



*Expires – September 30, 2010*

## **Prevention of Consultant Selection Conflicts of Interest**

### **I. BACKGROUND**

Chapter 10 “Consultant Selection” of the Local Assistance Procedures Manual (LAPM) provides guidance to local agencies that request federal or state funds to reimburse Architectural and Engineering (A&E) consultant costs. The purpose of this Office Bulletin is to make revisions to Chapter 10 that will eliminate and prevent potential and perceived conflicts of interest of the selection panel members, and local agency consultants working in management positions in the selection of A&E consultants.

### **II. POLICY**

The policy and requirements stated in this Office Bulletin are to be immediately implemented by Caltrans, primarily the District Local Assistance Engineer (DLAE) staffs, and the local agencies that are involved in the procurement and selection of A&E consultants primarily for Federal-aid funded A&E contracts for transportation projects, but also, as applicable, in the procurement and selection of A&E consultants for State funded A&E contracts.

### **III. PROCEDURE**

- A. Section 10.8, of the LAPM is revised as shown in Attachment 1 to this Office Bulletin.
- B. Exhibit 10-T “Panel Member Conflict of Interest and Confidentiality Statement” as shown in Attachment 2 to this Office Bulletin is added to Chapter 10 of the LAPM.
- C. Exhibit 10-U “Consultant in Management Position Conflict of Interest and Confidentiality Statement” as shown in Attachment 3 to this Office Bulletin is added to Chapter 10 of the LAPM.

### **IV. APPLICABILITY/IMPACTS**

Applicable to all local agency Federal-aid A&E contracts and, as appropriate, to State funded A&E contracts for transportation projects.

Those local agencies that are procuring and selecting A&E consultants for their Federal-aid or State funded transportation projects will need to have each selection panel member complete Exhibit 10-T “Panel Member Conflict of Interest and Confidentiality Statement” prior to A&E consultant selection. After completion of Exhibit 10-T by the selection panel member, the local agency will need to have their Contract Administrator review and sign the completed Exhibit 10-T to confirm that there is not a conflict of interest with any of the selection panel members. After the completed exhibits have been reviewed and signed by the Contract Administrator, the completed exhibits are to be placed in the contract file.

Exhibit 10-U “Consultant in Management Position Conflict of Interest and Confidentiality Statement” is applicable to and will need to be completed by local agencies that are using consultants in management positions and will use Federal-aid A&E contracts or State funded A&E contracts for their transportation projects. Those local agencies will be required to have the consultant in the management position complete Exhibit 10-U. Upon completion, Exhibit 10-U is to be reviewed and signed by the supervisor of the consultant in the management

