



CITY OF STONECREST, GEORGIA

CITY COUNCIL MEETING – AGENDA

3120 Stonecrest Blvd., Stonecrest, GA 30038

Monday, April 22, 2024 at 6:00 PM

Mayor Jazzmin Cobble

Council Member Tara Graves - District 1 Council Member Terry Fye - District 2

Council Member Alecia Washington - District 3 Mayor Pro Tem George Turner - District 4

Council Member Tammy Grimes - District 5

Citizen Access: [Stonecrest YouTube Live Channel](#)

- I. CALL TO ORDER:** George Turner, Mayor Pro-Tem
- II. ROLL CALL:** Sonya Isom, City Clerk
- III. INVOCATION**
- IV. PLEDGE OF ALLEGIANCE:** Alecia Washington, District 3 Councilmember
- V. APPROVAL OF THE AGENDA**
- VI. REVIEW AND APPROVAL OF MINUTES**

a. Approval of Meeting Minutes - City Council Meeting, March 25, 2024

VII. PUBLIC COMMENTS

Citizens wishing to make a public comment may do so in person. Citizens may also submit public comments via email to cityclerk@stonecrestga.gov by 2 pm on the day of the meeting to be read by the City Clerk.

All members of the public wishing to address the City Council shall submit their name and the topic of their comments to the city clerk prior to the start of any meeting held by the City Council. There is a three (3) minute time limit for each speaker submitting or reading a public comment. Individuals will be held to established time limits.

VIII. PUBLIC HEARINGS

Citizens wishing to participate and comment during the public hearing portion of the meeting may comment in person. You may also submit your request including your full name, address,

position on the agenda item you are commenting on (for or against) via email to cityclerk@stonecrestga.gov by 2 pm the day of the Public Hearing to be read into the record at the meeting. A zoom link for the meeting will be sent to you.

When it is your turn to speak, please state your name, address and relationship to the case..

There is a ten (10) minute time limit for each item per side during all public hearings. Only the applicant may reserve time for rebuttal.

a. Public Hearing - SLUP 24-001 2869 Evans Mill Road - *Shawanna Qawiy, Director of Planning & Zoning*

b. For Decision - Ordinance for SLUP 24-001 2869 Evans Mill Road - *Shawanna Qawiy, Director of Planning & Zoning*

IX. CONSENT AGENDA

X. APPOINTMENTS & ANNOUNCEMENTS

XI. REPORTS & PRESENTATIONS

a. Citizens Academy Graduation

XII. OLD BUSINESS

XIII. NEW BUSINESS

a. For Decision - Way Finding Sign and Gateway Monument Sign Standards - *Hari Karikaran, City Engineer*

b. For Decision - Resolution for Adoption of GDOT Procurement Policy for Federal and State Funded Capital Projects - *Hari Karikaran, City Engineer*

XIV. CITY ATTORNEY COMMENTS

XV. CITY MANAGER UPDATE

XVI. MAYOR AND COUNCIL COMMENTS

XVII. EXECUTIVE SESSION

(When an executive session is required, one will be called for the following issues: 1) Personnel, 2) Litigation, 3) Real Estate, 4) Cyber Security

XVIII. ADJOURNMENT

Americans with Disabilities Act

The City of Stonecrest does not discriminate on the basis of disability in its programs, services, activities and employment practices.

If you need auxiliary aids and services for effective communication (such as a sign language interpreter, an assistive listening device or print material in digital format) or reasonable modification to programs, services or activities contact the ADA Coordinator, Sonya Isom, as soon as possible, preferably 2 days before the activity or event.



CITY OF STONECREST, GEORGIA

CITY COUNCIL MEETING – MINUTES

3120 Stonecrest Blvd., Stonecrest, GA 30038

Monday, March 25, 2024 at 6:00 PM

Mayor Jazzmin Cobble

Council Member Tara Graves - District 1 Council Member Terry Fye - District 2

Council Member Alecia Washington - District 3 Mayor Pro Tem George Turner - District 4

Council Member Tammy Grimes - District 5

Citizen Access: [Stonecrest YouTube Live Channel](#)

I. CALL TO ORDER: George Turner, Mayor Pro-Tem

The meeting was called to order at 6:09pm.

II. ROLL CALL: Sonya Isom, City Clerk

All members were present.

III. INVOCATION

Invocation by Pastor Lee May, Transforming Faith Church

IV. PLEDGE OF ALLEGIANCE: Alecia Washington, District 3 Councilmember

V. APPROVAL OF THE AGENDA

Request to add Black Women’s History Month Proclamation under Reports and Presentations.
Request to remove item a under New Business, as it is not ready to be heard. Item e under New Business is for discussion only.

Motion – made by Councilmember Terry Fye to approve the meeting agenda with the stated adjustments. Seconded by Councilmember Tara Graves.

Motion passed unanimously.

Motion - made by Councilmember Terry Fye to move Reports and Presentations ahead of Public Hearing. Seconded by Councilmember Alecia Washington.

Motion passed unanimously.

VI. REVIEW AND APPROVAL OF MINUTES

- a. Approval of Meeting Minutes - Council Planning Retreat, February 23-25, 2024

Motion – made by Councilmember Terry Fye to approve the Council Planning Retreat meeting minutes. Seconded by Councilmember Tara Graves.
Motion passed unanimously.

- b. Approval of Meeting Minutes - City Council Meeting, February 26, 2024

Motion – made by Councilmember Terry Fye to approve the February 26, 2024 City Council meeting minutes. Seconded by Councilmember Tara Graves.
Motion passed unanimously.

VII. PUBLIC COMMENTS

Citizens wishing to make a public comment may do so in person. Citizens may also submit public comments via email to cityclerk@stonecrestga.gov by 2 pm on the day of the meeting to be read by the City Clerk.

All members of the public wishing to address the City Council shall submit their name and the topic of their comments to the city clerk prior to the start of any meeting held by the City Council. There is a two (2) minute time limit for each speaker submitting or reading a public comment. Individuals will be held to established time limits.

In Person

Tara Terrell

Opposed to SLUP 23-009.

Faye Coffield

Inquiring about a donation to help purchase uniforms for a sports team in District 5. She also mentioned concerns with the vote of SLUP-23 009 at the last meeting.

Renee Cail

Spoke against Metro Green being in the city and thanked Stonecrest for filing the appeal with the Supreme Court and Chase.

Pyper Bunch

Asking the city to refrain from issuing a business license or certificate of occupancy to Metro Green. Protect our children, property values, and your constituents.

Dave Marcus

Does not doubt the council’s love for the city and its residents, but stated leadership and management are also required. Commented on the city positions are vacant, and the fact that Panola Shoals has been closed for years. He also spoke on the annual comprehensive financial audits, and the chart of accounts for the city.

Brenda L Whitaker

Asking Council to please not let Metro Green come in.

Malaika Wells

Asking the city to deny Metro Green’s certificate of occupancy. She also thanked the Council for their anticipated vote to extend the time for public comments from two to three minutes and for holding town halls for Districts 1, 2, 3, and 4. She also voiced her concern over city staff turnover and the multiple lawsuits that have been engendered.

YaQuis Shelley

Stated his Church has an outreach program that hosts a women’s kickball league and currently utilizes the Southeast Complex. He would like to follow up on field upgrades. They service about 250- 300 women, and want to ensure a safe environment, field-wise.

Sent via Email

Pasty Moore

Stated she enjoyed the Valentine’s Day Party and wanted to thank Councilmembers Tara Graves and Alecia Washington for the opportunity.

Tenika Kemp

Asking council to deny Metro Green any work in our community. We have to stand up for our community and anything that can harm it.

Donna Priest-Brown

Against granting the business license and certificate of occupancy for Metro Green Recycling plant as it poses severe environmental risks, affecting our community's residents. Request the denial of necessary permits for the Metro Green Recycling plant.

Kelly Newberry

Representative from Metro Green that wanted to address misconceptions concerning environmental practices and the impact of the facility on the Stonecrest community.

Lewis Anderson

Mr. Anderson gave condolences to Councilwoman Grimes. He also commented on text modification (TMOD) 21-008, as well as community comments on this text modification.

Gina Mangham

Urges council to do whatever it can to stop Metro Green from moving forward.

Freesia Young

Is opposed to the certificate of occupancy and business license for Metro Green Recycling.

Sabrina Farmer

Thankful for the repaving and requesting the rezoning of 5961 Chupp Way from light industrial. She is also opposed to Metro Green and asks no business license or certificate of occupancy is issued.

Nia Harper

Does not want Metro Green in the community causing additional environmental hazards.

Robbie Sullivan and Rosa Shannon

Please deny the Metro Green Recycling plant.

VIII. PUBLIC HEARINGS

Citizens wishing to participate and comment during the public hearing portion of the meeting may comment in person. You may also submit your request including your full name, address, position on the agenda item you are commenting on (for or against) via email to cityclerk@stonecrestga.gov by 2 pm the day of the Public Hearing to be read into the record at the meeting. A zoom link for the meeting will be sent to you.

When it is your turn to speak, please state your name, address and relationship to the case. There is a ten (10) minute time limit for each item per side during all public hearings. Only the applicant may reserve time for rebuttal.

- a. Public Hearing - RZ 24-001 6039 Hillandale Drive - Shawanna Qawiy, Director of Planning & Zoning**

No public hearing was held.

Motion – made by Councilmember Terry Fye to defer the public hearing on RZ 24-001, 6039 Hillandale Drive to the next City Council meeting. Seconded by Councilmember Tara Graves.

Motion passed unanimously.

- b. For Decision** - Ordinance for RZ 24-001 6039 Hillandale Drive - *Shawanna Qawiy, Planning & Zoning Director*

Director Qawiy stated that staff, along with the cooperation of the applicant, who is present, is requesting deferral to the April City Council meeting.

IX. CONSENT AGENDA

X. APPOINTMENTS & ANNOUNCEMENTS

- a.** Appointment of Charter Review Commission Members

Mayor Pro Tem George Turner stated there is one appointment to the Charter Review Commission, Senator Tanya Anderson of District 43, representing the Georgia State Senate. No vote is required for this appointment.

The Charter Commission bylaws will be ready at the next Council meeting. There is a tentative date of May 1st to start deliberation of the Charter Commission.

XI. REPORTS & PRESENTATIONS

- a. Proclamation**, Attorney E. Noreen Banks-Ware - *Councilmember Tammy Grimes*

Proclamation presentation by Councilmember Grimes for Black Women's History Month.

A proclamation was presented to Attorney E. Noreen Banks-Ware for being awarded the Nikki-Randall Service Award. Presentation by Councilmember Tammy Grimes and State Representative Rhonda Taylor.

XII. OLD BUSINESS

- a. For Decision** - Ordinance for SLUP 23-009 3309 & 3313 Panola Road - *Shawanna Qawiy, Planning & Zoning Director*

Introduction by Director Qawiy stating this item is for decision only. Mayor Pro Tem George Turner added facts and background on the history of this item. Mayor Pro Tem acknowledged the absence of Councilmember Tara Graves and requested all council is present to provide a full vote and requested a recess.

Motion – made by Councilmember Terry Fye to recess the city council meeting at 7:18pm for three minutes. Seconded by Councilmember Alecia Washington.

Motion passed 4-0 with Councilmember Tara Graves absent during the vote.

Motion – made by Councilmember Terry Fye to come out of recess at 7:22pm. Seconded by Councilmember Tammy Grimes.

Motion passed unanimously.

Motion – made by Councilmember Alecia Washington to deny the ordinance for SLUP 23-009 3309 & 3313 Panola Road. Seconded by Councilmember Tammy Grimes.

Motion passed 4-1 with Councilmember Terry Fye voting nay.

b. For Decision - Allotted Time for Public Comments - *George Turner, Mayor Pro Tem*

Presentation given by Mayor Pro Tem George Turner stating that currently each speaker is allowed 2 minutes during the public comment portion of the meeting. Requests have been received to extend the allotted speaking time to 3 minutes per speaker.

1st read of the ordinance preamble by the City Clerk.

City Attorney Alicia Thompson confirmed that this item will require 2 reads before a decision can be rendered. A second read can be heard at a Special Called Meeting.

XIII. NEW BUSINESS

a. For Decision- Browns Mill Aquatics Center Pool Maintenance Contract- *Sedrick Swan, Director of Parks and Recreation*

This item was removed from the agenda.

b. For Decision - Browns Mill Road & Covington Highway Sidewalk Construction Contract - *Hari Karikaran, City Engineer*

The presentation was given by City Manager Gia Scruggs in lieu of the absence of City Engineer Hari Karikaran. The Transportation Plan recommended segment sections of sidewalk on Covington Highway and those on Browns Mill Road to be constructed to bridge all gaps. The city received 14 bids on February 1, 2024.

Staff is requesting approval of the contract recommendation for Lagniappe Construction Company in the amount of \$194,333.21. The funds for this contract will be covered in 2023 SPLOST.

Motion – made by Councilmember Terry Fye to approve the Browns Mill Road & Covington Highway Sidewalk Construction Contract. Seconded by Councilmember Tara Graves.

Motion passed unanimously.

c. For Decision - Intersection Improvement Concept Design Contract - *Hari Karikaran, City Engineer*

The presentation was given by City Manager Gia Scruggs in lieu of the absence of City Engineer Hari Karikaran. The Transportation Master Plan recommended intersection improvements at Miller Road and Thompson Mill in addition to Turner Hill Road widening. Arcadis is one of the five Engineering Firms providing engineering and design services. DeKalb County Public Works previously allowed the city to piggyback off of their contracts.

Staff is recommending approval of the 3 tasks for Arcadis in the amount of \$60,000 each, totaling \$180,000. The funding for these 3 tasks will come from SPLOST 23 Allocation – Quick Response Projects which has a total of \$200,000.

Motion – made by Councilmember Tara Graves to approve the Intersection Improvement Concept Design Contract. Seconded by Councilmember Terry Fye.

Motion passed unanimously.

- d. **For Decision** - Panola Road at I-20 Bridge Scape GDOT Memorandum of Agreement - *Hari Karikaran, City Engineer*

The presentation was given by City Manager Gia Scruggs in lieu of the absence of City Engineer Hari Karikaran. The City of Stonecrest has plans over time to have a bridge scape installed over all bridges over I-20 as well as monuments to all city entrances. GDOT has agreed to amend their contract with the design firm to include the bridge scape in their bridge design and is proposing a MOA to recover the cost of the bridge scape. Staff is recommending approval of the MOA with GDOT to include the bridge scape design on Panola Road at the I-20 bridge for an amount of \$103,000. The funding will come from the 2024 SPLOST Allocation, Bridge Scape and Street Scape.

Motion – made by Councilmember Terry Fye to approve the Panola Road at I-20 Bridge Scape GDOT Memorandum of Agreement. Seconded by Councilmember Tammy Grimes.
Motion passed unanimously.

- e. **For Decision** - Panola Shoals Contract Recommendation - *Gia Scruggs, City Manager*

Mayor Pro Tem George Turner introduced this item and stated it has been before the council many times in the last 2-3 years. There was a presentation by City Manager Scruggs discussing the stabilization of Panola Shoals. There has been significant time spent on the design and construction of the stabilization, in an effort to be safe for everyone. Ms. Scruggs asked the council if this item could be brought back prior to the April Work Session for decision, as we will have what is needed from Procurement. Mayor Pro Tem Turner made note that a Special Called Meeting will be held before the April Work Session. The council has budgeted for this project, and we are almost at the finish line.

- f. **For Decision** - Resolution Declaring the Results of November Election - *George Turner, Mayor Pro Tem*

This item was introduced by Mayor Pro Tem George Turner, yielding to the City Attorneys. It was stated this resolution is to declare the results of the November election, asking if there was a desire to move forward with bond issuance and SPLOST tax dollars. This agenda item works hand in hand with the next item, Resolution Authorizing the Commencement of Validation Proceeding for General Obligation Bonds, in which both are critical in moving forward with validating bonds. In order to issue revenue bonds in Georgia, it must go through a validation process in Superior Court. The issuance of the bonds is a result of SPLOST dollars received from tax dollars to contribute to improving the city through paving roads and other projects over a period of time. The revenue bonds will grant the money upfront to take care of projects and the city will pay back the debt using SPLOST dollars.

The City Clerk read the preamble.

Motion – made by Councilmember Tammy Grimes to approve the Resolution Declaring the Results of the November Election. Seconded by Councilmember Alecia Washington.
Motion passed unanimously.

- g. **For Decision** - Resolution Authorizing the Commencement of Validation Proceeding for General Obligation Bonds - *George Turner, Mayor Pro Tem*

City Attorney Alicia Thompson stated that the city will have to go through a Validation Hearing before the bonds can be approved. This resolution is for submission of the validation proceedings on behalf of the City of Stonecrest.

The City Clerk reads the preamble.

Motion – made by Councilmember Tammy Grimes to approve the Resolution Authorizing the Commencement of Validation Proceeding for General Obligation Bonds. Seconded by Councilmember Alecia Washington.

Motion passed unanimously.

XIV. CITY ATTORNEY COMMENTS

No comment

XV. CITY MANAGER UPDATE

There is an annual Easter Egg Drop scheduled for March 30th at Southeast Athletic Complex, from 10am -1pm. There are many jobs available for the summer program, and they are listed on the website. There will be upgrades happening at Salem Park. Please refrain from using the park during the upgrades. April is Black Woman in History Month. The city will be hosting the Women of Wonder Gala on April 19th followed by Earth Day on April 20th. Georgia Cities Week will be April 22nd-26th and an Autism event is scheduled for April 27th. Come out and participate.

XVI. MAYOR AND COUNCIL COMMENTS

Mayor Cobble – Introduced a new social media campaign called “Fly Fridays”, which is an opportunity to promote great things happening in the City of Stonecrest by showcasing merchandise. Businesses, Schools, Recreations, Faith Based Organizations or Civic Organizations are welcome send or drop off merchandise at City Hall and Mayor Cobble will wear the merchandise on Fridays.

District 1 – **Councilmember Tara Graves** - Would like to send a warm thank you to everyone who attended the first combined Town Hall Meeting. Everyone have a safe and enjoyable Easter and Spring Break.

District 2 – **Councilmember Terry Fye** - Will be at Stoneview Elementary School on Wednesday for Career Day discussing all the great things that Stonecrest is doing and he is looking forward to seeing the young people.

District 3 – **Councilmember Alecia Washington** - Would like to thank all 70 constituents for coming out to the Townhall and thanks to District 1 Councilmember Tara Graves and District 2 Councilmember Terry Fye for making sure that most of the participants got their questions answered. Have a safe and enjoyable Easter/Resurrection Day.

District 5 – **Councilmember Tammy Grimes** - Would like to thank everyone for the continued prayers and all the love and support during the time of loss of my sweet mom. “If I didn’t know before, I know now that I am loved.” Please keep my dad in your prayers, who is 82, as he was the primary caregiver for my mom. Excited about the Townhall’s that have been taking place around town. District 5, Talk with Tammy is coming soon. Parents, please note Georgia Milestones start April 17th. Thank you for your continued support of District 5.

District 4 - **Mayor Pro Tem George Turner** – We had a real lively and well appreciated town hall. We will do it again as I prepare a summary of the things that came out of District 4, and I will share that with you within the next few days.

XVII. EXECUTIVE SESSION

(When an executive session is required, one will be called for the following issues: 1) Personnel, 2) Litigation, 3) Real Estate

Motion – made by Councilmember Terry Fye to enter Executive Session for real estate, personnel, litigation, and cyber security. Seconded by Councilmember Tara Graves.
Motion passed unanimously.

Motion – made by Councilmember Tammy Grimes to exit Executive Session and return to the regular scheduled meeting. Seconded by Councilmember Tara Graves.
Motion passed unanimously.

Motion – made by Councilmember Terry Fye to approve the minutes from Executive Session. Seconded by Councilmember Tara Graves.
Motion passed unanimously.

XVIII. ADJOURNMENT

Motion – made by Councilmember Terry Fye to adjourn the City Council Meeting. Seconded by Councilmember Tara Graves.
Motion passed unanimously.

The meeting ended at 9:04pm.

Americans with Disabilities Act

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CITY COUNCIL AGENDA ITEM

SUBJECT: Ordinance for SLUP 24-001 2869 Evans Mill Road

AGENDA SECTION: *(check all that apply)*

- PRESENTATION PUBLIC HEARING CONSENT AGENDA OLD BUSINESS
- NEW BUSINESS OTHER, PLEASE STATE: Click or tap here to enter text.

CATEGORY: *(check all that apply)*

- ORDINANCE RESOLUTION CONTRACT POLICY STATUS REPORT
- OTHER, PLEASE STATE: Click or tap here to enter text.

ACTION REQUESTED: DECISION DISCUSSION, REVIEW, or UPDATE ONLY

Previously Heard Date(s): Click or tap to enter a date. & Click or tap to enter a date.

Current Work Session: Click or tap to enter a date.

Current Council Meeting: Monday, April 22, 2024

SUBMITTED BY: Tre’Jon Singletary, Senior Planner of Planning and Zoning

PRESENTER: Shawanna Qawiy, Director Planning and Zoning

PURPOSE: Jessica Hood of Carter Engineering Consultants, Inc. is seeking a Special Land Use Permit (SLUP) to develop and operate a Popeye’s drive-thru restaurant.

FACTS: The property located at 2869 Evans Mill Road is currently zoned C-2 (General Commercial) and within Stonecrest Tier 2 Overlay District. The property has only housed the single, double-sided structure.

OPTIONS: Approve, Deny, Defer Click or tap here to enter text.

RECOMMENDED ACTION: Approve with conditions

ATTACHMENTS:

- (1) Attachment 1 - Staff Report
- (2) Attachment 2 - Ordinance
- (3) Attachment 3 - Click or tap here to enter text.
- (4) Attachment 4 - Click or tap here to enter text.
- (5) Attachment 5 - Click or tap here to enter text.



SPECIAL LAND USE PERMIT (SLLUP) ANALYSIS

Prepared By: Tre’Jon Singletary, Senior Planner

Petition Number: SLUP 24-001

Applicant: Mark Campbell of Carter Engineering Consultants, Inc.
1010 Commerce Drive
Bogart, GA 30622
mark@carterengineering.com

Owner: VI LO Properties LLC
3441 Rugby Circle
College Park, GA 30337
vhaydel@755restaurant.com

Project Location: 2869 Evans Mill Road

District: 5 – Councilwoman Tammy Grimes

Acreage: 0.97+/- acre(s)

Existing Zoning: C-2 (General Commercial) District

Future Land Use: Regional Center (RC)

Overlay District: Stonecrest Tier 2

Proposed Development/Request: The applicant is seeking a Special Land Use Permit (SLUP) to construct and operate a Popeye’s drive-through restaurant.

CPIM: March 14, 2024

Planning Commission (PC): April 2, 2024

Mayor & City Council: April 22, 2024

Sign Posted/ Legal Ad(s) submitted: February 26, 2024

Staff Recommendations: **Approval with conditions**

PC Recommendation: **Denial**

PROJECT OVERVIEW

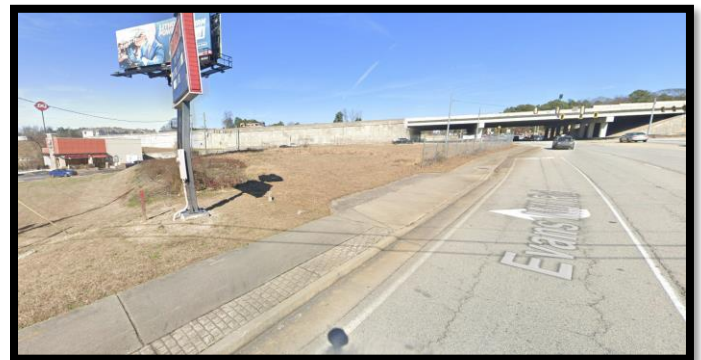
Location

The subject property is located at 2869 Evans Mill Road. The subject property currently is undeveloped with a single, double-sided billboard.

The property abuts C-1 (Local Commercial) District on the south, east, and west. Interstate 20 is located north of the property.



Adjacent & Surrounding Properties	Zoning (Petition Number)	Land Use
Applicant	C-2 (General Commercial) District	Vacant Land
Adjacent: North	-	Interstate 20
Adjacent: West	C-1 (Local Commercial) District	Dairy Queen fast-food restaurant
Adjacent: East	C-1 (Local Commercial) District	Autocare Center
Adjacent: South	C-1 (Local Commercial) District	Vacant Land



Background

The property has only housed the single, double-sided billboard in the City of Stonecrest. The property does not have any buildings or structures and is not located within a floodway or floodplain.

Traffic

The applicant provided a Trip Generation/Trip Impact Letter. The submitted report detailed that the average weekday vehicle trips generated is 19.52 persons per seat. The proposed project would have 46 seats and would result in 898 Average Daily Trips (ADTs.)

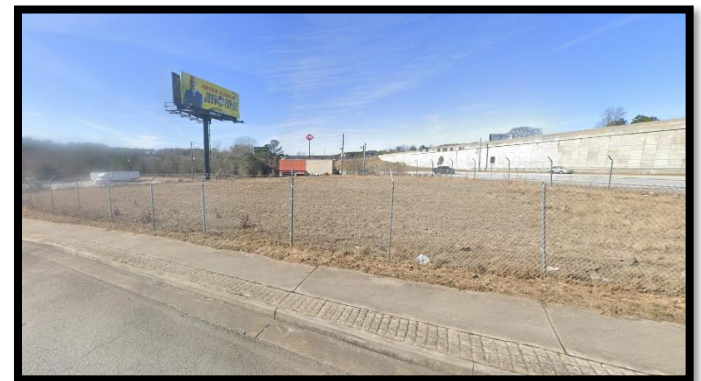


Exhibit B

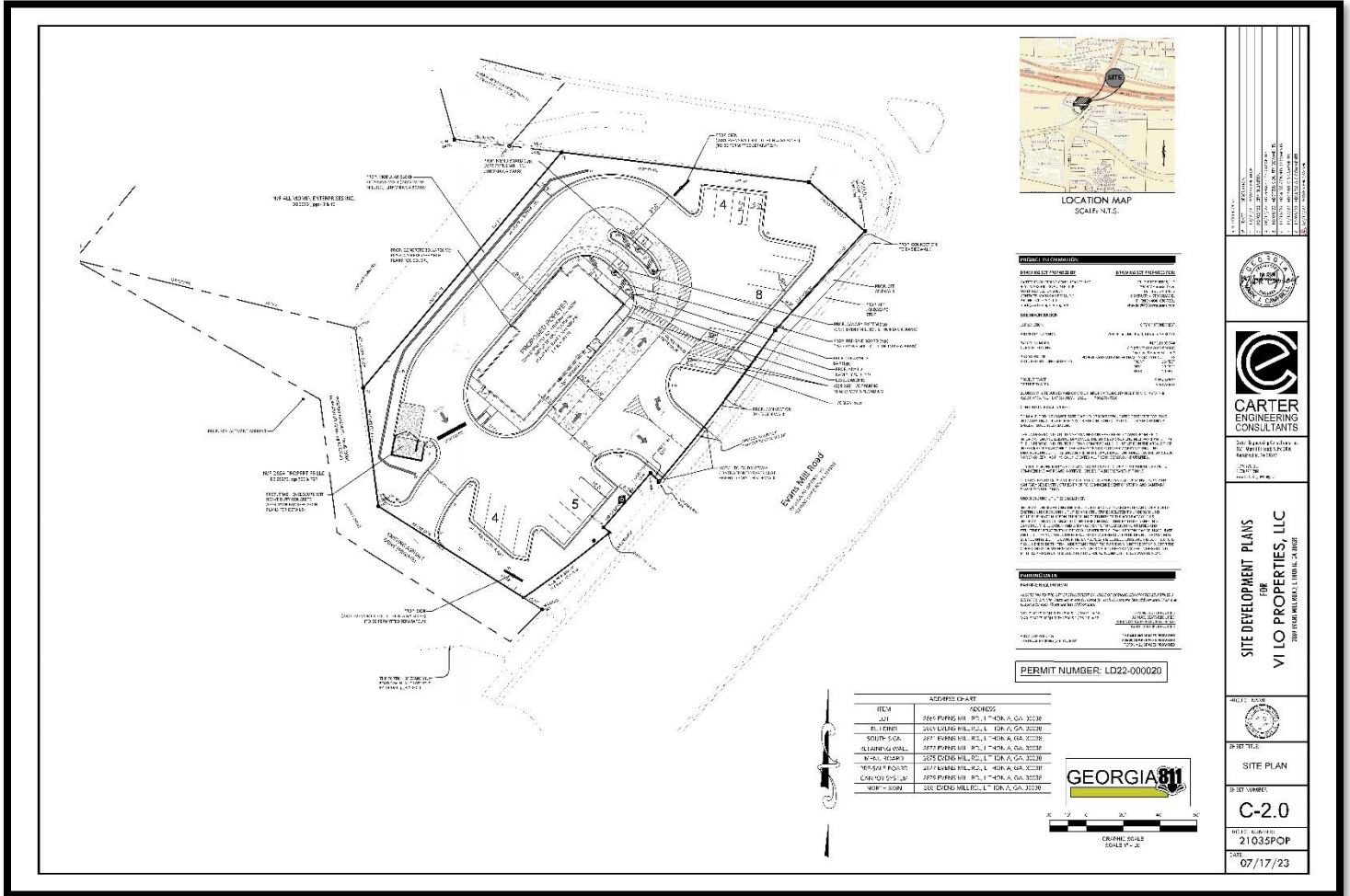
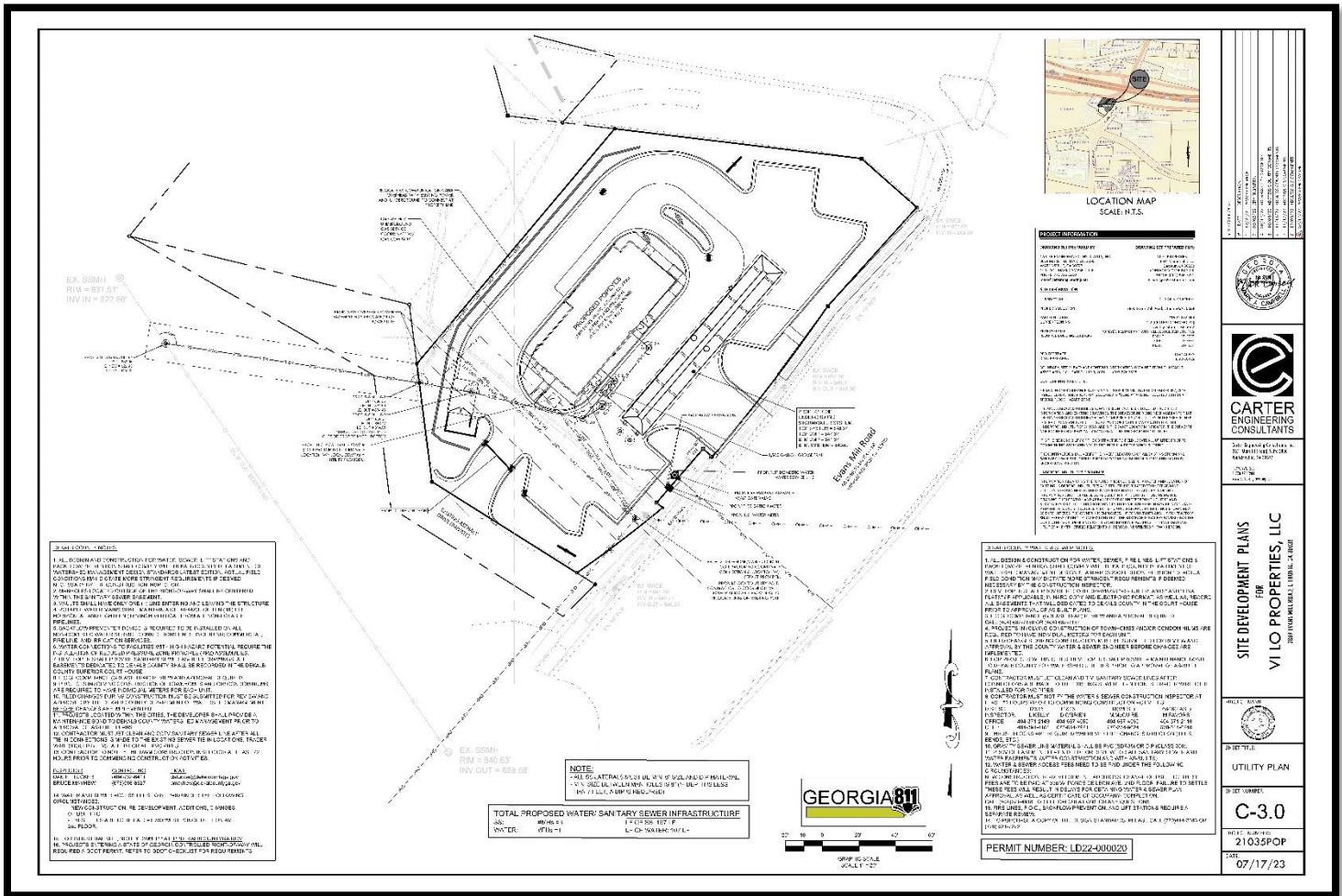


Exhibit C



SITE DEVELOPMENT PLANS FOR VILLO PROPERTIES, LLC

CARTER ENGINEERING CONSULTANTS

UTILITY PLAN

C-3.0

DATE: 07/17/23

SLUP 24-001

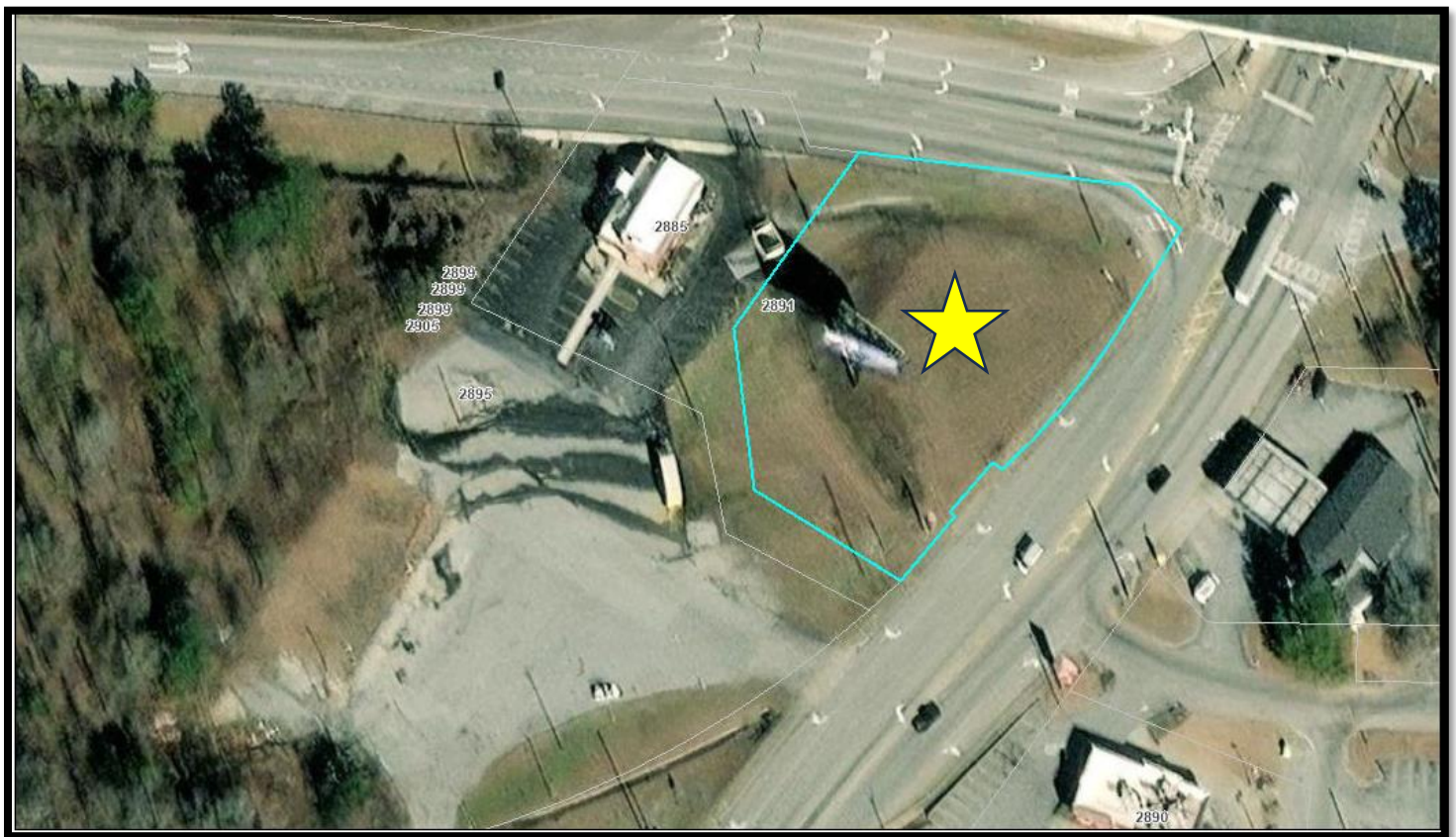
ADDRESS: 2869 Evans Mill Road

CURRENT ZONING: C-2 (General Commercial) District

FUTURE LAND USE: Regional Center (RC)



Aerial Map



Zoning Map



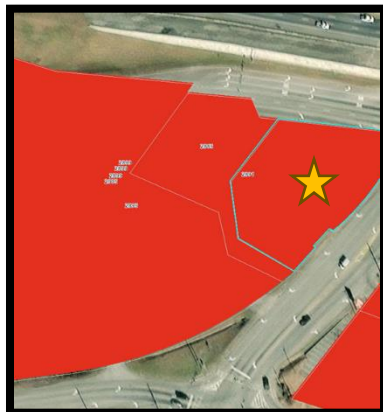
Legend	
	C-2 General Commercial
	C-1 Local Commercial

Overlay Map



Legend	
	Stonecrest Tier 2
	Stonecrest Tier 1

Future Land Use Map



Legend	
	RC Regional Center



STANDARDS OF SPECIAL LAND USE PERMIT REVIEW

Section 7.4.6 of the Stonecrest Zoning Ordinance lists twenty factors to be considered in a technical review of a special land use permit completed by the Community Development Department and Planning Commission. Each criterion is listed with staff analysis.

- A. Adequacy of the size of the site for the use contemplated and whether or not the adequate land area is available for the proposed use including the provision of all required yards, open space, off-street parking, and all other applicable requirements of the zoning district in which the use is proposed to be located.**

The proposed Popeye’s fast-food restaurant will be approximately 2,398 square feet. The required minimum setbacks for the subject property are 20 feet for the rear and 15 feet for the sides. According to [Sec. 3.5.5. – Open Space](#), a minimum requirement of 20 percent of total parcel acreage for the open space. All fast-food restaurants must provide a minimum of one parking space per each 150 square feet of floor area, which is approximately 16 parking spaces ([Sec. 6.1.4. – Off-street parking ratios](#)). The Applicant is proposing to provide 21 parking spaces.

- B. Compatibility of the proposed use with adjacent properties and land uses and with other properties and land uses in the district.**

The proposed restaurant is compatible with the adjacent properties. Surrounding uses are similar restaurant, commercial, and retail uses.

- C. Adequacy of public services, public facilities, and utilities to serve the proposed use.**

Adequacy of public services, public facilities, and utilities to serve the current use as a fast-food restaurant cannot be determined until the applicant receives final approval from a plan review from the Dekalb County Watershed Department. The required parking approximately sixteen (16) parking spaces.

- D. Adequacy of the public street on which the use is proposed to be located and whether or not there is sufficient traffic-carrying capacity for the use proposed so as not to unduly increase traffic and create congestion in the area.**

The applicant provided a Trip Generation/Traffic Impact Letter that emphasizes the impact of the public street on which the use is proposed to be located and whether or not there is sufficient traffic carrying capacity for the use proposed. Based on the submitted report the applicant stated that there are no peak AM hour trips for the proposed use. However, the average weekday vehicle Trip Generation of 19.52 trips per seat.

- E. Whether existing land uses located along access routes to the site will be adversely affected by the character of the vehicles or the volume of traffic generated by the proposed use.**

The existing land uses along the access routes to the subject property will not adversely affect the character of the vehicles or the volume of current and/or generate traffic.



F. Adequacy of ingress and egress to the subject property and to all proposed buildings, structures, and uses thereon, with particular reference to pedestrian and automotive safety and convenience, traffic flow and control, and access in the event of a fire or another emergency.

The developer is proposing to install an entrance off of Evans Mill Road that will consist of a right in and right out turn only.

G. Whether the proposed use will create adverse impacts upon any adjoining land use by reason of noise, smoke, odor, dust, or vibration generated by the proposed use.

The proposed use is in alignment with the surrounding uses which will not cause any negative impacts on the surrounding uses.

H. Whether the proposed use will create adverse impacts upon any adjoining land use by reason of the hours of operation of the proposed use.

The proposed use will have similar hours of operations to the adjoining land uses.

I. Whether the proposed use will create adverse impacts upon any adjoining land use by reason of the manner of operation of the proposed use.

The proposed use is similar to the adjoining uses as commercial and/or retail. Therefore, it can be concluded that the proposed use will not cause any negative impacts on the manner operation.

J. Whether the proposed use is otherwise consistent with the requirements of the zoning district classification in which the use is proposed to be located.

The proposed use is otherwise consistent with the requirements of the zoning district classification in which the use is proposed to be located. The property is zoned C-2 (General Commercial) and within the Stonecrest Tier 2 Overlay District.

K. Whether the proposed use is consistent with the policies of the comprehensive plan.

In the comprehensive plan the primary land use is the Regional Center. Regional Center elements are stacked townhouse, 8+ story condominiums and lofts, high rise apartments, regional healthcare facilities, large-scale retail and commercial, regional corporate offices, education and institutional uses, entertainment and cultural facilities, parks, recreation facilities, and sport complexes, and public and civic facilities.

L. Whether the proposed use provides for all required buffer zones and transitional buffer zones where required by the regulations of the zoning district in which the use is proposed to be located.

The C-2 (General Commercial) zoning district along with the proposed use does not require transitional buffers to abutting parcels. The property will adhere to all buffer requirements where required by the regulation of the zoning district in which the use is proposed to be located.



M. Whether there is adequate provision of refuse and service areas.

The applicant is proposing to locate all refuse and service areas on site. that will be in compliance with the city ordinance.

N. Whether the length of time for which the special land use permit is granted should be limited in duration.

If granted approval, the special land use permit and any applicable conditions shall remain with the land.

O. Whether the size, scale, and massing of proposed buildings are appropriate in relation to the size of the subject property and in relation to the size, scale, and massing of adjacent and nearby lots and buildings.

Per [Sec. 2.24.1. – Dimensional requirements](#), the building can cover a maximum of 90 % of the lot.

P. Whether the proposed use will adversely affect historic buildings, sites, districts, or archaeological resources.

The proposed use will not adversely affect any historic buildings, sites, districts, or archaeological resources.

Q. Whether the proposed use satisfies the requirements contained within the supplemental regulations for such special land use permits.

According to [Sec. 4.2.23. – Drive-through facility, restaurant](#), a special land use permit is required for all such uses located within an activity center of a future land use destination.

R. Whether the proposed use will create a negative shadow impact on any adjoining lot or building as a result of the proposed building height.

The proposed development cannot exceed the maximum height for the overlay district of ten (10) stories for any buildings and structures.

S. Whether the proposed use would be consistent with the needs of the neighborhood or the community as a whole, be compatible with the neighborhood, and would not be in conflict with the overall objective of the comprehensive plan.

The proposed drive-through restaurant would be consistent with the neighborhood and will not conflict with the objectives of the comprehensive plan.



STAFF RECOMMENDATION

Staff recommends **APPROVAL with the following conditions:**

1. Rear setback shall be a minimum of 20 feet.
2. Appropriate signage shall be installed to confirm that there shall be a right in/right out only from Evans Mill Road. Vehicles shall not turn left from the site.
3. Applicant must comply with Section 4.2.23 Drive-through facility, restaurant.
4. There shall be a minimum of 16 parking spaces per [Sec. 6.1.4. – Off-street parking ratios](#).
5. Sidewalks must be provided on all public streets fronting the property. Sidewalks must be at least five feet in width.
6. Must comply with all permitting and signage requirements as outlined in the Stonecrest Zoning Ordinance.

PLANNING COMMISSION (PC) RECOMMENDATION – April 2,

2024

The Planning Commission recommended denial.



Attachment(s): SLUP 23-015 Application Materials

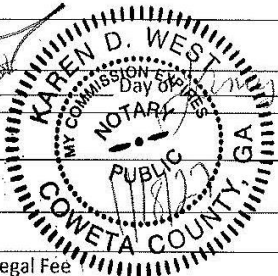


Item VIII. b.



Special Land Use Permit Application

Applicant Information	Name: VI LO PROPERTIES LLC		
	c/o Carter Engineering Consultants, Inc.		
	Address: 1010 Commerce Drive, Bogart, GA 30622		
	Phone: 770-725-1200	Fax:	Email mark@carterengineering.com
	Owner's Name: VI LO PROPERTIES LLC		lessica@carterengineering.com
	Owner's Address: 3441 Rugby Circle, College Park, GA 30337		
	Phone: 404-886-7291	Fax:	Email vhaydel@755restaurant.com
	Property Address: 2869 Evans Mill Road		Acreage: 0.854
	Parcel ID: 16 119 02 044		
	Owner Information	Current Zoning Classification: C-2	
Proposed Use of Property: Popeyes restaurant with drive-through			
Is this development and/or request seeking any incentives or tax abatement through the City of Stonecrest or any entity that can grant such waivers, incentives, and/or abatements? <input type="radio"/> Yes <input checked="" type="radio"/> No			
Property Information	Property Information: Proposed project includes demolition of existing billboard, cleaning, grading, and the construction of a Popeyes restaurant with drive-through and all associated drive aisles parking, and utilities.		
Affidavit	To the best of my knowledge, this variance application form is correct and complete. If additional materials are determined to be necessary, I understand that I am responsible for filing additional materials as specified by the City of Stonecrest Zoning Ordinance.		
	Applicant's Name: Victor Haydel		
	Applicant's Signature:		Date: 1-31-24
	Sworn to and subscribed before me this 31 st Day of January 2024		20
	Notary Public:		
	Signature:		
	My Commission Expires: 1/18/27		
	<input type="checkbox"/> Application Fee <input type="checkbox"/> Sign Fee <input type="checkbox"/> Legal Fee		
	Fee: \$		Payment: <input type="checkbox"/> Cash <input type="checkbox"/> Check <input type="checkbox"/> CC Date:
	<input type="checkbox"/> Approved <input type="checkbox"/> Approved with Conditions <input type="checkbox"/> Denied		Date:

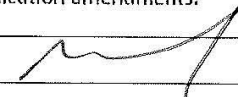

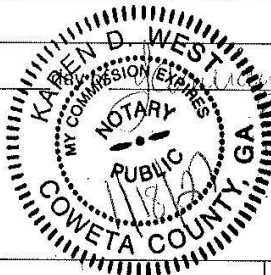


08-03-2017



Property Owner(s)
Notarized Certification

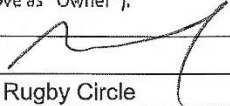
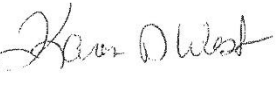

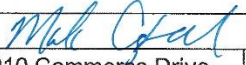

The owner and petitioner acknowledge that this Land Use Petition application form is correct and complete. By completing this form, all owners of the subject property certify authorization of the filing of the application and authorization of an applicant or agent to act on their behalf in the filing of the application including all subsequent application amendments.

Property Owner (If Applicable)	Signature: 		Date: 1-31-24	
	Address: 3441 Rugby Circle		City, State: College Park, GA Zip: 30337	
	Phone: 404-886-7291			
	Sworn to and subscribed before me this 31 st , 20 24			
Property Owner (If Applicable)	Notary Public: 			
	Signature:			Date:
	Address:			City, State: Zip:
	Phone:			
Property Owner (If Applicable)	Sworn to and subscribed before me this _____ day of _____, 20 _____			
	Notary Public:			
	Signature:		Date:	
	Address:		City, State: Zip:	
Property Owner (If Applicable)	Phone:			
	Sworn to and subscribed before me this _____ day of _____, 20 _____			
	Notary Public:			



**Applicant/Petitioner
Notarized Certification**

Petitioner states under oath that: (1) he/she is the executor or Attorney-in-Fact under a Power-of-Attorney for the owner (attach a copy of the Power-of-Attorney letter and type name above as "Owner"); (2) he/she has an option to purchase said property (attach a copy of the contract and type name of owner above as "Owner"); (3) he/she has an estate for years which permits the petitioner to apply (attach a copy of lease and type name of owner above as "Owner").

