry Search</a> )	YES <input type="checkbox"/> NO <input type="checkbox"/>
Does consultant have a fully loaded billing rate (no overhead calculation) that appears reasonable in comparison to other firms providing similar services?	YES <input type="checkbox"/> NO <input type="checkbox"/>
If the consultant has an overhead rate, has LPA obtained for procurement file the consultant's direct rates, overhead breakdown, the <a href="#">certification form</a> required by FHWA (see section 3.5 of the <a href="#">LPA A&amp;E Requirements Guide</a> ), and any available audit or cognizant audit documentation showing compliance with 48 CFR Part 31? <b>If the overhead rate has not been audited for compliance with 48 CFR-Part 31 see <a href="#">Unaudited Overhead Rates</a> on page 2.</b>	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>

Submitted by:	Date:

# Consultant Selection Exception Request

## Unaudited Overhead Rates

Options available for using a consultant that calculates an overhead rate that does not have a current independent or cognizant audit for compliance with 48 CFR Part 31 – Federal Cost Principles:

1. LPA may negotiate fully-loaded billing rates for consultant staff working on the project. The rates must be reasonable in comparison to other firms providing similar services. Invoices for T&M/hourly rate contracts and all consultant cost estimates would be based on the negotiated fully-loaded rates and would not be based on reimbursement of overhead rate, direct rates and FCCM calculation.
2. The selected firm may hire a CPA firm to complete an audit of the firm’s overhead rate. The CPA firm must have experience in auditing for compliance with federal cost principles.
3. LPA may terminate negotiations with the selected firm and enter negotiations with the first alternate firm.

(Note: ODOT does not provide audit services for LPAs.)

Comments:

Reviewed by:	Date:
Exception Granted	YES <input type="checkbox"/> NO <input type="checkbox"/>

Master Certification Agreement Number	
Key Number	