# CONSULTANT AGREEMENT CHECKLIST

#  (Revised 5-12-21)

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| **Consultant:**  | **Agreement #:** |
| **Project Description:** |  |
| **Agreement Requirements that Contract Manager must complete for an agreement:** | **Y/N** | **PS check** |
| * Must use most current model agreements and standard articles found on Professional Services website. Make sure to check with Professional Services to see if agreement is a special type, such as a federal pilot term agrmt <http://www.state.nj.us/transportation/business/procurement/ProfServ/agreements.shtm>
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| * Consultant must have approved Quality Management Plan on file with Capital Program Support (not for CI firms)

<http://njdotintranet.dot.state.nj.us/divbur/cpm/pd/plans.shtml> |  | **--** |
| * Consultant must be Audit Article 58 compliant: type in consultant name, click the search button, click on details for the firm, check if Article 58 Compliant is marked “Yes”
* Consultant must have Article 59 on file with Audit: (type in consultant name, click the search button, click on for the firm, check in “Other” section to see if it says Article 59 on file, if not consultant must complete Article 59 when signing the agreement)
* Consultant (prime and subs) overhead rates must be checked and match the rate in the cost proposal

<http://njdotintranet.dot.state.nj.us/divbur/fs/acc-aud/aud_ohr/consultant_ohr.asp>*If a prime or sub does not appear in the Consultant Compliance Data Search or does not have an overhead rate, that prime or sub cannot be used in the agreement until it has cost basis approval and/or a current overhead rate.* |  | **--** |
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| * Federal or State Goal must be filled in on the agreement and be the same goal from the project posting package. Email PSPD if you are unsure of goal that was used.
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| * For term agreements use technical proposal date in the agreement, for project specific agreements use negotiated consultant cost proposal date.
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| * Funding – if **Federal** funds, is the funding authorized by FHWA through Capital Program Coordination? Funding in the amount of the agreement must be authorized before an agreement can be executed. Cannot switch funding types from posting to agreement execution.
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| * Email completed agreement in a Word document to Professional Services PSPD@dot.nj.gov to perform an electronic comparison against model agreement
 | **Electronic Comparison Date:** |  |
| * Email agreement to consultant for signature after reviewed by PS, use the sample agreement transmittal information: <http://njdotintranet.dot.state.nj.us/forms/proc_purch.shtm> scroll down to Agreement Transmittal
 |  | **--** |
| **When consultant returns signed agreement check for all of the following items to make sure everything on the agreement transmittal was completed, compile agreement package and drop of in Professional Services.** | **Y/N** | **PS check** |
| * Two (2) original agreements (both signed and sealed) andtwo (2) Standard Articles
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| * Consultant must insert the word “NONE” or insert exceptions in space provided on both original agreements in section VII. CERTIFICATION OF CONSULTANT ELIGIBILITY
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| * Corporate Resolution (prime only, with a printed/stamped or raised seal). Person named in the resolution to sign the agreement must also sign the agreement, names cannot differ.
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| * If Term Agreement, must include cover page of Technical Proposal or Cost Proposal with date, and the date must be the same date used in the agreement
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| * If Project Specific Agreement, must include final consultant proposal, and the date of the proposal must be the same date used in the agreement
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| * If not Article 59 compliant with Audit, Article 59 on the last page of the standard articles must be completed, signed by the consultant, and included with the agreement package.
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| * Consultant certified payroll must be attached for both Prime and Subs <http://www.state.nj.us/transportation/business/procurement/ProfServ/certpayroll.shtm>
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| * Business Registration Certificates attached (Prime and ALL subs)
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| * Certificate of Liability Insurance for prime only. The insurance cert must name State as additional insured in general liability in the description section.
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| * Department Action Slip AD-12: check to make sure amount matches agreement and that the funding type (federal/state) is the same as the posting documents
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| * Professional Services will attach EO134 approval (for 100% State projects only)
 | **--** |  |
| **Completed by:** | **Date:** | **Prof Services checked by:** | **Date:** |