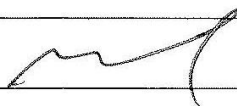
Applicant / Petitioner	Signature: 		Date: 1-31-24
	Address: 3441 Rugby Circle		City, state: College Park, GA 30337
	Phone: 404-886-7291		
Attorney / Agent	Sworn to and subscribed before me this 31 st		day of 24
	Notary Public: 		
	Signature: 		
Address: 1010 Commerce Drive		City, state: Bogart, GA	Zip: 30622
Phone: 770-725-1200			
Sworn to and subscribed before me this 5		day of January, 20 24	
Notary Public: 		Seven Perry NOTARY PUBLIC BARROW COUNTY, GEORGIA My Commission Expires 01/01/2028	



Campaign Disclosure Statement

Have you, within the two years immediately preceding the filing of this application, made campaign contributions aggregating \$250.00 or more to a member of the City of Stonecrest City Council or a member of the City of Stonecrest Planning Commission?

Yes No

Applicant / Owner	Signature: 
	Address: 3441 Rugby Circle, College Park, GA 30337
	Date: 1-31-24

If you answered yes above, please complete the following section:

Date	Government Official	Official Position	Description	Amount



February 6, 2024

Tre'Jon Singletary
City of Stonecrest Planning and Zoning Department
3120 Stonecrest Boulevard Suite 190
Stonecrest, GA 30038

RE: Popeyes, 2869 Evans Mill Road, Stonecrest, GA 30038

Mr. Singletary,

Please accept this as a formal letter of intent for the special land use permit criteria on the above referenced project.

The scope of project includes the construction of Popeyes restaurant with drive-through and all associated drive aisles, parking, and utilities.

- a. The size of the site at 0.854 acres is adequate for the proposed use with sufficient land area for the building and parking as well as the dumpster enclosure and landscaping.
- b. The proposed project is compatible with the adjacent commercial properties and land uses at the intersection of Interstate 20 and Evans Mill Road. The adjacent restaurants, gas stations, shopping center and hotels are all compatible with the proposed use.
- c. There are adequate public services including public utilities and infrastructure for both vehicle and pedestrian access at this location.
- d. The existing corridor has capacity to convey large amounts of traffic for which the proposed use hopes to capture a small percentage of the existing bypass trips with no new trip generation anticipated.
- e. The existing land uses located along the access routes to this site are similar to the proposed use and will not be adversely affected by the traffic for the proposed use.
- f. Ingress and egress to the subject property will be via an existing shared access and existing infrastructure with adequate room for emergency services as well as normal automotive and pedestrian access.
- g. There is no smoke, odor, dust or vibration generated by the proposed use and any noise would be internal to the lot in accordance with existing adjacent land uses.
- h. The existing site is the location of a large commercial billboard and the proposed elimination of that billboard as well as the proposed improvements will create positive rather than adverse impacts on any adjoining land use based on the limited hours of operation.



- i. The adjoining land uses are similar to the manner of operation of the proposed use and no adverse impact is expected.
- j. The proposed plan seeks to create one-way traffic flow and will enhance the aesthetic of the site while remaining consistent with the zoning of this district in the City of Stonecrest.
- k. The proposed use is consistent with the policies of the comprehensive plan with promoting infill development along the corridor rather than encroaching commercial development near less intensive land uses.
- l. No zoning or transitional buffers are required by the proposed use as the adjacent land uses are consistent with the proposed use.
- m. There are adequate provisions for the proposed masonry dumpster enclosure to match the proposed building at the rear of the site.
- n. The length of time for which the special land use permit is granted should be consistent with the length of time the property functions as the proposed use of restaurant with a drive through.
- o. The size, scale and massing of the proposed building is similar to the adjacent commercial properties.
- p. The proposed plan will not adversely affect any historic buildings, site, districts or archaeological resources.
- q. The proposed use of the restaurant with a drive through located directly adjacent to the interstate with shared access satisfies the requirements contained in the supplemental regulations.
- r. The proposed single-story building will not create a negative shadow impact on adjacent lots or buildings due to the proposed height.
- s. The proposed use would not result in a proliferation of the similar use in the area but would serve the community by allowing additional options for local residents and travelers along the corridor.
- t. The proposed use provides another meal option and quick service for the community and is not currently represented at this intersection or exit along interstate 20.

Should you have any questions, contact me at mark@carterengineering.com or 770-725-1200.

Sincerely,



Mark Campbell, P.E.
Carter Engineering Consultants, Inc.



Item VIII. b.

2021192583 DEED BOOK 29924 Pg 90
Filed and Recorded: 11/23/2021 5:19:00 PM
Recording Fee: \$25.00
Real Estate Transfer Tax: \$485.00
Prepared By:
6405611605

Tax Parcel No. 16-119-02-044

[SPACE ABOVE LINE RESERVED FOR RECORDER]

AFTER RECORDING, RETURN TO:

Taylor English Duma LLP
1600 Parkwood Circle, Suite 200
Atlanta, Georgia 30339
Attention: Alexandra Rason Coons, Esq.

After recording return to:
Calloway Title and Escrow, LLC
4170 Ashford Dunwoody Rd. Ste. 525
Atlanta, GA 30319
2-40283

STATE OF GEORGIA

COUNTY OF DEKALB

LIMITED WARRANTY DEED

THIS DEED, made this 22 day of November, 2021, by and between **DSSA PROPERTIES, LLC**, a Georgia limited liability company (“Grantor”), with an address of P.O. Box 408, Lithonia, Georgia 30058, and **VI-LO PROPERTIES, LLC**, a Georgia limited liability company (“Grantee”), with an address of 5101 Buffington Road, Suite 3466-B, Atlanta, Georgia 30349 (the terms Grantor and Grantee to include their respective heirs, successors and assigns where the context hereof requires or permits),

WITNESSETH THAT: Grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00), and other good and valuable consideration, in hand paid at and before the sealing and delivery of these presents, the receipt, adequacy and sufficiency of which being hereby acknowledged by Grantor, has granted, bargained, sold and conveyed, and by these presents does hereby grant, bargain, sell and convey unto Grantee, the real property described on Exhibit “A” attached hereto and made a part hereof (the “Property”).



TO HAVE AND TO HOLD the Property, together with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of Grantee, forever in FEE SIMPLE.

AND, SUBJECT TO the title matters expressly set forth on **Exhibit "B"** attached hereto and made a part hereof, Grantor will warrant and forever defend the right and title to the Property unto the Grantee against the claims of all persons claiming by, through or under Grantor.

IN WITNESS WHEREOF, Grantor has signed and sealed this Deed the day and year first above written.

Signed, sealed and delivered in the presence of:

DSSA PROPERTIES, LLC,
a Georgia limited liability company

Sean Cain
Unofficial Witness
Print Name: SEAN CAIN

By: Samuel T. Stewart
Samuel T. Stewart, Manager

Dawn Massey
Notary Public
Print Name: DAWN MASSEY

Commission Expiration Date: 12/10/22



[AFFIX NOTARIAL SEAL]



EXHIBIT "A"

LEGAL DESCRIPTION

All that tract or parcel of land lying and being in Land Lots 119 and 138 of the 16th District, within the city of Stonecrest, Dekalb County, Georgia, and being more fully described as follows:

BEGINNING at the base of a concrete right of way monument found at the intersection of the southern variable width right of way of Interstate 20 (ramp) and the northwestern variable width right of way of Evans Mill Road; Thence along the said northwestern right of way of Evans Mill Road S 42°04'50" W a distance of 72.55' to a concrete right of way monument found; Thence continuing along said right of way with a curve turning to the right with a length of 103.32', with a radius of 1007.22', subtended by a chord bearing S 37°30'21" W, with a chord length of 103.28' to a point; Thence continuing along said right of way N 49°24'44" W, a distance of 6.56' to a concrete right of way monument found; Thence continuing along said right of way S 40°51'32" W a distance of 38.80' to a concrete right of way monument found; Thence continuing along said right of way S 51°11'59" E a distance of 4.29' to a point; Thence continuing along said right of way with a curve turning to the right with a length of 58.78', with a radius of 694.49', subtended by a chord bearing S 52°47'41" W, with a chord length of 58.76' to a point which lies N 57°49'15" W a distance of 11.77' from a magnetic nail set in asphalt; Thence leaving said right of way N 57°49'15" W a distance of 93.29' to a magnetic nail set in asphalt; Thence N 07°18'19" W a distance of 64.76' to a 5/8" rebar set which lies S 07°18'19" W a distance of 32.58' from a 1/2" rebar found; Thence N 40°07'55" E a distance of 167.25' to a 5/8" rebar set on the southern variable width right of way of Interstate 20 which lies S 83°07'53" E a distance of 58.71' from a concrete right of way monument found; Thence along said Interstate 20 right of way S 83°07'53" E a distance of 135.51' to a concrete right of way monument found; Thence continuing along said Interstate 20 right of way S 48°41'52" E a distance of 40.17' to the base of a concrete right of way monument found and the **POINT OF BEGINNING**;

Said property contains 0.854 Acre, more or less, and is more fully shown on an ALTA/NSPS Land Title Survey prepared for Vi-Lo Properties, LLC by Chastain & Associates, P.C. dated July 9, 2021 (file No. 221F03).



EXHIBIT "B"

PERMITTED TITLE EXCEPTIONS

1. All taxes for the year 2022 and subsequent years, not yet due and payable.
2. Rights of Outfront Media, LLC pursuant to that certain Sign Lease dated April 13, 2000, between T. W. Stewart Trust ("Original Lessor") and Franklin Outdoor Advertising, ("Original Lessee"), as amended by that certain Amendment One, dated April 27, 2020, with all Original Lessor's interest having been assigned to DSSA Properties, LLC, and further being assigned to Vi-Lo Properties, LLC, and all Original Lessee's interest having been assigned to Outfront Media, LLC
3. Easement from Thos. W. Stewart to Georgia Power Company, dated May 12, 1952, filed for record May 20, 1952 at 9:00 a.m., recorded in Deed Book 917, Page 337, Records of DeKalb County, Georgia.
4. Easement from Thos. W. Stewart, Jr. to Georgia Power Company, dated May 27, 1945, filed for record July 21, 1954 at 9:00 a.m., recorded in Deed Book 1048, Page 123, aforesaid Records.
5. Limitation of access rights as contained in that certain Right of Way Deed from Thomas W. Stewart, Jr. to State Highway Department of Georgia, dated April 9, 1958, filed for record April 10, 1958 at 4:00 p.m., recorded in Deed Book 1330, Page 425, aforesaid Records.
6. Easement from Thomas W. Stewart to Georgia Power Company, dated November 15, 1962, filed for record November 21, 1962 at 11:54 a.m., recorded in Deed Book 1720, Page 135, aforesaid Records.
7. Easement from Tom Stewart to Georgia Power Company, dated July 28, 1967, filed for record August 4, 1967 at 9:21 a.m., recorded in Deed Book 2223, Page 244, aforesaid Records.
8. Easement from Tom Stewart to Georgia Power Company, dated July 31, 1967, filed for record August 4, 1967 at 9:21 a.m., recorded in Deed Book 2223, Page 247, aforesaid Records.
9. Easement from Thomas W. Stewart to Georgia Power Company, dated June 19, 1968, filed for record June 24, 1968 at 10:10 a.m., recorded in Deed Book 2323, Page 74, aforesaid Records.
10. Easement from Ellen K. Stewart to Georgia Power Company, dated December 30, 1968, filed for record January 6, 1969 at 9:35 a.m., recorded in Deed Book 2383, Page 410, aforesaid Records.



11. Easement from Thomas W. Stewart to Georgia Power Company, dated September 14, 1970, filed for record October 21, 1970 at 9:51 a.m., recorded in Deed Book 2583, Page 189, aforesaid Records.
12. Easement from Tom Stewart to Georgia Power Company, dated August 17, 1971, filed for record August 20, 1971 at 9:36 a.m., recorded in Deed Book 2688, Page 569, aforesaid Records.
13. Sewer Easement from Thomas W. Stewart to DeKalb County, Georgia, dated December 13, 1972, filed for record February 2, 1973 at 11:36 a.m., recorded in Deed Book 2951, Page 254, aforesaid Records.
14. Right of way easement as contained in that certain QuitClaim Deed from Lenola Dawn Stewart, remainderman under the testamentary trust established by the Will and Testament of Thomas W. Stewart, Jr. to Georgia Department of Transportation, dated July 9, 2002, filed for record October 21, 2002 at 9:21 a.m., recorded in Deed Book 13769, Page 130, aforesaid Records.
15. Right of way easement as contained in that certain QuitClaim Deed from Amy Alice Stewart, remainderman under the testamentary trust established by the Will and Testament of Thomas W. Stewart, Jr. to Georgia Department of Transportation, dated July 9, 2002, filed for record October 21, 2002 at 9:21 a.m., recorded in Deed Book 13769, Page 133, aforesaid Records.
16. Right of way easement as contained in that certain QuitClaim Deed from Ellen K. Stewart, remainderman under the testamentary trust established by the Will and Testament of Thomas W. Stewart, Jr. to Georgia Department of Transportation, dated July 9, 2002, filed for record October 21, 2002 at 9:21 a.m., recorded in Deed Book 13769, Page 136, aforesaid Records.
17. Right of way easement as contained in that certain QuitClaim Deed from Scarlett Inga Stewart, remainderman under the testamentary trust established by the Will and Testament of Thomas W. Stewart, Jr. to Georgia Department of Transportation, dated July 9, 2002, filed for record October 21, 2002 at 9:21 a.m., recorded in Deed Book 13769, Page 139, aforesaid Records.
18. Right of way easement as contained in that certain QuitClaim Deed from Samuel Thomas Stewart, remainderman under the testamentary trust established by the Will and Testament of Thomas W. Stewart, Jr. to Georgia Department of Transportation, dated July 11, 2002, filed for record October 21, 2002 at 9:21 a.m., recorded in Deed Book 13769, Page 142, aforesaid Records.
19. Right of way easement as contained in that certain QuitClaim Deed from Scarlett Inga Stewart, remainderman under the testamentary trust established by the Will and



February 5, 2024

Tre'Jon Singletary
City of Stonecrest
Planning and Zoning Department
3120 Stonecrest Boulevard
Suite 190
Stonecrest, GA 30038

RE: Popeyes, 2869 Evans Mill Road, Stonecrest, GA 30038

Mr. Singletary,

Please see the detailed Environmental Site Analysis for the proposed Popeyes Restaurant at the above location.

1. The scope of project includes the construction of Popeyes restaurant with drive-through and all associated drive aisles, parking, and utilities. The existing site is a vacant commercial pad graded parcel with an existing billboard and no existing environmental conditions on the site. The adjacent properties are existing developed commercial sites. The proposed project conforms to the Comprehensive Plan with infill development along a commercial corridor near Interstate 20 utilizing shared existing access.
2. There are no Wetlands, Floodplain or Streams located on this existing site. The only slope greater than 25 percent is over an approximately 7-foot change in elevation south of the existing billboard which will be removed as part of the proposed Popeyes project. The only existing vegetation on this site is grass with no large shrubs or trees to support wildlife habitat. Additionally, there are no documents or any Historical, Archaeological or Natural Resources associated with this parcel which is approximately 0.85 acres in size.
3. Due to the existing adjacent commercial development, there are no buffers or sensitive areas which need to be protected during the proposed construction of the Popeye's Restaurant. A proposed underground stormwater management system will provide runoff reduction via infiltration as well as reduction in all peak storm flows for the 1-100 year storm events. There are no negative impacts expected on the existing infrastructure. As stated above, there are no archeological or historically significant areas on this site. Additionally, the operations and maintenance of the proposed



facilities as well as the proposed landscaping will minimize any negative environmental impacts. The proposed plan will provide greater than 25% of the site in greenspace with landscaping. The proposed layout and landscaping will reduce any noise or light from the proposed project. The proposed development will not negatively impact any environmental or wildlife habitats.

Should you have any questions, contact me at mark@carterengineering.com or 770-725-1200.

Sincerely,

Mark Campbell, P.E.
Carter Engineering Consultants, Inc.



February 5, 2024

Tre'Jon Singletary
City of Stonecrest
Planning and Zoning Department
3120 Stonecrest Boulevard
Suite 190
Stonecrest, GA 30038

RE: Popeyes, 2869 Evans Mill Road
Stonecrest, GA 30038
Trip Generation / Traffic Impact

Mr. Singletary,

Please accept this letter as trip generation for the proposed Popeyes Restaurant at the above address as previously discussed.

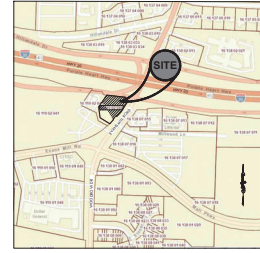
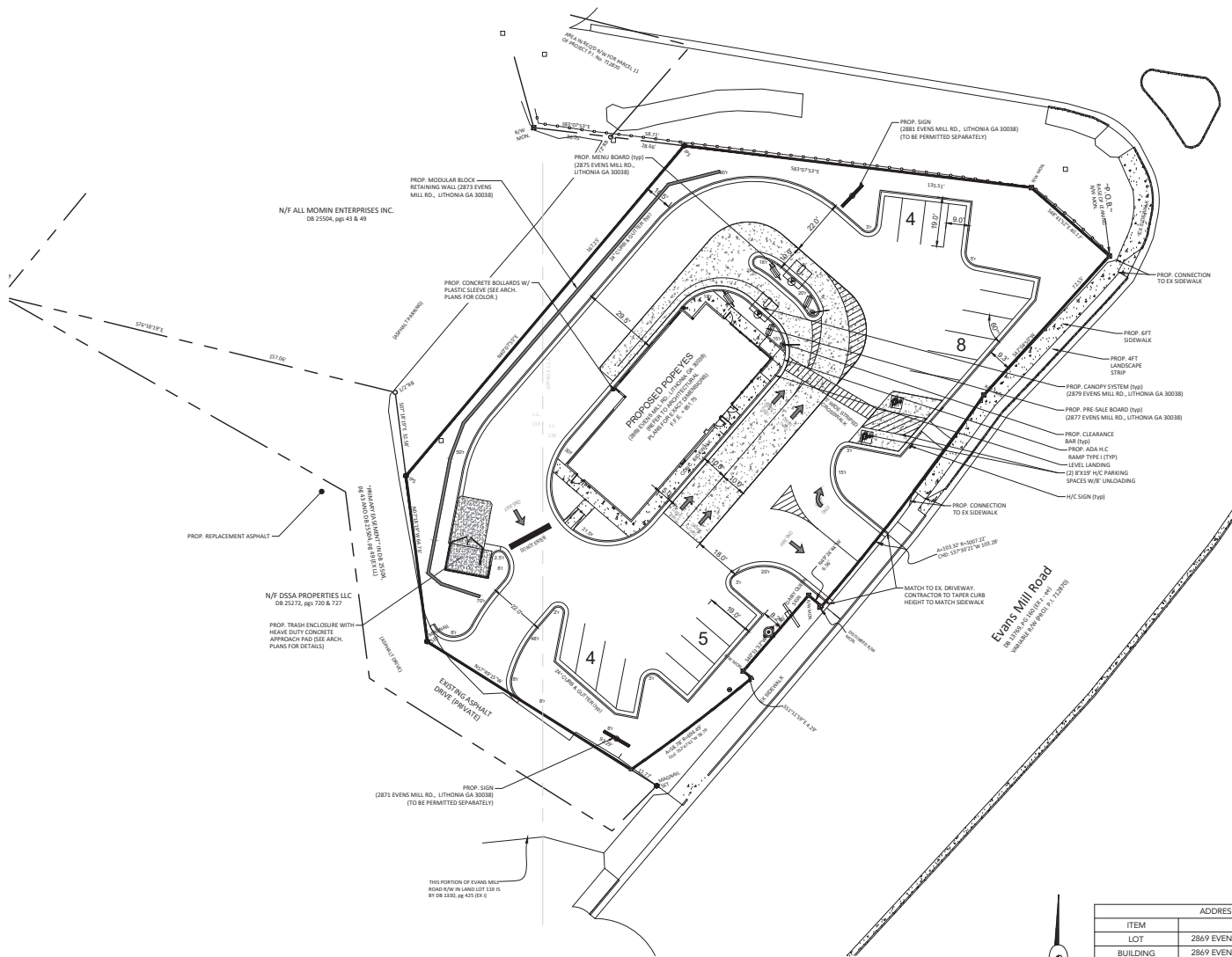
The scope of project includes the construction of Popeyes restaurant with drive-through and all associated drive aisles, parking, and utilities.

Per the Institute of Transportation Engineers (ITE) Trip Generation Manual, Land Use Code 934 Fast Food Restaurant with Drive-Through Window, the average weekday vehicle Trip Generation of 19.52 per seat. This project would have 46 seats and would result in Average Daily Trips (ADT) of approximately 898 ADT. Additionally, there are no peak AM hour trips for the proposed Popeyes as this proposed use is not open during the AM peak hours. Also, the peak hour trips based on the historical data for this specific use are either during the mid-day or after the 4-6 PM rush hour time frame and are expected to be less than the 100 peak hour trips. Therefore, no Traffic Impact Study is required.

Should you have any questions, contact me at mark@carterengineering.com or 770-725-1200.

Sincerely,

Mark Campbell P.E.
Carter Engineering Consultants, Inc.



PROJECT INFORMATION

DRAWING SET PREPARED BY:
CARTER ENGINEERING CONSULTANTS, INC.
3025 MARSH HILLS ROAD, STE 2000
WATKINSVILLE, GA 30677
CONTACT: MARK CAMPBELL, P.E.
PHONE: (770) 725-1200
www.carter-engineering.com

DRAWING SET PREPARED FOR:
VI LO PROPERTIES, LLC
3648 Mansfield Drive
WATKINSVILLE, GA 30032
CONTACT: VICTOR HANDEL
PHONE: (606) 886-7292
vhan@viloproperties.com

SITE INFORMATION

JURISDICTION: CITY OF STONECREST
PROPERTY LOCATION: 2869 Evans Mill Road, Lithonia, GA 30038
PARCEL NUMBER: #52 132 02 044
CURRENT ZONING: C-2 CENTRAL COMMERCIAL
PROPOSED USE: POPE'S RESTAURANT WITH ALL ASSOCIATED UTILITIES
REQUIRED BUILDING SETBACKS:
FRONT: 15 FEET
SIDE: 30 FEET
REAR: 30 FEET

PROJECT TRACT: 6.886 ACRES
DISTURBED AREA: 3.98 ACRES

BOUNDARY, SITE SURVEY AND CONTOUR INFORMATION OBTAINED FROM CHASTAIN & ASSOCIATES, P.C., DATED: MAY 5, 2015. (PROJECT #15-01)

CONTOUR INTERVAL: 5 FEET

F.E.M.A. FLOOD INSURANCE RATE MAP NO. 13080C0786, DATED DECEMBER 08, 2015 INDICATES THAT THIS PROPERTY'S LOCATION IS LOCATED IN "ZONE X" AND NOT LOCATED WITHIN A SPECIAL FLOOD HAZARD ZONE.

THE UNDERGROUND UTILITIES SHOWN HEREIN HAVE BEEN LOCATED FROM FIELD INFORMATION AND EXISTING DRAWINGS. THE SURVEYOR DOES NOT WARRANT THAT THE INFORMATION AND EXISTING DRAWINGS, THE SURVEYOR DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED. THE SURVEYOR WORK ENGINEER HAS PROFESSIONALLY LOCATED ALL THE UNDERGROUND UTILITIES.

IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO FIELD LOCATE ALL UTILITIES PRIOR TO COMMENCING WORK AND NOTIFY ENGINEER IF A DISCREPANCY IS FOUND.

THE CONTRACTOR SHALL VERIFY THE EXACT LOCATION OF ALL EXISTING STORM AND SANITARY SEWER STRUCTURES PRIOR TO COMMENCEMENT OF STORM AND SANITARY SEWER CONSTRUCTION.

UNDERGROUND UTILITIES DISCLOSURE

INFORMATION REGARDING THE REPORTED PRESENCE, SIZE, CHARACTER AND LOCATION OF EXISTING UNDERGROUND UTILITIES AND STRUCTURES RELATED TO UNDERGROUND UTILITIES IS SHOWN HEREIN. THERE IS NO WARRANTY OF THE ACCURACY OF THIS INFORMATION AND IT SHALL BE CONSIDERED BY THE CLIENT BY THEIR USE OF THIS DRAWING. THE LOCATION AND ARRANGEMENT OF UNDERGROUND UTILITIES AND STRUCTURES RELATED TO UNDERGROUND UTILITIES SHOWN HEREIN MAY BE INACCURATE AND UTILITIES AND STRUCTURES RELATED TO UNDERGROUND UTILITIES NOT SHOWN MAY BE FACILITATED. THE OWNER, HIS CONTRACTOR, HIS CONSULTANTS AND HIS CONTRACTORS SHALL HEREBY EXPLICITLY UNDERSTAND THAT THE SURVEYOR IS NOT RESPONSIBLE FOR THE CORRECTNESS OR SUFFICIENCY OF THIS INFORMATION REGARDING THE UNDERGROUND UTILITIES AND STRUCTURES RELATED TO UNDERGROUND UTILITIES SHOWN HEREIN.

PARKING DATA

PARKING REQUIREMENT

ACCORDING TO THE CITY OF STONECREST, GA, CODE OF ORDINANCES CHAPTER 21, ARTICLE 6 SECTION 2.4.6 Min. Requirement: one (1) space for each 150 square feet of floor area. Min. one (1) space for each 75 square feet of floor area.

MIN. SPACES REQUIRED: 2388.5 x 150.5 = 16
MIN. SEATS REQUIRED: 2388.5 x 75.5 = 12

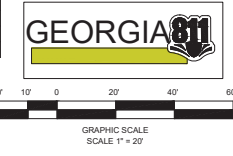
16 MIN. SEATS REQUIRED
12 MIN. SEATS REQUIRED
PARKING SPACES REQUIRED FROM 16 TO 31 SPACES REQUIRED

PROVIDED PARKING: 19 PARKING SPACES PROVIDED
HANDICAP PARKING (2 REQUIRED): 2 HANDICAP SPACES PROVIDED
TOTAL = 31 SPACES PROVIDED

PERMIT NUMBER: LD22-000020

ADDRESS CHART

ITEM	ADDRESS
LOT	2869 EVANS MILL RD., LITHONIA, GA. 30038
BUILDING	2869 EVANS MILL RD., LITHONIA, GA. 30038
SOUTH SIGN	2871 EVANS MILL RD., LITHONIA, GA. 30038
RETAINING WALL	2873 EVANS MILL RD., LITHONIA, GA. 30038
MENU BOARD	2875 EVANS MILL RD., LITHONIA, GA. 30038
PRE-SALE BOARD	2877 EVANS MILL RD., LITHONIA, GA. 30038
CANPOY SYSTEM	2879 EVANS MILL RD., LITHONIA, GA. 30038
NORTH SIGN	2881 EVANS MILL RD., LITHONIA, GA. 30038



REVISION BLOCK

NO.	DATE	DESCRIPTION
1	12/27/21	REVISION PER ARCH
2	10/20/22	CITY SUBMITTAL
3	10/20/22	REVISION PER ARCH
4	10/20/22	REVISION PER ARCH
5	11/02/22	ADDRESS COUNTY COMMENTS
6	11/13/22	ADDRESS COUNTY COMMENTS
7	11/17/22	ADDRESS COUNTY COMMENTS
8	12/17/22	REVISION PER OWNER



CARTER ENGINEERING CONSULTANTS

Carter Engineering Consultants, Inc.
3651 Bear Hill Road, Suite 2000
WATKINSVILLE, GA 30087

T: 770.725.1200
F: 770.725.1204
www.carter-engineering.com

SITE DEVELOPMENT PLANS FOR VI LO PROPERTIES, LLC

2869 EVANS MILL ROAD, LITHONIA, GA. 30038

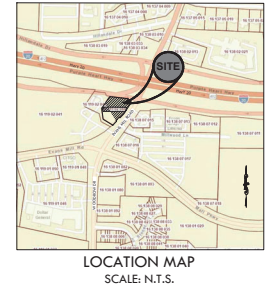
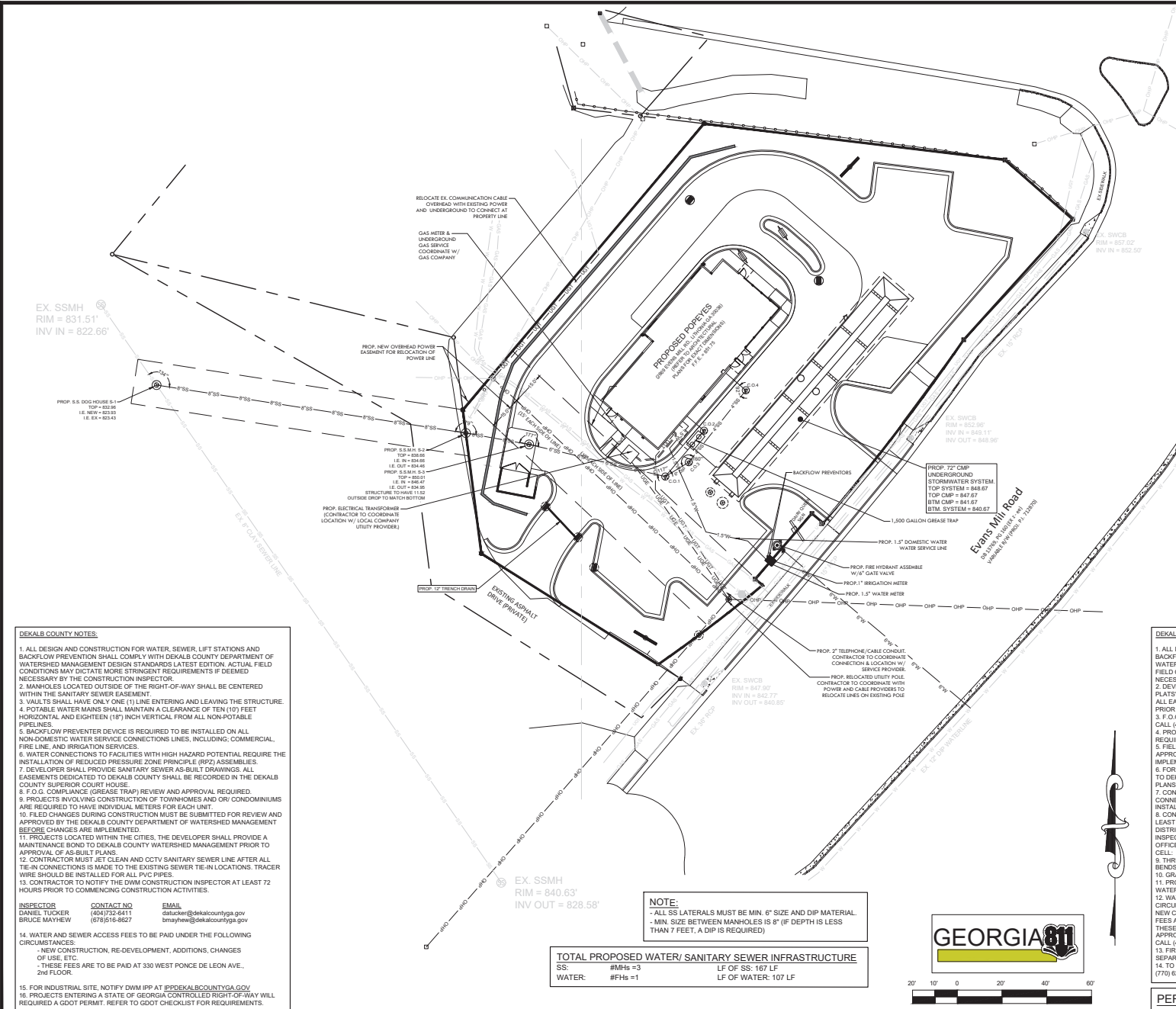
PROJECT NAME:

SHEET TITLE: **SITE PLAN**

SHEET NUMBER: **C-2.0**

PROJECT NUMBER: **21035POP**

DATE: **07/17/23**



PROJECT INFORMATION

DRAWING SET PREPARED BY:
 CARTER ENGINEERING CONSULTANTS, INC.
 2849 EVANS MILL ROAD, LITHIAVA, GA 30077
 CONTACT: MARK CAMPBELL, P.E.
 PHONE: (770) 725-2200
 EMAIL: MARK@CECON.COM

DRAWING SET PREPARED FOR:
 VI LO PROPERTIES, LLC
 2849 EVANS MILL ROAD, LITHIAVA, GA 30077
 CONTACT: VICTOR HANDEL
 PHONE: (404) 888-7251
 EMAIL: VICTOR@VILOPROPERTIES.COM

SITE INFORMATION:
 JURISDICTION: CITY OF STONECREST
 PROPERTY LOCATION: 2869 Evans Mill Road, LithiaVA GA 30036
 PARCEL NUMBER: #56 133 02 046
 CURRENT ZONING: C (CENTRAL COMMERCIAL)
 PROPOSED USE: POPEYE'S RESTAURANT WITH DRIVE THRU
 REQUIRED BUILDING SETBACKS:
 FRONT: 15 FEET
 SIDE: 10 FEET
 REAR: 10 FEET

PROJECT TRACT:
 DISTURBED AREA: 0.854 ACRES
 UNDISTURBED AREA: 0.8 ACRES

BOUNDARY, SITE SURVEY AND CONTOUR INFORMATION OBTAINED FROM CHAVAN & ASSOCIATES, P.C. DATED JULY 9, 2021. (TR0276-7018)
 CONTOUR INTERVAL: 0.1 FEET

F.E.M.A. FLOOD-INSURANCE RATE MAP NO. 13082C3, REV. DATED DECEMBER 08, 2018
 INDICATES THAT THIS PROPERTY IS LOCATED IN "ZONE X" AND NOT LOCATED WITHIN A SPECIAL FLOOD HAZARD ZONE.

THE UNDERGROUND UTILITIES SHOWN HEREIN HAVE BEEN LOCATED FROM FIELD SURVEY AND TESTING. THE SURVEYOR MAKES NO REPRESENTATION THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER ABOVE OR BELOW GROUND. THE SURVEYOR DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED. THE SURVEYOR DOES NOT WARRANT THAT THE UTILITIES ARE PHYSICALLY LOCATED AT THE INDICATED DEPTHS.

IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO RE-LOCATE ALL UTILITIES PRIOR TO COMMENCING WORK AND NOTIFY ENGINEER IF A DISCREPANCY IS FOUND.

THE CONTRACTOR SHALL VERIFY THE INVERT ELEVATIONS OF ALL EXISTING STORM AND SEWER STRUCTURES PRIOR TO COMMENCEMENT OF STORM AND SEWER CONSTRUCTION.

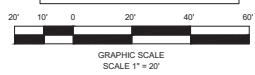
INFORMATION REGARDING THE REPORTED PRESENCE, SIZE, CHARACTER AND LOCATION OF EXISTING UNDERGROUND UTILITIES AND STRUCTURES RELATED TO UNDERGROUND UTILITIES IS SHOWN HEREIN. THERE IS NO CERTAINTY OF THE ACCURACY OF THIS INFORMATION AND IT SHALL BE CONSIDERED IN THAT LIGHT BY THOSE USING THIS DRAWING. THE LOCATION AND ARRANGEMENT OF UNDERGROUND UTILITIES AND STRUCTURES RELATED TO UNDERGROUND UTILITIES SHOWN HEREIN MAY BE INACCURATE AND UTILITIES AND STRUCTURES RELATED TO UNDERGROUND UTILITIES NOT SHOWN MAY BE DISCOVERED. THE SURVEYOR, HIS EMPLOYEES, HIS CONSULTANTS AND THE CONTRACTOR SHALL HEREBY DEEMEDLY UNDERSTAND THAT THE SURVEYOR IS NOT RESPONSIBLE FOR THE CORRECTNESS OR SUFFICIENCY OF THE INFORMATION REGARDING THE UNDERGROUND UTILITIES AND STRUCTURES RELATED TO UNDERGROUND UTILITIES SHOWN HEREIN.

- DEKALB COUNTY NOTES:**
1. ALL DESIGN AND CONSTRUCTION FOR WATER, SEWER, LIFT STATIONS AND BACKFLOW PREVENTION SHALL COMPLY WITH DEKALB COUNTY DEPARTMENT OF WATERSHED MANAGEMENT DESIGN STANDARDS LATEST EDITION. ACTUAL FIELD CONDITIONS MAY DICTATE MORE STRINGENT REQUIREMENTS IF DETERMINED NECESSARY BY THE CONSTRUCTION INSPECTOR.
 2. MANHOLES LOCATED OUTSIDE OF THE RIGHT-OF-WAY SHALL BE CENTERED WITHIN THE SANITARY SEWER EASEMENT.
 3. VAULTS SHALL HAVE ONLY ONE (1) LINE ENTERING AND LEAVING THE STRUCTURE.
 4. POTABLE WATER MAINS SHALL MAINTAIN A CLEARANCE OF TEN (10) FEET HORIZONTAL AND EIGHTEEN (18) INCH VERTICAL FROM ALL NON-POTABLE PIPELINES.
 5. BACKFLOW PREVENTER DEVICE IS REQUIRED TO BE INSTALLED ON ALL NON-DOMESTIC WATER SERVICE CONNECTIONS LINES, INCLUDING COMMERCIAL, FIRE LINE, AND IRRIGATION SERVICES.
 6. WATER CONNECTIONS TO FACILITIES WITH HIGH HAZARD POTENTIAL REQUIRE THE INSTALLATION OF REDUCED PRESSURE ZONE PRINCIPLE (RPZ) ASSEMBLIES.
 7. DEVELOPER SHALL PROVIDE SANITARY SEWER AS-BUILT DRAWINGS. ALL EASEMENTS DEDICATED TO DEKALB COUNTY SHALL BE RECORDED IN THE DEKALB COUNTY SUPERIOR COURT HOUSE.
 8. F.O.G. COMPLIANCE (GREASE TRAP) REVIEW AND APPROVAL REQUIRED.
 9. PROJECTS INVOLVING CONSTRUCTION OF TOWNHOMES AND/OR CONDOMINIUMS ARE REQUIRED TO HAVE INDIVIDUAL METERS FOR EACH UNIT.
 10. FIELD CHANGES DURING CONSTRUCTION MUST BE SUBMITTED FOR REVIEW AND APPROVED BY THE DEKALB COUNTY DEPARTMENT OF WATERSHED MANAGEMENT BEFORE CHANGES ARE IMPLEMENTED.
 11. PROJECTS LOCATED WITHIN THE CITIES, THE DEVELOPER SHALL PROVIDE A MAINTENANCE BOND TO DEKALB COUNTY WATERSHED MANAGEMENT PRIOR TO APPROVAL OF AS-BUILT PLANS.
 12. CONTRACTOR MUST JET CLEAN AND CCTV SANITARY SEWER LINE AFTER ALL TIE-IN CONNECTIONS IS MADE TO THE EXISTING SEWER TIE-IN LOCATIONS. TRACER WIRE SHOULD BE INSTALLED FOR ALL PVC PIPES.
 13. CONTRACTOR TO NOTIFY THE DWM CONSTRUCTION INSPECTOR AT LEAST 72 HOURS PRIOR TO COMMENCING CONSTRUCTION ACTIVITIES.
- INSPECTOR CONTACT NO. EMAIL:**
 DANIEL TUCKER (404)732-6411 dtucker@dekalcountypga.gov
 BRUCE MATHEW (678)516-8627 bmathew@dekalcountypga.gov
14. WATER AND SEWER ACCESS FEES TO BE PAID UNDER THE FOLLOWING CIRCUMSTANCES:
 - NEW CONSTRUCTION, RE-DEVELOPMENT, ADDITIONS, CHANGES OF USE, ETC.
 - THESE FEES ARE TO BE PAID AT 330 WEST PONCE DE LEON AVE., 2ND FLOOR.
15. FOR INDUSTRIAL SITE, NOTIFY DWM IPP AT IPP@DEKALBCOUNTYPGA.GOV
 16. PROJECTS ENTERING A STATE OF GEORGIA CONTROLLED RIGHT-OF-WAY WILL REQUIRE A GDOT PERMIT. REFER TO GDOT CHECKLIST FOR REQUIREMENTS.

NOTE:
 - ALL SS LATERALS MUST BE MIN. 6" SIZE AND DIP MATERIAL.
 - MIN. SIZE BETWEEN MANHOLES IS 6" (IF DEPTH IS LESS THAN 7 FEET, A DIP IS REQUIRED)

TOTAL PROPOSED WATER/ SANITARY SEWER INFRASTRUCTURE

SS: #Mhs = 3	LF OF SS: 167 LF
WATER: #Fhs = 1	LF OF WATER: 107 LF



- DEKALB COUNTY WATER & SEWER NOTES:**
1. ALL DESIGN AND CONSTRUCTION FOR WATER, SEWER, FIRE LINES, LIFT STATIONS & BACKFLOW PREVENTION SHALL COMPLY WITH DEKALB COUNTY DEPARTMENT OF WATERSHED MANAGEMENT DESIGN STANDARDS 2008 EDITION, VERSION 1.0. ACTUAL FIELD CONDITION MAY DICTATE MORE STRINGENT REQUIREMENTS IF DETERMINED NECESSARY BY THE CONSTRUCTION INSPECTOR.
 2. DEVELOPER SHALL PROVIDE RECORD DRAWINGS "AS-BUILT PLANTS" AND "FINAL PLATS" (IF APPLICABLE) IN HARD COPY AND ELECTRONIC FORMAT, AS WELL AS, RECORD ALL EASEMENTS THAT WILL DEDICATED TO DEKALB COUNTY IN THE COURT HOUSE, PRIOR TO APPROVAL OF AS-BUILT PLANS.
 3. F.O.G. COMPLIANCE (GREASE TRAP) REVIEW AND APPROVAL REQUIRED. CALL (404) 687-7150 OR (404) 887-1157.
 4. PROJECTS INVOLVING CONSTRUCTION OF TOWNHOMES AND/OR CONDOMINIUMS ARE REQUIRED TO HAVE INDIVIDUAL METERS FOR EACH UNIT.
 5. FIELD CHANGES DURING CONSTRUCTION MUST BE SUBMITTED FOR REVIEW AND APPROVAL BY THE COUNTY WATER & SEWER ENGINEER BEFORE CHANGES ARE IMPLEMENTED.
 6. FOR PROJECTS WITHIN CITIES, DEVELOPER SHALL PROVIDE A MAINTENANCE BOND TO DEKALB COUNTY FOR WATERSHED UTILITIES PRIOR TO APPROVAL OF AS-BUILT PLANS.
 7. CONTRACTOR MUST JET CLEAN AND T.V. SANITARY SEWER LINES AFTER CONNECTIONS ARE MADE TO THE EXISTING SEWER TIE-IN POINTS. TRACER WIRE TO BE INSTALLED FOR PVC PIPES.
 8. CONTRACTOR MUST NOTIFY THE WATER & SEWER CONSTRUCTION INSPECTOR AT LEAST 72 HOURS PRIOR TO COMMENCING CONSTRUCTION ACTIVITIES.
 9. TRUST BLOCKS ARE REQUIRED WHEREVER PIPE CHANGES DIRECTION (TEES, BENDS, ETC.).
 10. GRAVITY SEWER LINE MATERIAL SHALL BE PVC (SDR35) OR DIP (CLASS 350).
 11. PROVIDE EASEMENT PLAT & DEED FOR REVIEW FOR ALL SANITARY SEWER AND WATER EASEMENTS. (AFTER CONSTRUCTION AND WITH AS-BUILTS)
 12. WATER & SEWER ACCESS FEES NEED TO BE PAID UNDER THE FOLLOWING CIRCUMSTANCES:
 NEW CONSTRUCTION, RE-DEVELOPMENT, ADDITIONS, CHANGE OF USE, ETC. THESE FEES ARE TO BE PAID AT 330 WEST PONCE DE LEON AVE., 2ND FLOOR. FAILURE TO SETTLE THESE FEES WILL RESULT IN DELAYS FOR OBTAINING WATER & SEWER PLAN APPROVAL AS WELL AS CERTIFICATE OF OCCUPANCY COMPLETION.
 CALL (404) 671-4516 FOR FEE CALCULATIONS OR ANY QUESTIONS.
 13. FIRE LINES, F.O.G., BACKFLOW PREVENTION, AND LIFT STATIONS REQUIRE A SEPARATE REVIEW.
 14. TO PURCHASE A COPY OF THE DESIGN STANDARDS, PLEASE CALL (770)414-2383 OR (770) 621-7272.

PERMIT NUMBER: LD22-000020

REVISION BLOCK:

NO.	DATE	DESCRIPTION
1	12/27/21	ISSUED FOR PERMIT
2	10/20/22	CITY OF STONECREST
3	10/20/22	ADDITIONAL COUNTY COMMENTS
4	10/24/22	ADDITIONAL COUNTY COMMENTS
5	11/13/22	ADDITIONAL COUNTY COMMENTS
6	11/13/22	ADDITIONAL COUNTY COMMENTS
7	11/17/22	ADDITIONAL COUNTY COMMENTS
8	12/07/22	REVISION FOR OWNER

CEC
 CARTER ENGINEERING CONSULTANTS, INC.
 2849 EVANS MILL ROAD, LITHIAVA, GA 30077
 P: 770.725.2200
 F: 770.725.2204
 www.carterengineering.com

VI LO PROPERTIES, LLC
 2849 EVANS MILL ROAD, LITHIAVA, GA 30077

PROJECT NAME:
 UTILITY PLANS

SHEET TITLE:
 UTILITY PLANS

SHEET NUMBER:
 C-3.0

PROJECT NUMBER:
 21035POP

DATE:
 07/17/23











Item VIII. b.

Attachment(s): Comprehensive Plan and Ordinance(s)

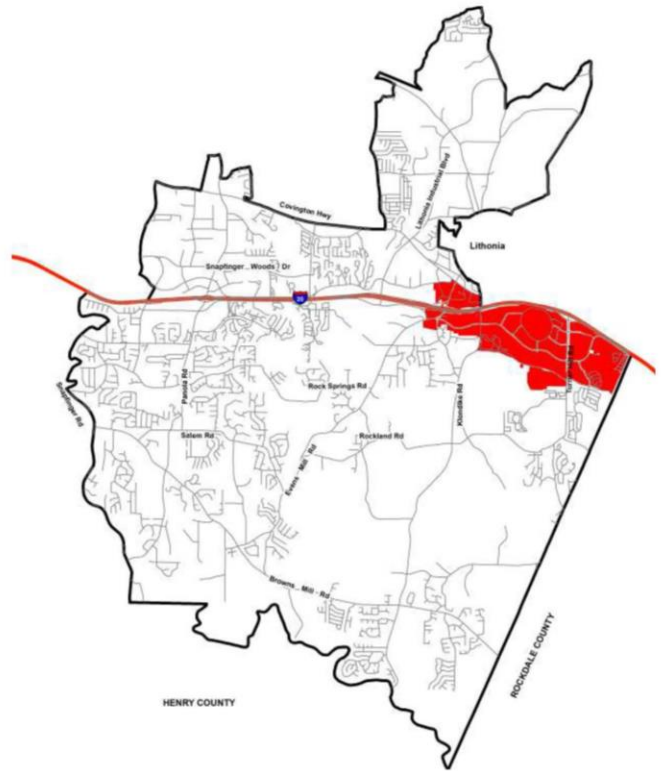
COMPREHENSIVE PLAN ELEMENTS

LAND USE

Regional Center (RC)

The intent of the Regional Center is to promote the concentration of regional service activities to a centralized location that allow for a variety of uses while reducing automobile travel, promoting walkability and increased transit usage. These areas consist of a high intensity of regional commercial, office, employment areas, high density residential and higher-education facilities.

These areas are characterized by high vehicular traffic, and high transit use, including stops, shelters and transfer points. The proposed density for areas of this type allows up to 120 dwelling units per acre. The Regional Center will allow certain permitted zoning districts to help shape the character.

