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Consultant Services Agreements

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Wyoming Department of Transportation
Consultant Services Agreements

CHAPTER 18

Section 1. Authority and Purpose.

W.S. 24-2-105 and W.S. 24-2-108 authorize the Transportation Commission of Wyoming to adopt general rules and regulations for engaging consultants to provide professional services to the Wyoming Department of Transportation (WYDOT). The purpose of these rules is to ensure that qualified consultants are obtained through equitable selection processes and that prescribed work is properly accomplished in a timely manner at fair and reasonable costs. These rules are also intended to ensure compliance with 23 CFR 172, Administration of Engineering and Design Related Service Contracts.

Section 2. Definitions.

- (a) “Consultant” means a vendor WYDOT contracts with to provide consulting services.
- (b) “Department” means the Wyoming Department of Transportation (WYDOT).
- (c) “Selection Committee” means a group of at least three people appointed by the appropriate Department program manager or authorized representative to recommend a consultant for a particular project.

Section 3. Need for Consultant.

WYDOT utilizes consultants to perform work supplementing Department forces or to provide services that WYDOT is not equipped or staffed to provide.

Section 4. Consultant Selection.

A consultant shall be selected for a particular project using procedures specified in WYDOT operating policies. For large projects, this process shall involve a selection committee evaluating several firms or individuals predetermined to meet the minimum qualifications. For small projects, the consultant may be selected less formally, though the basis for selection shall be documented. Under the following circumstances, as determined by the applicable Department division administrator, a noncompetitive selection may be made:

- (a) The service is available only from a single source;
- (b) An emergency precludes conducting a competitive selection; or
- (c) After solicitation, the number of sources responding is found inadequate.

Section 5. Execution of the Agreement.

(a) Following negotiation of the scope of work, time limits, and fee issues, a written agreement for services shall be drafted. The attorney general shall review this agreement before it is executed. Throughout its course, the agreement may be amended by change orders.

(b) The Department is not obligated to execute an agreement with the consultant initially selected if the negotiation of terms is unsuccessful or if WYDOT decides not to use a consultant for the work.

(c) As defined by Department operating policies, incidental projects with small fees shall not require a formal agreement but may be procured through a purchase order process.

Section 6. Internal Processes.

Internal processes and procedures shall be defined by WYDOT operating policies.