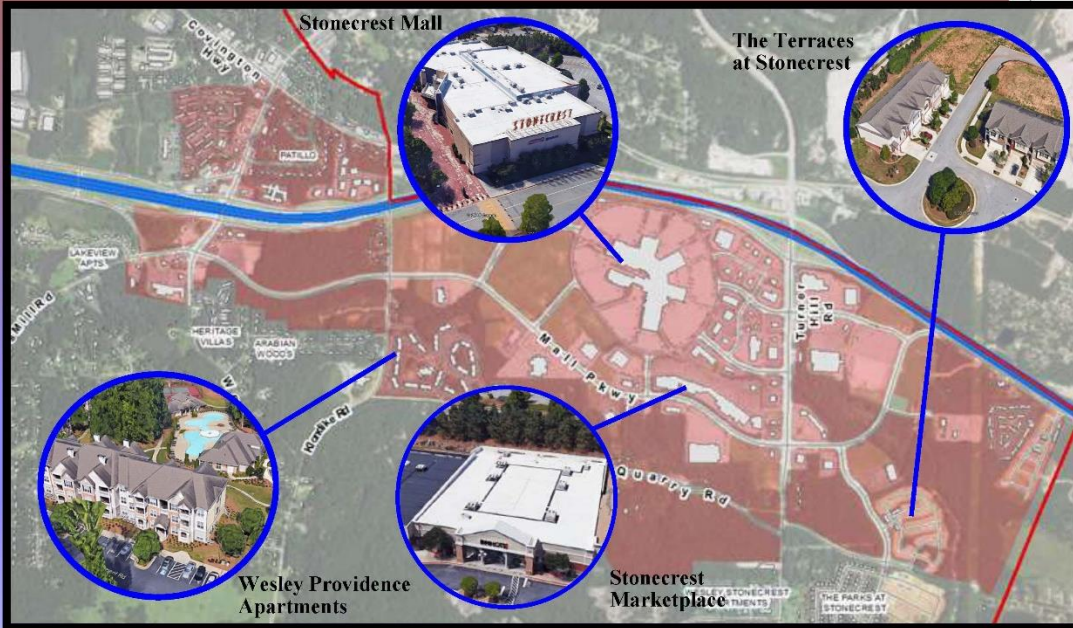
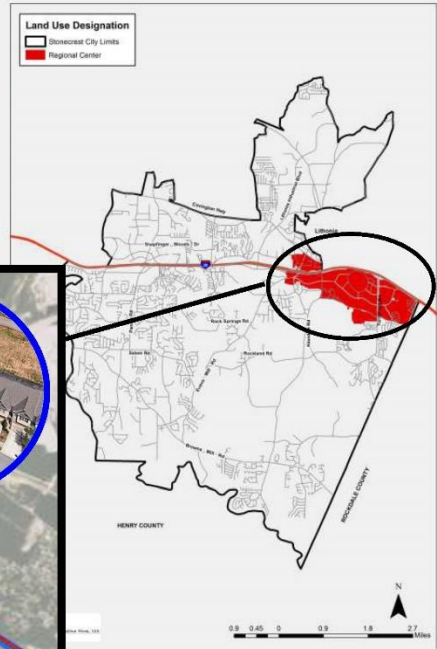


Regional Center Character Area Locations

- Turner Hill & Mall Parkway
- Klondike Road & Mall Parkway
- Evans Mill Road & I-20

Building Community, Culture & Commerce For Now and Into The Future!

Regional Center (RC)



Building Community, Culture & Commerce For Now and Into The Future!

COMPREHENSIVE PLAN ELEMENTS **LAND USE**

Regional Center Primary Land Uses

- Stacked Townhouses
- 8+ Story Condominiums and Lofts
- High Rise Apartments
- Regional Healthcare Facilities
- Large-Scale Retail and Commercial
- Regional Corporate Offices
- Education and Institutional Uses
- Entertainment and Cultural Facilities
- Parks, Recreation Facilities, and Sports Complexes
- Public and Civic Facilities



Permitted Zoning in RC Areas
HR-1, HR-2, HR-3, MU-1, MU-2, MU-3, MU-4, MU-5, C-1, C-2, OI, OIT

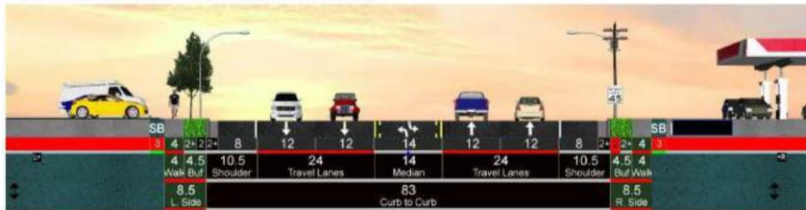


Building Community, Culture & Commerce For Now and Into The Future!

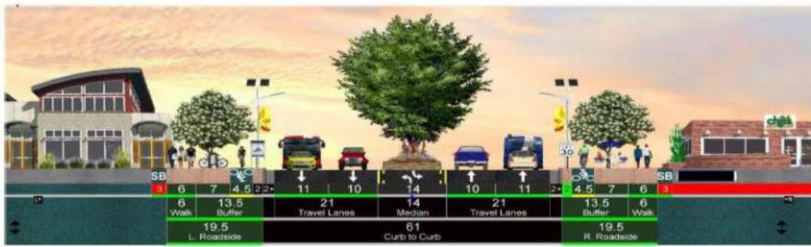
COMPREHENSIVE PLAN ELEMENTS

LAND USE

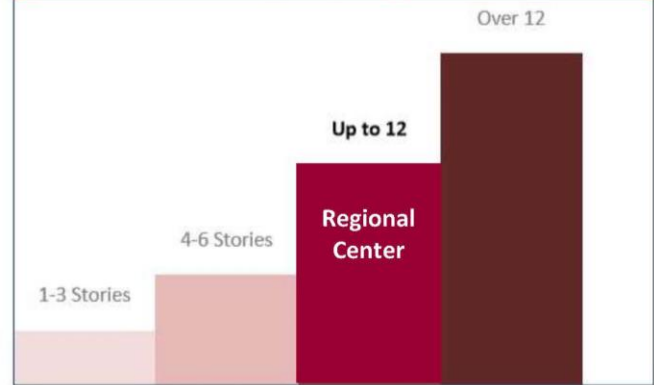
Existing Mall Boulevard (Collector)



Revised Mall Boulevard



Preferred Building Height for Regional Center



Design Guidelines

1. Setbacks - Greater setbacks shall be required when adjacent to lower density residential uses and transitional buffers may be required.
2. Buffers - Development shall incorporate enhanced buffers in an effort to protect single family neighborhoods.
3. Heights - Proposed development shall consider and implement staggered heights when adjacent to single family residential neighborhoods.

Building Community, Culture & Commerce For Now and Into The Future!

Regional Center Development Policies

1. **Maximum Density** - Encourage the maximum density of residential in mixed use projects not to exceed 120 dwelling units per acre, with the most intense development located towards the commercial and/or office core of the Regional Center. Properties located along the outer edges of the Regional Center shall be sensitive to the building height and density of adjacent single family residential.
2. **Pedestrian Scale Development** - Create pedestrian scale communities that focus on the relationship between the street, buildings, streetscaping and people.
3. **Mixed Use Development** - Create compact mixed use districts and reduce automobile dependency and travel to obtain basic services.
4. **Transitional Buffers** - Require greater setbacks and/or transitional buffers for developments when located adjacent to lower density residential uses.
5. **Enhanced Buffers** - Require the incorporation of enhanced buffers in efforts to protect single family neighborhoods.
6. **Staggered Heights** - Require the consideration of staggered height implementation when developments are adjacent to single family residential neighborhoods.
7. **Streetscaping** - Improve street character with consistent signage, lighting, landscaping and other design features.
8. **Pocket Parks** - Create focal points through the use of existing pocket parks and squares for community activities.
9. **Infill Development** - Utilize vacant properties in the neighborhood as an opportunity for infill development of compatible structures.
10. **Parking** - Clearly define road edges by locating buildings near the roadside with parking in the rear.
11. **Open Space and linkages** - Encourage that all development and redevelopment in development nodes to provide open space and/or contribute to the public realm with wider public sidewalks, pedestrian linkages and other design features.
12. **Healthy Neighborhoods** - Promote healthy living in neighborhoods by incorporating a pedestrian environment that encourages socialization, walking, biking and connectivity.
13. **High Density Residential** - Residential development shall reinforce the center by locating higher density housing options adjacent to the center. Housing in Regional Center shall be targeted to a broad range of income levels.
14. **Pedestrian Enhancements** - Create a pedestrian-friendly environment by adding sidewalks that link neighborhood amenities.
15. **Traffic Calming** - Organize circulation patterns through traffic calming techniques and access management. Add traffic calming improvements, sidewalks, and increased street interconnections to increase safety and improve walkability.
16. **Pedestrian Oriented Design** - Design shall be pedestrian-oriented with walkable connections between different uses.
17. **VMT** - Promote new and redevelopment at or near development nodes as a means of reduce vehicle miles traveled (VMT).
18. **High Density Development** - Each Regional Center shall include a very high-density mix of retail, office, services, and employment opportunities to serve several neighborhoods.



Sec. 4.2.23. Drive-through facility, restaurant.

All drive-through facilities must comply with the following:

- A. Drive-through facilities shall not be located within 60 feet of a residentially zoned property, as measured from any menu or speaker box to the property line of adjacent residential property, unless part of a mixed use development.
- B. No drive-through facility shall be located on a property less than 10,000 square feet in area, unless part of a mixed use development. Stacking spaces for queuing of cars shall be provided for the drive-through area as required in article 6 of this chapter.
- C. Drive-through lanes and service window serving drive-through lanes shall only be located to the side or rear of buildings.
- D. Drive-through canopies and other structures, where present, shall be constructed from the same materials as the primary building and with a similar level of architectural quality and detailing.
- E. Speaker boxes shall be directed away from any adjacent residential properties and shall require masonry sound attenuation walls with landscaping or other speaker volume mitigation measures. Speaker boxes shall not play music but shall only be used for communication for placing orders.
- F. All lighting from drive-through facilities shall be shaded and screened so as to be directed away from any adjacent residential properties.
- G. Stacking spaces shall be provided for any use having a drive-through facility or areas having drop-off and pick-up areas in accordance with the following requirements. Stacking spaces shall be a minimum of ten feet wide and 25 feet long. Stacking spaces shall begin at the last service window for the drive-through lane (typically the pick-up window).
- H. All drive-through facilities with the exception of drive-through restaurants shall provide at least three stacking spaces for each window or drive-through service facility.
- I. The following general standards shall apply to all stacking spaces and drive-through facilities:
 - a. Drive-through lanes shall not impede on- and off-site traffic movements, shall not cross or pass through off-street parking areas, and shall not create a potentially unsafe condition where crossed by pedestrian access to a public entrance of a building.
 - b. Drive-through lanes shall be separated by striping or curbing from off-street parking areas. Individual lanes shall be striped, marked or otherwise distinctly delineated.
 - c. All drive-through facilities shall include a bypass lane with a minimum width of ten feet, by which traffic may navigate around the drive-through facility without traveling in the drive-through lane. The bypass lane may share space with a parking access aisle.
 - d. Drive-through lanes must be set back five feet from all lot lines and roadway right-of-way lines.
 - e. Owner and operator are responsible for daily litter clean-up to ensure the property remains free of trash, litter, and debris.
 - f. Drive-through restaurants shall not be located within 500 feet of an elementary, middle, or high school.
 - g. Drive-through restaurants located in activity centers require a special land use permit. In all other character areas a special land use permit is required unless the facility can meet at least two of the following criteria:



- i. Facility is located within 400 feet of an intersection of a major arterial street and a major or minor arterial street, or within 1,000 feet of an interstate highway interchange do not require a special land use permit.
- ii. Facility is accessible only through interparcel access or through a shared driveway.
- iii. Facility is part of a major redevelopment, as defined in section 27-8.1.16.
- h. Distance shall be measured from the right-of-way of the exit or entrance ramp, or street corner (middle of the radius), along the intersecting street right-of-way, to the nearest property line.

(Ord. of 8-2-2017, § 1(4.2.23))



Attachment(s): Community Planning Information Meeting (CPIM) Summary Minutes



CITY OF STONECREST, GEORGIA

Community Planning Information Meeting (CPIM)

Meeting Minutes

March 14, 2024, at 6:00 P.M.

Planning-zoning@stonecrestga.gov

***IN-PERSON MEETING**

[Stonecrest's YouTube Broadcast Link](#)

Citizens wishing to actively participate and comment during the public hearing portion of the meeting may comment in person. You may also submit your request including your full name, address, and position on the agenda item you are commenting on (for or against) via email to Planning-zoning@stonecrestga.gov by 2 pm the day before the meeting, March 13, 2024, to be read into the record at the meeting.

CALL TO ORDER AND INTRODUCTIONS: Cobi Brown, Planning Administrative Technician called the meeting to order at 6 p.m.

I. REVIEW OF THE PURPOSE AND INTENT OF THE COMMUNITY PLANNING INFORMATION MEETING

A review of the purpose and intent of the community planning information meeting was stated.

II. PUBLIC COMMENTS:

Citizens wishing to actively participate and comment during the public hearing portion of the meeting may comment in person. You may also submit your request including your full name, address, and position on the agenda item you are commenting on (for or against) via email to Planning-Zoning@stonecrestga.gov by 5 pm the day before the Public Hearing, February 7, 2024, to be read into the record at the meeting.

III. Case(s) of Discussion:

LAND USE PETITION:	SLUP 24-001
PETITIONER:	Jessica Hood of Carter Engineering Consultants, Inc.
LOCATION:	2869 Evans Mill Rd
OVERLAY DISTRICT:	Stonecrest Tier 2
PETITIONER'S REQUEST:	The applicant is seeking a Special Land Use Permit (SLUP) to develop and operate a Popeye's restaurant.

Mark Cambell the applicant gave an overview of the proposed project. He stated that the lot is currently undeveloped commercial property, is not adjacent to any recent developments, is around 0.7 acres of land, and the only structure on the site is a billboard. The proposed restaurant will be a Popeyes with dine-in, carry-out, and drive-thru options.



CITY OF STONECREST, GEORGIA

There was one attendee who spoke in favor of the petition.

Victor Haydel the franchisee for the Popeyes, mentioned that this petition is the second time seeking approval. The first attempt was six (6) years ago. He stated that this will be the most “high-tech state-of-the-art” Popeyes ever developed and that it will be aesthetically pleasing. They would like to continue to be positive corporate partners for the community.

There was one attendee who spoke against the petition.

Dave Marcus a resident spoke in opposition. He stated his concerns about the quality of restaurants in the city of Stonecrest. He stated various Yelp reviews of the current fast-food restaurants in the area that have low ratings. He also mentioned a concern for traffic.

Victor Haydel stated that the amount of traffic that is generated by Popeyes is not as high as other quick service restaurants. This restaurant will not serve breakfast. The land provides an opportunity to allow more than one (1) ingress and egress besides the existing access points which helps from a traffic flow standpoint.

Dave Marcus asked if they were aware of the design requirements.

Mark Campbell stated that they are aware of the requirements.

Victor Haydel stated that the closest existing Popeyes Restaurant has been in operation since July 31, 2001, and that it is the busiest in the state. He also mentions that this location provides jobs for the community as well as gives back to churches, sports teams, etcetera. He also invited Mr. Marcus to visit the location to meet staff and try the food. Mr. Haydel is aware of the reviews, but the public sales records show the success of this restaurant.

Tre'Jon Singletary, the Senior Planner asked if the applicant had any renderings to share and present at the next meeting.

Mark Campbell stated that he will provide renderings in time for the next meeting.

There were no additional discussions.



CITY OF STONECREST, GEORGIA

IV. ADJOURNMENT

The meeting was adjourned at 6:28 p.m.

Americans with Disabilities Act

The City of Stonecrest does not discriminate on the basis of disability in its programs, services, activities, and employment practices.

If you need auxiliary aids and services for effective communication (such as a sign language interpreter, an assistive listening device or print material in digital format) or reasonable modification to programs, services or activities contact the ADA Coordinator, Sonya Isom, as soon as possible, preferably 2 days before the activity or event.

Respectfully submitted by Cobi Brown

APPROVED:

Shawanna Lawry

March 18, 2024

PLANNING AND ZONING DIRECTOR

Date

ATTEST:

Cobi Brown

3/19/24

SECRETARY

Date



Attachment(s): Planning Commission (PC) Summary Minutes

PLANNING COMMISSION MEETING MINUTES
Stonecrest City Hall - 6:00 PM *In-Person Meeting
April 2, 2024



As set forth in the Americans with Disabilities Act of 1990, the City of Stonecrest will assist citizens with special needs given notice (7 working days) to participate in any open meetings of the City of Stonecrest. Please contact the City Clerk's Office via telephone (770-224-0200).

Citizen Access: [Stonecrest YouTube Live Channel](#)

Citizens wishing to make a comment during the public hearing portion of the meeting can do so by attending the hearing in-person or submitting their comment(s) to Planning and Zoning Staff via email Planning-Zoning@stonecrestga.gov on the day of hearing, no later than 2:00 PM, to be read into the record at the hearing.

When it is your turn to speak, please place your comment card on the podium, state your name, address, and relationship to the case. There is a ten (10) minutes time limit for each item per side during all public hearings. Only the applicant may reserve time for rebuttal.

I. Call to Order

Vice Chairperson Erica Williams (District 1) called the meeting to order at 6:01 PM.

II. Roll Call

Vice Chairperson Erica Williams (District 1) called the roll. Commissioner Joyce Walker (District 2), Chairperson Eric Hubbard (District 3), and Commissioner Lemuel Hawkins (District 5) were all present. Commissioner Pearl Hollis (District 4) was absent. Senior Planner Tre'Jon Singletary, Planner Felisha Blair, Zoning Administrative Technician Abeykoon Abeykoon, and Planning Administrative Technician Cobi Brown were in attendance. Attorney Alicia Thompson, Fincher Denmark, LLC, attended the meeting virtually.

III. Approval of the Agenda

Vice Chairperson Erica Williams called for a motion to **APPROVE** the agenda. Chairperson Hubbard made the motion to **APPROVE** the agenda. Commissioner Hollis seconded the motion. The motion was unanimously **APPROVED. 4-0-0**

IV. Approval of Minutes - Vice Chairperson Williams called for a motion to approve the Planning Commission Meeting Minutes dated March 5, 2024. Chairperson Hubbard made the motion to **APPROVE** the meeting minutes dated March 5, 2024. Commissioner Walker seconded the motion. The motion was unanimously **APPROVED. 4-0-0**

V. Announcement: Senior Planner Singletary gave an update on the final community meeting scheduled for the Stonecrest 5-Year Comprehensive Plan update.

VI. Old Business

There was no old business.

VII. New Business:

Senior Planner Singletary presented case SLUP 24-001 and staff conditions.

PLANNING COMMISSION MEETING MINUTES
Stonecrest City Hall - 6:00 PM *In-Person Meeting
April 2, 2024



LAND USE PETITION: **SLUP 24-001**
PETITIONER: Jessica Hood of Carter Engineering Consultants, Inc.
LOCATION: 2869 Evans Mill Road, Stonecrest, GA 30038
OVERLAY DISTRICT: Stonecrest Tier 2
PROPOSED AMENDMENT: The applicant is seeking a Special Land Use Permit (SLUP) to develop and operate a Popeye’s drive-thru restaurant.

Staff recommends **APPROVAL with the following conditions:**

1. Rear setback shall be a minimum of 20 feet.
2. Appropriate signage shall be installed to confirm that there shall be a right in/right out only from Evans Mill Road. Vehicles shall not turn left from the site.
3. Applicant must comply with Section 4.2.23 Drive-through facility, restaurant.
4. There shall be a minimum of 16 parking spaces per [Sec. 6.1.4. – Off-street parking ratios](#).
5. Sidewalks must be provided on all public streets fronting the property. Sidewalks must be at least five feet in width.
6. Must comply with all permitting and signage requirements as outlined in the Stonecrest Zoning Ordinance.

Vice Chairperson Erica Williams asked for a motion to open the public hearing. Chairperson Hubbard made the motion, and it was seconded by Commissioner Hawkins. The motion was unanimously **APPROVED. 4-0-0**

Mark Campbell with Carter Engineering (the applicant) was called to speak. He stated this is an opportunity for the property owner and developer to expand operations and serve those who live in and outside of the community. The existing billboard on the property will be removed. There will be dine-in seating and a drive-through.

There was one attendee in attendance to speak in support of the petition.

Victor Hadel the franchisee, spoke. He stated that this is an important development for (them) and they have been doing business in the county since 1997.

There was one letter that was forwarded to staff via email in opposition to the petition that was read into the record.

Victor Hadel made additional comments. He stated that his other Popeyes franchise located on Panola Road is one of the highest volume locations in the state. He also invited the commissioners to visit the restaurant.

Mark Campbell came back to speak. He stated that from a design standpoint, he believes that the location will be (a) positive for the proposed restaurant and the community.

Vice Chairperson Erica Williams made a motion to close the public hearing. The motion was unanimously **APPROVED. 4-0-0**

PLANNING COMMISSION MEETING MINUTES
Stonecrest City Hall - 6:00 PM *In-Person Meeting
April 2, 2024



Commissioner Hawkins complimented the completeness of the application but stated the city is lacking other fast-food options. The use proposed is not the most appropriate use for this property.

Chairperson Hubbard mentioned the other food options in the area as well and the benefit of partnerships that would come from a new restaurant opening in the area.

Vice Chairperson Willaims also complimented the proposed design but mentioned that she has visited the location on Panola Rd and her experience has her concerned. She also asks if they plan to reinvest in the location on Panola Rd.

Victor Hadel stated that the location on Panola Rd will be remodeled to look and have the same features as the proposed Evans Mill location.

Commissioner Walker asked how this development aligns with the comprehensive plan.

Tre'Jon Singletary stated that the applicant meets the requirements.

Commissioner Hawkins asked about the other franchises Mr. Hadel operates.

Victor Hadel mentioned that they currently operate several Popeyes throughout the Atlanta Metropolitan Area but have operated other companies in the past.

Chairperson Hubbard made the motion for **APPROVAL** of the rezoning request. The motion **FAILED**.

Commissioner Hawkins made the motion to **DENY** the rezoning request. The motion was seconded by Commissioner Walker. **DENIAL 3-1-0**

VIII. Adjournment The meeting was adjourned at 6:42 PM

Respectfully submitted by Cobi Brown

APPROVED:

CHAIRPERSON _____ Date

ATTEST:

SECRETARY _____ Date

STATE OF GEROGIA

CITY OF STONECREST

ORDINANCE NO. ____ - _____

1 **AN ORDINANCE BY THE MAYOR AND COUNCIL OF THE CITY OF STONECREST,**
2 **GEORGIA TO APPROVE SPECIAL LAND USE PERMIT SLUP 24-001 ON PARCEL**
3 **NUMBER 16 119 02 044 TO CONSTRUCT AND OPERATE A POPEYE’S DRIVE-**
4 **THROUGH RESTAURANT AT 2869 EVANS MILL ROAD; TO PROVIDE**
5 **SEVERABILITY; TO PROVIDE FOR REPEAL OF CONFLICTING ORDINANCES; TO**
6 **PROVIDE FOR AN ADOPTION AND EFFECTIVE DATE; AND TO PROVIDE FOR**
7 **OTHER LAWFUL PUPOSES.**

8 **WHEREAS,** the governing body of the City of Stonecrest (“City”) is the Mayor and City
9 Council (“City Council”) thereof; and

10 **WHEREAS,** Article IX, Section II, Paragraph IV of the 1983 Constitution of the State of
11 Georgia authorizes the City to adopt plans and exercise the power of zoning; and

12 **WHEREAS,** the City Council is authorized by O.C.G.A. § 36-35-3 to adopt ordinances
13 relating to its property, affairs, and local government; and

14 **WHEREAS,** the City of Stonecrest has been vested with substantial powers, rights, and
15 functions to generally regulate the use of real property to maintain health, morals, safety, security,
16 peace, and the general welfare of the City; and

17 **WHEREAS,** the City received an application to construct and operate a popeye’s drive-
18 through restaurant at 2869 Evans Mill Road; and

19 **WHEREAS**, pursuant to the City’s Zoning Ordinance applicants who desire to construct
20 and operate a popeye’s drive-through restaurant must obtain a special land use permit; and

21 **WHEREAS**, the matter was heard in the City’s Community Planning Information Meeting
22 pursuant to the provisions of the City’s Zoning Procedures Law; and

23 **WHEREAS**, the City has properly advertised and held a public hearing before the
24 Planning Commission regarding SLUP 24-001, to construct and operate a popeye’s drive-through
25 restaurant at 2869 Evans Mill Road; and

26 **WHEREAS**, the City has properly advertised and held a public hearing pursuant to the
27 provisions of Georgia’s Zoning Procedures Law before the City Council prior to the adoption of
28 this Ordinance; and

29 **WHEREAS**, the Director of Planning and Zoning recommends approval of special land
30 use permit 24-001of property located at 2869 Evans Mill Road; and

31 **WHEREAS**, the health, safety, and welfare of the citizens of the City will be positively
32 impacted by the adoption of this Ordinance.

33 **BE IT AND IT IS HEREBY ORDAINED BY THE MAYOR AND CITY COUNCIL OF**
34 **THE CITY OF STONECREST, GEORGIA, as follows:**

35
36 **Section 1.** SLUP 24-001, application to construct and operate a popeye’s drive-through
37 restaurant at 2869 Evans Mill Road, satisfying Section 4.2.23. (Drive-through facility, restaurant.)
38 in Chapter 27 of the City of Stonecrest Code of Ordinances, is **APPROVED WITH**
39 **CONDITIONS** as follows:

- 40 1. Rear setback shall be a minimum of 20 feet.
41 2. Appropriate signage shall be installed to confirm that there shall be a right in/right out
42 only from Evans Mill Road. Vehicles shall not turn left from the site.

- 43 3. Applicant must comply with Section 4.2.23 Drive-through facility, restaurant.
- 44 4. There shall be a minimum of 16 parking spaces per Sec. 6.1.4. – Off-street parking ratios.
- 45 5. Sidewalks must be provided on all public streets fronting the property. Sidewalks must
- 46 be at least five feet in width.
- 47 6. Must comply with all permitting and signage requirements as outlined in the Stonecrest
- 48 Zoning Ordinance.

49 **Section 2.** (a) It is hereby declared to be the intention of the Mayor and Council that all

50 sections, paragraphs, sentences, clauses, and phrases of this Ordinance are or were, upon their

51 enactment, believed by the Mayor and Council to be fully valid, enforceable and constitutional.

52 (b) It is hereby declared to be the intention of the Mayor and Council that, to the greatest extent

53 allowed by law, each and every section, paragraph, sentence, clause or phrase of this Ordinance is

54 severable from every other section, paragraph, sentence, clause or phrase of this Ordinance. It is

55 hereby further declared to be the intention of the Mayor and Council that, to the greatest extent

56 allowed by law, no section, paragraph, sentence, clause, or phrase of this Ordinance is mutually

57 dependent upon any other section, paragraph, sentence, clause, or phrase of this Ordinance.

58 (c) In the event that any phrase, clause, sentence, paragraph, or section of this Ordinance shall, for

59 any reason whatsoever, be declared invalid, unconstitutional, or otherwise unenforceable by the

60 valid judgment or decree of any court of competent jurisdiction, it is the express intent of the

61 Mayor and Council that such invalidity, unconstitutionality or unenforceability shall, to the

62 greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any

63 of the remaining phrases, clauses, sentences, paragraphs or section of the Ordinance and that, to

64 the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and

65 sections of the Ordinance shall remain valid, constitutional, enforceable, and of full force and

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74 effect.

75
76 **Section 3.** The City Clerk, with the concurrence of the City Attorney, is authorized to
77 correct any scrivener’s errors found in this Ordinance, including its exhibits, as enacted.

78 **Section 4.** All ordinances and parts of ordinances in conflict herewith are hereby
79 expressly repealed.

80
81
82 **Section 5.** The Ordinance shall be codified in a manner consistent with the laws of the
83 State of Georgia and the City of Stonecrest.

84
85
86 **Section 6.** It is the intention of the governing body, and it is hereby ordained that the
87 provisions of this Ordinance shall become and be made part of the Code of Ordinances, City of
88 Stonecrest, Georgia.

SO ORDAINED AND EFFECTIVE this _____ day of _____, 2024.

[SIGNATURES TO FOLLOW]

CITY OF STONECREST, GEORGIA

Jazzmin Cobble, Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

- 91
- 92
- 93
- 94
- 95
- 96
- 97
- 98
- 99
- 100



CITY COUNCIL AGENDA ITEM

SUBJECT: Way Finding Sign and Gateway Monument Sign Standards

AGENDA SECTION: *(check all that apply)*

- PRESENTATION PUBLIC HEARING CONSENT AGENDA OLD BUSINESS
- NEW BUSINESS OTHER, PLEASE STATE: [Click or tap here to enter text.](#)

CATEGORY: *(check all that apply)*

- ORDINANCE RESOLUTION CONTRACT POLICY STATUS REPORT
- OTHER, PLEASE STATE: [Click or tap here to enter text.](#)

ACTION REQUESTED: DECISION DISCUSSION, REVIEW, or UPDATE ONLY

Previously Heard Date(s): 11/13/23 & [Click or tap to enter a date.](#)

Current Work Session: [Click or tap to enter a date.](#)

Current Council Meeting: Monday, April 22, 2024

SUBMITTED BY: Hari Karikaran, PE, City Engineer

PRESENTER: Hari Karikaran, PE, City Engineer

PURPOSE: To Approve one of the Options for City of Stonecrest Way Finding Sign and Gateway Monument Sign Standards.

FACTS: City of Stonecrest entered into a Contract with a Consultant to develop Standards for Way Finding Sign and Gateway Monument Signs. Consultant presented the draft recommendations on November 13, 2023, Work Session and received input from the Council. Consultant incorporated the comments and opened a Survey for public to provide input on the options. The survey is complete, and Option 3 received the most votes (46.15%). Option 3 came second (37.5% and Option 3 received least (16.35%) of the votes.

OPTIONS: Approve, Deny, Defer N/A

RECOMMENDED ACTION: Approve Staff Recommends approval of Option 3 for Way Finding Sign & Gateway Monument Sign Standards.

ATTACHMENTS:

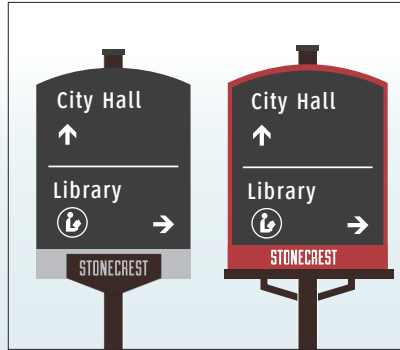


CITY COUNCIL AGENDA ITEM

- (1) Attachment 1 - Way Finding and Monument Standards Options
- (2) Attachment 2 - Way Finding and Monument Survey Results
- (3) Attachment 3 - Stonecrest Destination Abbreviations
- (4) Attachment 4 - [Click or tap here to enter text.](#)
- (5) Attachment 5 - [Click or tap here to enter text.](#)

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ENVIRONMENTS & EXPERIENCES

THE CITY OF
STONECREST
GEORGIA



Alternate A1

Alternate A2



Street Name Sign

13'-6"

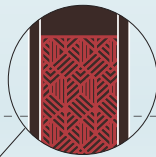
12'-0"

10'-6"

9'-0"

7'-6"

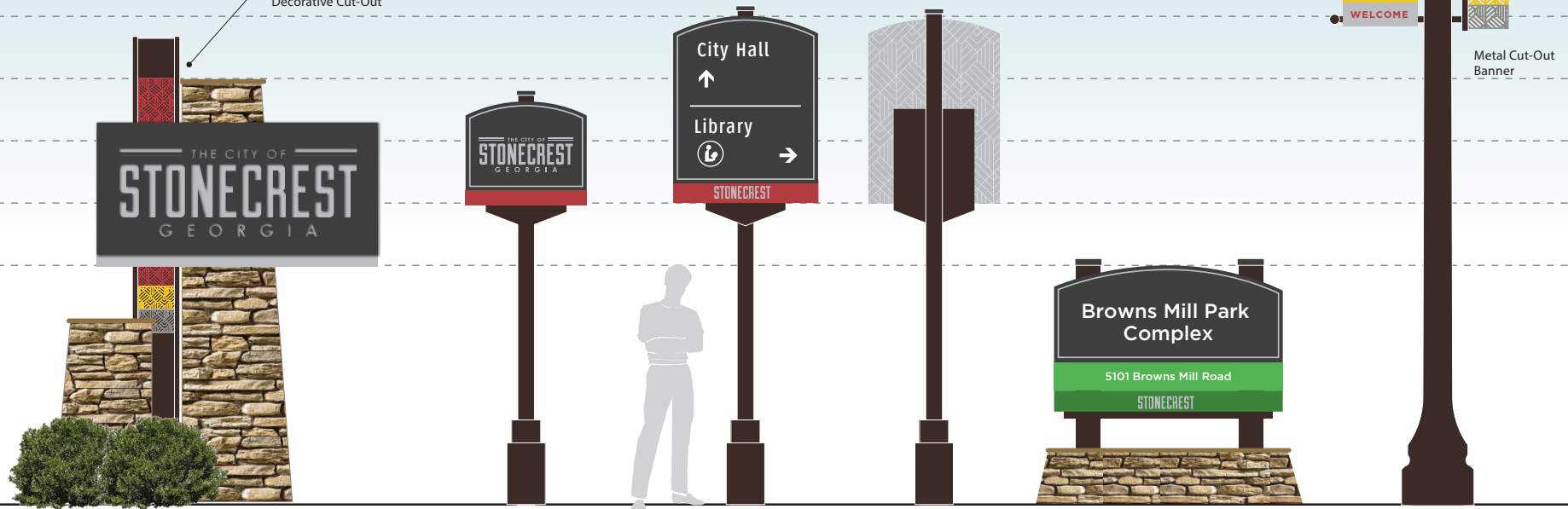
6'-0"



Decorative Cut-Out



Metal Cut-Out Banner



SCALE: 3/8" = 1'-0"

Primary City Gateway (Monument)

Secondary City Gateway (Post & Panel)

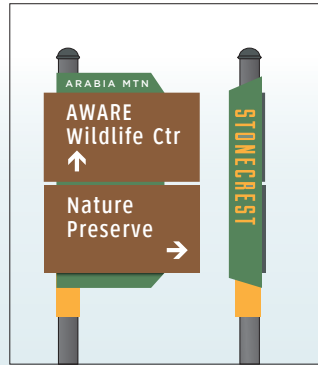
Vehicular Directional (25 MPH & Less)

Back View

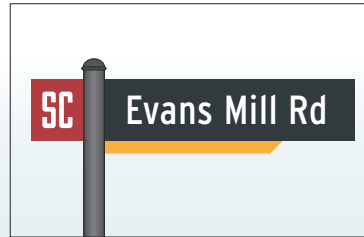
Park Identification

Banners

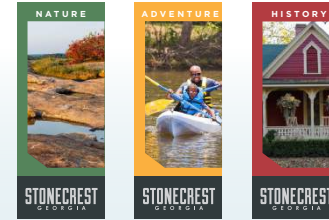
STONECREST GEORGIA



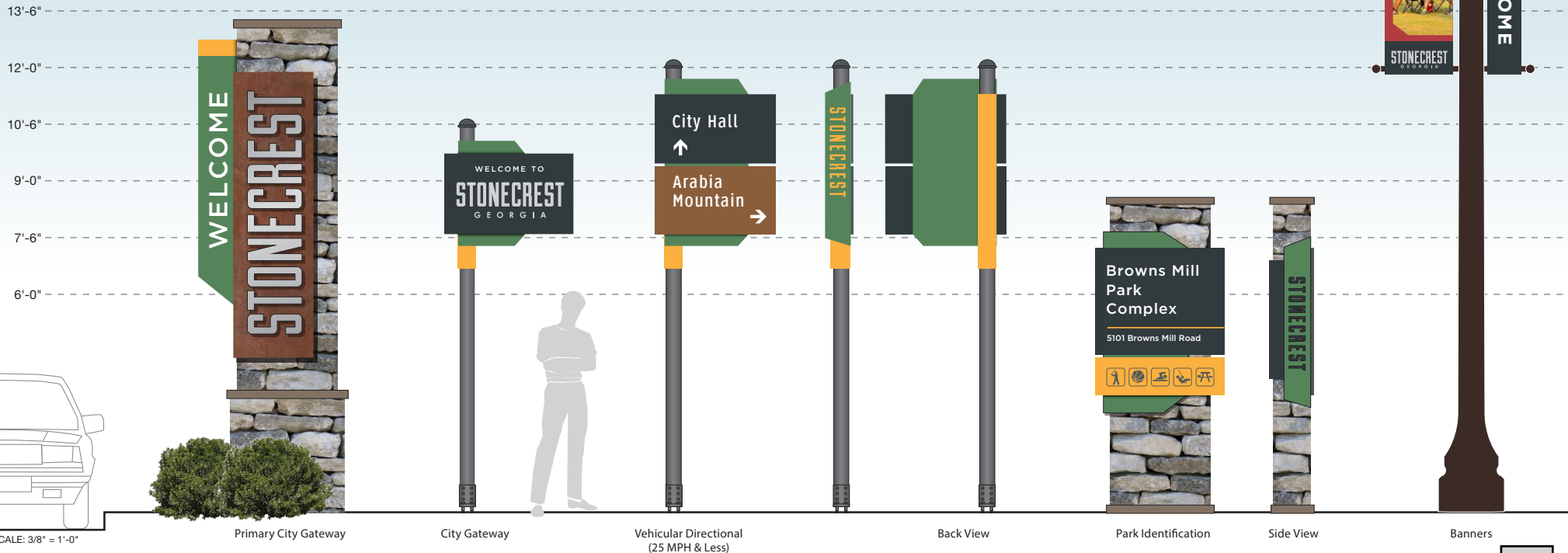
Arabia Mountain Special Layout



Street Name Sign



Banner Series



SCALE: 3/8" = 1'-0"

Primary City Gateway

City Gateway

Vehicular Directional
(25 MPH & Less)

Back View

Park Identification

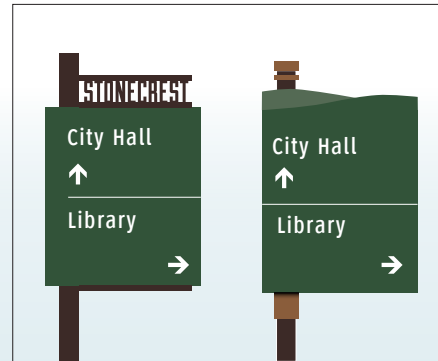
Side View

Banners

STONECREST GEORGIA



Arabia Mountain Special Layout



Alternate 3A

Alternate 3B



Street Name Sign

13'-6"

12'-0"

10'-6"

9'-0"

7'-6"

6'-0"



Banner Series



SCALE: 3/8" = 1'-0"



City Gateway
(Monument)

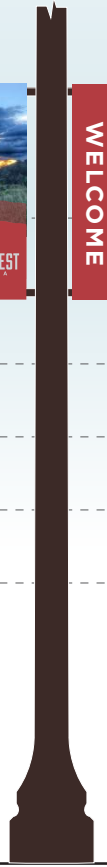


City Gateway
(Post & Panel)

Vehicular Directional
(25 MPH & Less)



Park Identification



Banners

Stonecrest
Updated Schematic Design
February 09, 2024

Design Feedback

Option 1 is the Basis for Design

Option 1 Pros

- Branded colors
- Inclusion of stone
- Horizontal format of text
- Legibility

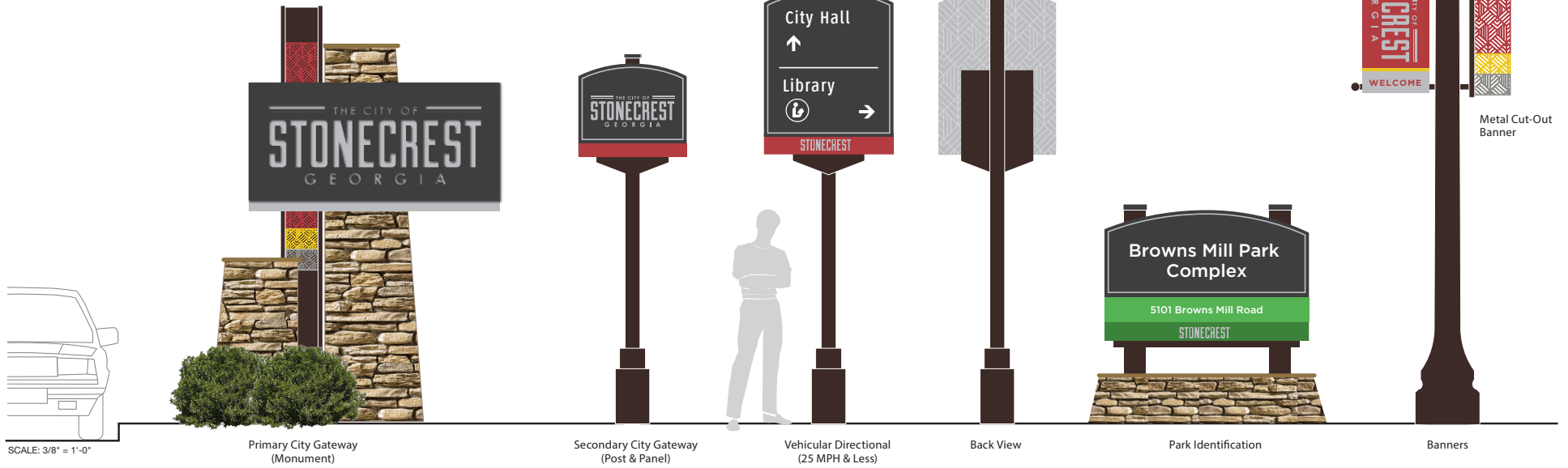
Option 3 Pros

- Impact and size of Gateway

Additional Feedback

- Need for smaller base (footprint)
- Contradictory comments around colors and materials
- Aversion to vertical text

Option 1

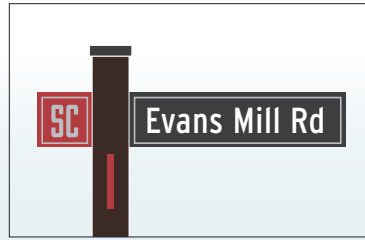


Option 3 Gateway



City Gateway (Monument)

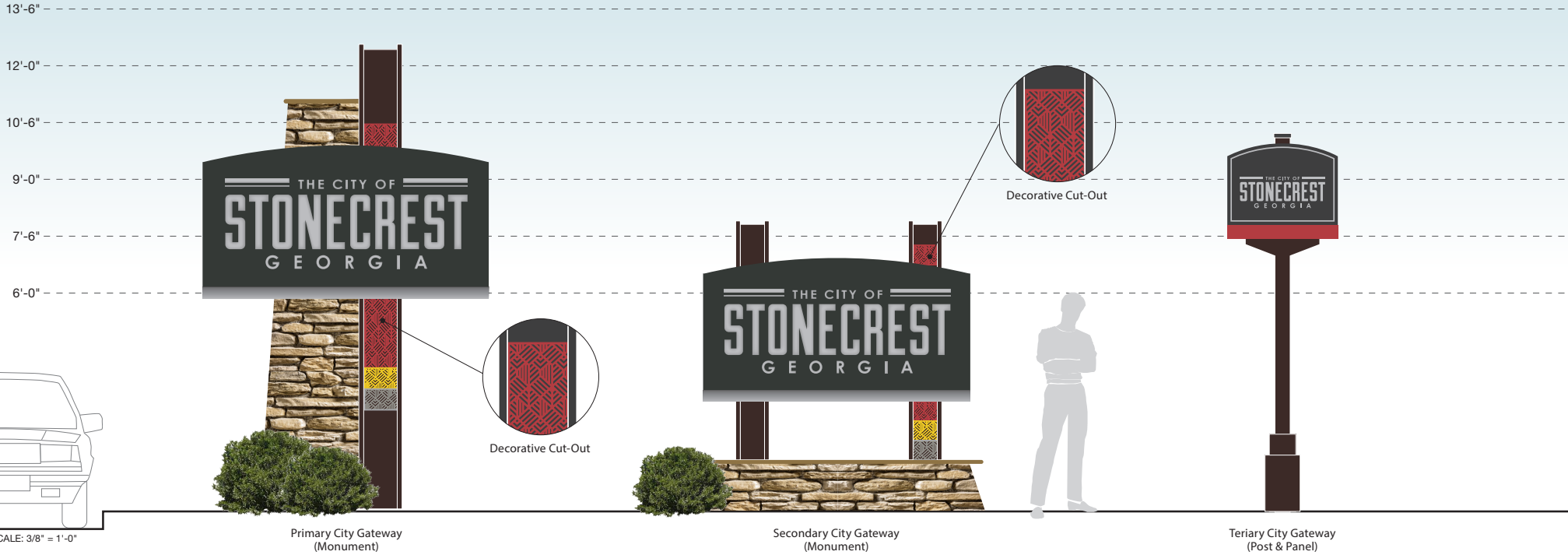
THE CITY OF
STONECREST
GEORGIA



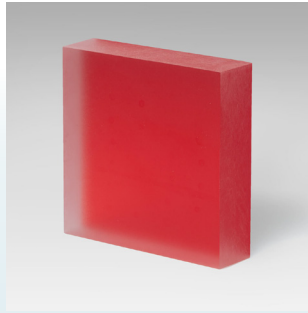
Street Name Sign



THE CITY OF
STONECREST
GEORGIA



STONECREST
GEORGIA



13'-6"

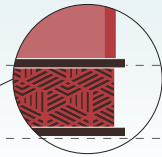
12'-0"

10'-6"

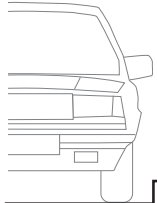
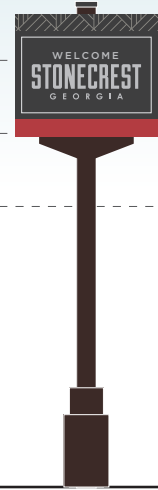
9'-0"

7'-6"

6'-0"

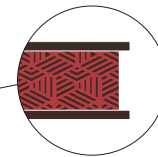


Decorative Cut-Out
& 3Form Material



SCALE: 3/8" = 1'-0"

Primary City Gateway
(Monument)



Decorative Cut-Out

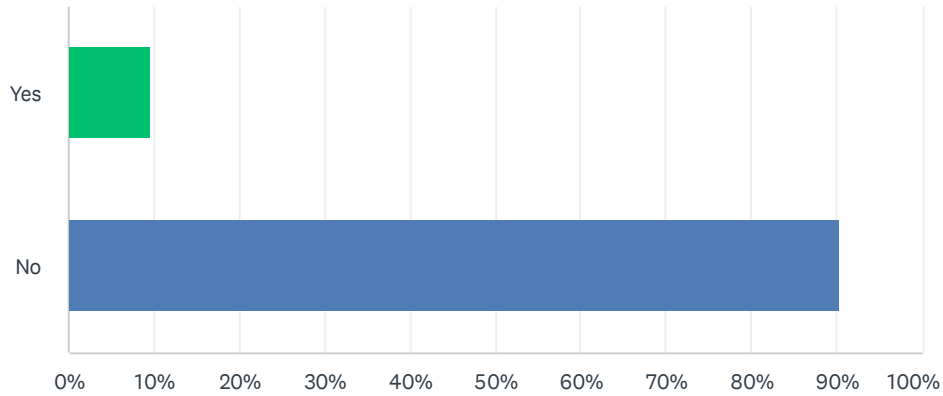
Secondary City Gateway
(Monument)



Tertiary City Gateway
(Post & Panel)

Q1 Did you attend the Wayfinding Plan Presentation to City Council on November 13, 2023?

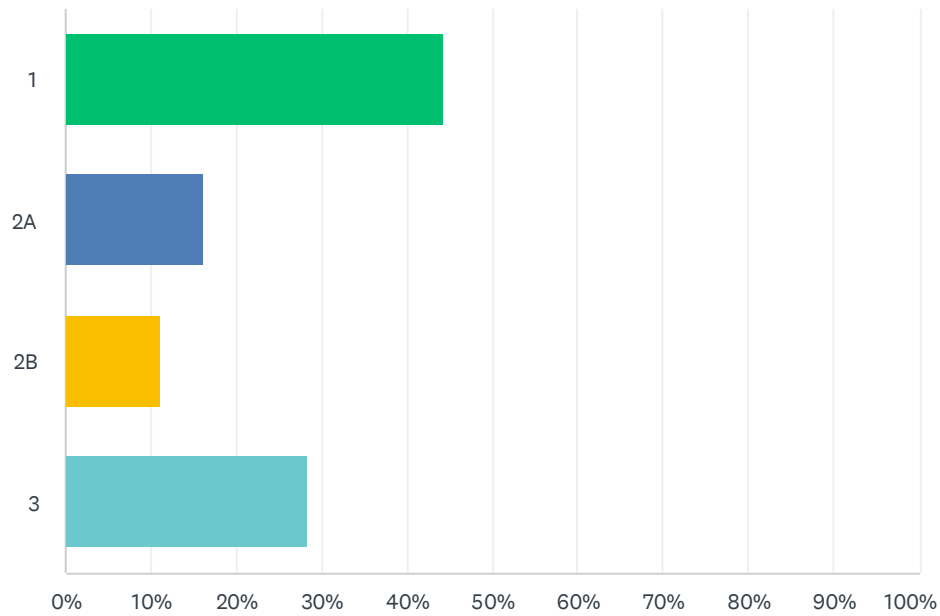
Answered: 104 Skipped: 2



ANSWER CHOICES	RESPONSES	
Yes	9.62%	10
No	90.38%	94
TOTAL		104

Q2 Which design option (shown below) best represents Stonecrest,GA

Answered: 99 Skipped: 7



ANSWER CHOICES	RESPONSES	
1	44.44%	44
2A	16.16%	16
2B	11.11%	11
3	28.28%	28
TOTAL		99

Q3 Please provide us with feedback on the pros & cons associated with each concept presented above. Please note your preferences for sign shape, cutouts, materials, pole type, colors, etc. While it is not a total mix and match, we can combine elements to create the final design.

Answered: 59 Skipped: 47

ANSWER CHOICES	RESPONSES	
Option 1 : Pros	81.36%	48
Option 1 : Cons	64.41%	38
Option 2 : Pros	55.93%	33
Option 2 : Cons	74.58%	44
Option 3 : Pros	72.88%	43
Option 3 : Cons	77.97%	46

#	OPTION 1 : PROS	DATE
1	Minimum up keep and expense	1/12/2024 1:11 PM
2	Sign shape	1/10/2024 4:55 PM
3	Clean & Matches City Current Branding	1/8/2024 9:58 PM
4	I like the gateway and the Complex sign	1/8/2024 10:46 AM
5	Stonecrest horizontal vs vertical on big sign	1/8/2024 1:27 AM
6	The stone work provides substantial look for Stonecrest	1/7/2024 7:48 PM
7	Horizontal	1/7/2024 7:40 PM
8	The dark signs with white letters are easy to read	1/6/2024 12:24 PM
9	Clear and someone consistent with the existing signage for points of interest around the city	1/6/2024 10:12 AM
10	The primary city gateway	1/6/2024 3:08 AM
11	Good mix of color for the urban feel	1/5/2024 8:56 PM
12	2nd choice...liking the horizontal signs ..better	1/5/2024 6:42 PM
13	Complimentary color aesthetically aside from the random bright green	1/5/2024 6:36 PM
14	Colors match the City Logo. I also love the green for the Recreation signs.	1/5/2024 6:15 PM
15	Color is nice. It combines all the other option colors	1/5/2024 2:39 PM
16	Overall, this is the strongest of the options	1/5/2024 2:11 PM
17	Love the colors	1/5/2024 12:55 PM
18	Color choices	1/5/2024 12:40 PM
19	The color scheme. I love the natural stone look. I like the pole styles and park identification as well as street signage	1/5/2024 10:56 AM
20	Horizontal monument wording, color scheme	1/5/2024 8:50 AM
21	Design is nice and appealing	1/5/2024 8:43 AM

Item XIII. a.

22	Easy to read up close and far.	1/5/2024 7:36 AM
23	The monument and post designs.	1/5/2024 6:07 AM
24	This looks great, like the prominence of the stone	1/5/2024 1:48 AM
25	The pole structure, street sign design is good	1/5/2024 12:19 AM
26	The stone maybe we can actually use some of the granite in the city	1/5/2024 12:01 AM
27	Modern blend of colors/structures	1/4/2024 9:11 PM
28	Vertical	1/4/2024 8:47 PM
29	Color scheme	1/4/2024 8:24 PM
30	Love color scheme	1/4/2024 7:53 PM
31	Color and overall design	1/4/2024 6:58 PM
32	Pop of bright color on signs makes them noticeable.	1/4/2024 6:43 PM
33	Visually pleasing.	1/4/2024 6:35 PM
34	I like the variation of bright and dark green. I like the color and shape of the stacked stone	1/4/2024 5:37 PM
35	Dark contrast on lettering. Traditional look.	1/4/2024 4:17 PM
36	It matches the library design	1/4/2024 4:14 PM
37	Safe, traditional signage	1/4/2024 3:59 PM
38	Colors! We need the vibrancy!	1/4/2024 3:34 PM
39	Strongest overall out of the bunch in terms of brand coloring	1/4/2024 3:26 PM
40	Conservative color. Beautiful stone	1/4/2024 3:12 PM
41	Like the colors	1/4/2024 3:04 PM
42	Nice orientation on gateway sign, banner is. Ice	1/4/2024 2:13 PM
43	I really like Option 1. It is more aesthetically pleasing but I wish you had a pop of yellow since the cities flower is yellow. Hopefully, the landscaping will take care of that.	1/4/2024 11:52 AM
44	Most mature of all options	1/4/2024 11:27 AM
45	Very clean and professional	1/3/2024 10:03 AM
46	I like the red as we have already started down this path of identifying ourselves. I really don't want to see us start over in that regard.	12/26/2023 10:15 AM
47	Represent Stonecrest Colors	12/20/2023 4:52 PM
48	Love the stone!	12/20/2023 4:48 PM
#	OPTION 1 : CONS	DATE
1	Colors	1/10/2024 4:55 PM
2	The park sign does not command the essence of Stonecrest	1/7/2024 7:48 PM
3	Does not look like signs in adjacent cities/communities	1/7/2024 7:40 PM
4	There isn't enough accent color on the signs to make them stand out	1/6/2024 12:24 PM
5	The banner	1/6/2024 3:08 AM
6	Could use a little more green for the nature signs	1/5/2024 8:56 PM
7	Lack Luster Park identification sign	1/5/2024 6:36 PM
8	N/A	1/5/2024 6:15 PM
9	Not enough color contrast	1/5/2024 4:38 PM

Item XIII. a.

10	The color scheme should reflect our branding of a nature landmarks, so I lean more towards the greens, browns, grey, and yellow colors	1/5/2024 2:11 PM
11	N/A	1/5/2024 12:55 PM
12	I'm not sure the current design quite captures the essence of Stonecrest. The vertical placement of the Stonecrest signs a bit distracting. Appreciate the use of brick in the design, I'm not a fan of the brown color palette.	1/5/2024 12:40 PM
13	The city sign isn't prominent enough.	1/5/2024 10:56 AM
14	The darker design may be more difficult to see at night	1/5/2024 8:43 AM
15	No cons	1/5/2024 7:33 AM
16	Background/letter colors.	1/5/2024 6:07 AM
17	Its a toss up between option 3.	1/5/2024 1:48 AM
18	Welcome banners from option 3 would look better, Option 3 Monumnet would look better.	1/5/2024 12:19 AM
19	The black background at night maybe too dark to reflect the letters	1/5/2024 12:01 AM
20	No cons	1/4/2024 9:11 PM
21	Colors not bright	1/4/2024 8:47 PM
22	The entrance is just ok and the sign for Browns Mill should be in the same color scheme	1/4/2024 8:24 PM
23	No solar lighting	1/4/2024 6:58 PM
24	No cons	1/4/2024 6:43 PM
25	None, just make sure the background isn't too dark for anyone to be able to read the wording.	1/4/2024 6:35 PM
26	arsh on the eyes red in marketing studies	1/4/2024 6:05 PM
27	Traditional look.	1/4/2024 4:17 PM
28	Abbreviation and blank signs	1/4/2024 4:14 PM
29	Dull colors	1/4/2024 3:59 PM
30	If it could have a standing sign that would be perfect	1/4/2024 3:26 PM
31	Could be difficult to see if everything is the same	1/4/2024 3:12 PM
32	Don't like the fixtures	1/4/2024 3:04 PM
33	Too busy	1/4/2024 2:20 PM
34	Colors, decorative cutouts unnecessary and pretentious	1/4/2024 2:13 PM
35	None	1/4/2024 11:27 AM
36	It is boring	1/3/2024 10:03 AM
37	Gateway option is too wide.	12/20/2023 4:52 PM
38	Is there a side view for the park sign?	12/20/2023 4:48 PM
#	OPTION 2 : PROS	DATE
1	Colors	1/10/2024 4:55 PM
2	Brighter earth tones for colors (red clay color); stone/brick	1/8/2024 1:27 AM
3	I do like the colors used	1/7/2024 7:48 PM
4	Stone support	1/7/2024 7:40 PM
5	The Maroon is easier to read than the brown and green	1/6/2024 12:24 PM
6	I like 2A because it's the brightest color scheme. 2B is my second favorite.	1/6/2024 10:01 AM
7	2B colors are great and feel welcoming	1/6/2024 3:08 AM

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8	Neutral colors	1/5/2024 8:02 PM
9	Nice Primary city gateway signage	1/5/2024 6:36 PM
10	Love the signage.	1/5/2024 6:15 PM
11	The City's branding is elevated more consistently; I like the color scheme of Option 2A; and appreciate the reflection of people and places of our diverse community	1/5/2024 2:11 PM
12	The Greystone is a stroke of genius! It perfectly captures the spirit of Stonecrest, where the stone itself feels like a character in the city's story. Seeing it everywhere you drive adds a sense of place and grounding, making the design feel truly authentic.	1/5/2024 12:40 PM
13	Color scheme	1/5/2024 8:50 AM
14	2A has a Nice color, not as dark as option 1 and may be easier to see at night	1/5/2024 8:43 AM
15	Easy to read up close.	1/5/2024 7:33 AM
16	Easier to read.	1/5/2024 6:07 AM
17	Not a fan of option 2 to be honest	1/5/2024 12:19 AM
18	It looks economical	1/5/2024 12:01 AM
19	Modern look	1/4/2024 9:11 PM
20	The welcome sign give a prosperous community feel	1/4/2024 8:24 PM
21	Design is similar to other options	1/4/2024 6:58 PM
22	Not bad, but ordinary.	1/4/2024 6:43 PM
23	Background color is visually appealing.	1/4/2024 6:35 PM
24	More modern/trendy looking. Great contrast. Nice colors.	1/4/2024 4:17 PM
25	Not a fan	1/4/2024 4:14 PM
26	More vibrant color in 2a, creative signage	1/4/2024 3:59 PM
27	Love the vertical sign for the Main	1/4/2024 3:26 PM
28	Clean. Different background could be helpful with directions	1/4/2024 3:12 PM
29	Like the fixtures	1/4/2024 3:04 PM
30	Looks inexpensive	1/4/2024 2:13 PM
31	Option 2B is a very close contender as I had to go back and forth.	1/4/2024 11:52 AM
32	2B is solid	1/3/2024 10:03 AM
33	The muted red is nice, but with the other colors around it, they just seem to serve no real purpose. The other colors appear to just be thrown together.	12/26/2023 10:15 AM
#	OPTION 2 : CONS	DATE
1	Colors	1/12/2024 1:11 PM
2	Sign shape	1/10/2024 4:55 PM
3	Option 2B has yellow. Yellow will fade easier in the sun over time. It's harder for senior members of our community to read the words in white, as well.	1/9/2024 5:02 AM
4	Green, vertical Stonecrest	1/8/2024 1:27 AM
5	The fact that we are of stone, I think we should use the stonework to make a statement	1/7/2024 7:48 PM
6	vertical	1/7/2024 7:40 PM
7	The gray signs in 2B would be harder to read, especially at night	1/6/2024 12:24 PM
8	Don't like the vertical	1/6/2024 10:12 AM

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9	2B park identification	1/6/2024 3:06 PM
10	Stonecrest shouldn't be vertical	1/5/2024 8:56 PM
11	Red from Stonecrest sign	1/5/2024 8:02 PM
12	Vertical signs are not easily read, especially while driving	1/5/2024 6:42 PM
13	Not a fan of the grey/burgundy match - maybe darken the grey	1/5/2024 6:36 PM
14	Not a fan of the colors.	1/5/2024 6:15 PM
15	Not enough color contrast	1/5/2024 4:38 PM
16	Too much brown	1/5/2024 2:39 PM
17	The gateway's vertical signage is hard to read.	1/5/2024 2:11 PM
18	While the neutral tone of the maroon sign might be aesthetically pleasing, it unfortunately sacrifices visibility. A bolder color choice would make the sign stand out and effectively communicate its message.	1/5/2024 12:40 PM
19	The sign is vertical and hard to read. The color scheme is a bit washed out. Vertical text is hard to read.	1/5/2024 10:56 AM
20	Vertical monument wording	1/5/2024 8:50 AM
21	2A is Sort of dark but not as much. 2B isn't as appealing.	1/5/2024 8:43 AM
22	Too busy from a color scheme perspective.	1/5/2024 7:33 AM
23	The monument and post design.	1/5/2024 6:07 AM
24	It doesn't stand out	1/5/2024 12:01 AM
25	No cons	1/4/2024 9:11 PM
26	I don't like the color scheme	1/4/2024 8:24 PM
27	No solar lighting	1/4/2024 6:58 PM
28	Does not stand out	1/4/2024 6:43 PM
29	Not a fan of the color contrast on 2A.	1/4/2024 6:35 PM
30	Brown not engaging enough or good for visibility	1/4/2024 6:05 PM
31	The vertical sign for the main city gateway seems odd as a first impression.	1/4/2024 4:33 PM
32	Wondering if it would be costly to replace the stone structures in the event of an accident or vandalism.	1/4/2024 4:17 PM
33	Sideways lettering and abbreviation	1/4/2024 4:14 PM
34	Gateway sign readability	1/4/2024 3:59 PM
35	Too dull	1/4/2024 3:34 PM
36	Colors not commonly associated with Stonecrest	1/4/2024 3:26 PM
37	Colors are a little immature	1/4/2024 3:12 PM
38	Not sure if green is great color to be visible at all times/ don't really like the gray wither perhaps a red or blue to make it stand out more	1/4/2024 3:04 PM
39	Too small	1/4/2024 2:20 PM
40	Colors, orientation of wording on gateway sign	1/4/2024 2:13 PM
41	Doesn't stand out	1/4/2024 1:32 PM
42	Very basic, a bit juvenile.	1/4/2024 11:27 AM
43	The colors in 2A are gross.	1/3/2024 10:03 AM

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44 Too simple, Signs are not centered to the Poles.

12/20/2023 4:05 PM

#	OPTION 3 : PROS	DATE
1	Sign shape	1/10/2024 4:55 PM
2	Love the Gateway Sign	1/8/2024 10:46 AM
3	Stonecrest horizontal vs vertical on big sign	1/8/2024 1:27 AM
4	I see no pros in 3	1/7/2024 7:48 PM
5	Horizontal, stone support	1/7/2024 7:40 PM
6	The Stonecrest sign is bold and visually appealing	1/6/2024 12:24 PM
7	More info on some of the signs	1/6/2024 10:12 AM
8	I LOVE THE SIGN the colors are great. The sign shapes looks so nice and earthy.	1/6/2024 3:08 AM
9	Great for bringing out the natural areas & parks	1/5/2024 8:56 PM
10	No yellow	1/5/2024 8:02 PM
11	Easily read with horizontal sign while driving	1/5/2024 6:42 PM
12	Love the large Stonecrest sign and different sign designs.	1/5/2024 6:15 PM
13	I like the big Stonecrest sign	1/5/2024 4:01 PM
14	I like the prominence of the gateway sign, the nod to Arabia in the directional signs, and the reflection of our diverse community	1/5/2024 2:11 PM
15	I'm truly impressed by the color scheme. It doesn't try to imitate anyone else; it boldly says, "This is Stonecrest!" The colors anchor the design, showing a community firmly planted and moving confidently towards a brighter future. It's refreshing to see innovation that remembers the fundamentals - these colors scream trustworthiness and reliability. The signage is clear and eye-catching even while driving by, further emphasizing the message of dependability and progress. Overall, this design elicits a unique sense of trust and forward momentum, unlike anything I've seen before.	1/5/2024 12:40 PM
16	Big beautiful large horizontal sign! Lovely vibrant color scheme	1/5/2024 10:56 AM
17	Horizontal monument wording	1/5/2024 8:50 AM
18	I like the design here too.	1/5/2024 8:43 AM
19	N/a	1/5/2024 7:33 AM
20	The city gateway monument and directional sign shapes.	1/5/2024 6:07 AM
21	Love this as it looks more modern.	1/5/2024 1:48 AM
22	Welcome monument is really nice and welcome banner series	1/5/2024 12:19 AM
23	Green background makes for letters easier to see	1/5/2024 12:01 AM
24	Typical	1/4/2024 9:11 PM
25	Nice tall welcome sign	1/4/2024 8:24 PM
26	Love the main Stonecrest sign	1/4/2024 7:53 PM
27	Some color in the design	1/4/2024 6:58 PM
28	Same opinion as option 2.	1/4/2024 6:43 PM
29	Large enough to be noticed.	1/4/2024 6:35 PM
30	Easy to read horizontal letters, green and brown sign background blends well with exterior surroundings. Yet still easy to see at night and read.	1/4/2024 5:37 PM
31	I like the blending of colors in this rendering.	1/4/2024 4:33 PM
32	Love the gateway and park signs! Gives a nature vibe as well. My choice above was a debate	1/4/2024 4:17 PM

between this one and 2A.

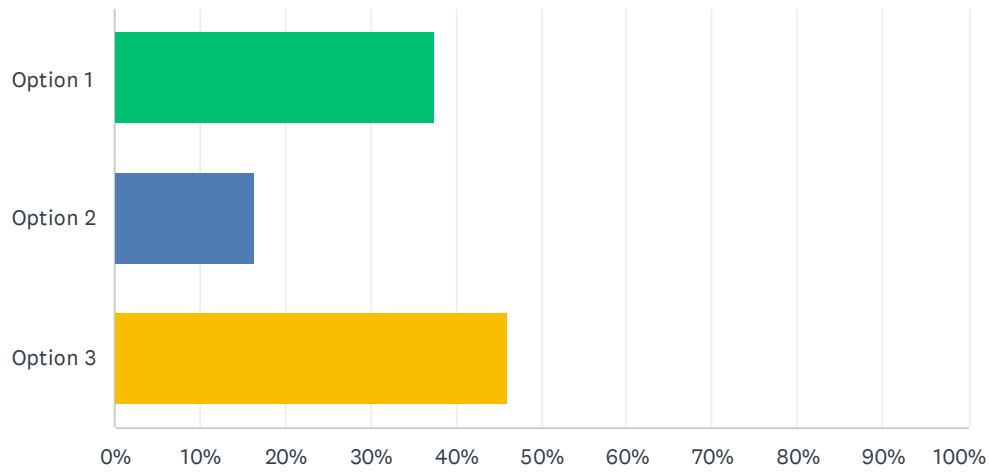
33	Color represents nature. Name spelled out	1/4/2024 4:14 PM
34	Gateway sign readability	1/4/2024 3:59 PM
35	Primary Monument is the strongest out of all, Park monument is also strong	1/4/2024 3:26 PM
36	Conservative	1/4/2024 3:12 PM
37	Like the fixtures	1/4/2024 3:04 PM
38	Familiar themes and colors. I deeply love it. It's dope!	1/4/2024 2:13 PM
39	Option 3 best represents the city with the natural granite rocks, a symbol of the city's natural heritage and beauty. It needs to be preserved and maintained for future generations.	1/4/2024 12:20 PM
40	Landscape signage versus vertical	1/4/2024 11:27 AM
41	Nothing	1/3/2024 10:03 AM
42	I like the green as it provides the imagery that relates to the green space that we have and should continue to emphasis as our unique opportunity.	12/26/2023 10:15 AM
43	Love that gateway and wish it could be incorporated as the park signs.	12/20/2023 4:48 PM
#	OPTION 3 : CONS	DATE
1	Need more bricks to the style tool better	1/12/2024 1:11 PM
2	Colors	1/10/2024 4:55 PM
3	Green	1/8/2024 1:27 AM
4	I do not see this signage making the statement we should be looking for	1/7/2024 7:48 PM
5	The brown and green signs could blend into the landscape and are not as visually appealing	1/6/2024 12:24 PM
6	Gateway is very generic	1/6/2024 10:12 AM
7	The street signs	1/6/2024 3:08 AM
8	Could use more red to bring out the lively feel	1/5/2024 8:56 PM
9	Too much green	1/5/2024 8:02 PM
10	Don't like the City Gate sign color - muted	1/5/2024 6:36 PM
11	Not a fan of those colors.	1/5/2024 6:15 PM
12	Clearly designed with city and state indicators	1/5/2024 5:50 PM
13	Not enough color contrast. Hard to see against grass & trees.	1/5/2024 4:38 PM
14	Don't like. To dark	1/5/2024 2:39 PM
15	The size of the park signage is too small.	1/5/2024 2:11 PM
16	N/a	1/5/2024 12:40 PM
17	I don't like the park identification sign. The other ones are better.	1/5/2024 10:56 AM
18	No yellow	1/5/2024 8:50 AM
19	The color is similar to generic road signs. Not much of a difference other than the shape of the signage	1/5/2024 8:43 AM
20	Too plain	1/5/2024 7:33 AM
21	The least inviting.	1/5/2024 6:07 AM
22	the pole structures and street signs from #1 look better	1/5/2024 12:19 AM
23	Just kind of plain	1/5/2024 12:01 AM
24	Color blend is off	1/4/2024 9:11 PM

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25	I don't like the color scheme	1/4/2024 8:24 PM
26	Like the colors of design option 1	1/4/2024 7:53 PM
27	Needs brighter colors and solar lighting	1/4/2024 6:58 PM
28	Color-blind people may have issues with the green.	1/4/2024 6:43 PM
29	Letters would likely have to be replaced too often; and when missing would be an eyesore.	1/4/2024 6:35 PM
30	Looks like for a parks system	1/4/2024 6:05 PM
31	Not a fan of the dark background on the street sign. Would prefer a lighter background color.	1/4/2024 5:37 PM
32	Don't like white background with black lettering on the street signs. It may be difficult to see for some.	1/4/2024 4:17 PM
33	None	1/4/2024 4:14 PM
34	Full colors	1/4/2024 3:59 PM
35	Looks like other cities	1/4/2024 3:34 PM
36	Not in line with Stonecrest Colors	1/4/2024 3:26 PM
37	Gray background could fade faster	1/4/2024 3:12 PM
38	Looks like other communities	1/4/2024 3:04 PM
39	Classic and clear	1/4/2024 2:20 PM
40	None	1/4/2024 2:13 PM
41	Main sign needs to be taller	1/4/2024 1:32 PM
42	Gateway sign needs to be installed on the Turner Hill overpass as well.	1/4/2024 12:20 PM
43	Not formal enough	1/4/2024 11:27 AM
44	This one is a no for me. It looks cheap and uninspiring.	1/3/2024 10:03 AM
45	Signes are not centered to the Poles.	12/20/2023 4:52 PM
46	Diner like the park sign.	12/20/2023 4:48 PM

Q4 Which Gateway design do you prefer?

Answered: 104 Skipped: 2



ANSWER CHOICES	RESPONSES
Option 1	37.50% 39
Option 2	16.35% 17
Option 3	46.15% 48
TOTAL	104

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Q5 Please provide any additional comments.

Answered: 28 Skipped: 78

#	RESPONSES	DATE
1	I really am ok with all options as long as the city keeps the color and presentation up! We have so many items around our city that need to be taken care of. Elbow work	1/12/2024 1:11 PM
2	N/A	1/8/2024 9:58 PM
3	I am currently working on the Gateway sign for Clayton County and You may fall i mth trap that we are in. That you may not be able to Put Welcome on the gateway sign off the Interstate .	1/8/2024 10:46 AM
4	I like the welcome being included on the gateway design with "Stonecrest Georgia" horizontal	1/8/2024 1:27 AM
5	Our calling card is nature (the rock) we should make the statement with stonework and let the signage complement the stonework	1/7/2024 7:48 PM
6	NA	1/7/2024 6:58 AM
7	Thank you for including the community in this effort.	1/5/2024 6:42 PM
8	Great layout of designs. Lookong forward to final decision. Thank you all for valuing our input.	1/5/2024 6:15 PM
9	People need clear specific easy to read markers.	1/5/2024 5:50 PM
10	Colors need to be brighter. Grey lettering will be hard to read from distance and moving in car. The cost of stacked stone can be high, resulting in fewer signs.	1/5/2024 4:38 PM
11	Let's get it done ASAP option 3	1/5/2024 3:52 PM
12	I appreciate the opportunity to provide feedback, and look forward to the beautification of our spaces in signage and landscaping on both sides of I-20.	1/5/2024 2:11 PM
13	Absolutely love option 3, but as a die-hard fan of the option 3, I can't help but miss a subtle nod to their past work. Growing up, that orange lettering on the Stonecrest Mall side was always a landmark for me. I feel that every great design needs a touch of the familiar, and I'd love to see future iterations incorporate an orange accent, whether through fonts, backgrounds, or other creative elements.	1/5/2024 12:40 PM
14	There are a lot of seniors in Stonecrest. Prioritize readability. I love the initiative to give Stonecrest the signage it deserves.	1/5/2024 10:56 AM
15	All of the options are nice and I'm looking forward to seeing the final results.	1/5/2024 6:07 AM
16	Super excited about this, love it!	1/4/2024 7:53 PM
17	Study other cities' signage and build on those ideas	1/4/2024 6:58 PM
18	N/A	1/4/2024 6:35 PM
19	It would add a lot of community interest to incorporate lighting inside the letters to change with seasons, holidays or recognizing special causes.	1/4/2024 5:37 PM
20	These could look really great, but the roads and landscaping throughout the city is important too. As well as sidewalks. Keeping the streets and walkways clean (no trash), manicured, and in good order helps us (residents) have pride in the city and want to stay here. As an under 40 professional, I want to be able to brag about my community and invite friends and family in. Instead of meeting them in Sandy Springs, Duluth, and Snellville all the time.	1/4/2024 4:17 PM
21	Must clean up the city to compliment signage	1/4/2024 4:14 PM
22	So excited for the progress	1/4/2024 3:12 PM
23	Looking forward to seeing a super market in this area and some better stores.	1/4/2024 12:20 PM
24	You can't go wrong with #1 or #2B! Great job! 🙌	1/4/2024 11:52 AM

Item XIII. a.

25	Select signage that fits the city we would like to be	1/4/2024 11:27 AM
26	I would like something more unique. This all seems very generic.	1/3/2024 10:03 AM
27	The red, green and brown appear to work really well together. The yellow accent seems to fit with the green, but appears out of place in other designs.	12/26/2023 10:15 AM
28	Excited and trust this process moves forward.	12/20/2023 4:48 PM

Terminologies

- 3-4' Vehicular Panel Width
- 1 GOVERNMENT
- City Hall
 - Community Center
 - Stonecrest Library
 - Salem-Panola Library

- EDUCATION
- Arabia Mtn High School
 - Miller Grove High School
 - Lithonia High School
 - Strayer University

- ATTRACTIONS/ ARTS & CULTURE
- Arabia Mountain
 - Nature Preserve
 - Vaughters Farm
 - Nature Center
 - AWARE Wildlife Ctr
 - Flat Rock Museum
 - The Mall at Stonecrest

- PARKS & RECREATION
- Browns Mill Park Complex - Aquatic Center
 - Chestnut Lake Park
 - Everett Park
 - Miller Grove Park
 - Fairington Park
 - Fairington Botanical Garden
 - Salem Park
 - Southeast Athletic Cmplx

- TRAILS
- Arabia Mountain Path
 - Evans Mill Ruins Trail
 - Panola Shoals Trailhead
 - Vaughters Farm Trailhead
 - Stonecrest Mall Trailhead



*INCLUDED FOR CO-LOCATING PURPOSES ONLY

- NEEDS ABBREVIATION
- PRIVATE - REVIEW CRITERIA
- FURTHER DISCUSSION: FUTURE/ UNDER CONSTRUCTION



CITY COUNCIL AGENDA ITEM

SUBJECT: Resolution for Adoption of GDOT Procurement Policy for Federal and State Funded Capital Projects

AGENDA SECTION: *(check all that apply)*

- PRESENTATION PUBLIC HEARING CONSENT AGENDA OLD BUSINESS
- NEW BUSINESS OTHER, PLEASE STATE: Click or tap here to enter text.

CATEGORY: *(check all that apply)*

- ORDINANCE RESOLUTION CONTRACT POLICY STATUS REPORT
- OTHER, PLEASE STATE: Click or tap here to enter text.

ACTION REQUESTED: DECISION DISCUSSION, REVIEW, or UPDATE ONLY

Previously Heard Date(s): Click or tap to enter a date. & Click or tap to enter a date.

Current Work Session: Click or tap to enter a date.

Current Council Meeting: Monday, April 22, 2024

SUBMITTED BY: Hari Karikaran, PE, City Engineer

PRESENTER: Hari Karikaran, PE, City Engineer

PURPOSE: To adopt Georgia Department of Transportation (GDOT) Procurement Policy to administer all Federal and State funded Capital Improvement Projects.

FACTS: City of Stonecrest staff have been working on obtaining GDOT Local Administered Projects (LAP) Certification. Staff has submitted the LAP application in May of 2023. GDOT has completed the review and requested that GDOT Procurement Policy be adopted by the City of Stonecrest to receive and administer Federal and State Funding.

OPTIONS: Approve, Deny, Defer N/A

RECOMMENDED ACTION: Approve Staff Recommends approval of the adoption of GDOT Procurement Policy. No Funding is involved in this Agenda.

ATTACHMENTS:



CITY COUNCIL AGENDA ITEM

- (1) Attachment 1 - Adoption of GDOT Procurement Policy Letter
- (2) Attachment 2 - GDOT Procurement Policy Confirmation Letter
- (3) Attachment 3 - GDOT Procurement Policy Manual
- (4) Attachment 4 - Resolution to Adopt GDOT Procurement Policy
- (5) Attachment 5 - [Click or tap here to enter text.](#)



April 22, 2024

Department of Transportation
600 West Peachtree Street, NW, 7th Floor
Atlanta, GA 30308

Attn: Maria L. Roux
Asst. Chief Procurement Officer-QA Compliance
Office of Procurement

RE: Adoption of GDOT Procurement Policy for The Procurement, Management and Administration of Engineering and Design Related Consultant Services

The **City of Stonecrest** will adopt the Georgia Department of Transportation Procurement Policy for the Procurement, Management and Administration of Engineering and Design Related Consultant Services. The City has read the policy and will abide by the policy for all state and federally funded transportation projects as it pertains to local governments. The City agrees to and acknowledges the following:

1. City agrees to and acknowledges that all personnel involved in the procurement, management and administration of engineering and design related consultant services must attend GDOT Manual training and pass the test administered. Please provide a list of names of all involved in advertising the solicitation, facilitating evaluations, conducting negotiations and contract administration of Engineering and Design related procurements:

Gia Scruggs – August 18, 2022.

2. Personnel listed of City involved have read and understands the Federal Laws and Regulations (23 CFR Part 172) along with any State of Georgia laws (O.C.G.A. 50-22-1 through 50-22-9) that pertain to these services where FAHP funds will be utilized must be followed and adhered to.
3. City understands that only the above listed personnel have been certified to participate in in advertising the solicitation, facilitating evaluations, conducting negotiations and contract administration of Engineering and Design related procurements.
4. City is familiar with the requirements and understands 23 CFR Part 172 and the requirements of 40 U.S.C. 1101-1104 Selection of Architects and Engineers commonly referred to as “The Brooks Act” or Qualification Based Selection (QBS) to include:
 - a. Solicitation process
 - b. Evaluation Factors
 - c. Non-Qualification Evaluation Factors
 - d. Evaluation, Ranking and Selection
 - e. Negotiation
5. City acknowledges and agrees to adhere to the below additional procurement requirements:
 - a. Common Grant Rule 49 CFR Part 18
 - b. Georgia DOT’s Disadvantaged Business Enterprise (DBE) program
 - c. Suspension and Debarment
 - d. Compliance with Title VI
 - e. Compliance with E-Verify (this is not necessary if state funds are not utilized)



6. City has provided any exceptions to GDOT's Engineering and Design Procurement Policy in a separate document to be approved by the GDOT Office of Procurement.

Signature(s) below agree to the above acknowledgements agreeing to follow GDOT's Procurement Policies and Procedures for engineering and design related services when using FAHP funds, as it applies to local governments certified through GDOT's LAP program.

Jazzmin Cobble
Mayor, City of Stonecrest, GA
(Affix signatures and seal)

{This letter must be signed by the person(s) responsible for the authorization of funds should repayment become necessary}



Item XIII. b.



April 22, 2024

Department of Transportation
600 West Peachtree Street, NW, 7th Floor
Atlanta, GA 30308

Attn: Maria L. Roux
Asst. Chief Procurement Officer-QA Compliance
Georgia Department of Transportation
Office of Procurement

The City of Stonecrest affirms that all staff listed in the submitted Letter of Agreement have attended, passed training, and understands that any future staff who will participate in soliciting, facilitating evaluations, conducting negotiations and contract administration must attend and pass procurement training prior to participating in any of the processes associated with procuring, managing, and administering engineering and design consultant services when Federal Aid Highway Program (FAHP) funds are utilized.

(The below confirmation of understanding must be signed by the person(s) responsible for the authorization of funds should repayment become necessary)

Confirmation Of Understanding:

Please **initial** the below confirming understanding and agreeing to follow all policies and procedures related to the procurement of engineering and design as per 23 CFR 172.

City of Stonecrest agrees with and confirms:

JRC They have read and understand all rules, regulations and policies and procedures associated with engineering and design procurement:

- 23 CFR Part 172 Procurement, Management and Administration of Engineering and Design Related Services; Final Rule
- 2 CFR Chapter I, and Chapter II, Part 200 Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards; Final Rule
- 40 U.S.C. 1101-1104 Selection of Architects and Engineers “**The Brooks Act**”
- 48 CFR Part 31 – Contract Cost Principles and Procedures
- Repayment of Preliminary Engineering Cost (Order 2020.1)
- FHWA Policy for Contractor Certification of Costs in Accordance with Federal Acquisition Regulations (FAR) to Establish Indirect Cost Rates on Engineering and Design-related Services Contracts Order No. 4470.1A
- O.C.G.A. 50-22-1 through 50- 22-9
- GDOTs DBE program



JRC The understanding of Qualification Based Selection 23 CFR 172.7(a)(1) and that price may **NEVER** be used as a selection factor or consideration in the selection process

JRC That *if* it has adopted GDOT's policies and procedures as outlined in the manual and discussed in class that it will follow all policies and procedures unless exceptions have been requested and approved. The **City of Stonecrest** agrees with and confirms that while exceptions may be requested for best practices, exceptions to regulatory requirements will not be considered.

JRC That it will comply with all provisions of 23 CFR 172.5(b) including developing and sustaining organizational capacity and provide the resources necessary for the procurement, management and administration of engineering and design related consultant services.

JRC That it will comply with all provisions of 23 CFR 172.9(d)(1) by assigning a full-time, public employee as the Responsible Charge who will fulfill inherently governmental activities which include, at a minimum, contract negotiation; contract payment; evaluation of contract compliance, performance, and quality; familiarity with contract requirements and scope; scheduling and attending progress and project review meetings; ensuring costs billed are allowable in accordance with federal cost principles; ensuring costs are consistent with contract terms; evaluating and participating in decisions for contract modifications; documenting contract monitoring activities; and maintaining supporting contract records in accordance with 2 CFR 200.333.

JRC That only individuals who have attended GDOT's training and passed the test on Procurement, Management, Administration of Engineering & Design Related Services will serve in a role which is decision making and/or which is involved in fulfilling any of the roles necessary in order to complete the full procurement cycle.

Prequalification

City of Stonecrest agrees with and confirms:

JRC The understanding of GDOT's prequalification process and its purpose as related to federally funded engineering and design related services.

JRC That all solicitations will specify the unique required area classes for the Prime Consultant as well as the Team (which includes the Prime and all Sub-Consultants) to ensure appropriate responses on all federally funded projects utilizing federal funds.

JRC The prequalification certificates will be required in the solicitation to be submitted for the Prime and all Team to verify awarded consultant meets all required area classes and has current prequalification.

Development

City of Stonecrest agrees with and confirms:

JRC Scope(s) of services will be drafted with as much detail (which makes it clear, complete and logical) as possible and organized in the order in which services will be completed.



- JRC Understanding that the level of detail required in the scope will be determined by the contract type. On-Call and Multi-Phase Project Specific contracts can have more generic and all-inclusive scopes however, project specific contracts must include all services necessary to complete the entire project.
- JRC It will not require the Prime Consultant to be pre-qualified in excessive area classes which could be covered by the team and recognizes that doing so would limit competition and risk not meeting the requirement in 23 CFR 172.7(a)(1)(iv)(D) of the minimum of three responses.
- JRC Solicitations will ensure that area classes and scope are related and that there is associated scope for every area class required.
- JRC Area Classes and/or Scope which is not included in the Solicitation prior to its closing are not eligible to be added later.
- JRC Solicitations will identify the Project Manager and Key Team Roles for which resumes must be submitted to allow the Selection Committee to evaluate qualifications in order to determine the most qualified team in accordance with the allowable Qualification Based Selection (QBS) Selection Criteria.
- JRC The understanding of the three procurement methods used in procuring engineering and design services. 23 CFR 172.7(a) – Qualification Based Selection, Small Purchases, and Noncompetitive.
- JRC The understanding of the three contract types used in procuring engineering and design services. 23 CFR 172.9(a) – Project Specific; Multi-Phase Project Specific; Indefinite-Delivery Indefinite Quantity (On-Call)
- JRC The understanding of the payment method(s) associated with engineering and design procurements. 23 CFR 172.9(b) – Cost Plus Fixed Fee; Lump Sum; Cost Per Unit of Work; Specific Rates of Compensation
- JRC Each Solicitation will indicate contract and payment types.
- JRC Each Solicitation will include the selection criteria and associated weights in solicitation.
- JRC Each Solicitation will include only qualification-based selection criteria which are allowable in accordance with 23 CFR 172.7(1)(1)(iii) – Technical Approach; Work Experience; Specialized Expertise; Professional Licensure; Staff Capabilities; Workload Capacity; Past Performance.
- JRC Each Solicitation will include only non-qualification-based selection criteria which are allowable in accordance with 23 CFR 172.7(1)(1)(iii)(D) – Local Presence and Participation of Disadvantaged Business Enterprises.
- JRC Non-Qualification Based Criteria cannot exceed ten (10) percent of the overall evaluation as outlined in 23 CFR Part 172.7.(a)(1)(iii)(D).
- JRC DBE goals must be consistent with GDOT’s current DBE goal or must be approved in advance by GDOT’s Office of Equal Employment Opportunity (EEO) for the utilization of Federal-Aid Highway Program Funds.

Advertisement 23 CFR 172.7(a)(1)(i)



City of Stonecrest agrees with and confirms:

- JRC It has published the solicitation as required by state law to the Georgia Procurement Registry.
- JRC Understanding of the State of Georgia requirement to post solicitation in two (2) phases and understands posting time frames of a minimum of 15 days for Phase 1 (in accordance with O.C.G.A. 50-22-3) and a minimum of 14 days for Phase 2 (for the Technical Approach in accordance with 23 CFR 172.7(a)(1)(ii)(G))
- JRC If adopting GDOT policies and procedures, it understands posting requirements of GDOT.
- JRC That all posting requirements will be met.
- JRC It can provide link to the Georgia Procurement Registry for all federally funded procurements for engineering and design services for the last three (3) years.
- JRC Solicitation Posting will identify the appropriate NIGP codes to obtain adequate competition – minimum of 31842-Engineering Consulting; 91843-Environmental Consulting; 91896-Transportation Consulting; 92513-Bridge Engineering; 92517-Civil Engineering; 92533-Professional Engineer Services; 92535-Environmental Engineering; 92536-Engineering Services.

Evaluation 23 CFR 172.7(a)(1)(iii) - 23 CFR 172.7(a)(1)(iv)

City of Stonecrest agrees with and confirms:

- JRC It understands the role and responsibilities of the Selection Committee.
- JRC All members of the selection committee are qualified as per FAR 36.602-2
- JRC All selection committee members have been provided with training and instructions on how to provide scores and comments.
- JRC Evaluations will be conducted in two (2) phases.
- JRC Phase 1 evaluations will result in the shortlist to begin Phase 2.
- JRC Individual scores *and* comments will be documented for Phase 1, unless the Selection Committee discusses all firms and Selection Committee comments and Scores are provided for all Respondents.
- JRC Phase 1 *and* Phase 2 selection committee meetings will be held and will be documented with Phase 1 and Phase 2 committee scores and comments.
- JRC Upon request, individual and selection committee Phase 1 *and* Phase 2 scores and comments can be provided.

Negotiations 23 CFR 172.7(a)(1)(v)

City of Stonecrest agrees with and confirms:



JRC Professional services contracts and Consultant Services Contracts are to be procured as specified in the Federal Brooks Act, 40 U.S.C 1104(a).

JRC It can provide the scope of the contract and a supporting task list to start negotiations.

JRC An Independent Estimate, which will include an appropriate breakdown of the work or labor hours, types or classifications of labor required, other direct costs, and consultant's fixed fee, will be completed by a qualified individual as per 23 CFR 172.7(a)(1)(v)(B) and obtained prior to receiving consultants cost proposal and beginning negotiations.

JRC That Consultant Cost Proposals will be requested only after completion of the Independent Estimate and that both the Independent Estimate and consultant cost proposal will be available for review upon request.

JRC Understanding of the different elements of contract costs which must be considered during negotiations and include the Independent Estimate, Indirect Cost Rates (Overhead), Direct Salary or Wage Rates, Fixed Fee, Other Direct Costs, and Sub-Consultant/Vendor Costs.

JRC Understanding of the Process of Negotiations to include scoping meeting between PM and Consultant team, identification of required tasks/preparation of task list, providing task list to consultant team, agency team preparing hours for task list, agency team identifying appropriate labor classes, consultant team preparing hours for task list, consultant team identifying appropriate labor classes, agency and consultant teams sending required documents to negotiator, negotiator reviewing hours and labor classes and determining where differences are greater than 10% variance in hours, holding negotiations meetings to resolve differences, determining the payment method (of those listed in the solicitation as options), applying consultant direct salary/wage rates and indirect costs to determine preliminary costs, negotiating and applying other direct costs, agreeing upon final costs.

JRC Understanding of the different elements which may require negotiations.

JRC Understanding of the tools which GDOT uses for negotiating and either uses the same or similar tools which provide the same level of information in order to document negotiation activities in accordance with 23 CFR 172.7(a)(1)(v)(E).

Award

City of Stonecrest agrees with and confirms:

JRC Understanding of the award process including the preparation and approval of the selection package.

JRC Understanding and inclusion of all required contract provisions as required by 23 CFR 172.9(c).

JRC Understanding and compliance with all of the requirements for preparing and maintaining all award documentation.

JRC Understanding and compliance with notifications being posted to the Georgia Procurement Registry.

Contract Administration 23 CFR 172.9



City of Stonecrest agrees with and confirms:

- JRC All contract provisions have been included in the contract in accordance with 23 CFR 172.9(c).
- JRC The understanding and compliance with assigning a **Responsible Charge** who is a fulltime, government employee - 23 CFR 172.9(d).
- JRC The understanding and compliance with the requirement for Performance Evaluations in 23 CFR 172.9(d)(2), and that these performance evaluations will be used in making future selection decisions.
- JRC All modifications 23 CFR 172.9(e) made to agreements after execution of contracts will be documented and be provided upon request. All modifications will be in accordance with the solicitation in regards to scope, area classes, contract types, payment methods, etc.
- JRC Any modifications will be negotiated in the same manner and formality as the original agreements.
- JRC Notices to Proceed (NTP) will be issued which will serve to document the first day when work is authorized to begin and when charges are eligible for billing to the project.
- JRC Stop Work Notices will be issued which will serve to document the last day when work is authorized to occur and when charges must cease to the project.

Additional Confirmation

City of Stonecrest agrees with and confirms:

- JRC The understanding of:
- Disadvantaged Business Enterprise (DBE) 23 CFR 172.7(b)(2)
 - Suspension and Debarment 23 CFR 172.7(b)(3)
 - Conflict of interest requirements 23 CFR 172.7(b)(4)
 - Consultant Services in Management Support Roles 23 CFR 172.7(b)(5)

Please keep in mind this is only for the remainder of the current certification. The city/county is still required to complete the procurement portion of the application when recertifying at which time they will either be APPROVED or DENIED based on the application.

Jazzmin R Cobble
 Mayor, City of Stonecrest
 (Affix signatures and seal)

State of Georgia
Department of Transportation
Office of Procurement

Procurement Manual

For The Procurement, Management and Administration of Engineering and Design Related Consultant Services

6/20/2016
600 West Peachtree Street N.W.
Atlanta, GA 30308
Ver. 1

GEORGIA DEPARTMENT OF TRANSPORTATION

PROCUREMENT MANUAL

FOR THE PROCUREMENT, MANAGEMENT AND ADMINISTRATION OF ENGINEERING AND DESIGN RELATED CONSULTANT SERVICES

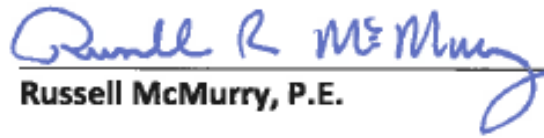


Approved by FHWA

Approved by GDOT



Rodney Barry, P.E.
Georgia Division Administrator
Federal Highway Administration



Russell McMurry, P.E.
Georgia Department of Transportation
Commissioner

6/30/14

Date

6-22-16

Date



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Acronyms

A&E	Architectural and Engineering
AASHTO	American Association of State Highway and Transportation Officials
AMRL	AASHTO Materials Reference Laboratory
CFR	Code of Federal Regulations
CO	Contract Officer
CPM	Consultant Pre-qualification Manual
CS	Contract Specialist
DBE	Disadvantaged Business Enterprise
DLC	Direct Labor Cost
DOAS	Department of Administrative Services
EC	Categorical Exclusion
EEO	Equal Employment Opportunity
EIS	Environmental Impact Study
FAHP	Federal-Aid Highway Program
FHWA	Federal Highway Administration
GDOT	Georgia Department of Transportation
GPR	Georgia Procurement Registry
IDIQ	Indefinite Delivery/Indefinite Quantity (On-Call)
LPA	Local Public Agencies
NIGP	National Institute of Governmental Purchasing
NTF	Notice to Finalists
NTP	Notice To Proceed
O.C.G.A	Official Code of Georgia Annotated
PAR	Practical Alternative Report
PDP	Plan Development Process
PM	Project Manager
PNA	Public Notice Announcement
PRF	Procurement Requisition form
PTIP	Project Team Initiation Process
QBS	Qualification Based Selection
R/W	Right of Way
RFQ	Request for Qualifications
SAM	System For Award Management
SAT	Simplified Acquisition Threshold
SME	Subject Mater Expert
SOQ	Statement of Qualifications
SUE	Subsurface Utility Engineering

TSP	Transportation Services Procurement
VE	Value Engineering

Purpose

The purpose of the Transportation Services Procurement (TSP) Manual is to develop policies and procedures in accordance with the requirements set by the Federal Highway Administration (FHWA) in 23 CFR Part 172, Procurement Management, and Administration of Engineering and Design Related Services. The manual will adhere to these procurement rules and regulations as well as those set by the State of Georgia and Georgia Department of Transportation (GDOT) Policy 4020-1 to provide guidance for engineering and design related consultant services procured by the Office of Procurement's TSP Section. The manual will provide requirements for local governments (Local Public Agencies – LPAs) for engineering and design related consultant services procurements when utilizing Federal-Aid Highway Program (FAHP) Funds. The purpose of the requirements in 23 CFR 172 are to ensure that a qualified consultant is obtained through an equitable qualifications-based selection (QBS) procurement process accomplished in a timely manner at a fair and reasonable cost.

This manual will be updated on a periodic basis, as prescribed in GDOT Policy 4020-1 to reflect changes in guiding federal and state regulations, and any other changes that may affect methods of procurement covered by this manual. This manual, and all subsequent revisions, shall be approved by FHWA in accordance with 23 CFR 172.5(c) written policies and procedures.

Overview

TSP serves as the procurement entity for all engineering and design related consultant services for GDOT. TSP is responsible for coordinating all engineering and design related consultant services procurement activities once a valid procurement requisition is received. The procedures set forth in this manual are designed to provide GDOT and LPAs, using federal funds for contracted engineering and design related consultant services, the required methods for acquiring those services. These procedures incorporate the required regulatory practices, as well as procurement industry best practices, determined to be most appropriate for GDOT. Due to federal funding of services, the majority of procurements will require adherence to federal regulations. For consistency of process and adherence to best practices, GDOT will generally follow the same procedures required for federally funded procurements when procuring non-federally funded services. Federal requirements may be waived for non-federally funded services if a clear advantage to the State can be demonstrated and so long as procurement regulations outlined in Official Code of Georgia Annotated (O.C.G.A.) 50-22-1 through 50-22-9 are complied with in full.

Guiding Regulations

GDOT operates under the authority of the O.C.G.A. Title 32 Highways, Bridges, and Ferries, Chapter 2. Department of Transportation, for the procurement of goods and services required for the construction and maintenance of roads and bridges and any services ancillary to such work. For the procurement of engineering and design related consultant services which utilize FAHP funds, the following regulations are also applicable:

Federal Laws and Regulations

- 23 U.S.C 112, Letting of Contracts
- 23 CFR Part 172 Procurement, Management and Administration of Engineering and Design Related Services; Final Rule
- 2 CFR Chapter I, and Chapter II, Part 200 Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards; Final Rule
- 40 U.S.C. 1101-1104 Selection of Architects and Engineers “The Brooks Act”
- 48 CFR Part 31 – Contract Cost Principles and Procedures
- Moving Ahead for Progress in the 21st Century Act (MAP-21)
- Repayment of Preliminary Engineering Cost (Order 2020.1)
- FHWA Policy for Contractor Certification of Costs in Accordance with Federal Acquisition Regulations (FAR) to Establish Indirect Cost Rates on Engineering and Design-related Services Contracts Order No. 4470.1A
- FHWA Policy of Permissible Project Related Activities during the National Environmental Policy Act (NEPA) Process Order 6640.1A

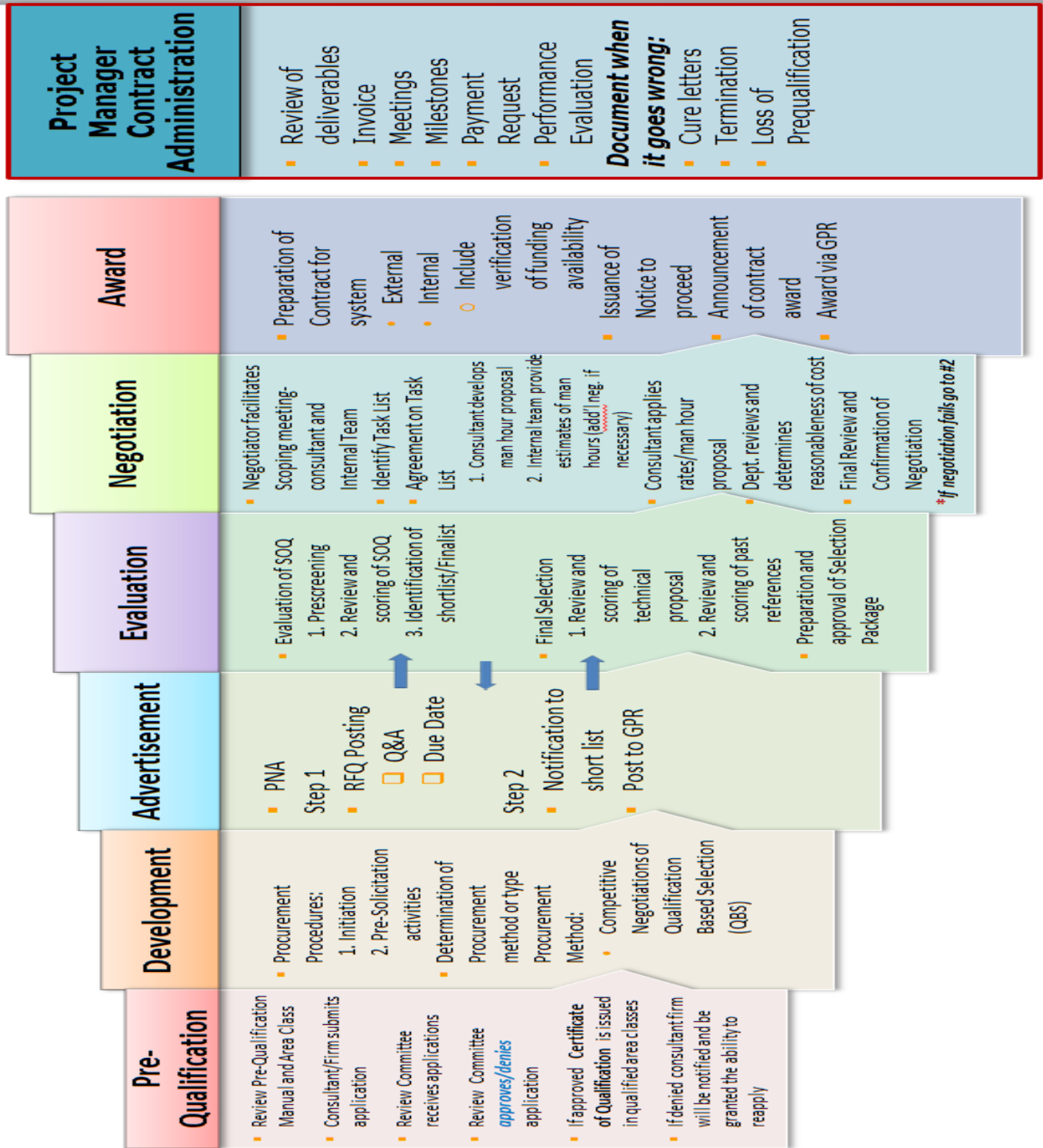
State Regulations

- O.C.G.A. Title 32. Highways, Bridges, and Ferries, Chapter 2. Department of Transportation
- O.C.G.A. Title 50. State Government, Chapter 22. Managerial Control Over Acquisition of Professional Services
- O.C.G.A. Title 43. Professions and Businesses, Chapter 15. Professional Engineers and Land Surveyors

Introduction

This manual is arranged in the seven (7) stages of engineering and design related services procurement. The organization of the seven stages occurs in a logical progression in the order that each stage is required to be performed. The seven (7) stages are discussed in detail in this manual and should provide readers/users of the manual with a step by step guide to the engineering and design related consultant services procurement process. The seven stages are as follows:

THE SEVEN STAGES OF ENGINEERING AND DESIGN RELATED SERVICES PROCUREMENT



Stage 1-Pre-qualification

Pre- Qualification

- Review Pre-Qualification Manual and Area Class
- Consultant/Firm submits application
- Review Committee receives applications
- Review Committee *approves/denies* application
- If approved **Certificate of Qualification** is issued in qualified area classes
- If denied consultant firm will be notified and be granted the ability to reapply

In accordance with 23 CFR Part 172, GDOT requires engineering consultants to be qualified for the work they are proposing to perform. It is GDOT's policy to procure all consultant professional services from consultants pre-qualified by GDOT. However, it should be noted that the pre-qualification process is not, nor does it substitute for a valid procurement process. This process is a key step in procuring engineering and design related services. This pre-qualification process governs the minimum qualifications of professional engineering consultants that perform design and any related work for GDOT including firms providing other ancillary services such as; Transportation Planning, Mass Transit Operations, Highway Design Roadway, Highway structures, Topography, Soils, Foundation & Materials Testing, Construction and Erosion and Sedimentation Control, to support design work that directly leads to construction. GDOT has made its Consultant Pre-Qualification Manual available on its website

(<http://www.dot.ga.gov/PartnerSmart/Business/Prequalification/Documents/ConsultantPrequalificationManual.pdf>), which further describes the process to obtain prequalification.

1.1 Pre-Qualification Process

Consultants are required to submit a pre-qualification application (<http://www.dot.ga.gov/PartnerSmart/Business/Prequalification/Documents/PrequalificationApplication.pdf>) via e-mail to consultants_prequals@dot.ga.gov mailbox. This application must be submitted along with the Employee Qualifications Sheet selecting the area class(es) being requested. Applications to be qualified by GDOT shall be submitted using forms and procedures established by the Department.

1.1.1 Pre-qualification will be required in accordance with the below:

- a) Certified consultants who desire to maintain qualification are required to submit a renewal application every three (3) years.
 - 1) The application shall be submitted three (3) months prior to the anniversary of the initial/current qualification for Class of Work.
 - 2) All changes of personnel, updated work experience for all key personnel, and any other information requested must be submitted with the application.
- b) If additional area classes are requested during the three (3) year period, an updated certificate will be provided indicating the date of update. However, the expiration date of the original certificate shall prevail regardless of when the updated area classes are added.

1.1.2 Review of Pre-qualification Application

The consultant's application shall be examined by the Pre-qualification Committee to determine the consultant's ability to perform one (1) or more of the area classes of work. Refer to the Consultant Pre-qualification Manual (CPM) for a list of [Area Classes](#) and qualification requirements:

- a) GDOT will issue a **Certificate of Qualification** with an expiration date three (3) years from the first month in the calendar year in which the consultant is determined to be qualified.
- b) Should the consultant be dissatisfied with the decision of the Committee concerning the assigned area class(es) of work, the consultant may file an appeal. Consultants may file an appeal within 30 days of receiving the committee's decision by e-mail.

1.2 Appeal/Suspension Process

Should the consultant be dissatisfied with the decision of committee as to the assigned area class(es) of work, the consultant may file an appeal of the decision with the committee. An appeal of the committees' decision will follow the same procedures as a suspension of certification.

During the course of providing services consultants may be subject to suspension or revocation of the pre-qualification status for a variety of reasons, including but not limited to loss of staff, loss of certifications for staff, unacceptable performance evaluation, failure to maintain an adequate accounting system, suspension as defined in the Federal Acquisition Regulations (FAR), and adverse actions taken by the Office of Secretary of State, and/or State Board of Registration for Professional Engineering and Land Surveyors.

Should consultants be subject to suspension or revocation of their pre-qualification status, GDOT will notify the consultant in writing that their qualification status has been revoked or suspended and cite specific reasons why the action has taken place. Once the notification is received, the consultant has the following options:

If a consultant wishes to appeal, they should make a formal appeal, in writing to the chairperson of the Pre-qualification Committee within thirty (30) days of receiving the committee's decision by e-mail, including all of the documentation to be considered. The committee shall provide the firm written notice of its decision within twenty-one (21) calendar days of receipt of the appeal. If the decision of the committee supports the original judgment of the Consultant Pre-qualification Committee, the consultant will not be allowed to reapply for pre-qualification in the area class for a period of no less than one (1) year from the effective date in the notification letter unless the Pre-qualification Committee determines a shorter period is warranted. The decisions of the committee shall be final.

If a firm on revocation or suspension wishes to be reinstated in any or all area classes, it shall submit a Plan of Correction to GDOT no less than three (3) months before possible reinstatement. The firm shall submit documentation showing the corrective measures implemented. The committee shall review the firm's documentation along with any additional documentation from on-going deliverables and make a determination to reinstate area class(es) or extend the revocation or suspension.

If the consultant's pre-qualification certification expires during the revocation or suspension period, they can only reapply after the period has ended. If an application of renewal is submitted, it must include a copy of their corrective plan that was reviewed and approved by GDOT.

If a consultant is reinstated after a period of suspension or revocation and a second suspension or revocation is issued, the consultant shall become ineligible for the area class(es) for a minimum of three (3) years and possibly indefinite, depending on the severity of the violation.

1.3 Pre-qualification Utilization in Procurement Process

GDOT utilizes the pre-qualification status of consultants during the procurement process to ensure that prime consultants and their sub consultant team members are qualified to perform the anticipated services. Each procurement will contain area class requirements which must be held by the prime consultant as well as those which may be held by sub consultants. Consultants responding to solicitations will be required to provide the Pre-Qualification Certificates of the prime and sub consultants which demonstrate compliance with the area class requirements. If any consultant desires to respond to a procurement opportunity and does not hold a required area class at the time the procurement is advertised, they will be allowed to proceed in the procurement process so long as they provide evidence (in the Statement of Qualifications response) of submission of the area class application to the Pre-Qualification Committee two (2) weeks prior to the closing date of the procurement. Consultants and/or sub consultants who do not have the area class(es) approved three (3) weeks after the closing date of the procurement, shall be ineligible for award. Consultants and their sub consultant team members, responding to a procurement without the required area class(es) and no evidence of submission of the application are provided, shall be ineligible to proceed in the process.

Stage 2-Development

Development

- Procurement Procedures:
 1. Initiation
 2. Pre-Solicitation activities
- Determination of Procurement method or type
Procurement Method:
 - Competitive Negotiations of Qualification Based Selection (QBS)

The section will detail the requirements for developing GDOT procurement opportunities for engineering and design related services. The following stage lists the policies and procedures TSP follows when procuring these services.

2.1 Development Activities

During the Development stage, it is the responsibility of the Project Manager (PM) to define the overall services required and the specific tasks associated (commonly referred to collectively as the “scope”). There are several activities involved, which include but are not limited to:

2.1.1 Project Team Initiation Process (PTIP)

PTIP is a process through which GDOT’s PMs and assigned subject matter experts (SMEs) from each SME office meet regarding the services and associated scope required to see a project through construction. During PTIP , the PM and SMEs will review the project and determine in as much detail as necessary what the scope of the project will entail. One of the major decisions which will be made is whether or not the project scope will be completed with GDOT staff or whether it will be outsourced to a consultant firm which is prequalified in one or more area classes. This decision will be based on a variety of factors, including but not limited to whether or not GDOT has the technical expertise to perform the work and whether or not GDOT’s staff has the capacity to perform the work anticipated. During this process, the PM and SMEs will determine the required area class(es)

for the prime and sub consultants, as well as determine the anticipated tasks and necessary level of effort required to complete the work and independent estimate.

2.1.2 Projects/Contracts Not Requiring PTIP

Project specific contracts for non-design work, indefinite delivery/indefinite quantity (On-Call) contracts, and contract modifications may not be discussed in the PTIP process. During the Pre-Solicitation process for these types of procurements, the Contract Specialist (CS) will work with the PM and SMEs to determine the scope and required area class(es) for the prime and sub consultants.

2.1.3 Preparation of Scope

The PM and SMEs will draft the scope of the project with as much detail as possible. The draft should be organized in a linear and progressive manner consistent with the order in which services should be completed. Since this scope may be utilized by GDOT’s staff, (in the event GDOT’s staff perform the services), or in a contract with a consultant, it should be organized utilizing standard outline format as indicated below:

- I. Introduction
 - A. Lead In
 - B. Establish the High Level Service to be provided
- II. First Scope Item to be Performed
 - A. Supporting detail #1
 - B. Supporting detail #2
 - 1. Sub-Point #1
 - 2. Sub-Point #2
 - a. Item #1
 - b. Item #2
 - 1) Detail #1
 - 2) Detail #2
- III. Second Scope Item to be Performed
 - A. Supporting detail #1
 - B. Supporting detail #2
 - 1. Sub-Point #1
 - 2. Sub-Point #2
 - a. Item #1
 - b. Item #2

The scope for every solicitation and resulting contract will be different; however, following a standard outline format will assist in helping to organize similar items together. This format is one tool that the Office of Procurement utilizes to ensure some standard of organization is consistent across all solicitations and contracts.

2.1.4 Selection of Appropriate Area Classes

During the PTIP process, the PM and SMEs should review the area classes listed in the Pre-qualification Manual and identify the area classes which the prime consultant must hold as well as the area classes which are acceptable for any team member to hold (prime or sub consultant team member). It is extremely important that the PM and SMEs are careful when selecting area classes which only the prime consultant can meet as this may limit competition. As more area classes are required of the prime consultant only, the potential pool of consultants who can qualify is reduced.

Area classes required of the prime consultant should be limited to those area classes’ needed to complete the work.

Developing the area class list requires close review of the project during the PTIP process to ensure that the area classes associated with all services which may be required are included. This is critical to ensure that there is prequalified team members which can perform any service required in order to complete the project.

2.1.5 Identify Key Team Roles to be considered in Evaluation/Scoring

The CS, PM and SMEs will determine which key team roles they deem pertinent to the scope of the project/contract being procured. Generally, this will include the PM as well as others identified based on the scope of the project and should focus on those areas where it is important to determine if an individual is qualified to provide the services desired.

2.2 Procurement Procedures

The recommended procurement procedures set forth in this section are designed to assist GDOT PMs (and LPAs) in acquiring needed professional services to complete project needs. Since QBS selection procedures will constitute the majority of procurements, QBS will be the focus of these procedures. Additional or different procedures will be noted for Simplified Acquisition or Non-Competitive Negotiation.

An experienced CS should manage the overall process to procure contracts for these services. The CS is responsible for procurement schedule coordination, SOQ distribution, evaluation tools and documents, and meeting facilitation (including receipt of SOQs, evaluation meetings, and interviews). In addition, the CS is the sole point of contact for interested consultants and prospective proposers from the advertisement of the procurement opportunity through the announcement of contract award. This role as the single point of contact for all communications during the procurement process is extremely important for several reasons:

- 1 It helps maintain the integrity of the procurement process.
- 2 It reduces the risk of undue influence or pressure on GDOT and the Selection Committee.
- 3 It maintains a consistent and orderly flow of information at the appropriate time and in the appropriate manner.

The following items are essential elements and tasks of the procurement process. They are arranged in the suggested order in which they should be completed. Basic instructions for completing these tasks are included. These are generally intended to be applicable to consultant selection efforts, but some projects may require different tasks and instructions.

2.3 Initiation

To begin the process for procuring consultant services, the requesting office must submit a Procurement Requisition Form (PRF). The form should be filled out and signed by the PM, the requesting office head, and the applicable division director then scanned, and sent via e-mail to the [TSP](#) mailbox. Careful attention must be paid to completing the required information on the form including:

- a) Complete all contact information
- b) The purpose of the requested solicitation
- c) Project Identification number (PI# - if applicable)
- d) Brief work description

- e) What skills, knowledge, resources, etc, are needed but not available internally which necessitates outsourcing?
- f) Can this service be performed in-house by cheaper means?
- g) Estimated/allotted costs and time duration

For each new advertisement, TSP will review and obtain approval of the Chief Engineer prior to beginning procurement activities. TSP will assign a CS who will then contact the PM to begin procurement procedures.

2.4 Pre-Solicitation Activities

The CS will meet with the PM to determine needed information to prepare and post an advertisement for the desired services. Major discussion points include:

2.4.1 Determine Procurement Methods and Procedures

The CS will discuss the services to be procured with the PM and determine which procurement method outlined in 23 CFR Part 172.7, entitled Procurement Methods and Procedures (as detailed herein), will be the best method for procuring the desired services. Such determination may be dependent on whether or not the services are related to the construction of a project utilizing FAHP funds, the estimated cost of the services, and whether or not it is feasible to award by competitive negotiations or simplified acquisition. With the exception of the standard process for Competitive Negotiations/QBS, the CS shall document the reasoning for the procurement method decision in the procurement file.

2.4.1.1 Procurement Methods

GDOT will use the following procurement methods:

a) Competitive Negotiations or Qualifications Based Selection (QBS)

QBS is a type of selection for services that intentionally avoids giving any weight to any proposed fee for those services. That is not to say that fees are unimportant. Fees have an important role to play in the contracting process, only not in the “selection” process. Instead, QBS allows consultants to initially compete solely upon their qualifications and demonstrated expertise (and additional QBS and allowable non-QBS criteria outlined in 23 CFR Part 172.7(a)(1)(iii)(A) and 23 CFR Part 172.7(a)(1)(iii)(D) respectively. The contract is awarded to the consultant deemed to be the most qualified, without consideration of cost or fee. Weighted criteria are used to evaluate qualification-related factors in the selection. An actual contract award is subject to successful cost negotiation with the proposer.

b) All GDOT Engineering and Design Related Services procurements will require QBS process with the following exceptions:

1. Small Purchase/Simplified Acquisition

As allowable in 23 CFR Part 172.7(2), a relatively simple and informal procurement method where an adequate number of qualified sources are reviewed may be utilized, where the total contract cost does not exceed the

simplified acquisition threshold (SAT) for federal purchases not to exceed \$150,000 (2 CFR part 200) or for state purchases not exceeding \$75,000 (O.C.G.A. § 50-22-7 (d)). GDOT will always adhere to the more restrictive state limitation of \$75,000 for simplified acquisition. *Contract requirements should not be broken down into smaller components to permit the use of small purchase requirements. The full amount of any contract modification or amendment that causes the total contract amount to exceed the established SAT is ineligible for Federal-Aid funding. The FHWA may withdraw all Federal-aid funding if the contract is amended above the applicable established SAT. The procurement method to be utilized would be consistent with QBS criteria allowable under 23 CFR Part 172.7(2) and O.C.G.A. 50-22-4.

2. *Non-Competitive Negotiations*

Non-competitive negotiations may be used when it is not feasible to award by competitive negotiations or simplified acquisition and are limited to the following:

- a) The service is available from only a single source.
- b) An emergency that will not permit the time necessary to conduct competitive negotiations.
- c) After solicitation of a number of sources, competition is determined to be inadequate.

GDOT must submit justification to FHWA and receive approval before using this method of contracting for any contract utilizing federal funds. The only exception to this would be in the event of an emergency purchase where it is not feasible to obtain approval prior to performing work. In this event, GDOT would proceed with the work and gather the information necessitating the emergency purchase and submit to FHWA as soon as practical.

If a project is to be funded exclusively with state funds and if a consultant has previously worked on the project, GDOT may enter into contract with that consultant without competition if the provisions of O.C.G.A 50-22-7(a) apply. The PM must certify that the consultant has significant previous work on the project that may be reused and that the scope of the project has not significantly changed or expanded.

2.5 Determine Contracting and Payment Method

The CS will discuss various contracting options with the PM to determine which contracting method most appropriate for the services being procured. The two major decisions for contracting methodology are the Contract Type and Payment Method:

2.5.1 Contract Type

Based on the description of each contract type below, the CS shall determine the appropriate contract type to utilize and ensure the RFQ specifies the contract type anticipated to contract for the solicited services in accordance with 23 CFR Part 172.9:

2.5.1.1 Project Specific

A contract between the contracting agency and consultant for the performance of services and defined scope of work related to a specific project or projects. With

this contract type, the entire scope can be determined and negotiated in a single phase/contract.

2.5.1.2 Multi-Phase Project Specific

A Multi-Phase project specific contract is where the defined scope of work is divided into phases which may be negotiated and authorized individually as the project progresses. With this contract type, there are many unknowns and it is not possible to identify all work which must be performed at the time of negotiations and therefore, the work is negotiated and authorized in separate phases(s).

2.5.1.3 Indefinite Delivery Indefinite Quantity (IDIQ) – ON Call

A contract for the performance of services for a number of projects (which are unknown at the time of selection) for performance of smaller projects or for performance of routine or specialized services on a number of projects, under task or work orders issued on an as-needed or on-call basis, for an established contract period (which shall not exceed a maximum of five (5) years).

2.5.2 Payment method

Based on the description of each payment type below, the CS and PM will discuss the request and will determine the appropriate payment method. A single contract may contain different payment methods as appropriate for compensation of different elements of work. Each RFQ shall specify the method(s) of payment anticipated to contract for the solicited services in accordance with 23 CFR part 172.9:

2.5.2.1 Cost Plus Fixed Fee

This payment method shall be utilized when the scope of work is fairly well defined but the total engineering effort required to complete the work cannot be estimated precisely. These contracts pay a pre-determined fee that was agreed upon at the time of contract negotiations.

2.5.2.2 Firm Fixed Price/Lump Sum

This payment method shall only be used when the extent, scope, complexity, character and duration of the work required has been established to a degree that is fair and reasonable and the total cost can be determined at the time of negotiations. ****Note:** When the method of payment is other than firm fixed price/lump sum, the contract shall specify a maximum amount payable which shall not be exceeded unless adjusted by a contract modification.

2.5.2.3 Cost per Unit of Work

The consultant shall be reimbursed for work and services completed at a pre-negotiated rate based on the Unit of Work cost. The Units of Work could be routinely used, recurring and would not necessitate multiple negotiations. The Negotiations for each unit of work will be conducted in the same manner whereby the level of effort for each unit of work is estimated independently by the PM and consultant.

2.5.2.4 Specific Rates of Compensation

This provides for reimbursement on the basis of direct labor hours at specified fixed hourly rates plus any direct expenses or costs, subject to an agreement maximum amount. This payment method would only be utilized when it is not possible at the time of procurement to estimate the extent or duration of the work or the estimated cost with any reasonable degree of accuracy. The specific rates of compensation payment method should be limited to contracts or components of contracts for specialized or support type services where the consultant is not in direct control of the number of hours worked, such as construction engineering and inspection. When using this payment method, GDOT shall manage and monitor the consultant's level of effort and classification of employees used to perform the contracted services. The consultant would only be paid for the actual work completed.

****Note:** Cost plus percentage of cost and percentage of construction cost methods of compensation shall not be used.

2.6 Develop Request for Qualifications (RFQ)

The PM must collaborate with the CS to establish the elements required for the RFQ Advertisement. The PM and CS may enlist the help of the Selection Committee, to develop some of the required elements. This is especially appropriate for particularly complicated solicitations where the Selection Committee may be comprised of specialized subject matter experts. Key components of the RFQ are as follows:

- a) Identify any special provisions or contract requirements associated with the solicited services;
- b) Require that submission of any requested cost proposals or elements of cost be in a concealed format and separate from technical/qualifications proposals, since these shall not be considered in the evaluation, ranking, and selection phase; and
- c) Provide an estimated schedule for the procurement process and establish a submittal deadline for responses to the RFQ that provides sufficient time for interested consultants to receive notice, prepare, and submit a proposal, which except in unusual circumstances shall be not less than 14 calendar days from the date of issuance of the RFQ.

2.6.1 Scope

Consulting services for a project can be comprehensive or can be limited to select services. The PM will collaborate with the CS to refine the scope for inclusion in the RFQ document. The scope should follow the format previously discussed in Section 2.1.3. The PM should develop a comprehensive scope prior to requesting the procurement of consulting services. Emphasis should be placed on ensuring the scope and technical requirements are clear, accurate, and detailed to the extent practical. The scope should detail the purpose and describe the project, the services to be performed, deliverables to be provided, estimated scheduled for performance, and applicable standards, specifications and policies. It should be noted that as much attention as possible should be paid to detailing all requirements because scope items not included in the advertisement cannot be added to the contract later per 23 CFR Part 172.

2.6.2 Area Class Requirements

CS will work with PM to finalize area classes for the prime consultant and the Sub consultant Team Members. Engineering and design related services for which GDOT requires pre-qualification will have minimum area class requirements that the prime consultant or sub consultants must hold to

accomplish the desired scope of services. The CS and PM must ensure that each required scope item has corresponding area classes identified as mandatory.

Normally a set of minimum area class requirements will be specified that a prime consultant must meet in order to be further evaluated and ranked. The prime consultant will generally be required to be prequalified in the area classes representing predominate work areas for the solicited project. Typically, area class requirements for related services may be fulfilled by the prime or sub consultant Team Members.

2.6.3 Pre-Established Evaluation Criteria

The evaluation criteria must be identified in each RFQ and will be used in the evaluation, ranking, and selection of consultants to provide the desired services. For QBS selections, price or cost is specifically prohibited from use as selection criteria since it is not an element of the qualifications of the consultant. Likewise, a requirement that the consultant be in-state or local preference shall not be used as a factor in the evaluation, ranking, or selection phase as these do not demonstrate qualifications of the consultant to do the work and is not allowable. GDOT has reviewed the allowable QBS and Non-QBS criteria and has established usual evaluation criteria to include:

2.6.3.1 Identify Key Team Leaders

CS will work with PM to finalize key team leaders. Each solicitation will require a PM as mandatory and therefore this is not a Key Team Leader and should not be included in this section. Each Key Team Leader identified will result in resumes being submitted in the SOQ package and the evaluation for qualifications and experience will be based on these resumes. The major categories of services should be identified. Each major category identified (i.e. design, bridge, environmental, traffic operations, utilities, etc.) should dictate the required Key Team Leaders.

2.6.3.2 Project Manager, Key Team Leader(s) and Prime’s Experience and Qualifications

Usual criteria related to the PM, Key Team Leaders, and prime’s experience and qualifications are as follows:

a) PM and Key Team Leaders

Information is provided pertaining to the PM and key team leaders, including but not limited to:

1. Education.
2. Registration.
3. Relevant engineering experience.
4. Relevant project management experience for projects of similar complexity, size, scope, and function.
5. Relevant experience utilizing GDOT specific processes, manuals, or guidance (Plan Development Process (PDP, Design Policy, Environmental Procedures Manual, etc.).

Prime Experience

Information is provided pertaining to the prime’s experience and ability in delivering effective services for projects of similar complexity, size, scope, and function. For each project, the following information should be provided:

1. Client name, project location, and dates during which services were performed.
2. Description of overall project and services performed by your firm.
3. Duration of project services provided by your firm, and overall project budget.
4. Experience utilizing GDOT specific processes, manuals, or guidance (PDP, Design Policy, Environmental Procedures Manual, etc.).
5. Client(s) current contact information including contact names and telephone numbers.
6. Involvement of Key Team Leaders on the projects.

2.6.3.4 PM, Key Team Leader(s) and Prime’s Resources and Workload Capacity

Usual criteria related to the Project Manager, Key Team Leaders and prime’s Resources and Workload Capacity are as follows:

- a) Project Manager workload capacity.
 Workload capacity of Key Team Leader(s).
 Resources dedicated to delivering project.
 Ability to meet project schedule.

2.6.4 Technical Approach

O.C.G.A Section 50-22-4(b) requires that GDOT to enter into discussions with three (3) to five (5) consultant identified as the most highly qualified. The evaluation of respondent’s technical approach may be through written response, by telephone, video conference, or by oral presentation with the most highly qualified consultants following submission and evaluation of qualifications. The evaluation of the technical approach in the delivery of the project and meeting contract requirements is usually represented by the following criteria:

- a) Project understanding and innovative technical approaches the firm offers relative to addressing anticipated scope of services.
 Use of alternative methods for delivery (if applicable), and/or management of the project.
 Identify unique challenges of the project and how the firm intends to mitigate these challenges, including quality control, quality assurance procedures.
 Provide specific qualifications, skills, knowledge of the project and project area which may uniquely benefit the firm and project.
 Provide ability and willingness to meet project schedule and budget requirements.

2.6.5 Past Performance

Usual criteria pertaining to the past performance evaluation includes, but is not limited to:

- a) References provided for non-GDOT projects which are relevant and performance evaluations were not performed.
References provided for consultants which have not been awarded contracts with GDOT previously.
Documented knowledge any Selection Committee members have of performance on relevant projects.
Performance evaluations on completed GDOT projects/contracts.

2.6.6 Developed Evaluation Criteria

The usual criteria, in Section 2.6.3 – 2.6.6 above, have been established to streamline the RFQ development process. However, these criteria do not preclude GDOT from developing different criteria so long as they are compliant with 23 CFR Part 172. In the event different criteria are desired, the CS will assist the PM in developing the appropriate, project/contract-specific evaluation criteria. When developing the criteria, the CS would ask probing questions to determine what qualifications define the best criteria for this project, and what proposal information is needed to evaluate SOQs accordingly. In developing the criteria, much consideration must be given to the deliverables as they are developed into the solicitation documents, and whether the deliverables should be adjusted in order to provide the Selection Committee with the necessary volume and type of information for proper evaluation. Additionally, the criteria must assess the demonstrated competence and qualifications for the type of professional services being solicited. The criteria are broken down into two categories including QBS Criteria and Non-QBS Criteria.

2.6.6.1 QBS Criteria

The CS will work with the PM to establish the specific, detailed, or “granular” criteria and such granular criteria must be grouped as a component of a major category. Prior to advertisement, the PM should assign appropriate weights to the major criteria categories, which will be communicated to all respondents in the RFQ. Major categories of evaluation criteria should be used to allow for easy understanding by all respondents of what basic attributes are generally considered important, and for better processing by the Selection Committee. Allowable QBS Criteria include but are not limited to:

- a) Technical approach (*e.g.*, project understanding, innovative concepts, or alternatives, quality control procedures).
 - Work experience.
 - Specialized expertise.
 - Professional licensure.
 - Staff capabilities.
 - Workload capacity.
 - Past performance.

2.6.6.2 Non-QBS Criteria

FHWA has allowed the utilization of Non-Qualification Based Criteria in accordance with 23 CFR Part 172.7.(a)(1)(iii)(D). The CS will work with the PM and will advise of these allowable criteria and determine if the project/contract being advertised could benefit from these criteria. However, the combined total of all Non-QBS criteria must not exceed ten (10) % of the overall evaluation. Allowable Non-QBS criteria are as follows:

a) Local Presence

This criteria shall not be based on political or jurisdictional boundaries and may be applied on a project-by-project basis for contracts where a need has been established for a consultant to provide a local presence, a local presence will add value to the quality and efficiency of the project, and application of this criteria leaves an appropriate number of qualified consultants, given the nature and size of the project. If a consultant from outside of the locality area indicates as part of a proposal that it will satisfy the criteria in some manner, such as establishing a local project office, that commitment shall be considered to have satisfied the local presence criteria.

DBE Utilization Goal

For contracts utilizing federal funds, GDOT specifies a DBE utilization goal in accordance with 49 CFR Part 26. In order to evaluate the ability of a proposing consultant to meet this goal, the Committee will typically evaluate a consultant's DBE policy and practices. ***Note:** If you have a DBE goal you cannot have a scored criteria as FHWA interprets this as "or" not "and" Please refer to FHWA Question and Answers for further guidance.

****Note:** Local Governments must ensure that when considering DBE utilization that only firms certified by GDOT as DBE firms are allowable.

*****Note:** When Local Governments are utilizing Federal-Aid Highway Program Funds, any DBE goal must either be consistent with GDOT's DBE goal, or must be approved in advance by GDOT's Office of Equal Employment Opportunity (EEO).

2.7 Establish RFQ deliverables

Deliverables of prospective respondents must correlate to the evaluation criteria stated in the RFQ. Ideally, the deliverables should mirror the evaluation criteria in the RFQ and should reflect any unique directions or selection strategies necessary for the individual project. The CS will work with the PM and will review the evaluation criteria and will ensure that the requested RFQ deliverables correlate closely. Careful attention should be paid to the scope of work for each RFQ which will dictate the evaluation criteria and ultimately the RFQ deliverables. In accordance with GDOT's Pre-Established Evaluation Criteria, there are pre-established RFQ deliverables which correspond. These Pre-Established Criteria usually include:

2.7.1 Phase I Evaluation Deliverables

All interested respondents would be required to respond to the criteria identified below:

a) *Administrative Requirements* – **NOTE:** This section is not scored but is used as Pass/Fail to determine whether respondents are deemed as responsive to each solicitation.

1. Basic company information:
 - A. Company name.
 - B. Company Headquarter Address.
 - C. Contact Information - Name and contact information (telephone number(s) and e-mail address) of primary proposing contact, (this will be the individual with whom the Department will direct all communications).
 - D. Company website (if available).
 - E. Georgia Addresses - Identify and provide addresses for the offices located in the State of Georgia.
 - F. Staff - List the number and disciplines of staff members employed in each office in the State of Georgia.
 - G. Ownership - Provide form of ownership, including state of residency or incorporation, and number of years in business. Is the Offeror a sole proprietorship, partnership, corporation, limited liability Corporation, or other structure?

2. **Certification Form** - Complete the Certification Form (*Exhibit "II" enclosed with RFQ*), and provide a notarized original within the firm’s Statement of Qualifications. This is to be submitted for the prime **ONLY**.
3. **Georgia Security and Immigration Compliance Act Affidavit** – Complete the form (*Exhibit "III" enclosed with RFQ*), and provide a notarized original within the firm’s Statement of Qualifications. This is to be submitted for the prime **ONLY**.
4. **Addenda** - Signed cover page of any Addenda issued for the prime **ONLY**.

Experience and Qualifications

1. Information pertaining to the PM, including but not limited to:
 - A. Education.
 - B. Registration (if necessary and applicable.)
 - C. Relevant engineering experience.
 - D. Relevant project management experience for projects of similar complexity, size, scope, and function (no more than five (5) projects).
 - E. Relevant experience utilizing GDOT specific processes, manuals, or guidance (Plan Development Process, Design Policy, Environmental Procedures Manual, etc.).

5. Key Team Leaders - Provide experience of Key Team Leaders (defined as those individuals who oversee project areas determined as particularly important to each specific project. For each Key Team Leader identified provide:
 - A. Education.

- B. Registration (if necessary and applicable.)
 - C. Relevant experience in the applicable resource area (on no more than three (3) of the most relevant projects).
 - D. Relevant experience utilizing GDOT specific processes, manuals, or guidance (PDP, Design Policy, Environmental Procedures Manual, etc.) which are specific to the key resource area.
3. Prime Experience - Provide information on the prime’s experience and ability in delivering effective services for projects of similar complexity, size, scope, and function. Describe no more than five (5) projects, in order of most relevant to least relevant, which demonstrate the consultant's capabilities to provide services for GDOT. For each project, the following information should be provided:
- E. Client name, project location, and dates during which services were performed.
 - F. Description of overall project and services performed by your firm.
 - G. Duration of project services provided by your firm, and overall project budget.
 - H. Experience utilizing GDOT specific processes, manuals, or guidance (PDP, Design Policy, Environmental Procedures Manual, etc.)
 - I. Client(s) current contact information including contact names and telephone numbers.
 - J. Involvement of Key Team Leaders on the projects.
4. Area Class Summary Form and Notice of Professional Consultant Qualifications - Prime consultants are defined as the firm submitting the Statement of Qualifications and the firm with whom GDOT will contract. “The Team” is defined as the prime consultant and their sub consultants, who are considered team members. Prime consultants and their sub consultant team members must meet the Area Class requirements listed for each project on which they apply. In regards to the required Area Classes, respondents should submit a summary form which details the required area classes for the prime consultant and all sub consultants or joint-venture of consultants on the team listed in the Statement of Qualifications. The area classes and consultants meeting the area classes listed on the summary form must meet all required area classes or the team will be disqualified. If a team member’s pre-qualification expires prior to the due date of the SOQ, documentation must be provided which shows that the firm has submitted its application for Pre-qualification prior to the SOQ due date. The team must maintain its Pre-qualification certification in order to be considered eligible for award if selected.

Resources/Workload Capacity

- 1. Provide information regarding the overall resources dedicated to delivering the specific project, including:
 - K. Organizational chart which identifies the project manager, prime, Key Team Leaders, support personnel, and reporting structure.
 - L. Primary Office - Identify and discuss the primary office which will be responsible for handling the specific project and the number and types of staff within the office and how this office could benefit the project and promote efficiency.

M. Narrative on Additional Resource Areas and Ability – Respondents are also allowed one page to provide information regarding additional resource areas identified as important to the project, to discuss how the key areas will integrate and work together on the project, to discuss any information which is pertinent to these areas, to provide a narrative regarding how the organization of the team, including the PM and Key Team Leaders can deliver the project on schedule given their workload capacity. (GDOT recognizes that some individuals may be able to meet the schedule while carrying heavier project loads.) Respondents may discuss the advantages of your team and the abilities of the team members which will enable the project to meet the proposed schedule. If there is no proposed schedule, discuss the advantages of the team and the abilities of the team members which will enable the project to move as expeditiously as possible.

2. *Project Manager Commitment Table* - Provide a list of ALL projects (GDOT, other governments and private contracts) on which the proposed project manager is currently committed, to enable the Department to ascertain the project manager’s availability.
3. *Key Team Leader Project Commitment Table* - Provide a list of ALL projects the Key Team Leaders is committed on to enable the Department to ascertain the available capacity.

2.7.2 Phase II Evaluation

The three (3) to five (5) respondents deemed the most highly qualified consultant would be required to respond to the criteria identified below:

2.7.2.1 Technical Approach

Provide any unique technical approaches your firm offers relative to addressing anticipated design concepts, use of any alternative methods for delivery (if applicable), and/or management of the project. Identify any unique challenges of the project and how your consultant intends to mitigate these challenges, including quality control, quality assurance procedures. Provide any specific qualifications, skills, knowledge of the project and project area which may uniquely benefit the firm and project.

2.7.2.2 Past Performance

Past performance may be evaluated through several methods including but not limited to:

- a) Checking of project references for the proposed project manager as well as the consultant.
 GDOT consultant performance ratings which have been prepared on completed projects/contracts and archived for consideration.
 Knowledge that any members of the Selection Committee have pertaining to the past performance of the consultant on any project which is shared and documented during the evaluation process.

2.7.2.3 RFQ Deliverables for Developed Evaluation Criteria

The usual deliverables, have been established to streamline the RFQ response process. However, these deliverables do not preclude GDOT from developing different deliverables

to correspond with the evaluation criteria so long as they are compliant with 23 CFR Part 172. In the event different deliverables are desired, the CS will assist the PM in developing the appropriate, project/contract-specific deliverables. When developing the deliverables, the CS would review the developed evaluation criteria and ask probing questions to determine what deliverables, best allow evaluation of the developed criteria for this project, and what proposal information is needed to evaluate SOQs accordingly. In developing the deliverables, much consideration must be given to provide the Selection Committee with the necessary volume and type of information for proper evaluation. Additionally, the deliverables must assess the demonstrated competence and qualifications for the type of professional services being solicited.

2.7.2.4 Deliverables for Developed QBS Criteria

The CS will work with the PM to establish the specific, detailed, or “granular” deliverables and such granular deliverables must be grouped as a component of a major category. Prior to advertisement, the PM should assign appropriate weights to the major deliverables, which will be communicated to all respondents in the RFQ. Allowable QBS deliverables include but are not limited to:

- a) Technical approach (*e.g.*, project understanding, innovative concepts, or alternatives, quality control procedures).

- Work experience.
- Specialized expertise.
- Professional licensure.
- Staff capabilities.
- Past performance.

2.7.2.5 RFQ Deliverables for Non-QBS Criteria

- a) Local Presence

If a need has been established for a consultant to provide a local presence, a local presence will add value to the quality and efficiency of the project, and application of this criteria leaves an appropriate number of qualified consultants, and GDOT decides to utilize the criteria, the location of the consultant would be considered. The respondent would be required to identify its office location, or whether or not it will establish an office location which meets the criteria as well as a narrative on the value and efficiency that this location would add to the project.

DBE Utilization Goal

GDOT usually applies its current DBE utilization goal to all solicitations. In the event that GDOT decided not to utilize the DBE utilization goal and decided to use scored criteria, the corresponding deliverables would require the respondent to identify its approach to utilizing DBE consultants, current and history of utilizing DBE consultants, as well as DBE consultants intended to be utilized for the project/contract under evaluation.

2.7.2.6 Establish RFQ Scoring

In accordance with 23 CFR Part 172.7(a)(1)(iii)(B) and Official Code of Georgia (O.C.G.A.) Section 50-22-4, price is not allowed as an evaluation criterion as it violates the mandates established in the Brooks Act for Qualification Based Selection procedures. Additionally, In-State or Local Preference may not be utilized in accordance with 23 CFR Part 172.7(a)(1)(iii)(C). However, when federal funds are not being utilized, O.C.G.A. Section 50-22-4 does allow GDOT to consider project location and office location, although it has generally been determined that this may be utilized only in unique situations even when utilizing state funds only.

2.7.2.7 Pre-Established Evaluation Criteria Weighting

- a) GDOT has identified the standard evaluation criteria in the following categories:
 - 1. Project Manager, Key Team Leader(s) and prime’s Experience and Qualifications - 30%
 - 2. Project Manager, Key Team Leader(s) and prime’s Resources & Workload Capacity - 20%
 - 3. Technical Approach - 40%
 - 4. Past Performance – 10%

- b) These pre-established evaluation criteria will allow respondents to demonstrate competence and qualification for the various types of engineering and design related services being solicited. While the intent is for these to be used universally, they may not be sufficient or detailed enough for every solicitation. With this in mind, the CS will work with each customer and review the standard criteria and associated weight and may adjust accordingly.

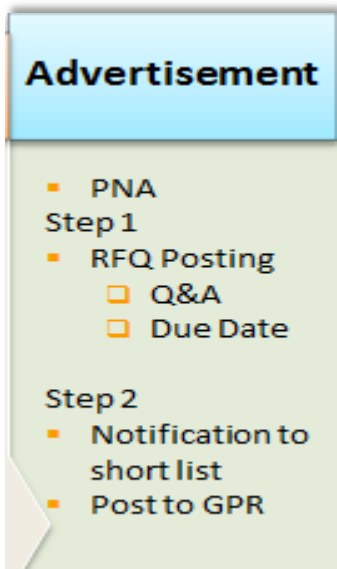
- c) Developed Evaluation Criteria Weighting:

- d) The usual evaluation criteria and weights have been established by the Chief Engineer in order to streamline the RFQ development process and to provide consistency in the evaluations. However, these criteria and weights do not preclude GDOT from developing more detailed criteria and weights, specific to each project/solicitation so long as they are compliant with 23 CFR Part 172. In the event different criteria and weights are desired, the CS will assist the PM in developing the appropriate evaluation factors for each project/contract. When developing, the CS would review the developed evaluation factors to allow emphasis to be placed on those criteria and weights which demonstrate the relevant importance in relation to the project, as well as for compliance with 23 CFR Part 172. The CS will ask probing questions to determine what evaluation factors best support the evaluation of the developed criteria for this project, and what weighting is needed to allow respondents to best demonstrate qualifications and competence.

2.8 Procurement Schedule

The CS will work with the PM and determine the overall schedule of events for the solicitation to allow sufficient time for interested consultants to receive notice, prepare, and submit proposals. At a minimum, the schedule will identify the solicitation posting date, due date and time for questions and clarification(s), and the due date and time for the submittal deadline. The CS will ensure that the minimum required posting time of not less than fourteen (14) days is allowed. However, O.C.G.A. 50-22-3 requires the minimum posting time of fifteen (15) days. Generally, GDOT will require a posting of thirty (30) calendar days to allow sufficient time for interested consultants to respond and which ensures compliance with both state and federal law. The PM will take into account the appropriate time needed and the availability of the various participants, including Selection Committee members, when establishing the procurement schedule.

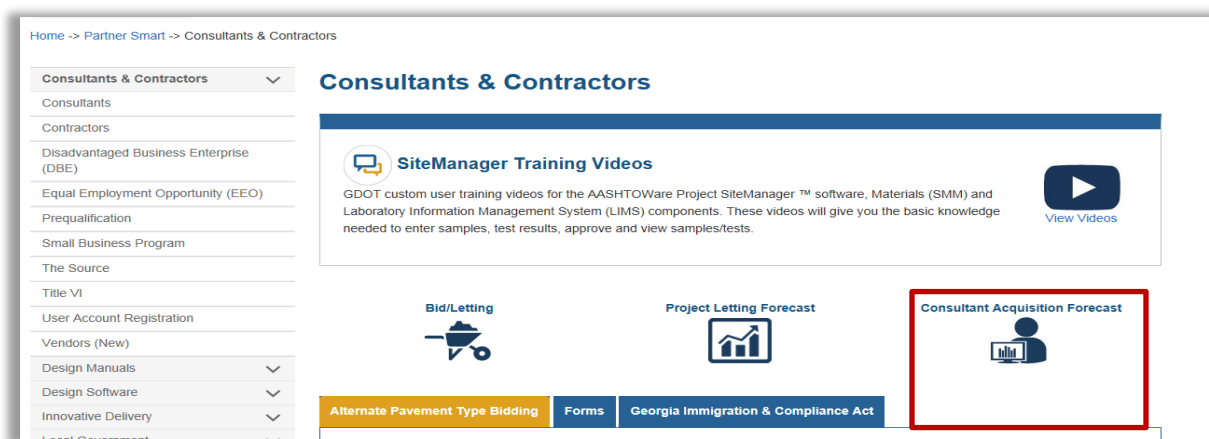
Stage 3 - Advertisement



The section will detail the requirements for advertising procurement opportunities for engineering and design related services. These requirements will allow GDOT to identify potential consultants to be considered for award for engineering and design related services. The Request for Qualifications (RFQ) process allows the Department to thoroughly identify and select qualified consultants and award federally-funded engineering and design related contracts based on open competitive negotiations and the consultant(s) demonstrated competence and professional qualifications for the type of professional services required at a fair and reasonable price using the Qualifications Based Selection (QBS) process as required by the Brooks Act.

3.1 Consultant Acquisition Needs List

GDOT’s Office of Program Delivery (OPD) solicits input from all of the SME offices (bridge, environmental, design, etc.) and identifies its own needs for consultant resources. Once this input is received, OPD updates the GDOT webpage at the following link <http://www.dot.ga.gov/PS/Business>. Once at the page, interested parties should click on the consultant Acquisition Forecast icon:



When this link is opened, the information pertaining to the forecasted needs will be displayed in a manner similar to the below:

2015 - 2016 Potential Consultant Acquisition Needs

Project ID (PI number)	Description	Primary Work Type	County	GDOT District	Phase*	2015 Batch # **				
N/A	Environmental Statewide Contracts for full environmental services, including environmental surveys, report preparation, and quality assurance reviews of reports prepared by other firms. Restricted to State funded projects.	Environmental	All	All	PE	Fall 2015				
N/A	Safety Design Services for one of three regions in the state. The regions are based upon GDOT District boundaries and are grouped as follows: Districts 1 & 2 & 5 = Region A, Districts 6 & 3 = Region B and Districts 7 & 4 = Region C. The Consultant will perform all services as determined through negotiations of individual task orders and provide all detailed work, services, materials, equipment and supplies to perform the work as an on-call service.	Traffic Management Center (TMC)	All	All	PE	Fall 2015				
N/A	Program Management Services for OPD for the Traffic Operations and Safety Programs	Program Management (OPD)	All	All	PE	Winter 2015				
N/A	Program Management Services for OPD for the Bridge Program	Program Management (OPD)	All	All	PE	Winter 2015				
N/A	Design-Build Bridges - reference http://www.dot.ga.gov/PS/Innovative/DesignBuild	Bridge Replacements		1, 2, 3, 4, & 5	PE & CST	Winter 2015				
Bundle #	Project ID (PI number)	2016 Bridge Bundles Batch #1		Primary Work Type	County	GDOT District	Phase*	2016 Batch # **	# of Bridges	Bridge_Serial_Num
1	0013716	SR 10 LOOP EB & WB @ SR 8/US 29		Bridge Replacement	Clarke	1	PE	February 2016	2	059-0017-0 & 059-0018-0
1	0013806	SR 10/US 78 @ NORTH OCOONEE RIVER		Bridge Replacement	Clarke	1	PE	February 2016	1	059-0025-0
2	0007170	SR 136 @ CHESTATEE RIVER 8.3 MI SOUTHEAST OF DAWSONVILLE		Bridge Replacement	Dawson/Hall	1	PE	February 2016	1	085-0020-0
2	0010212	SR 53 WB @ CHATTAHOOCHEE RIVER		Bridge Replacement	Hall	1	PE	February 2016	1	139-0020-0
2	0013807	SR 183 @ COCHRAN CREEK 6 MI NW OF DAWSONVILLE		Bridge Replacement	Dawson	1	PE	February 2016	1	085-0021-0
2	0013746	SR 385 @ HAZEL CREEK IN DEMOREST		Bridge Replacement	Habersham	1	PE	February 2016	1	137-0006-0

3.2 Advertisement Methods

3.2.1 Batch Advertisements

GDOT has elected to establish a standard advertisement schedule for its project specific opportunities. These are referred to as Batch advertisements and the projects advertised will in most cases result in multi-phase project specific advertisements. GDOT will generally advertise these batch advertisements three (3) to five (5) time a year, although it reserves the right to add additional Batches if determined necessary. The projects advertised in the Batches will typically be the projects which have been identified in the Consultant Acquisition Forecast, although GDOT reserves the right to add additional projects as may be necessary due to unforeseen circumstances. Since Batch advertisements are listed on the consultant Acquisition Forecast, GDOT does not intend to issue a Public Notice Announcement for these projects. It should be noted that each project on each Batch advertisement will be require consultants to submit to each in which they have interest separately. The resulting evaluation/selection process for each project on each Batch will be handled as separate evaluations and selections even though they will have common schedules and response due dates.

3.2.2 Public Notice of Advertisement

For projects not listed in the Consultant Acquisition Forecast and for On-Call Advertisements, GDOT has elected to utilize a Public Notice Advertisement (PNA) to notify interested consultants of the opportunity prior to the actual RFQ being issued. This PNA will typically be posted for a period of thirty (30) calendar days to the Georgia Procurement Registry, although, GDOT reserves the right to reduce this posting period to fifteen (15) calendar days if determined necessary due to time constraints. The PNA will contain information which identifies the need to include but not be limited to:

- a) Project Identification Number: For On-Call contracts, this will be "N/A" since an on-call contract may utilize an infinite number of projects.
- b) Project/Contract Description and Scope of Work: Information provided by the GDOT PM will be provided to give interested parties a brief project/contract description in order to determine if they have interest in the forthcoming opportunity.
- c) Anticipated Schedule: The RFQ Issuance Date will typically be 30 days from the date that the PNA was posted. However, GDOT reserves the right to reduce the time if determined necessary.
- d) Statement of Qualifications Due Date: This is the closing date of the RFQ Advertisement. (This date should be 60 calendar days, excluding holidays, from the date the PNA was posted, should be a business day).
- e) Contact Information: GDOT assigned CS contact information for the Project.

The PNA is used for informational purposes only. Specific project related questions from the consulting community are not answered at this time. All project related questions are provided by the CS after the solicitation closes. However, the Department may make administrative corrections or clarifications during the PNA period through the posting of an addendum on the Georgia Procurement Registry (GPR), if needed.

3.2.3 Advertisement Periods

After the PNA period has expired, or in accordance with the Batch schedule, GDOT will post each advertisement for multi-phase project specific, project specific, and on-call projects/contracts for a period of thirty (30) calendar days. This duration exceeds the requirements of both 23 CFR Part 172, which mandates a minimum advertisement time of fourteen (14) calendar days, and O.C.G.A. 50-22-3 which mandates a minimum advertisement time of fifteen (15) calendar days. In some instances, GDOT may elect to reduce the standard advertisement period but shall maintain compliance with both federal and state law by maintaining a minimum advertisement period of at least fifteen (15) calendar days.

3.2.4 Location of Advertisement Postings

All advertisements for engineering and design related services shall be posted to the Georgia Procurement Registry (GPR) website located at the following link:

http://ssl.doas.state.ga.us/PRSapp/PR_index.jsp GDOT is mandated to post these advertisements to the GPR in accordance with O.C.G.A. 50-22-3. Posting to the GPR also ensures compliance with 23 CFR Part 172, which requires that advertisements be via public announcement, public advertisement, or any other public forum method that assures qualified in-State and out-of-State consultants are given a fair opportunity to be considered for award.

3.2.5 Utilization of NIGP Codes

The GPR requires the CS to identify National Institute of Governmental Purchasing (NIGP) codes which are associated with the services being procured. The complete list of NIGP codes may be found at the following link:

http://ssl.doas.state.ga.us/PRSapp/PR_nigp_list.jsp?whereFrom=public

For engineering and design related services, GDOT will ensure selection of at least the following NIGP codes at a minimum:

NIGP Code	Code Description
91842	Engineering Consulting
91843	Environmental Consulting
91896	Transportation Consulting
92513	Bridge Engineering
92517	Civil Engineering
92533	Professional Engineer Services
92535	Environmental Engineering
92536	Engineering Services (Not Otherwise Classified)

When CSs are posting each solicitation, they will select the NIGP codes listed above. With these selections, the GPR will automatically send e-mail notifications to every consultant who has registered with the GPR to receive notifications about any opportunities which include one or more of these NIGP codes. consultants are able to register on the GPR for free by completing basic information about their consultant as well as by identifying the NIGP codes for which they want to receive notifications when opportunities are posted.

3.3 Advertisement Process

The advertisement process will consist of two phases (Phase I and Phase II.) In Phase I, consultant submit Statement of Qualifications (SOQs) based on an established criteria (provided by GDOT) for evaluation of Statement of Qualifications and Phase II, the 3-5 short-listed consultant firms submit Proposals (Technical Approach), based on an established criteria (provided by GDOT) for evaluation of Proposals to GDOT for evaluation and scoring by an Selection Committee. During Phase I, consultant(s) submit their Statements of Qualifications (SOQ) by the designated deadline date/time established in the RFQ advertisement to be considered for the Project. The Selection Committee will review all submittals and will identify three (3) to five (5) consultants (as mandated by O.C.G.A. 50-22-6) identified as the most qualified from whom technical proposals (Phase II) will be requested. These short-listed consultant firms will submit technical proposals to GDOT by the designated deadline date/time established in the Notice to Selected Finalist (NTSF) attachment e-mailed to the short-listed consultant firms at the conclusion of Phase I for further consideration for the Project.

3.4 Questions and Answers

During the advertisement period it is required that prospective respondents be allowed to submit questions to the CS. The Schedule of Events outlined in each advertisement will indicate the date and time when written questions are due. All written questions are required to be submitted to the CS via e-mail. Once the deadline for written questions has passed, the CS will compile all questions and send to the Selection Committee members for consideration and to provide answers. Upon receipt of the answers to the written questions, the CS will prepare an addendum to the advertisement and post to the solicitation on the GPR. The goal of this process is to ensure that all prospective respondents have access to the same information at the same time so as not to provide any unfair advantage to any consultant.

3.5 Restriction of Communication

Every advertisement for engineering and design related services will contain a standard restriction of communication requirement. This restriction is effective from the advertisement date of each solicitation until successful respondents are selected and the award is made official and announced. Consultants are not allowed to communicate about the solicitation or scope with any staff of GDOT including the Commissioner and GDOT Board Members, except for the submission of questions as instructed in the RFQ, or with the contact designated in the RFQ, or as provided by any existing work agreement(s). For violation of this provision, GDOT reserves the right to reject the submittal of the offending respondent. The purpose of this restriction is to ensure all prospective respondents have access to the same information at the same time so as not to provide any unfair advantage to any consultant.

3.6 Notification of Finalists and Selection

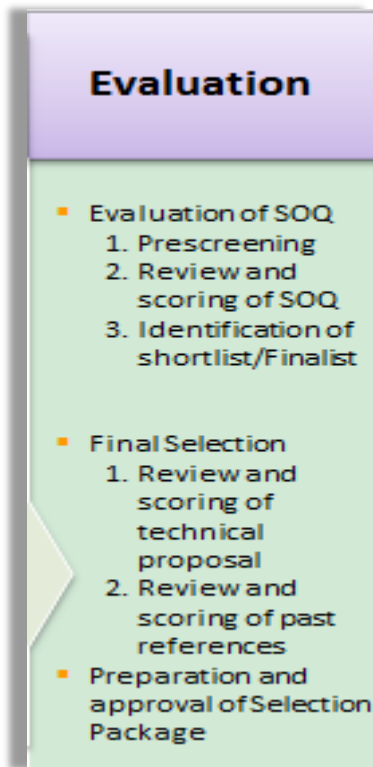
3.6.1 Notice to Finalist

Upon completion of Phase I of the selection process, GDOT will send a Notice to Selected Finalists (NTSF) to the three to five firms deemed the most qualified. This notice will initiate Phase II for the finalists. After the NTSF is sent, the CS will also post the finalists to the GPR with the RFQ advertisement listing.

3.6.2 Notice of Most Qualified

Upon completion of Phase II of the selection process, GDOT will notify the firm identified as the most qualified to enter into negotiations. GDOT will also notify the remaining unselected finalists they were not selected to enter into negotiations. However, it should be noted that should negotiations with the most qualified be unsuccessful, GDOT may enter negotiations with the second most qualified and so on until an agreement can be reached at a price deemed fair and reasonable.

Stage 4 - Evaluation and Selection



The following section provides guidance and procedures for conducting evaluations and the selection of consultants.

4.1 Selection Committee

4.1.1 Eligible Appointees

Prior to the advertisement of a procurement opportunity, the PM will coordinate with the appropriate office head(s) to appoint qualified staff members to serve as a Selection Committee. Selection Committees should be cross-functional teams, comprised of varied, unbiased, responsible, and professional individuals. The committee may include representatives from:

- a) The requesting office/area.
 - Project involved specialty service offices (subject matter experts).
 - Other internal SMEs for the project.
 - Private practitioners of engineering and design related professions.

4.1.2 Identification/Establishment of Selection Committee Members

GDOT's Chief Engineer is responsible for determining the staff hierarchy level available to be members of the RFQ Selection Committee. Currently the pool of GDOT employees available to serve on Selection Committees is limited to Assistant Office Heads or above. Exceptions are allowed in some cases where needs dictate, but must be approved by GDOT's Chief Engineer.

It is the responsibility of the Office Head to determine the Selection Committee. The Selection Committee shall generally consist of a minimum of three (3) GDOT employees who have detailed knowledge of the work necessary to complete the scope associated with the RFQ. The individuals selected generally possess knowledge and expertise on the services to be performed under the project/contract. It is the responsibility of GDOT's Chief Engineer to approve the Selection Committee.

The requesting Office Head shall send the approved RFQ Selection Committee list to the CS, who will send an email to members of the RFQ Selection Committee providing expectations and important dates related to the RFQ. This email shall include at a minimum a copy of the RFQ and dates and times related to the Evaluation Kick-off meeting, Phase I Evaluation meeting, Phase II Evaluation Submittal Distribution Meeting, and the Phase II Evaluation meeting.

The CS will verify that there are no real or potential conflicts of interest with any of the Selection Committee members. Selection Committee members will be required to sign a statement of Confidentiality and Conflict of Interest Agreement indicating that they have no actual, potential, or perceived conflicts of interest. The CS may follow up with committee members' supervisors to assure that the committee membership is free from any potential conflicts of interest. If at any time during the selection process, a committee member realizes they may have a conflict of interest, real or perceived, they must immediately notify the CS of the conflict. The CS will take appropriate action to mitigate the potential conflict. The initiating office head will obtain the approval of Chief Engineer for Selection Committee members and will provide the approval to the CS.

4.1.3 Size of Selection Committees

The Selection Committee will generally be limited to three (3) to five (5) individuals. Whenever possible, the committee members shall remain consistent through the entire selection process to maximize information assimilation and maintain a consistent evaluation process. In addition to the Selection Committee, SMEs may be enlisted to aid in the gathering of procurement-related information and may contribute to the evaluation process as necessary.

4.1.4 Selection Committee Instructions

The Selection Committee must be properly trained in the process. The CS will provide a Guideline for Evaluation to assist with this process. The Guideline for Evaluation (Step I) specifies member duties/deadlines, and provides a quick-reference to the specific deliverables expected in the submittals and to all of the evaluation criteria. Additionally, the PM may convene a meeting of the Selection Committee before or shortly after the advertisement is posted to outline for the committee their expected duties and how the selection process will be conducted.

Note: A significant amount of time and effort is required of a Selection Committee member, and a commitment must be made to allocate time for review of qualifications and proposals and to attend required meetings.

4.2 Evaluation Process

FHWA rules allow a solicitation evaluation to be conducted in a single phase, and O.C.G.A. 50-22-4(b) requires a two-phase evaluation. GDOT's approach to meeting FHWA and Georgia laws necessitate a two-phase solicitation evaluation. Phase I of the evaluation usually requires review and scoring of experience, qualifications, resources, and workload capacity. Phase II of the evaluation usually requires review and scoring of the technical approach and past performance.

4.3 Scoring Documents

Standard scoring forms have been developed for utilization by the voting members of the Selection Committee. The scoring forms correspond to the established major criteria categories and weighting in order to provide for an accurate scoring summary. (More information on scores and rank is provided in section "6" *Evaluation of Statements of Qualifications (SOQ) and Selection of Finalists*). The scoring forms have been developed in a way that renders the form as intuitive for the scorer as possible, with clear indicators of:

- a) Evaluator number.
- RFQ number.
- Proposing firms.
- Criteria weighting/points.
- Scores and rank.
- Sections for notation.

4.3.1 Individual Scoring Documents

Scoring documents have been developed to be utilized by each individual Selection Committee member. Each member will review the consultants SOQs individually and will determine the appropriate adjectival rating and provide comments which support their opinion of the rating.

4.3.2 Overall Committee Scoring Documents

Overall committee scoring documents and summary comments will be a part of the scoring forms. The scoring summary document will serve as a freely-shared record for those interested in the outcome of a selection, and as a tool for debriefings with unsuccessful proposers. The names of the committee members will **not** be included on the scoring forms and scoring summary documents. Rather, a number will be assigned to each committee member and the individual's number will be a part of the scoring record.

4.3.3 Additional Considerations for Scoring Documents

Work sheets may be developed to assist members in assessing, cumulatively, the merits of consultants during review of submittals. However, such cumulative assessment may also be accomplished in many cases by members simply using the existing RFQ documents or other guides during their individual reviews. It is advisable to allow committee members latitude in their detailed individual review, because most will differ in their own study/review techniques. Therefore, it is not recommended to formulate extensive matrices which might serve to increase possibility of error, and stifle the group diversity and human decision-making competence of the qualified, professional members. Looked at as a whole, the review and scoring process should not be unnecessarily "dumbed-down" or "computerized"; instead, Selection Committee members should be properly orientated in the process requirements.

4.4 Evaluation of Statements of Qualifications and Selection of Finalists

In order to be compliant with both state and federal law, and to maximize the competitive opportunity for consultants, as well as promote an efficient evaluation, a two-phase process is used for engineering and design related procurements. In Phase I, firms are invited, via a publicly advertised RFQ solicitation document, to submit SOQs. These submittals must be responsive to the deliverables and acceptable criteria relevant to the project/contract advertisement. Firms are then evaluated by the Selection Committee that will select three (3) to five (5) firms determined to be most qualified. The selected firms are invited to

provide a secondary submittal containing a technical approach specific to the project at hand. Additionally, the CS shall provide past performance information to the Selection Committee which shall be reviewed, discussed, and scored. In Phase II, the Selection Committee shall determine the final ranking of the firms based on information provided in the technical approach and the past performance information. The final ranking will be used to develop a Selection Package, which contains the final ranking, a summary of activities related to the RFQ, and the name of the top ranked firm, concurrence from the appropriate Division Director and approval from the Procurement Administrator. The Selection Package will be presented to the negotiator, which shall cause the scheduling of a meeting with the top-ranked firm to negotiate the final fees and contract terms. If there is no agreement on fees or contract terms with the top-ranked consultant, negotiations with the firm will be terminated. GDOT will then proceed to negotiate in the same manner with the second-ranked firm, and so on until an agreement is reached.

4.4.1 Evaluation Procedures

The procedures set forth in this section are designed to assist the CS in executing a Qualifications Based Selection evaluation process, compliant with 23 CFR Part 172 and O.C.G.A. 50-22-1 through 50-22-9, and assist members of the Selection Committee in selecting the most qualified consultant based on a QBS process.

4.4.2 Receive Statement of Qualifications (SOQ) from Respondents

Instructions pertaining to the content, due date, method of delivery, and delivery location of the consultant's SOQ are provided in the RFQ. Upon receipt of each SOQ, the CS shall timestamp the 'Original' copy of the SOQ and will provide a receipt, if requested, indicating the time the SOQ was received. Submittals will be accepted up to and including the date and time specified in the RFQ. Any submittals received after the due and time specified will be disqualified from further consideration.

4.4.1.2 SOQ Pre-screen Check and SOQ Disqualification

The purpose of this step is to verify the consultant's SOQ contains all mandatory requirements, is properly formatted, that each respondent's team holds the required area classes, that the page allowances have been adhered to and that the SOQ was received no later than the required date and time defined in the RFQ.

Upon completion of the SOQ pre-screening checks, the CS will provide the TSP manager with a report of SOQs which did not pass all the pre-screen checks. This report will contain a list of items found to be deficient within the SOQ and a recommendation for next steps for the consultant's SOQ. The TSP manager, using the principles of fairness and inclusion as a guide, will review the results of the pre-screen checks and decide on final determination of next steps. Next steps for deficient SOQs shall include, but are not limited to, approving the SOQ to be included in the evaluation as-is, asking the consultant to correct/replace portions of the SOQ which are not salient to the evaluation to be conducted by the Selection Committee (with the intent of approving the SOQ to be included in the evaluation once the corrected/replaced portions are received), or disqualification of the SOQ. The TSP manager will communicate final determination of next steps for the SOQs to the CS.

When the pre-screen results of an SOQ include asking the consultant to correct/replace portions of the SOQ, the CS will send an email to the consultant's key contact person, identified in the SOQ, with details of the information which needs correcting/replacing along with a deadline for the information no later than within 24-hours of sending the email. If the consultant provides the corrected information in the timeframe provided, then SOQ will be included in the evaluation. Otherwise, the SOQ will be disqualified.

When the pre-screen results of an SOQ result in disqualification, the CS will email the consultant’s key contact person outlining the reason for the disqualification. At this point, the SOQ will be removed from the RFQ evaluation process. If the consultant does not agree with the disqualification ruling, the consultant can appeal the ruling by contacting the TSP Manager. This contact must be done expeditiously in order to ensure timely inclusion into the evaluation process if the disqualification ruling is changed.

It should be noted that this section is not intended to undermine the integrity of the selection process. While there are some items that the consultant firms must submit, they may not be salient to the evaluation to be conducted by the Selection Committee. Examples of these type items includes failure to complete the certification form correctly, failure to provide the Notice of Consultant’s Professional Qualifications (approved area class listing), and/or failure to organize the SOQ exactly as prescribed in the RFQ. GDOT reserves the right to request these items to be corrected and/or provided. However, some items which are salient to the evaluation to be conducted may necessitate disqualification if not provided correctly or as required. These include exceptions taken to the certification form which would make the consultant ineligible to contract with GDOT for any reason, failure to provide a team which meets all required area class requirements, provision of resumes of more than the allowed number, and provision of more than the allowed number of pages (note that these may necessitate disqualification because they would provide an unfair advantage over firms which complied with the requirements.) This section is not intended to identify every situation and item which may be considered for disqualification but is intended to mention the major ones. GDOT reserves the right, in its sole discretion to determine eligibility for proceeding or for disqualification.

4.4.1.3 Number of SOQ Responses Insufficient to be Considered Competitive Negotiations

If the pre-screen process results in less than three (3) qualified SOQs, or if less than three responses are received, then the RFQ does not meet the qualifications of a Competitive Procurement (per 23 CFR Part 172). The CS shall:

- a) Work with the GDOT PM to alter the RFQ for including additional qualified consultants in the RFQ process. This is generally accomplished by modifying the required area classes to remove any that are unnecessarily restricting respondents or by adding new area classes to expand the pool of eligible respondents. It is possible that after reviewing, it is determined that there were no unnecessary restrictions and that no modifications to the area class requirements are necessary.

Receive approval from the TSP Manager to extend the SOQ receipt day to at least fifteen (15) days after the posting of an updated RFQ.

Post the updated RFQ to the Georgia Registry under a new RFQ#.

Reschedule the Evaluation Kick-off meeting, Phase I Evaluation meeting, Phase II Evaluation Submittal Distribution Meeting, and the Phase II Evaluation meeting to coincide with the new RFQ schedule.

Any additional SOQs received will go through the SOQ Pre-screen Check and SOQ Disqualification process defined above. If the pre-screen process results in at least two (2) qualified SOQs, then the evaluation shall proceed as detailed later in this section. However, if the pre-screen process still results in one (1) qualified SOQ, the CS shall proceed with the evaluation/award process since competition has been determined to be inadequate. The CS shall prepare a selection package along with a request for non-

competitive award approval, which will be sent to FHWA for approval, and which shall contain the following:

- a) FHWA Non-Competitive Procurement Approval Letter.

GDOT Request to Utilize the Noncompetitive Procurement Process.

Advertisement and all Addendums.

Consultants' Submission Prescreening Checklist.

Verification of Non-Debarment from System for Award Management (SAM) Website for Intended Awardee.

Pre-Qualification Certificate for Intended Awardee.

The Procurement Administrator will review the request for non-competitive award approval and if the request is approved, will forward to FHWA to obtain approval that the process be allowed to proceed as a non-competitive procurement. The solicitation will be put 'on hold' until approval is received from FHWA. If approval is not granted, then the RFQ shall be cancelled.

4.4.1.4 Hold Kick-off Meeting and Distribute SOQs

The purpose of the Kick-off meeting is to provide members of the Selection Committee with instructions and guidance on the two step evaluation process for engineering and design related procurements and to provide them with the requisite information necessary to complete the first step of the evaluation of the SOQs, which passed the SOQ Pre-screen Check.

During the Kick-off meeting, the CS will:

- a) Assign each committee member an evaluator ID. This evaluator ID will be utilized through-out the evaluation process to protect the identity of each evaluator.
Hand-out the Guide for Selection Committee Members, scoring forms, and SOQs which passed the SOQ prescreen check.
Describe the documents distributed, with special emphasis on the Confidentiality and Conflict of Interest Agreement and the Guide for Selection Committee Members (i.e. information the Selection Committee member can and cannot use during the evaluation, categories to be scored, instructions for scoring each category, and the depth of comments requested for each category).
Obtain a signed copy of the Confidentiality and Conflict of Interest Agreement from each of the Selection Committee members. If a member of the committee believes they have a conflict of interest or cannot abide by the confidentiality agreement, then the CS will provide such details to the TSP Manager and they will make the final determination with regard to the member's inclusion on the committee. If the TSP Manager agrees to exclude the committee member, then the CS will communicate this information to the Office Head, who will find a suitable replacement using the Identification of Selection Committee members process described above.

NOTE: The CS may elect to conduct kick-off via e-mail for standard selection procedures (if all Selection Committee members are experienced in the process) or may elect to meet only with evaluators not familiar with the process and email instructions to others.

4.4.1.5 Phase I Preliminary Evaluation

The purpose of the Phase I preliminary evaluation is to allow the Selection Committee members to conduct an initial review and rating of all of the respondents SOQs. As the members review the SOQs they will assign an adjectival rating to each category they are reviewing and provide comments which justify the rating provided. The adjectival ratings used are as follows and shall be used throughout all phases of the evaluation:

Poor	0% of the available points assigned to the category
Marginal	25% of the available points assigned to the category
Fair	50% of the available points assigned to the category
Good	75% of the available points assigned to the category
Excellent	100% of the available points assigned to the category

Upon completion of the review of all respondents SOQs, the Selection Committee members will forward their completed forms to the CS. The CS will review the adjectival ratings provided and will insert each committee members ratings into the master scoring spreadsheet prior to the phase I evaluation meeting. From these ratings, the CS will determine the firms which are within the competitive range (generally considered the top ten rated firms, however this may be different for each evaluation and may depend on the total number of responses received as well, as how many may have been tied after the preliminary review.) The group of firms determined to be within the competitive range shall be referred to as the top submittals. The purpose of determining the top submittals is to determine which firms will be discussed in the Phase I evaluation meeting. Typically, given the total number of responses received, it is not always feasible to discuss firms which are not determined in the competitive range in the same level of detail as those that are determined in the competitive range. Once the top submittals have been determined, the evaluation will proceed to the next phase which is the Phase I Evaluation.

4.4.1.6 Phase I Evaluation

The purpose of the Phase I Evaluation meeting is to review, discuss, and rank the top consultant’s SOQ submittals and identify the top three (3) to five (5) consultants which will move on to the Phase II Evaluation. The steps necessary to accomplish this include:

- Step 1 For each of the consultant’s determined in the competitive range, members of the Selection Committee will discuss the consultant’s qualifications in detail and provide the CS with a committee rating and comments for each evaluation category described in the RFQ. This information will be entered into the evaluation spreadsheet and a ranking of each of the consultant’s SOQs will be determined based on standard category weights established by GDOT’s Chief Engineer.
- Step 2 Upon completion of the Phase I Evaluation meeting, the CS will prepare a Phase I Shortlist Package. The purpose of this package is to provide adequate information to determine which three (3) to five (5) consultants will be allowed to participate in the Phase II Evaluation. The Phase I Shortlist Package shall consist of a list of the consultant’s SOQ submittals, Phase I ranking based on the Selection Committee’s consensus ranking/comments, the individual evaluator’s Evaluation spreadsheet for all

consultants SOQ. Upon review of the Phase I Shortlist Package, the CS will determine the list of finalists for Phase II. Generally, the finalist list will contain between three (3) to five (5) consultants, although in some instances more than five (5) may be allowed in the event of a tie in scoring.

- Step 3 The CS will complete the Notice to Selected Finalists template and the Shortlist template indicating the list of consultants who will be asked to participate in Phase II of the evaluation process. At this point, any modifications to the Phase II instructions will also be added to the Notice to Selected Finalists. The Notice to Selected Finalists and Shortlist documents will be reviewed and approved by the TSP Manager. Upon approval, the Notice to Selected Finalists will be emailed to the selected consultant’s project manager, using contact information found in the SOQ. The email communication sent to the consultants shall request a confirmation of receipt.
- Step 4 The CS will post a PDF version of the Shortlist to the GPR, which in turn communicates this information to all the consultants that are registered to receive information for the specific NIGP codes associated with the RFQ.
- Step 5 The CS will verify that the selected consultants did receive the Notice to Selected Finalists email by receipt of confirmation from the consultants. If a receipt of confirmation is not obtained with two (2) working days, the CS will call the consultant’s PM to receive confirmation of receipt.

4.4.1.7 Past Performance

The purpose of this phase of the process is to gather and quantify past performance information related to projects listed in the SOQs for each consultant invited to participate in the Phase II evaluation. The Selection Committee shall use this information along with history with the consultant to determine a rating for the Past Performance portion of the Phase II evaluation. The steps necessary to accomplish this include:

a) Reference Check

The CS will populate the RFQ Reference Check template with information from two (2) projects listed in Section B. Experience and Qualifications of each consultant’s SOQ. (Note: the CS should exclude any project listing a member of the Selection Committee as the Client’s Current Contact.)

b) Performance Evaluations

Using the contact information contained in the Client’s Current Contact Information from the SOQ, the CS will contact the consultant’s client, asking them to rate the consultant base on five (5) criteria. Upon receiving the rating for all five (5) criteria, the client contact will be encouraged to provide additional commentary associated with the consultant’s overall performance on the project. This additional commentary will be captured in the RFQ Reference Check template.

c) Previous History

Upon receiving rating information and comments (optional) from two (2) projects for each of the selected consultants for Phase II, this information will be provided to the Selection Committee members for their review in preparation for the Phase II Evaluation meeting.

4.4.1.8 Phase II Question and Answer (Q&A) Period

During this phase of the process, the consultants selected to move to Phase II of the RFQ process have the opportunity to submit questions to the CS assigned to the RFQ. Instructions and deadlines associated with the Phase II Q&A period are described in the RFQ. After the appointed date and time for the consultants to submit their Phase II questions, the CS will coordinate with the PM to document answers to the questions received. CS will address all questions received, in the form of an addendum. The addendum shall be emailed to the consultants selected to move to Phase II using the consultant's contact information received in the SOQ. This email will request receipt confirmation from the consultant. The CS shall track the receipt confirmation for the Addendum email and will call those consultants who did not confirm receipt.

4.4.1.9 Receipt of Phase II Technical Approach

Instructions pertaining to the content, due date, method of delivery, and delivery location of the consultant's Technical Approach are provided in the RFQ and any modifications are mentioned at this time. Upon receipt of each Technical Approach, the CS shall timestamp the 'Original' copy of the Technical Approach and will provide a receipt, if requested, indicating the time the Technical Approach was received. Submittals will be accepted up to the date and time specified in the RFQ, and as modified (if applicable) in the Notice to Finalists.

4.4.1.10 Phase II Technical Approach Pre-screen Check and Disqualification

The purpose of this step is to verify the consultant's Technical Approach submittal is properly formatted, contains the required information to allow for an 'apple-to-apple' comparison with other Technical Approach submittals, and was received within the required date and time defined in the RFQ and NTF. For each Technical Approach submittal received for the RFQ, the CS shall perform the following pre-screen checks:

- a) Is the timestamp on the Technical Approach package, 'Original' copy, and prior to the deadline for submission of Phase II Response stated in the RFQ and NTF.
- b) Does the Technical Approach package contain the required two (2) forms of submittal (hard copy and electronic.)
- c) Does the Technical Approach package include all Addendums emailed to the consultant and are they properly signed and sealed.
- d) Is the Technical Approach package properly formatted and contains required content.

Upon completion of the Technical Approach pre-screening checks, the CS will provide the TSP Manager with a report of Technical Approach submittals which did not pass all the pre-screen checks. This report will contain a list of items found to be deficient within the Technical Approach submittal and a recommendation for next steps for the consultant's submittal. The TSP Manager, using the principles of fairness and inclusion as a guide, will review the results of the pre-screen checks and decide on final determination of next steps. Next steps for the deficient Technical Approach submittals include, but are not limited to, approving the Technical Approach submittal to be included in the evaluation as-is, asking the consultant to correct/replace portions of the submittal with the intent of approving the submittal to be included in the evaluation once the corrected/replaced portions are received, or disqualification of the Technical Approach submittal. The TSP Manager will

communicate final determination of next steps for the Technical Approach submittals which did not pass all the pre-screen checks to the CS.

When the pre-screen results of an Technical Approach submittal include asking the consultant to correct/replace portions of the submittal, the CS will send an email to the consultant's key contact person, identified in the SOQ, with details of the information which needs correcting/replacing along with a deadline for the information no later than 24-hours of sending the email. If the consultant provides the information in the timeframe, provided, then the Technical Approach submittal will be included in the evaluation. Otherwise, the Technical Approach submittal will be disqualified.

When the pre-screen results of a Technical Approach submittal result in disqualification, the CS will email the consultant's key contact person outlining the reason for the disqualification. At this point, the Technical Approach submittal will be removed from the Phase II evaluation process. If the consultant does not agree with the disqualification ruling, the consultant can appeal the ruling by contacting the TSP Manager. This contact must be done expeditiously in order to ensure timely inclusion into the evaluation process if the disqualification ruling is changed.

4.4.1.11 Phase II Evaluation Initiation, Distribution of Technical Approach and Past Performance Reference Check Information

The purpose of this Phase is to provide members of the Selection Committee with instructions and guidance on the second step of the two step evaluation process for engineering and design related services RFQs and with the requisite information necessary to complete the second step of the evaluation. The following information shall be provided to members of the Selection Committee:

- a) GDOT's Guide for Selection Committee Members.
- b) Submission and Prescreening Checklist.
- c) Technical Approach for those which passed the Phase II Pre-screen Check.
- d) Past Performance Evaluation information.

The CS will:

- a) Hand-out packets containing the above described information.
- b) Describe the contents of the packet, with special emphasis on the Guide for Selection Committee Members (i.e. information the Selection Committee member can and cannot use during the Phase II evaluation, categories to be scored, instructions for scoring each category).
- c) Remind members of the Selection Committee of the date and time of the Phase II evaluation meeting.

4.4.1.12 Phase II Evaluation

The purpose of the Phase II Evaluation meeting is to review, discuss, and rank the consultant's Technical Approach submittals and Past Performance and determine the final ranking of consultants selected for RFQ. For each of the consultant's Technical Approach

submittals which passed the Phase II Technical Approach Pre-screen Check above, members of the Selection Committee will discuss the consultant’s technical approach and Past Performance in detail and provide the CS with a committee rating and committee comments for each evaluation category described in the RFQ. This information will be entered into the RFQ evaluation spreadsheet and a final ranking for Phase II will be determined based on adding the results of Phase I and Phase II then applying standard category weights established by GDOT’s Chief Engineer.

4.4.1.13 RFQ Selection Package Approval

The purpose of this phase of the process is to prepare the final selection package for the RFQ and obtain requisite review and approval prior to announcing the selection of the most qualified consultant(s). The steps necessary to accomplish this include:

- a) Upon receiving the final ranking from the Phase II Evaluation process, the CS will prepare the RFQ Selection Package and present it to the TSP Manager for review and approval. The RFQ Selection Package shall contain:
 - 1. Advertisement (RFQ) and all Addendums.
 - 2. Consultant’s submission pre-screening checklist (Phase I).
 - 3. GDOT Guide for Selection Committee Members (Phase I and II).
 - 4. Preliminary ratings and comments from evaluators (this may be waived if all the Selection Committee decided to review all responses.)
 - 5. Selection Committee ratings for top respondents (Phase I).
 - 6. Selection Committee comments for top respondents (Phase I).
 - 7. Selection of finalist’s notification and notice to selected finalists.
 - 8. Consultant’s submission pre-screen checklist (Phase II).
 - 9. Selection Committee overall ratings for Phase I and Phase II.
 - 10. Selection Committee overall comments for finalists (Phase II).
 - 11. Past Performance Evaluation information.
 - 12. Verification of Non-debarment from U.S. government’s Award Management (SAM) website (www.sam.gov) for intended awardee(s).
 - 13. Pre-qualification certification for intended awardee(s).

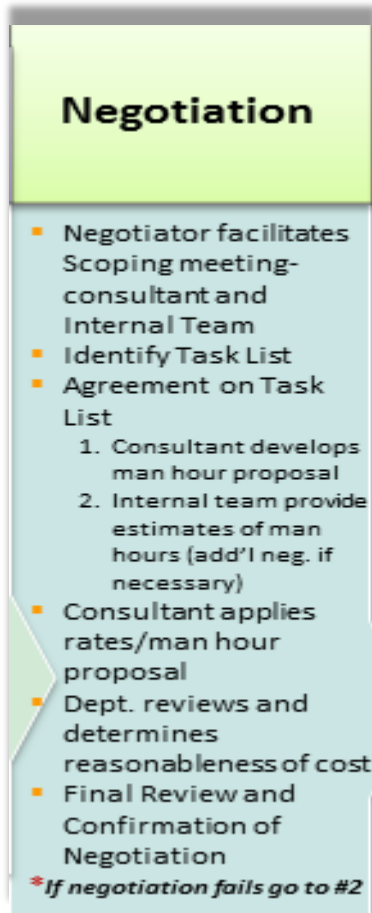
The CS will forward the RFQ Selection Package to the TSP Manager for review and approval. If approved, the RFQ Selection Package will be sent to the Procurement Administrator and the appropriate Division Director for review and signatures. Upon approval and obtaining signatures from the Procurement Administrator and the appropriate Division Director, the CS will prepare the Notification of Award.

4.4.1.14 Announcement of Selection of Most Qualified Firm to Enter Negotiations and Posting of Selection Package

The purpose of the announcement of selection of the most qualified firm is to provide notification to the Finalists as well as any other interested parties of the consultant deemed the most qualified and with whom GDOT will enter negotiations. The CS will post the announcement to the GPR of the most qualified firm with whom GDOT will enter negotiations. Additionally, in the interests of being transparent, the CS will post the

approved selection package to the Department’s file transfer site. The location of this site is provided to all of the non-selected finalists at the time of the notification of the most qualified firm. This site remains the same and therefore even firms which are not identified as finalists may access this information to review their scores and comments. GDOT desires that this information serve in lieu of providing verbal debriefs as this information will represent the entire selection proceedings and any further discussions would only serve to provide any clarification on the information presented in the selection package.

Stage 5 - Negotiation



Upon completion of the evaluation and ranking of at least three (3) to five (5), consultants determined highly qualified, GDOT will enter into negotiations with the most highly qualified consultant to arrive at fair and reasonable compensation. In determining fair and reasonable compensation, GDOT will consider the following:

- a) Scope
- b) Complexity
- c) Professional nature
- d) Estimated value of the services to be rendered.

Prior to receipt of the most highly qualified consulting firm's cost proposal, The GDOT PM will prepare a scope of services, schedule, and an independent cost estimate of the services to be performed on the contract/task order.

The PM's independent estimate shall include:

- a) Detailed estimate of the person-hours
- b) Types or classification of labor to complete project tasks.
- c) Other direct contract costs.
- d) Fixed fee for the consultant to complete their contracted work.

******The estimate is only available for GDOT and the FHWA. The estimate is confidential and as such shall not be released to the public at any time and will be used as a basis in the negotiation of the project's costs.

Negotiations should be conducted in good faith, recognizing that compromise may be required to achieve an equitable contract. GDOT’s Negotiators must recognize the legitimate interest of the consultant industry in recovering their costs and making a reasonable profit when performing work for GDOT. Conversely, the consultants must recognize the legitimate interest of GDOT in receiving quality work at a fair, competitive, and reasonable cost, to accomplish the work program while maximizing the use of taxpayers’ dollars. A contract that is beneficial to both parties is the desired outcome of a successful negotiation.

5.1 Initial Scoping Meeting with Selected Firm(s)

5.1.1 Initial Scoping Meeting

The purpose of the initial scoping meeting is to provide a forum for all parties to discuss and answer questions concerning:

- a) the project/contract
- b) scope of services
- c) method of compensations
- d) instructions for submitting contract information
- e) other pertinent issues at the inception of each contract
- f) Ensure a mutual understanding of the project.

This meeting shall be attended by appropriate representatives of the consultant team, PM, other functional area representative’s, SMEs as necessary, and facilitated by a negotiator. The PM will explain and answer questions to clarify project objectives, work activity, or milestone and explain their expectation for developing the project by phases/task orders, anticipated deliverable, and project schedule for the overall project. The negotiator will explain and answer questions to clarify contractual and negotiation requirements and procedures.

Negotiators should ensure that all email notification has been sent to the Selected and Non-Selected Firm(s) and the Award Announcement has been posted to the DOAS Website, prior to negotiations with the most qualified firm(s).

An initial scoping meeting will be scheduled by the negotiator with the most qualified consultant firm(s) and the following items are to be discussed and explained to the consultants and PM during the initial scoping meeting:

- a) Inform the consultant that the scope of service, contract type, payment methods, maximum contract amount, and length of the contract that was advertised in the solicitation/ (RFQ) will be used to develop the Master Contract terms and conditions. Only the scope of services that was advertised in the original solicitation/ (RFQ) will be incorporated into the (Master) Contract, task orders, and any subsequent supplemental agreements.
- b) All prime and sub consultants are required to have a GDOT approved accounting system in order to enter into contracts with the GDOT in addition to a GDOT approved indirect cost rate for the purposes of contract estimation, negotiation, administration, reporting, and contract payments. The status of the prime and sub

consultants accounting system and indirect cost rates will be verified and related to the prime consultant during the initial scoping meeting.

- c) (When applicable) Explain that on-call/ indefinite delivery/indefinite quantity (IDIQ) contracts are for the performance of smaller projects or for performance of routine or specialized services for a number of projects, under task orders issued on an as needed or on-call basis for the advertisement length of contract period not to exceed five (5) years. Task order number one (or a combination of task orders) will need to be negotiated and must meet the advertised minimum contract amount in order to execute the master contract.
- d) Individual task orders will be negotiated following the same requirements, a GDOT independent estimates, consultant cost proposal along with current certified payroll information and ODC's backup documentation.
- e) Individual task order scoping meetings are optional, but should be held for complex projects or where procedural issues exist. The purpose of the scoping meetings should be to provide a forum for all concerned parties to discuss the proposed project, answer questions on the scope of services, method of compensation, instructions for submitting cost proposals/task lists, and other relevant issues. The need for a meeting will be determined by the Negotiator, PM or request by the consultants. The scoping meetings shall be attended by the consultants, PM, and SMEs to help further define and clarify the scope of services, identify the necessary needed tasks to be performed, the correct level of effort needed to complete those tasks and the experience and classification of staff required.
- f) Establish that all consultants cost proposals and GDOT independent estimates shall be submitted to the negotiator ONLY. In the event a GDOT PM receives a consultant cost proposal, they will no longer be allowed to participate in the negotiation process and must be replace with another GDOT PM, to submit a revised independent estimate.

5.1.2 Master Contract or Supplemental Agreement Creation Approval

An approval for Contract Creation for Master Contract and Supplement Agreements should be submitted to TSP Procurement Manager for approval after the initial scoping meeting and include the following:

- a) A List of the prime and sub consultants with an approved GDOT Accounting System and indirect cost rate for inclusion into the Master Contract, along with the discipline each sub will be performing.
- b) EXHIBIT B, Scope of Services- The scope advertised in the solicitation will be used as the contract scope of services.
- c) EXHIBIT C, Consultant's Fee Schedule with the following information:
 - 1. Project Number (if applicable)
 - 2. Maximum Allowable Cost:

- 3. Minimum Allowable Cost:
 - 4. Prime Consultant (Current) Provisional Overhead Rate:
 - 5. Minimum % DBE Participation
 - 6. Fixed Hourly Rate/Menu of services to be included into the Master Contract (if applicable)
- d) GDOT Project Manager and Contact Information:
- 7. Office
 - 8. Name
 - 9. Phone Number
 - 10. E-mail address
- Firm Contact Person and information:
- 11. Name
 - 12. Phone Number
 - 13. E-mail address
- e) Federal Identification Number for the prime and sub consultants.
 - f) E-Verify/Company Identification Number for the prime and sub consultants.
 - g) A signed Georgia Security and Immigration Compliance Act Affidavit form for the prime and sub consultants.

A PDF copy of the signed Contract Creation form should be sent to the CS along with a word documents version to be used in preparing the Master Contract/ Supplemental Agreements.

5.1.3 Negotiating

5.1.3.1 Development of GDOT Independent estimate

Negotiations of contract/task orders cost must began with developing the scope of services for the project or services, in conjunction with a detailed independent estimate. The independent estimate will be used by the negotiators and serve as the basis for ensuring consultants costs are fair and reasonable and will be used as the basis for negotiations. The independent estimate must be revised to use the selected consulting firm’s actual direct salary rates and approved indirect cost rate.

- a) GDOT PM along with the necessary SMEs should develop/refine the independent estimate and scope of services for each individual contract or task orders through the PTIP process. In developing the independent estimate an excel spreadsheet (Cost Proposal Template) should be utilized to detail the appropriate breakdown of work or labor hours, types or classifications of labor required, other direct costs, and appropriate fixed fee for the defined scope of services. The associated scope of service should be written in clear, unambiguous, and precise language describing the required work, complexity, obligation of the consultant and GDOT, deliverables, schedules and other important facets of the project.

- b) The basis for an accurate independent estimate is a well-developed scope of services and a series of needed work activities identified as staffing elements. Those elements should be used for both the GDOT independent estimate spreadsheet/activity template and consultant cost proposal spreadsheet for ease of reconciliation and facilitate the negotiation process.
- c) After completing the PTIP process the PM should submit to the TSP_ mailbox for further handled and assignments to the appropriate staff by the Office of TSP 1.
 - 1. signed PRF
 - 2. A copy of the draft scope of service in word format,
 - 3. Independent Estimate
- d) Once the Negotiator receives the Draft task order/supplemental agreement scope of services (WORD docs) and independent estimate from the CS. The negotiator will remove the hours from the independent estimate excel spreadsheet and strikethrough the tasks that are not necessary for the associated scope of services, which will become the task order activity template/ cost proposal template.

5.1.3.2 Request for Consultant Cost Proposal and Elements of Contract Costs

A standard negotiations email template with an attached PDF copy of the draft task order/Supplemental Scope of Services, activity template and the standard cost proposal template should be sent to the consultants for review and concurrence of the staffing elements in the activity template or request for a scoping meeting. The email should request current certified payroll information for each person who will be working on the task order/Supplemental Agreement (from the prime consultant and each sub consultants) and the detailed support documentation for all ODCs proposed (from the prime consultant and each sub consultants). If a scoping meeting is not needed, consultants are to submit a complete cost proposal to the negotiator ONLY within two week from the date of receiving the e-mail.

The following elements of contract costs must be identified in each consultant cost proposal and shall meet the following requirements:

5.1.3.2.1 Indirect Cost Rates

To assure compliance with the Federal cost principle and consultant cost certification, (23 CFR Part 172.11(3)) consultants indirect cost rates are required to be update on an annual basis in accordance with their annual accounting period and annual consultant cost certification. Consultants are responsible for obtaining approval of their indirect cost rate through GDOT Office of Audits. Once a consultants’ indirect cost rate has been accepted by GDOT, the indirect cost rate will be used for contract estimation, negotiation, administration, reporting and contract payment and the indirect cost rate shall not be limited by administrative or facto ceiling of any kind. If a consultant voluntarily proposes to use a lower overhead rate than their current, approved audited rate in order to keep overall project costs competitive, GDOT may accept the lower overhead. The use of a lower overhead rate will not be a condition or qualification to be considered for the work or contract award.

- a) If the proposed project requires the establishment of a field office, a separate overhead rate for the field office can be submitted and approved by the Office of Audits or one may be negotiated.
- b) If the proposed project involves the use of GDOT office space or equipment by consultants, a field office rate (labor and expenses) shall be applied when full time (40hr/wk) consultant staff is assigned in GDOT’s Office space.

5.1.3.2.2 Direct Salary or wage rates

Consultant’s actual direct salary or wage rates will be used and applied for estimation, negotiation, administration, and payment of contracts and contract modifications. Compensation for each employee or classification of employee must be reasonable for the work performed. If personnel with unusually high salaries are proposed, the negotiators must determine whether there is sufficient need for that individual to justify their work on the project at that rate. If there is not a legitimate need for their expertise, they will not be allowed to bill time on the project.

- a) Cost proposals shall detail the wage rates for each classification of positions proposed for the scope of services along with their proposed hours (level of effect) for the associated task to be performed.
- b) If average for select employees are used, payroll information and an explanation of how the average rates was computed (i.e., straight average, weighted average, etc.) must be provided. In this the case, care should be taken that only employees actually committed to and needed for the project are used in computing the average.

If the consultant’s average rates for specified job classification are used, appropriate company records that identify employees with the classes and their respective wage rates shall be submitted.

The wage rates must be certified in writing as being current and accurate by an appropriate company official on that particular date and must clearly identify the employees by name, title, and hourly rates. Include the employees official job title with the company and the job classification used in the cost proposal. GDOT may require payroll registers and/or resumes to confirm the accuracy of the pay rates and validate and confirm employee qualification.

5.1.3.2.3 Fixed fee

The scope, complexity, contract duration, degree of risk borne by the consultant, and professional nature of the services as well as the size and type of contract will be consider in determining the amount of fixed fee. GDOT has established 8% as the base fixed fee for consultant (both prime and sub consultants).

Prime consultants might be eligible for upward adjustment of fixed fee based on the following factors: schedule, complexity, and range of scope. The project must have **MOST** of the listed characteristics to be considered for a fixed fee adjustment, and the Department will make the final decision on whether or not an adjustment will be granted.

a) CONSULTANT SCHEDULE*Normal Schedule*

A normal schedule is not eligible for an upward adjustment. Each project in a contract will have an individual schedule at the time of Notice to Proceed. No extraordinary scheduling of consultant personnel or resources is required.

Expedited Schedule

The project is to be accomplished at a faster than normal rate requiring special scheduling and reallocation of resources by the consultant. An expedited project schedule is eligible for an upward adjustment of one (1) percent.

Highly Expedited Schedule

The project is to be accomplished at a faster rate requiring significant allocation and scheduling of the consultant's resources. A highly expedited schedule is eligible for an upward adjustment of one (1) and one quarter ($\frac{1}{4}$) percent.

COMPLEXITY

The level of complexity of a project is defined below.

Low Complexity

A project of low complexity is not eligible for an upward adjustment. Projects with low complexity are typically minor projects with little Right of Way (R/W) acquisition and consist of Categorical Exclusion (EC) environmental documents with minimal public involvement process. They involve relatively simple project staging plans, use of on-site detours and minor erosion control issues. There are no bridges or minor bridges required, minor utility relocation and few location or other alignment issues. There are few topography issues.

Medium Complexity

Projects determined to be of medium complexity are eligible for an upward adjustment of one (1) percent. These are typically major projects with R/W acquisition, and a high number of parcels. They involve EA (or difficult CE) Environmental Documents. Moderate to difficult construction is needed, staging plans are required, and minor erosion control issues exist. Some Federal Highway Administration (FHWA) coordination is required. These projects involve bridge issues, several utility relocations and typically, Subsurface Utility Engineering (SUE) Level C or D is required. A Value Engineering (VE) study is required. Some topography and R/W acquisition issues exist. They consist of approximately 15 to about 50 parcels, but with less than five relocations.

Highly Complex

Projects of a highly complex nature are eligible for an upward adjustment of one (1) and one quarter ($\frac{1}{4}$) percent. Typically, these are major projects with difficult R/W acquisition, and a high number of parcels. They require an Environmental Impact Study (EIS) or difficult Environmental Assessment Documents. Moderate to very difficult construction is required, staging plans are needed and major erosion control issues exist. Significant FHWA coordination is required. Complex bridge issues are present, utility relocation is needed, and typically, SUE Level A or B required. A detailed VE study is necessary. Major topography issues are in existence as well as major R/W acquisition issues. Approximately 50 or more parcels are involved OR, if an interstate or interchange project, less than five parcels make be considered highly complex. Major interchange reconstruction, the development of several alternatives, multiple agency coordination, and complex traffic analyses are necessary.

RANGE OF SCOPE

The range of scope involved is outlined below.

Limited Range of Scope

A project with limited range of scope is not eligible for an upward adjustment. A project is considered as having a limited range of scope when the concept is completed and approved by GDOT. The database is completed by the Department. Environmental documents are complete or near complete. A minimum level of public participation is involved and little opposition to the project exists. The Practical Alternative Report (PAR) is complete, few alignments issues are present, and no VE Study or simple study is required. There are no archeology sites or 4f property and minor R/W is required with few R/W displacements. There is minimum railroad involvement, minor Utility Relocations, no SUE requirement and few local government issues.

Moderate Range of Scope

A project involving moderate range of scope is eligible for an upward adjustment of one (1) percent. A moderate range of scope project is one in which the concept is approved by the Department but needs some revisions. The database is not provided by the Department. The environmental document is not complete or nearly complete. No public information or stakeholder meetings have been held. PAR is incomplete, alignment issues exist, a VE Study is required and some archeology sites and/or 4f property are present, and other environmental issues involved. Moderate R/W is required as well as some R/W displacements. Some public participation is required with and there is some opposition to the project. There are utility relocations, SUE requirements, some local government issues, as well as railroad involvement.

Expanded Range of Scope

A project considered as having an expanded range of scope is eligible for an upward adjustment of one (1) and one half ($\frac{1}{2}$) percent. These projects consist of the following. Concept Development is the responsibility of the consultant. The database is not provided by GDOT. The environmental document is not

begun or nearly complete. No public information or stakeholder meetings have been held. PAR has not begun, alignment issues exist, a VE Study is required, possible archeology sites and/or 4f property is present, and significant environmental issues are existent. Considerable R/W is required, numerous R/W displacements will occur, public participation is required and there is significant opposition to the project. There are Utility Relocations, SUE requirements, local government issues, as well as railroad involvement.

Consideration for other factors or circumstances in which a prime (or sub consultant) would receive a fixed fee adjustment will be examined on a case by case basis during the contract negotiating. Task order contacts will also be examined on a case by case basis. All recommended Fixed Fee Rates above 12% will require a **WRITTEN JUSTIFICATION AND APPROVAL** by the Division Director. Fixed fees in excess of 15 percent of the total direct labor and indirect costs of the contract may be justified only when exceptional circumstances exists.

Consultants will be paid an agreed-upon amount for a fixed fee, based on the actual scope of services completed, together with all actual costs incurred in the performance of the scope of services. The prime consultant fee will not vary, even though the actual cost may. sub consultant fee will vary based upon the percentage of work completed by that sub consultant. An adjustment to the fixed fee may be justified only after GDOT has required substantial changes in the scope, objectives, complexity, or character of work to be performed through a formal contract modification. Overruns in the costs of the work will not automatically warrant a contract modification.

Overruns in the cost of the work shall not automatically warrant an increase in the fixed fee portion of a cost plus fixed fee reimbursed contract. Permitted changes to the scope of work or duration may warrant consideration for adjustment of the fixed fee portion of cost plus fixed fee or lump sum reimbursed contracts.

5.1.3.2.4 Other Direct Cost

The Federal cost principle will be used in determining the reasonableness, allowability, and allocability of direct contract costs. The consultant should own most of the equipment required to provide the work and services. The cost of this equipment should be included in the consultant indirect cost rate. Cost for specialized equipment should be billed at the actual cost incurred by the consultant. Equipment should be considered "specialized" if it cannot be considered standard equipment for that particular consultants normal operation business needs.

It is the responsibility of the consultant to account for costs appropriately and maintain adequate records and supporting documentation to demonstrate costs claimed to have been incurred are allocable to the contract, and comply with applicable cost principles. It's important to note that all costs or prices based on estimated costs for contracts or task orders shall be eligible for Federal-aid reimbursement only to the extent that cost incurred or cost estimates included in

negotiated prices are allowable in accordance with the Federal cost principles. The following are commonly allowable ODC's and acceptable supporting documentation:

- a) Travel costs, costs for transportation, lodging, meals, and incidental expenses by consultants on official company business are allowable, subject to the limitations contained in FAR Part 31.205 Travel Cost.
- b) Air fare must be based on coach rates with reasonable advance purchases.
- c) Costs for rental cars must be based on the use of compact cars, unless otherwise justified and approved by GDOT.
- d) Mileage for private vehicles must be at the U.S. General Services Administration (GSA) rate. GDOT should not be billed for mileage on a company owned vehicles. Travel time and mileage to and from project sites is billable to the project; daily commuting time is not billable.
- e) External reproduction – need cost sheet from external vendor
- f) Delivery, overnight, courier – need cost sheet from external vendor
- g) Parking cost must be reasonable
- h) Other direct cost include in the cost proposal should be directly associated with that specific project and allowable and reasonable in accordance with FAR cost principle.
- i) Written quotes from vendors, invoices reflecting prices paid on previous purchases, copies of catalog pages, etc., may be used as support for the proposed prices.
- j) Consultant should obtain and provide quotes from three (3) different vendors when provided non-professional services that may include items such as core borings, subsurface drilling, traffic control services, equipment rates, court reporters, translators, and aerial photography. The lowest rate should be used and if not consultant should document the reasoning for not using the lowest rates. Documentation of the bid results or price quotes should be retained in the project file.
- k) If laboratory testing services for geotechnical investigation, structure testing, or other types of evaluation are being considered, they will be categorized as non-professional services. There should be a schedule of prices per test in the consultant cost proposal. Testing must be in a laboratory certified by the AASHTO Materials Reference Laboratory (AMRL) and test results will need to be reviewed and attested by a registered Professional Engineer. The consultant will include a schedule of price per test in their cost proposals. Work on a unit price basis will be required to provide a copy of their standard fee schedule and attest that the fees contained therein are the normal fees for such services whether for private or governmental clients. All vendors

must be named in the agreement in order to be considered an authorized vendor.

I) Direct expense Rate

1. GDOT has established a nonnegotiable eight percent (8%) direct expense rate for estimating direct project expense during negotiation of cost plus fixed fee contracts/task orders only. The direct expense rate can only be used for disciplines within the scope of service that warrants the need for ODCs and the consultant anticipates incurring direct project expense. The direct expense rate can be used by prime consultants and sub consultants to establish an estimated ODC cost.
2. The direct expense rate (DER) will be calculated by multiplying 8% of the proposed Direct Labor Cost (DLC) excluding premium overtime and escalation.

(DLC X 8% = DER)

- A. Consultant that chose to use the direct expense rate for estimating purpose will not be required to submit supporting documentation during contract negotiation, however a written statement certifying the need and anticipated ODC's for the project will be required. GDOT reserves the right to request supporting documentation at any time and for any reason.
- B. It is the consultants' responsibility to account for costs appropriately and maintain adequate records and supporting documentation to demonstrate costs claimed have been incurred, are allocable to the contract, and comply with applicable cost principles. It's important to note that all costs or prices based on estimated costs for contracts shall be eligible for Federal-aid reimbursement only to the extent that cost incurred or cost estimates included in negotiated prices are allowable in accordance with the Federal cost principles.
- C. If a consultant estimate that their ODCs will be greater than the established 8% cost, the consultant must provide sufficient supporting documentation to support the basis for all expenses contained in the cost proposal.

5.1.3.2.5 Sub consultant/vendor Costs:

- a. Sub consultant costs must be specifically identified in the cost proposal and supported in a manner that will allow the negotiator to make a determination that the proposed costs are fair, reasonable, and competitive. Intended use of all lower tier subs, must be disclosed during contract negotiations, regardless of tier level. Unauthorized use of subs consultant are

not in accordance with the Standard Professional Services Agreement, Article #107 USE OF SUB-CONSULTANTS which states: “Any change to this list of preapproved sub consultants must be approved by the Department in writing. The consultant agrees not to assign, sublet, or transfer any or all of its interest in this Agreement without prior written approval of the Department.” Sub consultants shall follow the same guidelines as the consultant regarding direct labor, indirect cost rate, direct expense and fixed fee. The Project Principal Labor Classification is not permitted on any sub consultants’ cost proposal breakdown.

The combined total dollar value of all sub consultant contracts shall not exceed 49% of the total dollar value of the contract.

5.1.4 Negotiation of Work Effort and Cost

- a) Once the negotiator receives the consultant’s cost proposal, a comparison between GDOT’s independent estimate and the consultant’s cost proposal will be performed to ensure that the proposed staff hours are reasonable for the specific project and the necessary work activity. It is also critical to determine if a reasonable distribution of work among various levels of staff is proposed to ensure the most economical staffing commensurate with the complexity of the project. Discussions will be conducted with the consultant to resolve differences between the GDOT’s independent estimate and the consultant’s cost proposal. The negotiations for work effort should focus on the scope of services for the purpose of clarifying and resolving any difference concerning the scope of the project and the level of effort necessary to accomplish the project. The objective of work effort negotiations is to ensure that estimated work effort is fair and reasonable. Each project must be independently evaluated to determine a fair estimate of required staff hours. The basis for the estimate should be the specific requirements for the project under consideration together with a history of actual staff requirements for past projects with similar requirements. Where specific requirements cannot be identified during the negotiation phase, a limiting amount will be made to serve as the basis of the contract.

- b) Overall cost or bottom line price alone are not justification to terminate negotiation with a firm. The negotiator must make a good faith effort to negotiate the scope, level of effort and reasonable price. If the programmed funding or project budget is not adequate to accommodate the cost of the contract once, the consultants and GDOT independent estimate are within an acceptable range. The Negotiator along with GDOT PM must consider reducing, clarifying, and/or re-negotiation the detail of the scope (e.g., tasks, scheduled, deliverables, and assumptions), person-hours, or classification for completing tasks. The focus on only overall cost or bottom line price, without regard for the scope of work and associated level of effort is contrary to the intent of the qualification based selection process. If GDOT and the most highly qualified firm are unable to negotiate a fair and reasonable contract, GDOT will formally terminate negotiations and undertake negotiations with the next most qualified firm, continuing the process until an agreement is reached.

- c) The negotiator will perform a detailed cost analysis of the various cost elements to determine if the cost elements contained in the cost proposal are correct and necessary for the

performance of the required services. Any errors, deficiencies, omissions, etc., noted during the review of the consultant cost proposal will be brought to the attention of the consultant, and corrected data will be requested immediately.

- d) If GDOT is unable to negotiate a satisfactory contract with the most highly qualified firm, GDOT will formally terminate negotiations and then undertake negotiations with the next most qualified of the selected firms, continuing the process until an agreement is reached. If GDOT is unable to negotiate a satisfactory contract with any of the selected firms, GDOT will select additional firms in order of their competence and qualification and continue negotiation until an agreement is reached or initiate a new selection.

5.1.5 Establishing the Method of Compensation

GDOT will determine the payment methods to be utilized during the negotiation process. The two basic categories of payment for consultant’s services are Firm Fixed Fee and Cost Reimbursement. The primary difference between these two categories is that with the Firm Fixed Fee the consultant is assuming the cost risk of performance, whereas with the cost reimbursement, GDOT assumes the risk.

Firm fixed fee contracts are most appropriate when the scope of services is well defined. The cost reimbursement contract should be used when such definitive requirements do not exist and the cost uncertainties of performance are high. The method of payment to the consultant shall be set forth in the original solicitation, contracts, contract modification and each task order and the only methods of compensation allowed on Federal-aid highway projects are: Cost Plus Fixed Fee, Lump Sum (Firm fixed Fee) Cost per unit of work (Menu of Services) and Specific rates of compensation.

The cost plus a percentage of cost and percentage of construction cost methods of payment shall not be used. Compensation for professional services contract/task order will involve one or more of the following methods:

- a) Cost plus fixed fee is a cost reimbursement payment method. The fixed fee does not vary, even though the actual cost may. However, it may be adjusted through negotiation, because of significant changes in the scope of service or duration to be performed. Because the fixed fee does not vary in relation to the consultant’s ability to control cost, the cost plus fixed fee contract provides for a low risk to the consultant and provides only a minimal incentive for effective cost management. Therefore, an audit at the completion of the work is very important. The fixed fee is based on the scope, complexity degree of risk and specialized expertise associated with the project.
- b) The Cost plus Fixed Fee method is used when the Scope of Services is well-defined, but the total engineering effort required to complete the work cannot be estimated precisely. Cost Plus is the most commonly used payment for preliminary engineering and design. The consultant is paid an agreed-upon amount for a fixed fee, based on actual scope of services completed, together with all actual costs incurred in the performance of the scope of services, a change in the amount of fixed fee can be made if the scope of service or duration changes.
- c) Lump Sum is a negotiated payment method, it provides for a price which is not subject to any adjustment because of cost changes the consultant might encounter in the

performance of the work. Because the consultant assumes full responsibility, in the form of profits or losses, for all the costs under or over the firm negotiated price, it has a maximum profit incentive for effective cost control in contract performance. This type of payment method imposes a minimum administrative burden on the contracting parties. This payment method is suitable when reasonably definite design or performance specifications are available and whenever fair and reasonable prices can be established and agreed to at the outset. The Lump Sum method is used when the scope of services is well-defined and the total engineering effort can be estimated accurately. A change in the amount of lump sum can only be made if the scope of services changes materially.

- d) **Cost plus Unit of Work, (Menu of Services):** This is a cost reimbursement payment method that provides for the payment to the consultant of allowable cost incurred in the performance of the contract subject to an agreement maximum amount. This method of payment is suitable for use when the effort per unit of work is well-defined but the number of units is uncertain. It is essential that the consultant have a record of the actual work completed.
- e) **Specific Rates of Compensation (Billable Rates)** This cost reimbursement payment provides for the acquisition of services on the basis of direct labor hours at specified fixed hourly rates (rates include wages, overhead, Profit) and other direct cost, subject to an agreement maximum amount. A specific rate of compensation is established for each labor class or employee by multiplying the wage rate by the specific rate factor established in each consultant contract.
- f) This payment method should be used only when it is not possible at the time of contracting to estimate the extent or duration of the work or the estimate costs with any reasonable degree of accuracy. This specific rates of compensation payment method should be limited to contracts or components of contracts for specialized or support type services where the consultant is not in direct control of the number of hours worked, such as construction engineering and inspection. When using this payment method, GDOT shall manage and monitor the consultant’s level of effort and classification of employees used to perform the contract services.
- g) Financial risk to the consultant is minimal under the “specific rates of compensation” and the fee component of the fixed hourly rate(s) should be commensurate with that limited risk. As with other payment methods, the fee should be based on the anticipated scope and complexity at the time of contract negotiation.

5.1.6 Contract Modifications

Amendments to the terms of the contract that change the cost of the contract; significantly change the character, scope complexity, or duration of the work; or significantly change the conditions under which the work is required to be performed, shall be authorized by the issuance of an approved written contract modification. A Contract Modifications shall clearly define and document the changes made to the contract, establish the method of payment for any adjustments in contract costs, and comply with the terms and conditions of the contract and original procurement. GDOT will negotiate the Contract Modification following the same procedures as the negotiation of the original contract. GDOT may add to the contract only the type of services and

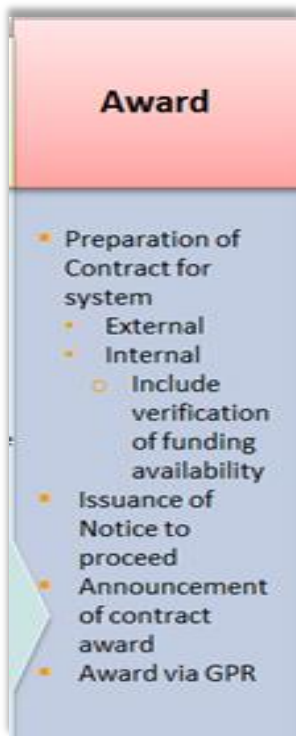
work included within the scope of services of the original solicitation from which qualifications based selection was made. For any additional engineering and design, related services outside of the scope of services established in the original request for qualifications, GDOT will procure these services under a new solicitation, use a different contract under which the services would be within the scope of work, or perform the work itself.

GDOT is not responsible for payment of any work performed by consultant prior to receipt of a fully executed contract modifications or Notice to Proceed (NTP). Any extra work performed by consultant, without an approved and executed contract modification is done at the consultant's risk.

5.1.7 Notification that Negotiations have been completed and retaining documentation of negotiation activities

- a) Once cost is approved by the negotiator, a notification is sent to the TSP management for approval of the cost and
- b) Once approval is received, a draft task order and a copy of the consultant's Cost Proposal is sent from the Negotiator to the CS for development of the final task order/Supplemental Agreement. Also, if the task order has been revised during Negotiations, the revised task order or Contract Modifications scope of services is sent along with the Cost Proposal.
- c) The negotiator will be responsible for maintaining and retaining documentation of the negotiation efforts in the contract file including dates of any negotiation meetings, comparison of total hours and costs included in the consultant and GDOT internal estimates.

Stage 6-Award



The purpose of the Award process is to outline the steps necessary for officially making the award. The award process cannot begin until negotiations have been completed.

6.1 Contract Preparation

a. Required Provisions

Upon completion of negotiations with the selected firm, the CS will prepare the contractual agreement to be executed between GDOT and the selected firm. The CS will ensure that the correct approved contract template is utilized which will include at a minimum:

1. 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.
2. Notice of contracting agency requirements and regulations pertaining to reporting.
3. Contracting agency requirements and regulations pertaining to copyrights and rights in data.
4. Access by recipient, the sub-recipient, 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.
5. 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.
6. Standard DOT Title VI Assurances (DOT Order 1050.2).
7. Disadvantaged Business Enterprise (DBE) assurance, as specified in 49 CFR 26.13(b).
8. Prompt pay requirements, as specified in 49 CFR 26.29.
9. Determination of allowable costs in accordance with the Federal cost principles.
10. Contracting agency requirements pertaining to consultant errors and omissions.

11. Contracting agency requirements pertaining to conflicts of interest, as specified in 23 CFR 1.33 and the requirements of this part; and
12. 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.
13. All contracts exceeding \$100,000.00 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.
14. A provision that all subcontracts shall include the above provisions, either by reference or by physical incorporation into the language of each subcontract.

b) Contract Template Types

Contract Templates will be based on the three allowable contract types to include Project-Specific, Multi-Phase Project Specific, and On-Call or Indefinite Delivery Indefinite Quantity (IDIQ). Considerations for each of these type contracts include but are not limited to:

1. *Project Specific:* The project specific template will be utilized when the entire scope of the project can be negotiated in a single phase. This contract and its scope will encompass all of the project specific work to be accomplished through the contract and will define the schedule of the work to be performed and how payment will be made.
2. *Multi-Phase Project Specific:* The multi-phase project specific template will be utilized when the entire scope to be performed cannot be determined at the time of initial negotiations. The scope of this contract will be general in nature since the specific work to be performed and how payment will be made will be identified and authorized by subsequent subordinate agreements which shall be referred to as Phase Orders or Task Orders (even though task orders is most closely associated with IDIQ contracts). The term of this contract will generally initially be for five (5) years but can be extended longer given the needs of each project. The contract will not be executed until at least one phase/task order has been negotiated and is ready for execution. The amount of the phase/task order must be equal to or greater than the minimum consideration provided for in the contract in order to proceed with the execution or multiple phase/task orders must be readied prior to execution of the contract.
3. *On-Call/IDIQ:* The On-Call/IDIQ contract template will be utilized when it is not known how much work will be accomplished through the contract and all work will be issued to an undetermined number of projects through task orders. The scope of this contract will be general in nature since the specific work to be performed and how payment will be made will be identified and authorized by subsequent subordinate agreements which shall be referred to as Task Orders. The term of this contract will be for a maximum of five (5) years. However, the term will generally be for three (3) years with the option for extending the contract up to two (2) years. Work will typically be assigned to this type contract during the first three (3) years with the remaining two years serving to allow previously assigned work to be completed. The contract will not be executed until at least one task order has been negotiated and is ready for execution. The amount of the task order must be equal to or greater than the minimum consideration provided for in the contract in order to proceed with the execution or multiple task orders must be readied prior to execution of the contract.

Contract Review and Approval

Prior to the contract being forwarded to the consultant for signature, the CS will provide the complete contract (including any necessary phase/task orders) to TSP management who will review to determine that the correct template has been utilized, that all required provisions are included, and that negotiations have been properly completed. Once reviewed and approved, the CS will forward the contract (and any applicable phase/task orders) to the consultant for signature.

6.2 Contract Execution and Notice to Proceed**a) External Signature Routing**

The CS will forward the approved contract and any applicable phase/task orders to the consultant's contact listed in its SOQ for execution. The contract will be forwarded as a .pdf file electronically, either via e-mail or through an electronic signature application. The contract will require the consultant to sign and attest and has numerous exhibits and attachments which must be signed in order to comply with all contractual and legal requirements.

Internal Signature Routing

Once the consultant has returned the signed contract back to the CS, either via hard copy or the electronic signature application, the CS will review to ensure that no unallowable changes have been made. If any changes were made, the CS and procurement management will review the changes and will determine if any of the changes may be allowable per state and federal regulations. If any changes are allowable by state and federal regulations, the CS will forward the changes to the Department's Legal Services staff for consideration. Any changes which are deemed allowable will be incorporated into the final version of the contract. Once the final version of the contract is approved, the CS will enter the contract into the Department's internal routing process where it will be reviewed by appropriate individuals as follows:

1. GDOT's Chief Procurement Officer will review for compliance with procurement requirements.
2. Department's Using/Owner Office will review for scope and will ensure that appropriate and sufficient funding is available to cover the work authorized by the contract and/or phase/task orders.
3. Department's Chief Engineer (Planning Administrator if applicable) will review to verify contract is in accordance with desired outcomes.
4. Department's Legal Services office will review for legal form and requirements.
5. Department's Treasurer will review and verify that funding is available.
6. Department's Commissioner will review and execute the contract.
7. Department's Treasurer will attest to the Commissioner's signature.

Once the contract has been fully executed, it will be forwarded back to the CS who will verify all signatures have been obtained and will place copies in appropriate locations within the Department and distribute an original to the consultant.

Notice to Proceed

8. Project Specific Contracts: The CS will distribute the original to the consultant and will typically provide the Notice to Proceed (NTP) unless directed otherwise by the PM. Providing the NTP along with the executed project specific contract will ensure that work can begin as soon as possible.

9. Multi-Phase Project Specific/IDIQ-On-Call: The CS will distribute the original contract and the associated phase/task order to the consultant and will also typically provide the NTP for the phase/task order unless directed otherwise by the PM. Providing the NTP along with the executed phase/task order will ensure that work can begin as soon as possible. For these type contracts, the NTP is issued with the phase/task order since the contract does not authorize any work itself.

6.3 Post Selection Announcement to the Georgia Procurement Registry (GPR)

Once the contract and phase/task orders are executed, and the applicable NTP issued, the final step in the procurement process is to officially post the selection award to the Georgia Procurement Registry. The notice of award is posted to the same location as the original solicitation posting utilizing a pre-determined template. Once the notice of award is posted, the procurement phase is officially over, and any documents produced under the selection, negotiation, and/or execution are eligible and available for any open records requests. Prior to execution, these documents were considered protected information and not subject to the Georgia Open Records Act.

Stage 7 - Contract Administration

Project Manager Contract Administration

- Review of deliverables
- Invoice
- Meetings
- Milestones
- Payment Request
- Performance Evaluation

Document when it goes wrong:

- Cure letters
- Termination
- Loss of Prequalification

The following section details the procedures GDOT follows in relation to contract administration for engineering and design related services that have been procured by the Office of Procurement TSP section.

7.1 Transportation Audit Services

Audit services are part of GDOT’s internal control policies and procedures implemented to ensure that all funds expended through Professional Service Agreement with consultant are in accordance with applicable laws and regulations.

7.1.1 Overhead (Indirect Cost) Rate

FAR audit information, internal control questionnaire, new indirect cost rate report and a certified payroll rates schedule must be submitted annually to the Office of Audits. The overhead rate should be based upon actual costs that are allowable per the Code of Federal Regulations Title 48, Federal Acquisition Regulations (FAR), Chapter 1, Part 31.2. The Office of Audits will send a report to the Office of TSP with a list of approved consultants and their approved indirect cost rates. This report will include any findings and recommendations that will assist the Office of TSP during negotiations.

Consultants are encouraged to have their overhead rates audited by an independent Certified Public Accounting (CPA) firm. Audit reports issued by CPA firms should be conducted in accordance with *Government Auditing Standards* (also referred to as “Generally Accepted Government Auditing Standards”, “GAGAS” or “Yellow Book Standards”) promulgated by the U.S. Government Accountability Office. The Audit Report should be accompanied by a Report on Internal Controls over Financial Reporting and On Compliance and Other Matters Based on an Audit Performed in Accordance with *Government Auditing Standards*.

Note: Federal Statutes (23 USC 112(b)(2)(C)) and 23 CFR 172.11(b)(1)(ii) requires GDOT to accept indirect cost rates established in accordance with the Federal Acquisition Regulations for 1-year applicable accounting periods by a cognizant Federal or State government agency, if such rates are not currently under dispute.

The Office of Audits will determine what type of audit review procedures to apply. Procedures include but are not limited to:

- a) In-depth audit examination by GDOT’s Office of Audits staff.
- b) Desk audit review procedures by GDOT’s Office of Audits staff.
- c) Recommend acceptance based upon immateriality, past favorable experience and assessment that the risk of material misstatement is low.
- d) Review of CPA’s working papers in accordance with the current edition of AASHTO’s Uniform Audit & Accounting Guide for Audits of Architectural and Engineering Consulting Firms.
- e) Travel to the consultant’s office or their accounting firm, as appropriate, to examine documentation and/or to hold discussions with the company staff.

Upon completion of the overhead rate review, a written notification will be provided to the Office of TSP and the consultant. Unless otherwise stated, the consultant’s cost proposal should be computed using the overhead rate for the consultant’s most recently completed fiscal year.

The consultant’s certification of final indirect cost shall read as follows:

7.1.2 Certificate of Final Indirect Costs:

This is to certify that I have reviewed this overhead rate proposal to establish final indirect cost rates and to the best of my knowledge and belief:

- a) All costs included in this overhead rate proposal (identify proposal and date) to establish final indirect cost rates for (identify period covered by rate) are allowable in accordance with the cost principles of the FAR of Title 48 CRF, part 31
- b) This overhead rate proposal does not include any costs which are expressly unallowable under applicable cost principles of the FAR of 48 CFR part 31.

Firm: Signature: _____
 *Name of Certifying Official: _____
 Title: _____
 Date of Execution: _____

*The “Certifying Official” must be an individual executive or financial officer of the consultant at a level no lower than a Vice President or Chief Financial Officer, or equivalent, who has the authority to represent the financial information utilized to establish the indirect cost rate for use under GDOT agreement.

7.1.3 Facilities Capital Cost of Money (FCCM)

Facilities Capital Cost of Money (FCCM) is an imputed cost intended to compensate consultants for their investment in fixed assets and facilities. These costs are billed to a project as a percentage of

direct labor. The FCCM percentage rate must be developed in accordance with the principles and procedures contained in 48 CFR Part 31.205-10.

Consultants are not required to include FCCM in their cost proposals or project invoices. However, if a consultant chooses to bill FCCM, it must be specifically identified in the cost proposal relating to the agreement under which the cost is to be billed. If FCCM is not included in the negotiated cost proposal, the consultant waives any right to claim it on its actual cost billings.

If a consultant chooses to develop an FCCM rate, the FCCM cost and resultant percentage rate should be shown as a separate line item in the overhead rate schedule, or disclosed in the notes. This is necessary to distinguish cost of money from the company's other expenses. This is required, per FAR 15.404-4, profit/fee does not include amounts applicable to facilities capital cost of money.

The methodology for computing the FCCM rate involves determining the FCCM cost and dividing it by the appropriate allocation base (in most cases this is the direct labor base).

The FCCM cost represents the average book value of the fixed assets/facilities investment base multiplied by the appropriate cost of money rate for the consultant's business year. The cost of money rate is the arithmetic mean of the Prompt Payment Act Interest Rates specified by the U.S. Secretary of Treasury. These rates are published semiannually in the Federal Register on or about January 1 and July 1. For a fiscal year ending December 31, the arithmetic mean would be the simple average of the rates for the January 1 through June 30 period and the July 1 through December 31 period. A history of prompt payment interest rates can be found on the Department of Treasury web site at: <http://www.fms.treas.gov/prompt/rates.html>

The allowable percentage for labor overhead allocable to a project is the ratio of a firm's total allowable overhead costs to a firm's total direct salary costs for a given period.

Suggested guidance for preparing overhead and FCCM rates is contained within the latest edition of the AASHTO Uniform Audit & Accounting Guide, available on-line at: <http://audit.transportation.org/Documents/uag-3%20final.pdf>

7.2. Professional Service Agreement Pre-Award, Interim, and Final Cost Audit Reviews

7.2.1 Pre-Award Audit Review

Following the selection of a consultant, the consultant needs to provide their latest overhead (indirect cost) rate schedule, certification of costs used to establish the overhead rate, cognizant rate approval letters/reports, if applicable, independent auditor's report on schedule of indirect costs, if applicable, and at the discretion of GDOT, other appropriate information to be used by the Office of Audit for a Pre-Award Audit Review.

The Office of TSP may request a pre-award audit review whenever one or more of the following circumstances exist:

- a) There is insufficient knowledge of the adequacy of the consultant's accounting system's ability to track direct labor costs, overhead rate and direct non-labor expenses, and its ability to keep separate non-allowable costs.
- b) The consultant's proposed overhead and the Facilities Capital Cost of Money (FCCM) rate have not been reviewed and accepted by the Office of Audits or, additional assurances are

- needed that the labor and/or direct non-labor cost rates are representative of current actual rates.
- c) There are questions about the propriety of any of the proposed cost items.

If the Office of TSP determines that a Pre-Award Audit Review is appropriate, they will submit a request, in writing, to the Office of Audits. The request for services should be specific as to the areas that need review (e.g. accounting system, overhead rate, labor rates, direct non-salary rates, etc.). The request should identify the project number, control number, project name, and a completion date, if applicable. The request should also include copies of documents pertinent to the objectives of the review; such as, the cost proposal, overhead/FCCM rate schedule, etc.

The purpose of a pre-award audit review is to communicate with the consultant and GDOT Office of TSP regarding potential issues relative to the consultant’s cost accounting system, overhead rate, and individual elements of the cost proposal.

The pre-award audit review consists of verifying that the consultant’s accounting and invoicing is in accordance with applicable laws and regulations. This includes the following:

- a) The accounting system is capable of adequately recording accounting transactions and financial matters.
- b) The proposed overhead is acceptable.
- c) The FCCM percentage is acceptable.
- d) The basis of proposed labor rates and direct non-salary rates is reasonable.
- e) The proposed direct non-labor cost categories are eligible for inclusion as direct cost items. (A cost may not be charged as a direct expense and be included in the indirect cost pool.)

When the pre-award audit review is completed, the Office of Audits will send a written response to the Office of TSP detailing the findings. The consultant may be required to furnish additional information for review of unresolved audit issues.

7.2.2 Interim Cost Audit Review

Interim cost audits are performed based on a sample of GDOT’s entire current list of ongoing projects. The auditor’s primary objective is to examine the consultant’s cost representations, in whatever form they may be presented (such as interim and final public vouchers, progress payments, incurred cost proposals, termination claims and final overhead claims), and to express an opinion as to whether such incurred costs are reasonable, applicable to the contract, determined under generally accepted accounting principles and cost accounting standards applicable in the circumstances, and not prohibited by the contract, by statute or regulation, or by previous agreement with, or decision of, the CS. In addition, the auditor must determine whether the accounting system remains adequate for subsequent cost determinations which may be required for current or future contracts. The discovery of fraud or other unlawful activity is not the primary audit objective; however, the audit work should be designed to provide reasonable assurance of detecting abuse or illegal acts that could significantly affect the audit objective.

7.2.3 Notification of Completion-Interdepartmental letter From Applicable Office

At the completion of services outlined in a Professional Service Agreement, the PM or the Office of TSP shall send the Office of Audits a formal letter giving notification of contract completions or contract terminations.

The intent of this letter is to notify the Office of Audits that they may initiate audit activities on the Professional Service Agreement. The PM or the Office of TSP will certify, by completing and emailing this letter, that:

- a) All services provided under a particular agreement are complete.
- b) The final work product has been delivered to the State in accordance with the agreement.
- c) The services and final work product have been accepted by GDOT.
- d) There are no outstanding issues to be resolved regarding the services and work product.
- e) The final invoice has been submitted.
- f) The above listed criteria also are applicable if the Professional Service Agreement is terminated early.

7.2.4 Final Cost Audit Review

Receipt of the Letter of Completion or Termination by the Office of Audits is the notification that the costs invoiced under a Professional Service Agreement are ready for a final cost audit review. The objectives of the cost audit review are to provide reasonable assurances that the submitted amounts are accurate; are supported by adequate accounting records; resulted from accomplished and duly authorized work; and, are allowable in accordance with laws, regulations, policies and procedures applicable to the project. If sub consultants costs are submitted for payment, they will also be subject to audit review to determine if costs and fee for profit are in accordance with the agreement and that overhead costs are in compliance with the requirements of the cost principles contained in 48 CFR Part 31.

The nature and extent of GDOT's cost audit review procedures will be determined on a case-by- case basis after an evaluation of the project costs and potential for noncompliance with the terms of the agreement, applicable laws, regulations, policies, and procedures. Opinions expressed in the Governmental Agencies' Independent Auditor's Reports issued in accordance with OMB Circular A-133 will also be taken into consideration, when applicable. If circumstances warrant, cost audit requirements can be waived. A risk-based oversight assessment process as described in 23 CFR Part 172.11 will be utilized. The assessment will be conducted and documented on an annual basis considering risks of noncompliance with federal cost principles per consultant doing business with GDOT.

It is the consultant's responsibility to supply GDOT, when requested, with the following: sub consultant agreements, source documentation (timesheets, JCL, travel receipts, etc.), accounting records, and project records. sub consultants should provide similar source documentation for their direct labor cost, direct non-labor costs, and overhead costs.

Based on the results of the cost audit review process, final reimbursement to the consultant will be adjusted to exclude ineligible costs and include any additional costs that GDOT determines are eligible.

The Office of General Support and Administration are responsible for gathering and storing all departmental documentation and reports including:

- a) Consultant Invoicing packages
- b) Pre-award audit
- c) Final Cost Audit Review memos
- d) Audit waiver memos
- e) Applicable audit correspondence

7.3 Local Public Agency Consultant Procurement and Program Oversight

In accordance with the FHWA-GDOT Stewardship and Oversight Agreement for Georgia, dated MAY 29, 2015, referred to as the Stewardship Agreement, the Georgia Department Transportation (GDOT) may delegate to the local public agencies (LPAs) the authority to self-administer (SA) projects or administer a project using Certification Acceptance (CA) program. 23 CFR 1.11 and 635.105 authorize GDOT through the GDOT Local Public Agency Section, to delegate certain activities, under its supervision, to the LPAs for FAHP projects that meet the criteria for Federal-Aid Under 23 U.S.C. 117.

The LPA shall make a decision to which of following Engineering procurement administration procedures they will adopt for the procurement, management, and administration of engineering and design related consultant services, reimbursed in whole or in part with FAHP funding.

- a) Adopt GDOT written policies and procedures for the procurement, management, and administration of engineering and design related consultant services.
- b) Prepare and maintain its own written policies and procedures provided they comply with the federal regulations and their processes are reviewed and approved by GDOT Procurement Office. In accordance with 23 CFR 172.5 (C), GDOT shall approve the written policies and procedures and all revisions for LPAs.
- c) Submit documentation associated with each procurement and subsequent contract to GDOT Procurement Office for review, to assess compliance with applicable Federal and State laws, regulations and requirements.

The GDOT LPA Projects Manual provides more information on the process and procedures required for Local Public Agencies. CA Agreements for agencies certified by GDOT govern and define the roles and responsibilities for those agencies.

7.4 Contracts or Supplemental Services Positions or Management Support Roles

If the Department determines there is a need to use a consultant in a Management Support role, FHWA approval will be required prior to solicitation. The use of consultants in management support roles does not relieve GDOT of responsibilities associated with the use of FAHP funds as specified in 23 U.S.C. 302(a) and 23 U.S.C. 106(g)(4).

The Department may determine that it is necessary to enter into a contract with a consultant to provide Supplemental Services. These types of services include providing support on large projects or when circumstances where unusual costs or time constraints exist, when unique technical or management expertise is required, and/or an increase in the GDOT's staff is not a viable option. These services are performed under the direct oversight of the Department.

Consultants or sub consultants contracted to provide Supplemental Services may provide the following services:

- a) Provide project management service or technical design/review of a project or series of projects under the direct oversight of the Department.
- b) Providing Oversight of an element of a highway program, function, or service on behalf of GDOT.
- c) Managing or providing oversight of a project, series of projects, or the work of other consultants and contractors on behalf of GDOT.

Consultants or sub consultants contracted to provide Management Support or Supplemental Services may NOT provide the following services

- a) Serve in the capacity of a significant procurement role, including:
- b) Consultant Selection Process
- c) Development of Project Scope Documents for Contract Solicitation or Modifications.
- d) Negotiate Contracts or Contract Modifications.
- e) Review, Approve, or reject consultant Payment Reports (invoices).
- f) Manage or supervise GDOT employees.
- g) Manage, direct, review or provide oversight of services being performed by their employer (consultant firm).

All procurement transactions must be conducted in a manner providing full and open competition. In order to ensure objective consultants’ performance and eliminate unfair competitive advantage, consultants that develop or draft specifications, requirements, scope of services, or invitations for bids or requests for proposals must be excluded from competing for such procurements.

Use of consultants or sub consultant in management support roles requires appropriate conflicts of interest standards as outline in this manual and adequate GDOT staffing to administer and monitor the management consultant contact, as specified in 172.9(d).

A consultant serving in a management support role may be precluded from providing additional services on projects, activities, or contracts under its oversight due to the potential conflicts of interest.

Where benefiting more than a single Federal-aid project, allocability of consultant contracts cost for services related to a management support role shall be distributed consistent with cost principle, as specified in 2 CFR part 200, subpart E- Cost principles.

7.5 Administration of the Agreement

7.5.1 Project Roles and Responsibilities

The Project Manager (PM) is responsible for the administration of the terms and conditions of the agreement, monitoring consultant’s progress and compliance with the scope of services, deliverables, and schedule. The PM also serves as the liaison with the consultant during the performance of the services. Project Manager Responsibilities generally include the following:

- a) Gathering, coordinating, and transmitting information both internally and externally as required for completion of the contracted services.
- b) Reviewing and approving consultant invoices in a timely fashion and ensuring consultant costs billed are allowable in accordance within the Federal cost principles and consistent with the contract terms as well as the acceptability and progress of the consultant’s work.
- c) Ensuring that no work is performed or costs are incurred until written authorization is given by the Project Manager.
- d) Reviewing and approving scopes of services for additional services and consultant’s Fee Proposals for supplemental agreements and Task Orders.
- e) Working with other subject matter (SME) offices and divisions to: coordinate scopes, plans, schedules, and applicable deliverables; obtain commitments; and resolve problems.
- f) Coordinating with other entities such as FHWA, city, county, Federal and State regulatory agencies, citizen groups, and elected and appointed governmental officials.
- g) Ensuring consultant deliverables are reviewed by the appropriate SME’s for accuracy and completeness.
- h) Ensuring consultant inquiries relating to GDOT’s policies, practices, and specifications are answered by the appropriate SME offices.
- i) Scheduling and/or attending progress meetings, field reviews, agency meetings, etc.
- j) Submitting time extension requests for approvals.
- k) Completing annual consultant evaluations

7.5.1 Consultant Evaluation

During the course of a project, it is important that the consultant’s performance be monitored and evaluated to ensure there is a clear understanding of how well the consultant is achieving contractual requirements. Evaluations will be performed by SME per Area Class upon approval of each project deliverable. In addition, the PM will annually evaluate prime consultant execution of project delivery when the consultant has contractual ownership. A final prime consultant evaluation is required after all services are accepted or after the termination of an agreement, when applicable. Additional evaluations may be performed at any project milestone over the duration of an agreement, as determined by the PM. The PM is responsible for ensuring the performance evaluations are completed for the entire GDOT Team per project. Evaluations should be completed within one (1) month of the Area Class deliverable acceptance or annually (if a prime consultant), unless otherwise noted in the agreement.

In completing the evaluation, the analysis must be completed in a fair and objective manner. Ratings shall be based on facts and documentation and the evaluation should consider only the performance of the consultant for the services specific to the evaluation. The PM and SME shall assist in the compilation of all evaluation comments per project, as well as per Area Class so that achievements and/or improvements can be discussed with the consultant regarding job performance.

Attention must be paid to the ratings in the following three areas and sub categories of performance:

- a) Management
- b) Prosecution and Progress
- c) Quality

Attention must be given to the rating values. A description of each rating is provided on the consultant evaluation form. If a SME or PM ranks a consultant with a rating of 5 (the highest possible), an explanation justifying the rating must be included. Scores below satisfactory (a rating of 1) also require supporting comment justifying the rating.

The following consultant Evaluation Process Flow shall be adhered to:

- a) GDOT PM/SME completes consultant evaluation form after acceptance/approval of an Area Class deliverable, project milestone, or annual requirement.
- b) Respective PM/SME Supervisor is notified electronically with link to the completed consultant evaluation form for review.
- c) GDOT Supervisor reviews consultant evaluation form and approves or returns comments to PM/SME.
- d) Upon approval by the GDOT Supervisor, the PM/SME notifies the prime consultant of the completed consultant evaluation form electronically with a link to the consultant evaluation form. The consultant acknowledges receipt and states whether a response to the evaluation will be forthcoming (it will not be a requirement for the consultant to respond to every evaluation). If the evaluation is associated with an Area Class deliverable prepared by a sub consultant, the prime consultant will forward the consultant evaluation form to the sub consultant. It is important when the opportunity arises, to review the document with the consultant. Although this step is not a negotiation, it is an opportunity to provide feedback to the consultant.
- e) The consultant fills out the response space on the consultant evaluation form, if applicable. After completing the response, the consultant notifies the PM/SME via electronically with a link to the completed response and form. The consultant is allowed to add their own remarks as they feel is appropriate in the consultant evaluation form comment section.
- f) The PM/SME and respective GDOT Supervisor will review the consultant response, consider any information submitted by the consultant, and decide whether the evaluation requires revision.
- g) The PM/SME will electronically notify the prime consultant with a link to the final consultant evaluation form, informing the consultant if any changes were made as a result of the consultant response. If the consultant disputes a final evaluation, a meeting with the GDOT Supervisor may be requested. The decision of the GDOT Supervisor is final.
- h) The GDOT PM/SME electronically submits a pdf copy of the final consultant evaluation form to the prime consultant, the PM, and the GDOT Office of Procurement.

If an evaluation identifies unsatisfactory performance by the consultant, a written notification to stop work may be issued by the PM until the concern or issue is resolved. Copies of all evaluations are considered confidential and should be discussed with only GDOT staff and the consultant.

Consultant performance evaluation system ratings will be utilized for the purpose of GDOT consultant selection under the category of past performance. The ongoing average consultant performance rating based on three (3) calendar year active status evaluations will be used in consultant selections. The system provides an objective indication of a consultant’s capability to perform professional services associated with management, prosecution/progress, and quality of work. When project request for qualifications are being evaluated, the prime consultant’s past performance score for management and prosecution/progress will be considered. Average

consultant Area Class performance ratings may also be considered, and can be utilized at the discretion of the Selection Committee for each advertised Area Class on respective solicitations.

7.6 Monthly Progress and Payment

The Department's Project Manager shall ensure consultant costs billed are allowable in accordance with the Federal cost principles and consistent with the contract terms as well as the acceptability and progress of the consultant's work as follows:

7.6.1 Electronic Invoicing System

The consultant shall be responsible for inputting all necessary invoice data into the GDOT's electronic invoicing system on a monthly basis for the consultant and all sub consultants for the Project. The Department will not require supporting documentation to be included other than what is required to be included by the electronic invoicing system. However, consultants and all sub consultants are required to maintain supporting documentation/evidence for each invoice including, but not limited to, timesheets, lodging, travel expense authorization, receipts and other costs consistent with the terms and conditions of the Agreement. The Department's Project Manager will periodically request supporting documentation from the consultant for review and verification. The consultant must submit the requested information to the Department's Project Manager within two (2) business days or forty-eight (48) hours of such request.

7.6.2 Progress Payment Reports

The consultant agrees to provide an accompanying project progress report in a format acceptable to the Department which will outline in written and graphic form the order of performance of the work in sufficient detail so that the progress of the work can easily be evaluated. Such progress reports will be checked by the Department, and payment will be made based on the work completed. Upon the basis of its review of such invoices and progress reports, the Department will make payment to the consultant as the work progresses but not more often than once a month. Should the work begin within any one month, the first invoice shall cover the partial period from the beginning date of the work through the effective date of the month in which the Agreement began. The invoices shall be numbered consecutively. Payment will be made in the amount of sums earned less previous payments. Invoices and resulting payments to the consultant shall correspond to the progress of work achieved for the Project. The Department will be entitled at all times to be advised at its request as to the status of work being done by the consultant and the details thereof.

7.6.3 Invoice Payments

Payments shall be made to the consultant within thirty (30) calendar days of receipt of an approved, itemized invoice and all supporting documentation, so long as the consultant complies with the terms of the Agreement. Payment for any part of the work by the Department shall not constitute a waiver of any remedies of any type it may have against the consultant for any breach of this Agreement by the consultant, or for failure of the consultant to perform work required of it by the Department and as set forth in the Agreement. Should the work under this Agreement be terminated by the Department, the consultant shall be paid based upon the percentage of work satisfactorily completed at the point of termination.

7.6.4 Withheld Amount

Except for issues arising from contract indemnification provisions, the Department will have the right to retain out of any payment due the consultant an amount sufficient to satisfy any amount due and owed the Department by the consultant. This right to withhold will continue until such

time as the default has been cured, and, upon cure, the Department will have the right to retain an amount equal to the damages suffered as a result of the default.

7.6.5 Prompt Payment

Consultant shall pay their sub consultants for satisfactory performance of their contracts no later than ten (10) calendar days from receipt of payment made to them by the Department. Any delay or postponement of payment among the parties may take place only for a good cause. If the consultant is found to be in noncompliance with these provisions, it shall constitute a material breach of contract and further payments of any work performed may be withheld by the Department until corrective action is taken by the consultant. If the corrective action is not taken, it may result in the termination of the Agreement.

Prime consultants shall not withhold retainage of a sub consultants' payment if GDOT has not withheld retainage of a prime consultants' payment. If GDOT does withhold retainage of prime consultants' payments, then the prime consultant may withhold retainage of a sub consultants' payment, but not in excess of the percentage amount, GDOT withheld from the prime consultant. Failure by the prime Consultant to invoice GDOT in accordance with the terms of the contract and/or pay sub consultants shall be constituted as a material breach of contract and prime consultant may be subject to disqualification. GDOT reserves the right to request that prime consultants provide proof of payment to sub consultants at any time.

7.7 Change of Key Personnel

A consultant's submittal of an SOQ is a representation and commitment by the firm that it will provide the key personnel identified in the SOQ to perform the services associated with the contract for the duration of the contract. The consultant acknowledges that the Department relied on this representation and commitment in its selection process and was a key factor in the selection of the most qualified consultant and award of the contract. The Department does consider changes in key Personnel seriously and consultants shall not assume that proposed changes will be accepted. If the changes are considered substantial, the Department may terminate the negotiations of the contract. The Department will review the consultant's proposed list of Key Personnel presented in the SOQ. No substitution or transfer of personnel, specifically identified in the SOQ shall be made without prior written approval by the Department (2 CFR 200.201 (Subpart C) and 2 CFR 200.308 (Subpart D)). Key Personnel are those individuals whose qualifications were highly significant and appropriate in evaluating the overall qualifications of the project team. Key Personnel includes, at a minimum:

- a) The person in direct charge of the overall project work (Project Manager);
- b) The person in charge of each major engineering disciplines of the work (e.g., project engineer for bridge, pavement design, environmental, etc.);
- c) Where applicable, the person in charge of overall scheduling of the project work. The consultant shall not change any of the Key Personnel assigned to the Contract until it has obtained written approval from the GDOT PM. The consultant shall notify the Department of a proposed change in the Key Personnel at least 10 calendar days prior to the change and shall inform the Department in writing of the reasons for the change and certify that the overall intent of the contract will not be impaired by the change and overall cost of the contract will not change. The request for a Key Personnel change shall include the name(s) of the Key Personnel, date of departure, the proposed replacement and his/her credentials/resume. Qualifications of any Key Personnel proposed in a change shall be equal to or better than the qualifications of the person being replaced. A need on another project will not constitute justification for a change in key personnel.

The Department shall have the right to approve or reject the proposed successor. The Department will evaluate any proposed change in Key Personnel, and at its discretion, may decide to terminate the contract if in the Department's sole discretion, the Department believes that the project team is materially different because of the change. The Department will make reasonable efforts to make its decision within 30 calendar days of the consultant's request to change Key Personnel. The request is not approved unless the Department states in writing of its approval of the change. If accepted, the consultant does not have the right to re-negotiate the labor rate for the wage classification because of the change in personnel. The consultant is not entitled to any additional compensation associated with any delay in the approval or the Department's non-approval of the change. Failure to provide the Department with notification of a Key Personnel change may result in termination of the Contract, award of damages to the Department and loss of Pre-qualification status. For Supplemental Service contracts, if the selected individual associated with a supplemental service contract is not able to complete the term of the contract, the Department may terminate the contract. The effective date of termination may be immediate or the Department, at its sole discretion, may request the Firm to furnish a temporary replacement for not more than sixty days or until the new contract can be advertised. The temporary replacement must possess qualifications equal to or greater than the original supplemental service employee. GDOT shall not be charged a higher rate for the temporary replacement than was agreed to in the original contract. GDOT will terminate the old contract when the new contract has been executed. The Department may also choose to continue the contract with the replacement employee, but that is solely at the discretion of the Department.

7.8 Shifting Effort/Costs Within Agreements

During negotiations, GDOT and the consultant agree upon a certain effort and associated costs for major categories of the project. Examples of major categories on a typical project include, but are not limited to the following:

- a) Project Management
- b) Roadway Design
- c) Environmental
- d) Preliminary Design
- e) Bridge Design & Hydraulics
- f) Traffic Operations
- g) Survey

During the life of the project, the consultant may formally request shifting effort and the associated costs from one major category to another with no increase to the contract maximum or fixed-fee for profit established in the agreement. If acceptable, this formal request will be approved by GDOT PM's Office Head in writing and filed in the agreements folder. A supplemental agreement is not required however, the GDOT PM will reserve the right to formally negotiate the costs of the effort(s) to be shifted through the Office of Procurement to ensure the Department has adequately assessed the value of the work to be performed. This process also applies to shifting effort or costs between the prime and any sub consultants.

Shifting effort or costs from one task within a broad category to another within that same category does not require approval from GDOT. An example of this would be shifting effort from the "Prepare Typical Section" task within the Preliminary Plans category to the "Finalize Staging Cross-Sections" task within the Final Plans category.

7.9 Contract Suspension (Stop Work Notice)

Work on a contract may be suspended when extenuating circumstances occur beyond the control of the consultant or GDOT or when work cannot proceed as expected. Contracts are suspended and released from the same, at the discretion of the GDOT PM. For a contract which has been placed in suspension, the period of suspension will not count against the contract duration defined in the contract. The consultant is not entitled to any compensation when a contract is suspended. Suspending of a contract is confirmed in writing through a Stop Work Notice issued by the PM. The consultant is advised that no work can be performed and no costs can be incurred while the contract is in suspended status, unless specifically addressed as part of the stop work notice. A contract is released from "suspended" status upon issuance of a written notice by the PM to resume work and through the processing of a Contract Modification by the PM. The consultant is notified in writing by the GDOT PM when work may resume, and informed of the adjusted contract completion date.

7.10 Changes of Corporate Structure or Ownership (Novation/Assignment Agreement)

When either a consultant or sub consultant (e.g. corporation, limited liability company, partnership, or joint venture) acquires, merges or consolidates with another company, or undergoes any form of corporate restructuring or a change in ownership, the consultant or sub consultant under the contract with GDOT shall notify GDOT of the changes within business (5) business days from the date when the change is agreed upon. Work performed by the new or reformed consultant cannot proceed until GDOT has been notified in writing of the change and has executed a Novation agreement. The new or reformed consultant must take responsibility for fulfilling all obligations, liabilities, and contract terms/conditions for all GDOT contracts of the original firm. The new or reformed consultant shall provide GDOT with the required information to document the transaction, including, but not limited to, the following:

- a) A letter of Novation, on company letterhead, indicating the new name and reason for the change. The letter shall also include:
 1. Effective date of the change.
 2. Complete list of active, pending closeout, on-hold and in negotiations GDOT contracts affected by the change. Provide the name of the PM and contract number and indicate if the firm served as a consultant or sub consultant.
 3. A statement certifying that the new or reformed consultant or sub consultant shall assume all obligations and liabilities set forth in the respective contracts for all listed contracts between the new or reformed consultant and GDOT.
 4. A statement certifying that no changes have been made in the Key Personnel for the affected contract(s), or a statement identifying changes proposed to be made in the Key Personnel for the affected contract(s). If a Key Personnel change occurs because of the transaction, the consultant or sub consultant shall also submit a separate request to obtain GDOT's approval for the Key Personnel change for each affected contract.
 5. Evidence of transfer capability to perform, to include Pre-qualification for work being absorbed
 6. A statement certifying that the new or reformed consultant or sub consultant shall prequalify with GDOT under the new consultant name before submitting any future SOQ proposals, modifications, and payments reports for all affected contracts and subcontracts.
 7. A statement certifying that the new or reformed consultant or sub consultant shall provide a Certificate of Insurance under the new consultant name for all affected contracts and subcontracts after GDOT's approval of the request.
 8. A statement certifying that the consultant or sub consultant agrees that the Department is not obligated to pay or reimburse it for, or otherwise give effect to, any costs, taxes, or other

expenses, or any related increases, directly or indirectly arising out of or resulting from the change, other than those that the Department in the absence of the organizational change would have been obligated to pay or reimburse under the terms of the contract.

- b) A copy of Georgia Corporation Commission (ACC) documentation that the new or reformed consultant or sub consultant is in “good standing” and is authorized to do business in the State.
- c) Updated professional license(s) of the new or reformed consultant or sub consultant.
- d) Updated W-9 Form of the new or reformed consultant or sub consultant.

If GDOT approves the new or reformed consultant to take over the contracts, the contracts shall be modified to include the new or reformed consultant’s name by a Contract Modification. The consultant shall also obtain prequalification.

7.11 Name Change Without a Change In Corporate Structure

If a consultant or a sub consultant (e.g. corporation, limited liability company, partnership, or joint venture) listed in the contract changes its legal name without any changes in corporate structure (including DBA designations), the consultant or a sub consultant shall notify GDOT of the name change within five (5) business days when the name change is agreed upon. Work performed by the consultant cannot proceed until GDOT has been notified in writing of the change and has been authorized to proceed. The new or reformed consultant must take responsibility for fulfilling all obligations, liabilities, and contract terms/conditions for all GDOT contracts of the original firm. The name-change request shall include, at a minimum, the following:

- a) A letter, on company letterhead, indicating the new consultant/sub consultant(s) legal name and reason for the change. The letter shall also include:
 - 1. Effective date of the change
 - 2. Complete list of active, pending closeout, on-hold and in negotiations GDOT contracts affected by the change. Provide the name of the PM contract and contract number and indicate if the firm served as a consultant or sub consultant.
 - 3. A statement certifying that the new or reformed consultant or sub consultant shall continue to provide quality work under the Contract.
 - 4. A statement certifying that no changes have been made in the Key Personnel for the affected contract(s), or a statement identifying any changes proposed to be made in the Key Personnel for the contract(s).
 - 5. A statement certifying that the consultant or sub consultant agree that the Department is not obligated to pay or reimburse it for, or otherwise give effect to, any costs, taxes, or other expenses, or any related increases, directly or indirectly arising out of or resulting from the name change, other than those that the Department in the absence of the name change would have been obligated to pay or reimburse under the terms of the contract.
 - 6. A statement certifying that the new or reformed consultant or sub consultant shall prequalify with GDOT under the new consultant name before submitting any future SOQ proposals, modifications, and payments reports for all affected contracts and subcontracts.
 - 7. A statement certifying that the new or reformed consultant or sub consultant shall provide a Certificate of Insurance under the new consultant name for all affected contracts and subcontracts after GDOT’s approval of the request.

A copy of the new/acquiring consultant/sub consultant’s Georgia Corporate Commission (ACC) documentation, reflecting the new name of the consultant/sub consultant and that it is in “good standing” and is authorized to do business in the State.

7.12 Protest Process

Any consultant submitting a SOQ proposal which is rejected on a solicitation issued by GDOT, may file a protest. All protests shall be addressed in writing to GDOT Transportation Services Procurement Manager unless noted otherwise. Unwritten protests will not be considered. The protest resolution timeframe is as follows:

- a) The protester, within three (3) business days after the receipt of the notification of the SOQ Rejection, must file a written protest which shall include the following information:
 - 1. Firm, name, address and telephone number of the protester;
 - 2. Signature of the protester or their authorized representative;
 - 3. Identification of the solicitation number;
 - 4. A detailed statement of the factual grounds of the protest, including copies of the relevant documents;
 - 5. The form of relief requested;
 - 6. A Declaration by the protester that all facts alleged in the protest is true and correct to the best of protester’s knowledge.

The Transportation Services Procurement Manager will issue a written decision within five (5) business days after the protest is received. The decision of Transportation Services Procurement Manager may be reviewed and overturn by GDOT Procurement Administrator. The decision of the GDOT Procurement Administrator is administratively final.

7.13 Contract Dispute Resolution Process

7.13.1 Performance of Services and Arbitration:

All services will be performed by the consultant to the satisfaction of the Department. The Department will decide all questions, difficulties, and disputes of any nature whatsoever that may arise under or by reason of an Agreement, the prosecution, and fulfillment of the services, and the character, quality, amount and value there; and the decision upon all claims, questions, and disputes will be final and binding upon the Parties. Arbitration is neither contemplated nor allowed under GDOT Agreement.

7.13.2 Third Party Claims:

In the event the Department receives, a notice of claim for damages that may have been caused by the consultant in the performance of services required of the consultant under this Agreement, the Department will immediately forward the claim to the consultant. The consultant and the Department will evaluate the claim and report their findings to each other within seven (7) business days. The Department’s failure to notify the consultant of a claim within seven (7) business days will not release the consultant from any of the requirements of this Article upon subsequent notification by the Department to the consultant of the claim.

7.14 Conflict Of interest

These conflict of interest requirements are provided for GDOT employees engaged in the award and administration of consultant services and agreements and to provide for governing the conduct and roles of consultants in the performance of services under such agreements to prevent, identify, and mitigate conflicts of interest in accordance with 2 CFR 200.112, 23 CFR 1.33, and 23 CFR 172.7(b)(4). The requirements will also assure that GDOT meets Federal requirements related to conflict of interest and will be consistent in the actions taken when a conflict arises.

7.14.1 CONSULTANT RESPONSIBILITY

When responding to an RFP, it is expected that firms will not submit proposals on projects where a conflict of interest exists. The consultant is required to submit a letter to the Procurement Administrator disclosing a potential conflict of interest each time they submit a proposal. Upon selection for on-call services: Embedded consultant staff is instructed to not review work performed by their firm. If at any time, the consultant has any questions or concerns regarding a potential conflict they may contact the Project Manager.

7.14.2 GDOT Responsibility

The Project Manager will review the potential conflict identified in the consultant's proposal and any agreement relationships and determine, in consultation with appropriate GDOT staff, if a conflict of interest or the appearance of a conflict of interest exists. If a conflict is found to exist, GDOT will determine the appropriateness of the proposed measures to mitigate the conflict. The determination needs to be balanced between the benefits to GDOT and the potential issues that can arise if a consultant or the affiliate (a corporate entity linked to the consultant through common ownership) is responsible to more than one party on the same project. GDOT will inform the consultant that a conflict of interest does exist along with the proposed mitigation measures. If the consultant chooses to retain the interest constituting the conflict, GDOT may remove the consultant from the selection for cause in accordance with the provisions stated in the agreement.

For on-call services, GDOT Project managers/supervisors are responsible to avoid a conflict of interest by ensuring the consultant assigned the work and the embedded consultant reviewer is not employed by the same firm. Embedded consultants will not be involved in the consultant solicitation process, or the review of consultant fee proposals or negotiation.

GDOT's employees shall not participate in selection or in the award or administration of a consultant agreement if a conflict of interest, real or apparent, would be involved. Such a conflict arises when there is a financial or other interest in the consultant selected for award by:

- a) The employee;
- b) Any member of his or her immediate family;
- c) His or her partner; or
- d) An organization that employs or is about to employ any of the above. Accepting items that would influence a selection committee's judgement is not acceptable. See the following for more information regarding this topic: GDOT's Human Resources Policies & Procedures 3A-17-Code of Conduct Pertaining to Conflict of Interest in Award and Administration of Contracts, and 2 CFR Section 200.318(c)(1) and (c)(2).

7.14.3 Organizational Conflicts Of Interest Which May Exist

The following are examples:

- a) The consultant, or its principals, own real property in a location where there may be a positive or adverse impact on the value of such property based on the recommendations, designs, appraisals, or other deliverables required by the agreement.

- b) The consultant is providing other services to a governmental or private entity and the consultant knows or has reason to believe, that the entity’s interests are, or may be, adverse to the client’s interests with respect to the specific project covered by the agreement.

Comment: The existence of a business relationship with another entity would not ordinarily need to be disclosed. Rather, this focuses on the nature of services commissioned by the other entity. For example, it would not be appropriate for a consultant to submit a proposal to GDOT if a local government has also retained the consultant for the purpose of persuading GDOT to stop or alter the project plans.

The agreement is for right-of-way acquisition services or related services (e.g., geotechnical exploration) and the consultant has an existing business relationship with a governmental or private entity that owns property to be acquired pursuant to the agreement.

The consultant is providing real estate or design services to a private entity, including but are not limited to developers, whom the consultant knows or has good reason to believe, own or are planning to purchase property affected by the project covered by an agreement, when the value or potential uses of such property may be affected by the consultant’s performance of work pursuant to the agreement. “Property affected by the project” includes property that is in, adjacent to, or in reasonable proximity to current or potential right-of-way for a project. The value or potential uses of the private entity’s property may be affected by the consultant’s work pursuant to the agreement when such work involves providing recommendations for right-of-way acquisition, access control, and the design or location of frontage roads and interchanges.

Comment: This provision does not presume consultants know, or have a duty to inquire as to, all information regarding cases where the consultant has reason to believe that its viability of a project it is performing for a private entity may affect the consultant’s performance of work pursuant to the agreement.

The consultant has a business arrangement with a current GDOT employee or immediate family member of such an employee, including promised future employment of such person, or subcontracting arrangement with such a person, when such arrangements are contingent on the consultant being awarded the project. This item does not apply to pre-existing employment of current or former GDOT employees, or their immediate family members.

Comment: This provision is not intended to supersede any GDOT policies applicable to its own employees accepting outside employment. This provision is intended to focus on identifying situations where promises of employment have been made contingent on the outcome of this particular procurement. It is intended to avoid a situation where a consultant may have unfair access to “inside” information.

The consultant has, in previous work for GDOT, been given access to information relevant to the procurement process or the project to be awarded that is classified as “private” or “nonpublic” and such data potentially provides the consultant with an unfair advantage in preparing a proposal for the project.

Comment: This provision will not, for example, necessarily disqualify a consultant who performed some preliminary work from being awarded final design work, especially when the results of such previous work are public data available to all other consultants. Rather, it attempts to avoid an “unfair advantage” when such information cannot be provided to other potential consultants.

The consultant has, in previous work for GDOT, helped create the solicitation by performing work such as: writing the solicitation, or preparing evaluation criteria or evaluation guides for the solicitation.

The consultant, or any of its principals, because of any current or planned business arrangement, investment interest, or ownership interest in any other business, may be unable to provide objective advice to GDOT.

7.14.4 Actions To Be Taken

- a) During Selection, it is expected that consultants will not submit proposals on projects where a conflict of interest exists. The consultant is required to submit a letter to the Procurement Administrator disclosing a potential conflict of interest exists upon discovery of the potential conflict after an RFP is advertised. The Procurement Administrator shall determine, in consultation with the appropriate GDOT staff, if a conflict or the appearance of a conflict of interest exists. If it is determined that a conflict of interest does exist, the consultant will be given the opportunity to avoid, neutralize, or otherwise mitigate the conflict. If the consultant cannot eliminate the conflict, the proposal will be considered ineligible for selection and the firm will be informed of the reason by the Procurement Administrator. If it is determined a conflict does not exist, the proposal will be submitted to GDOT’s Selection Committee for consideration.

After Selection Approval but Prior to Agreement Award. GDOT Transportation Services Procurement Manager, will contact the Procurement Administrator explaining the perceived conflict of interest. If the Procurement Administrator concurs that a conflict exists, the consultant will be given the opportunity to avoid, neutralize, or otherwise mitigate the conflict. If the consultant cannot eliminate the conflict, negotiations will be terminated and the next most qualified firm will be recommended for selection.

During the Performance of the Service.

The Project Manager will contact the Procurement Administrator explaining the perceived conflict of interest. If the Procurement Administrator concurs that a conflict of interest exists, based on the service, progress of work and potential risks, the Procurement Administrator will recommend action to GDOT's Project Manager. Possible actions are either termination of the agreement or continuing with the service with full disclosure required by the consultant.

7.15 Contract Completion

When technical review establishes that all phases of the contract have been completed to the satisfaction of GDOT, the PM in partnership with the applicable technical group, completes a written concurrence to initiate the contract closeout phase. The consultant is notified, in writing (Initial Closeout Letter), of the final closeout procedure which may include submittal of final Progress Payment Report/invoice, deliverables and a final audit, if applicable, of the consultant's and all sub consultants' records, including the certificate of payment made to any and all DBE firms for work completed on the contract, if applicable. The consultant shall submit documentation to explain any discrepancies between actual payments made to DBEs and commitments made to utilize DBEs which were established as part of the original contract. The consultant's achievement of the goal is measured by actual payments made to the DBEs. The consultant shall submit the "Certification of Payments to DBE Firms" form for each DBE firm working on the contract. This form shall be signed by the consultant and the relevant DBE, and submitted in accordance with the contract provisions. GDOT reserves the right to review all records and request additional information as a result of its review. In the event that DBE was not paid in accordance with DBE affidavits, cost proposals, contract modification or other documents submitted by the consultant, all documentation supporting the consultant's position as to the reasons why DBE goal was not met or payments made to DBE, shall be submitted with the Certification of Payments to DBE Firms. The consultant shall submit all required deliverables in a timely manner and as detailed in the contract. Failure by the consultant to provide the required documentation will result in sanctions or penalties, as outlined in the contract

7.16 Project Closeout

The consultant agrees to cooperate with the Department in conducting the necessary actions to close out the Project when all the conditions for doing so are complete. At the completion of the Project, the Department shall send a Stop Work Notice to the consultant. The Stop Work Notice states that the project is complete as of a specified date, all Deliverables have been received or met, and no further charges should be posted to the Project in the consultant's job cost ledger. When the consultant receives the Stop Work Notice, consultant must submit to the Project Manager, a final invoice, marked "Final" necessary to close out the project, including the compilation of accounting records and other related documents for a Project Post Audit. At the completion of the Post Audit, the Parties agree to enter into a Project Completion Agreement to officially close out the project and resolve any outstanding issues pertaining to the Agreement, including the reimbursement of overpayments. In the event no Post Audit is required, the Parties agree to enter into a Project Completion Agreement to officially close out the project and resolve any outstanding issues pertaining to the Agreement.

7.17 Document Retention

All applicable documentation obtained during procurement of professional services by GDOT will be stored electronically on TSP Consultants Folder. The Contract Specialist and Negotiators will be

responsible for gathering and storing the following documentation in the appropriate project folder on the Department’s electronic server:

a) RFP and Selection

1. Pre-RFP emails and documents regarding potential projects
2. Posted RFP and supporting materials
3. Short-listed firms and interview schedule, if applicable
4. Final selections
5. Selection Committee ranking forms and applicable notes
6. Approval memos from the Director
7. Proof of public advertisement
8. Proposals for short-listed consultants

Scoping and Negotiations

9. Consultant initial Fee Proposal, including staffing plan and fee for profit worksheet
10. GDOT’s Independent Cost Estimate, including fee for profit worksheet
11. Negotiation Memo
12. Consultant’s Final Fee Proposals
13. Supporting Emails
14. Final Scope of Services

Agreements Documentation

15. Original agreement
16. Copies of any supplemental agreements
17. Consultant Task Orders
18. Notice-To-Proceed and time extension correspondence
19. Consultant Evaluations
20. Consultant Dispute Resolution documentation, if applicable
21. Conflict of Interest documentation, if applicable
22. Supporting Emails, including any time extensions, suspension notices, or termination notices
23. Notification of Completion (Pre-Letting Consultant Professional Services) Forms and audit requests

7.18 Agreement Provisions

All agreements and sub agreements will include the required provisions in accordance with 23 CFR 172.9(c), as applicable.

7.18.1 Non-Discrimination

The Georgia Department of Transportation in accordance with Title VI of the Civil Rights Act of 1964 and 78 Stat. 252, 42 USC 2000d--42 and Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, part 21, Nondiscrimination in federally assisted programs of the Department of Transportation issued pursuant to such Act, hereby notifies all proposers that it will affirmatively ensure that any contract entered into pursuant an advertisement, minority business enterprises will be afforded full opportunity to submit bids in response to this

invitation and will not be discriminated against on the grounds of race, color, sex, or national origin in consideration for an award.

Georgia Department of Transportation will monitor and assess each consultant services submittals for their DBE participation and/or good faith effort in promoting equity and opportunity in accordance with the state of Georgia, Department of Transportation Disadvantage Business Program Plan.

For more information on the GDOT DBE Program, please contact:

Georgia Department of Transportation
Equal Opportunity Division
 One Georgia Center, 7th Floor
 600 West Peachtree Street, NW
 Atlanta, Georgia 30308
 Phone: (404) 631-1972

7.18.2 Disadvantaged Business Enterprises (DBE)

GDOT encourages the formation and growth of new and existing Disadvantaged Business Enterprises (DBE), as defined in 49 CFR Part 26, by providing an opportunity to compete for and participate in GDOT’s engineering consultant contracts. All solicitations and contracts shall document whether there is a DBE Goal associated with it and if so, what the associated DBE Goal is for the contract.

If a contract has a DBE goal, the consultant must meet or exceed the goal or substantiate that it made a Good Faith Effort to do so consistent with GDOT Equal Opportunity DBE Program Plan. Consultants must adhere to commitments made to utilize DBEs as indicated in the firm’s SOQ proposal. GDOT will monitor the use of DBEs on contracts to ensure that they are performing commercially useful functions as outlined in the SOQ proposal and the contract, as well as subcontract agreements between prime consultants and DBE firms.

To obtain assistance in partnering with DBE firms through the following office:

Georgia Department of Transportation
Equal Opportunity Division
 One Georgia Center, 7th Floor
 600 West Peachtree Street, NW
 Atlanta, Georgia 30308
 Phone: (404) 631-1972

7.18.3 Small Business Concerns

To comply with 49 CFR Part 26.39, GDOT’s DBE Program incorporates contracting requirements to facilitate participation by Small Business Concerns (SBCs) on Federal-Aid contracts. SBCs are for-profit businesses, registered to do business in Georgia and meet the Small Business Administration (SBA) size standards for average annual revenue criteria for its primary North American Industry Classification System (NAICS) code.

While the SBC component of the DBE Program does not require utilization goals on projects, GDOT strongly encourages consultants to take reasonable steps to eliminate obstacles to SBCs participation and to utilize small businesses that are registered in Georgia Non DBE Small Business

Directory on their contracts, in addition to certified DBE's. SBC component of the DBE Program is managed by GDOT Equal Opportunity Division.

7.18.4 Immigration Requirements

All prime consultants and sub consultants are required to certify their compliance with all Federal, State and local immigration laws prior to the execution of a contract. All GDOT contracts include contract language requiring consultants and sub consultants to comply with Federal, State and local immigration law and regulations, allowing GDOT the right to inspect records and giving GDOT the right to take necessary action if violations occur. Failure of the consultants or sub consultants to comply with the immigration laws with respect to any activity under the contract or any personnel performing or managing work under the contract is regarded as a material breach of the contract.

7.18.5 Insurance

Proof of Insurance is required by GDOT for consultants performing professional services. The Certificates of Insurance (ACORD form) shall provide evidence that the insurance coverage, required by GDOT as outlined in each agreement, is in effect and list the Department as the certificate holder. Renewal certificates shall be provided at intervals no longer than annually and whenever insurance coverage or carrier changes. Prior to executing professional service agreements, the Contract Specialist will confirm that the consultants provide a current Certificate of Insurance that meets the minimum coverage requirements of the agreement. Any specific requests for relaxations to GDOT's current insurance requirements must be requested by the consultant to the Contract Specialist. The Contract Specialist will forward the request to GDOT Legal Office for review of the request and determine if any changes can be made to the existing insurance requirements for that particular agreement

7.18.6 Errors and Omissions

GDOT's policy is to take all reasonable steps to preclude errors or omissions in the process of delivering requested services. Upon discovery of an alleged error or omission, GDOT will take immediate action to minimize potential cost increases due to delay or other matters. This includes early communication with the consultant. The consultant must be made aware of the circumstances and be put on notice as soon as possible that there may be a claim against them for errors or omissions. The consultant must be given an opportunity to help resolve potential errors and omissions. All known facts surrounding the alleged error or omission will be carefully and fully reviewed by GDOT staff and affected consultant as prescribed GDOT Policies and Procedures 4020-4 Errors and Omissions. Consultants will be liable for costs resulting from errors or omissions in design furnished under its contracts,

7.18.7 Use and/or Release of Privileged or Confidential Information

Certain information provided by GDOT to the consultant is confidential information contained within privileged documents protected by 23 U.S.C. §409. "Confidential information" means any information that is protected from disclosure pursuant to state and federal law and includes, but is not limited to, accident summary information, certain accident reports, diagnostic evaluations, bridge inspection reports, and any other documentation or information that corresponds with said evaluations or reports, and any other information protected by 23 U.S.C. §409. "Privileged document" means any document pertaining to any file or project maintained by GDOT that is privileged and protected from disclosure, pursuant to appropriate state and federal law, including any document containing attorney-client communications between GDOT employee and Legal Counsel. This confidential and privileged information is vital and essential to the consultant in order that the consultant adequately designs the project at hand on behalf of GDOT.

The consultant will only use information or documentation that is considered to be privileged or confidential for the purposes of executing the services which it has agreed to render for GDOT. The consultant will not reveal, disseminate, or provide copies of any document that is confidential and privileged to any individual or entity. Any information or documentation that is considered privileged or confidential that is provided to consultant will be marked by GDOT with the following information:

“CONFIDENTIAL INFORMATION: Federal Law, 23 U.S.C §409, prohibits the production of this document or its contents in discovery or its use in evidence in a State or Federal Court. The State of Georgia has not waived any privilege it may assert as provided by that law through the dissemination of this document and has not authorized further distribution of this document or its contents to anyone other than the original recipient.”

The consultant must obtain the written approval of the State prior to the dissemination of any privileged or confidential information or documentation if it is unclear to the consultant whether such information or documentation is in fact privileged or confidential.

Any unauthorized dissemination of any privileged or confidential information or documentation on the part of the consultant will create liability on the part of the consultant to the State for any damages that may occur as a result of the unauthorized dissemination. The consultant will agree to hold harmless, indemnify, and release the State for any liability that may ensue on the part of GDOT for any unauthorized dissemination of any privileged or confidential information or documentation on the part of the consultant in each agreement executed between the parties.

In accordance with 23 CFR 172.11(d), the State may share audit information in complying with the State’s acceptance of a consultant’s indirect cost rates pursuant to 23 U.S.C. 112 and this part provided that the consultant is given notice of each use and transfer. Audit information shall not be provided to other consultants or any other government agency not sharing the cost data, or to any firm or government agency for purposes other than complying with the State’s acceptance of a consultant’s indirect cost rates pursuant to 23 U.S.C. 112 and 23 CFR 172.11(d) without the written permission of the affected consultants. If prohibited by law, such cost and rate data shall not be disclosed under any circumstance; however, should a release be required by law or court order, such release shall make note of the confidential nature of the data.

7.18.8 Ownership of Data

All documents, materials, and deliverables developed or created by consultant under contract with GDOT are confidential and considered as property of the State of Georgia for perpetuity. These documents and materials which include, but not limited to, drawings, tracings, specifications, maps, survey notes, reports, photographs and computer programs, shall be provided to the consultant solely for the purpose of completing the Contract and for no other purposes and shall be delivered to GDOT prior to contract closeout. GDOT-developed software including manuals, electronic information, programs, and associated materials remains the property of GDOT. consultant shall not assert any ownership rights to these materials and shall not patent or copyright any of these materials or demonstrate the software to other entities. The unauthorized release or use of any of this information is prohibited without written approval from the Department. Evidence of any unauthorized release or use of the information during or after the contracted services are complete may result in contract termination in addition to other remedies, and the consultant may be disqualified from submitting on any future proposals or contracts.

7.18.9 Publication and Publicity:

Articles, papers, bulletins, data, studies, statistics, interim or final reports, oral transmittals or any other materials reporting the plans, progress, analyses, results, or findings of work conducted under this Agreement shall not be presented publicly or published without prior written approval by the Department.

It is further agreed that all releases of information, findings, and recommendations shall include a disclaimer provision and that all published reports shall include that disclaimer on the cover and title page in the following form:

"The contents of this publication reflect the views of the author(s), who is (are) responsible for the facts and accuracy of the data presented herein. The opinions, findings, and conclusions in this publication are those of the author(s) and do not necessarily reflect the official views or policies of those of the Department of Transportation, State of Georgia or the Federal Highway Administration. This publication does not constitute a standard, specification, or regulation."

It is further agreed that if any information concerning the Project, its conduct, results or data gathered or processed should be released by the consultant without prior approval from the Department, the release of the same shall constitute grounds for termination of this Agreement without indemnity to the consultant; but should any such information be released by the Department, or by the consultant with such prior written approval, the same shall be regarded as public information and no longer subject to the restriction of this Agreement.

Provided, however, that should the release of such information be required under the Georgia Open Records Act, Section 50-18-70, et seq., O.C.G.A., the restrictions set forth herein shall not apply. Any request for information directed to the consultant, pursuant to the Georgia Open Records Act, for documents that are either received or maintained by the consultant in the performance of a service or function for or on behalf of the Department, including records of sub consultants or sub consultants shall be required to be released pursuant to provisions of the Georgia Open Records Act. Further, the consultant agrees to consult with the Department prior to releasing the requested documents.

7.18.10 Copywriting

The consultant and the Department agree that any papers, interim reports, forms, and other material which are a part of work under this Agreement are to be deemed a "work made for hire", as such term is defined in the Copyright Laws of the United States. As a "work made for hire," all copyright interests in said works will vest in the Department upon creation of the copyrightable work. If any papers, interim reports, forms, or other material which are a part of work under this Agreement are deemed by law not to be a "work made for hire", any copyright interests of the consultant are hereby assigned completely and solely to the Department. Publication rights to any works produced under this Agreement are reserved by the Department.

7.18.11 Termination for Default or Convenience

The Department may terminate the contract for default under the following circumstances:

- a) Consultant's failure to perform the services as detailed in the contracts and in any modifications to the contract
- b) Consultant's failure to complete the contract within the timeframe specified herein and in any modifications to the contract

- c) Consultant's failure to comply with any of the material terms of the contract
- d) Consultant's failure to comply with prompt payment requirements specified in the contract and in any modifications to the contract.

If the Department contemplates termination under the provisions of a), b), and c), above, the Department shall issue a written notice of default describing the deficiency. The consultant shall have five (5) business days, or such longer time the Department states in its written notice of default, to cure such deficiency. In the event the consultant does not cure such deficiency, the Department may terminate the Contract without further consideration by issuing a Notice of Termination for Default. The Department may also recover compensation for damages arising from the default or the termination. If, after the Notice of Termination for Default has been issued, it is determined that the consultant was not in default or the termination for default was otherwise improper, the termination shall be deemed to have been a

7.18.12 Termination for Convenience

The Department may terminate the contract for convenience, in whole or in part, when, for any reason, the Department determines that such termination is in its best interest. The contract termination is effected by notifying the consultant, in writing, specifying, that all or a portion of the contract is terminated for convenience and the termination effective date. The consultant shall be compensated only for work satisfactorily completed or costs incurred prior to the termination of the contract. The consultant is not entitled to compensation for loss of the contract or for lost profits. The amount due to the consultant shall be based on the terms of the contract. In the event of termination for convenience, the Department shall be liable to the consultant only for consultant's work performed prior to termination and only to the extent and as provided in (consultant's Compensation) of the contract.

The Department's Right to Proceed with working the event the contract is terminated, the Department shall have the option of completing the work with its own forces or entering into an agreement with another party to complete services outlined in the contract.

7.18.13 Records Retention/Destruction

The consultant and its sub consultants shall retain and maintain all books, papers, records, accounting records, files, accounts, expenditure records, reports, cost proposals with backup data and all other such materials related to the contract and other related project(s), and shall make such materials available at a reasonable time and place during the term of work on the contract related project(s) for three (3) years from the date that GDOT issues a final acceptance to the contractor of the construction project or the design consultant's work is complete as defined in the contract, whichever is later. If any contracted work does not result in a construction project, project records and documents must be retained for 3 years after the consultant's work is complete per the contract, unless otherwise directed by GDOT in the contract or contract closeout documents. GDOT PM will issue a letter to the consultant notifying them when the work is complete and when the required records retention period concludes. All documents shall be retained for auditing, inspection and copying at GDOT's or FHWA's the U.S. Department of Transportation's Inspector General, the Comptroller General of the United States, request or any other authorized representative of the Federal Government. Failure to retain records in accordance with the contract is a material breach of contract. Further, in case of an audit and the consultant has failed to retain records in accordance with the applicable contract provision, it shall be presumed that the documents would not have supported the consultant's position. Therefore, failure to retain such records shall result in the consultant being required to pay the Department for resulting damages.

The consultant may also be disqualified from submitting SOQ proposals. Upon completion and final closeout of contracts, project and contract documents and any supporting materials shall be maintained in accordance with GDOT Policy and Schedules.

If any litigation, claim, or audit arising out of, in connection with, or related to this Agreement is initiated before the expiration of the three (3) year period, the cost records and accounts shall be retained at a minimum for two (2) years after the time in which such litigation, claim or audit involving the records is completed. Records shall be made available upon request to the Department at all times during the term of this Agreement. Copies of these documents and records will be furnished to the Department upon request and may be audited by Department representatives.

7.18.14 Anti-Lobbying/Disclosure

Federal Acquisition Regulation (FAR) prohibits the expenditure of Federal-Aid Highway Program funds to pay any person for influencing or attempting to influence a federal agency or Congress in connection with the award of any Federal-Aid Highway Program funded contract, grant, loan, or cooperative agreement. The consultant is required to sign a statement certifying that to the best of its knowledge and belief that no Federal-Aid Highway Program funds have been paid or will be paid, by or on behalf of its firm for the purpose of lobbying (2 CFR 200.450).

If the consultant should report lobbying activities, the consultant is required to submit Anti-Lobbying/Disclosure Forms. The above regulations also apply to sub consultants and their sub consultants (lower tier) whose contracts exceed \$100,000.00.

7.18.15 Debarment and Suspension

The Department shall verify suspension and debarment actions and eligibility status of consultants and sub consultants prior to entering into an agreement or Contract in accordance with 2 CFR Part 1200 and 2 CFR Part 180. The consultant's signature on any SOQ proposal or contract constitutes an authorization to GDOT to ascertain the eligibility of the consultant to enter into contract with GDOT and with any other governmental agency. In addition, the consultant and sub consultant(s) will be required to certify as to their own current eligibility status, as well as that of their principals. Failure to provide the certification shall result in the rejection of the firm's SOQ. If a firm or its Principal is debarred, suspended, or otherwise ineligible to submit a proposal for services, the firm must submit a written explanation to the Department. The written explanation and the identified circumstances will be considered by GDOT in connection with GDOT's determination of eligibility.

Definitions

Allocable Cost	Cost which is assignable or chargeable to one or more cost objectives on the basis of relative benefits received or equitable relationship.
Allowable Cost	Cost which complies with all of the following requirements: (1.) Reasonableness (2.) Standards promulgated by the CAS Board, if applicable, generally accepted accounting principles (3.) Standards promulgated by the CAS Board, if applicable, generally accepted accounting principles and practices appropriate to the circumstances (4.) Terms of the contract 5. Any limitations set forth in FAR 31.201-2(a)(b)(c)
Architectural and Engineering Services	The term “architectural and engineering services” means—(A) professional services of an architectural or engineering nature, as defined by state law, if applicable, that are required to be performed or approved by a person licensed, registered, or certified to provide the services described in this paragraph; (B) professional services of an architectural or engineering nature performed by contract that are associated with research, planning, development, design, construction, alteration, or repair of real property; and (C) other professional services of an architectural or engineering nature, or incidental services, which members of the architectural and engineering professions (and individuals in their employ) may logically or justifiably perform, including studies, investigations, surveying and mapping, tests, evaluations, consultations, comprehensive planning, program management, conceptual designs, plans and specifications, value engineering, construction phase services, soils engineering, drawing reviews, preparation of operating and maintenance manuals, and other related services.
Audit	Audit means a formal examination, in accordance with professional standards, of a consultant’s accounting systems, incurred cost records, and other cost presentations to test the reasonableness, allowability, and allocability of costs in accordance with the Federal cost principles (as specified in 48 CFR part 31).
Brooks Act	(40 U.S.C. 1101-1104) is the United States federal law that requires agencies to select engineering and architecture firms based upon their competency, qualifications and experience rather than by price..
Business Day	All days in a month, excluding weekends and State holidays
Calendar Day	All days in a month, including weekends and holidays
Code of Federal Regulations (CFR)	Is the annual codification of the general and permanent rules and regulations published in the Federal Register by the executive departments and agencies of the federal government of the United States.

Cognizant Agency	Means any governmental agency that has performed an audit in accordance with generally accepted government auditing standards to test compliance with the requirements of the Federal cost principles (as specified in 48 CFR part 31) and issued an audit report of the consultant's indirect cost rate, or any described agency that has conducted a review of an audit report and related work papers prepared by a certified public accountant and issued a letter of concurrence with the audited indirect cost rate(s). A cognizant agency may be any of the following: 1. A Federal agency; 2. A State transportation agency of the State where the consultant's accounting and financial records are located; or 3. A State transportation agency to which cognizance for the particular indirect cost rate(s) of a consulting firm has been delegated or transferred in writing by the State transportation agency identified in paragraph (2) of this definition.
Cognizant Audit	Contracting Agencies must accept indirect cost rates established in accordance with the FAR cost principles (48 CFR 31) by a cognizant Federal or State agency, if such rates are not under dispute (as specified in 23 USC 112(b)(2)(C) and 23 CFR 172.7(b)).” Except in the case of error or failure to follow GAGAS, only the consulting firm may dispute a cognizant approved indirect cost rate. An error is defined as a complete misinterpretation of FAR, or simple mathematical errors of calculation.
Compensation Type	Cost reimbursement method to be paid by the Department to the consultant for services set forth in the contract.
Competitive Negotiation	Qualifications-based selection procurement procedures complying with 40 U.S.C. 1101–1104, commonly referred to as the Brooks Act. consultant means the individual or firm providing engineering and design related services as a party to a contract with a recipient or sub recipient of Federal assistance (as defined in 2 CFR 200.86 or 2 CFR 200.93, respectively).
Compliant Accounting System	An accounting system that properly captures, classifies and summarizes costs allowing for conformance to the GDOT Cost Allowability Guidelines and Generally Accepted Accounting Principles (GAAP), Federal Acquisition Regulations (FAR) Part 31, and applicable Cost Accounting Standards.
Conflict of Interest	As per 23 CFR, no official or employee of a state or any other governmental institution who is authorized in their official capacity to negotiate, make, accept, approve, or to take part in negotiating, making, accepting or approving any contract or subcontract in connection with a project shall have, directly or indirectly, any financial or other personal interest in any such contract or subcontract.
Consultant	The individual or firm providing engineering and design related services as a party to a contract with a recipient or sub recipient of Federal assistance (as defined in 2 CFR 200.86 or 2 CFR 200.93, respectively).

Consultant Acquisition Plan	A document listing when the consultant selection process will start for all consultant selection needs over the upcoming two years. The goal of the report is to assist GDOT programs in starting on time and increase internal project coordination and communication.
Consultant Performance Evaluation	A process in which GDOT monitors the consultant’s work and prepares a consultant performance evaluation (23 CFR 172.9(d)(2)) which may be used to provide feedback on the consultant’s performance, identify areas of improvement, or input into selection of the consultant for future assignments.
Contract	The written procurement contract or agreement between a contracting agency and consultant reimbursed under a FAHP grant, sub-grant, or other funding source and includes any procurement subcontract under a contract. Contract Award Upon successful negotiations, contract execution and contract notice to proceed, the consultant is awarded the contract
Contract Management Information System (CMIS)	The automated computer system utilized by GDOT to manage the engineering consultant contracts.
Contract Modification (CM)	An agreement modifying the terms or conditions of an original or existing contract.
Contract Negotiator	A GDOT employee who confers with consultants and leads the GDOT negotiating team to reach mutually acceptable agreements about various elements of the cost proposal/contracts.
Contract Specialist	A GDOT employee who monitors pre-award and post-award procurement and contracting activities and takes appropriate actions to ensure satisfactory contract progress, assure compliance with the terms and conditions of the contract, negotiate contract modifications, and identify and resolve issues/problems that threaten contract performance.
Contract Suspension	An action taken by the State to temporarily stop all or selected services that are included in a contract.
Contract Termination	An action or agreement taken by the State to stop and conclude all or selected services related to a contract before completion.
Cost Accounting System	Part of the basic accounting system that accumulates cost for use in both managerial and financial accounting.
Cost Proposal Review	Review performed to ensure costs are allocable, allowable and reasonable and fair according to regulations. This is the major component of a Pre-Award Review.
Debarment	The exclusion of a person or company from participating in a procurement activity for an extended period, as specified by law, because of previous illegal or irresponsible action.
Direct Cost	Any cost that can be identified specifically with a particular final cost objective, i.e., a project-related cost. Costs would include labor, materials, and reimbursable incurred specifically for an agreement.

Disadvantaged Business Enterprise (DBE)	A for profit small business concern which meets both of the following requirements: (1.) Is at least 51 percent owned by one or more socially and economically disadvantaged individuals or, in the case of any publicly owned business, at least 51 percent of the stock is owned by one or more such individuals; and, (2.) Whose management and daily business operations are controlled by one or more of the socially and economically disadvantaged individuals who own it. ECS Assistant Manager
Emergency	Emergency means an immediate threat to public health, welfare or safety caused by flood, earthquake, hurricane, tornado, explosion, fire or other catastrophe such that compliance with normal bidding procedures for repair or reconstruction of transportation facilities would be impracticable or contrary to the public interest.
Engineering Design Related Services	As defined in 23 CFR part 172: (1) Program management, construction management, feasibility studies, preliminary engineering, design engineering, surveying, mapping, or architectural related services with respect to a highway construction project subject to 23 U.S.C. 112(a) as defined in 23 U.S.C. 112(b)(2)(A); and (2) Professional services of an architectural or engineering nature, as defined by State law, which are required to or may logically or justifiably be performed or approved by a person licensed, registered, or certified to provide the services with respect to a highway construction project subject to 23 U.S.C. 112(a) and as defined in 40 U.S.C. 1102(2).
Error	Plan or specification details or contract administration actions which are incorrect, conflicting, insufficient, or ambiguous.
Federal Cost Principles	The cost principles contained in 48 CFR Part 31 of the Federal Acquisition Regulation for determination of allowable costs of commercial, for-profit entities.
Federal Cost Principles	The cost principles contained in 48 CFR part 31 of the Federal Acquisition Regulation for determination of allowable costs of commercial, for-profit entities.
FHWA	The Federal Highway Administration of the United States Department of Transportation.
Fixed Fee	A sum expressed in U.S. dollars established to cover the consultant's profit and other business expenses not allowable or otherwise included as a direct or indirect cost.
Incurred Cost Audit	An audit of the consultant's or sub consultant's actual costs to ascertain the costs' allowability in accordance with the terms of the contract.
Key Personnel	The consultant's and sub consultant's personnel identified in the Statement of Qualifications (SOQs) or elsewhere in the contract, and who are primarily responsible for providing critical services in accordance with the contract provisions.

Management Support Role	Consultant performing engineering management services or other services or actions on the contracting agency’s behalf, which are subject to review and oversight by agency officials, such as a program or project administration role typically performed by the contracting agency and necessary to fulfill the duties imposed by Title 23 of the U.S.C, other Federal and State laws, and applicable regulations.
May	Indicates something that is not mandatory but is permissible.
Must	Indicates a mandatory requirement.
Noncompetitive	The method of procurement of engineering and design related services when it is not feasible to award the contract using competitive negotiation or small purchase procurement methods.
Notice to Proceed (NTP)	A written authorization from the State to the consultant to start work on a contract or any unit or element of the contract to be performed as specified in the contract after the contract has been signed.
Notice to Proceed (NTP)	Written notification given by GDOT authorizing the consultant to begin work and incur costs under an agreement.
Omission	Plans or specifications or contract administration actions are silent on an issue that should otherwise be addressed in the documents.
One-Year Applicable Accounting	The annual accounting period for which financial statements are regularly prepared by the consultant.
Performance Evaluation	The periodic evaluation of a consultant’s performance in carrying out its obligation on Government contracts.
Pre-award Review	An audit conducted on behalf of GDOT management for validating financial information supplied by a potential contract. The audit may require an onsite visit or information may be reviewed at the Audit Office. Upon completion, the information is provided to the GDOT contracting officer in an audit report for use during agreement negotiations.
Prequalification	The process of screening and approving prospective consultants for their ability to perform work in one or more specific categories of work most typically relating to area classes for Georgia DOT.
Professional Services	Those services within the scope of the following practices: (A) Architecture, as defined in paragraph (6) of Georgia Code Section 43-4-1; (B) Registered interior design, as defined in Georgia Code Section 43-4-30; (C) Professional engineering, as defined in paragraph (11) of Georgia Code Section 43-15-2; (D) Land surveying, as defined in paragraph (6) of Georgia Code Section 43-15-2; or (E) Landscape architecture, as defined in paragraph (3) of Georgia Code Section 43-23-1.
Progress Report	A report included with the consultant’s invoice that includes, as a minimum: a description of the work completed for that period, a description of the work anticipated for the next pay period, percent of work completed to date, and pending or unresolved issues related to providing the services.

Small Purchases	The method of procurement of engineering and design related services where an adequate number of qualified sources are reviewed and the total contract costs do not exceed an established simplified acquisition threshold.
State Transportation Agency (STA)	The Department or Agency maintained in conformity with 23 USC 302 and charged under state law with the responsibility for highway construction (as defined in 23 U.S.C. 101), and that is authorized by the laws of the state to make financial decision in all matters relating to, and to enter into all contracts and agreements for projects and activities to fulfill the duties imposed by 23 USC, Title 23 CFR, and all other applicable Federal laws and regulations.
Statement of Qualifications (SOQ)	The consultant's written communication, expressing its interest and qualifications to be considered for selection to perform services on proposed contract/project.
Sub consultant	The individual or firm contracted by a consultant to provide engineering and design related or other types of services that are part of the services which the consultant is under contract to provide to a recipient (as defined in 23 CFR 200.86) or sub-recipient (as defined in 2 CFR 200.93) of Federal or State assistance.
Task Order	An agreement issued under the IDIQ process that outlines a detailed scope of services to be provided for a project or service under a Master Agreement.

**STATE OF GEORGIA
COUNTY OF DEKALB
CITY OF STONECREST**

RESOLUTION NO. 2024-_____

A RESOLUTION TO ADOPT THE GEORGIA DEPARTMENT OF TRANSPORTATION (GDOT) PROCUREMENT POLICY FOR THE PROCUREMENT, MANAGEMENT AND ADMINISTRATION OF ENGINEERING AND DESIGN RELATED CONSULTANT SERVICES; AND FOR OTHER PURPOSES.

WHEREAS, City of Stonecrest (“City”) desires to utilize Federal and State Funding for Transportation Capital Improvement projects and City of Stonecrest must be Local Administered Project (LAP) certified to receive Federal and State Funds; and

WHEREAS, the City has completed the LAP Certification application and received comments from Georgia Department of Transportation (GDOT) on the City’s Procurement Policy; and

WHEREAS, GDOT requires that the City of Stonecrest adopt the Georgia Department of Transportation Procurement Policy for the Procurement, Management and Administration of Engineering and Design Related Consultant Services to be in compliance with Federal and State Procurement Ordinances such as 23 CRR Part 172, 2 CFR Chapter I and Chapter II, 40 U.S.C 1101-1104, 48 CFR Part 31, O.C.G.A 50-22-1 through 50-22-9, 2 CFR 200.333; and

WHEREAS, City staff recommends adoption.

NOW, THEREFORE BE IT RESOLVED BY MAYOR AND CITY COUNCIL THE CITY OF STONECREST, GEORGIA, to adopt the Georgia Department of Transportation Procurement Policy for the Procurement, Management and Administration of Engineering and Design Related Consultant Services.

BE IT FINALLY RESOLVED that this Resolution shall be effective immediately upon its adoption.

SO RESOLVED THIS _____ DAY OF _____ 2024.

CITY OF STONECREST, GEORGIA

JAZZMIN COBBLE, MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM

CITY ATTORNEY