



Arizona Department of Transportation
Intermodal Transportation Division

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INFORMATION BULLETIN 09-10
Supersedes Information Bulletin 96-04

TO: ADOT Project Managers
Resident Engineers
Consultant Engineering Firms

FROM: Engineering Consultants Section

SUBJECT: **CONFLICT OF INTEREST- SUPPLEMENTAL SERVICES CONSULTANT RESTRICTIONS**

The purpose of this bulletin is to provide guidance to the consultant community and to those firms supplying full-time (35-40 hours per week) Supplemental Service consultants to ADOT under contracts administered by the Engineering Consultants Section (ECS).

While a current Supplemental Service consultant is eligible to submit a Statement of Qualifications (SOQ) proposal on the contract that will replace the consultant's current position, the following restrictions are being implemented with the intent to avoid actual or perceived conflicts of interest.

1. A current ADOT Supplemental Services consultant cannot be included in a Statement of Qualifications (SOQ) proposal for an ADOT consultant contract as a member of the consultant's team; as an owner; or individual. The only exceptions are:
 - a. If the Supplemental Service consultant resigns to comply with this rule, the last day of his/her ADOT contract employment must be prior to the date that the proposals are due; or
 - b. If the Supplemental Service consultant's contract is in the final year and within four months of the contract completion date or the contract replacement SOQ submittal date; or
 - c. If the Department notified the Supplemental Services consultant within the final four months before the SOQ is due that the contract will not be extended.

If a waiver is requested from the above restrictions, a statement must be submitted to ECS describing the nature of the Supplemental Service consultant's involvement prior to proposal submittal or work assignment. Resolution of potential conflicts of interest will be determined by ECS and the appropriate Deputy State Engineer.

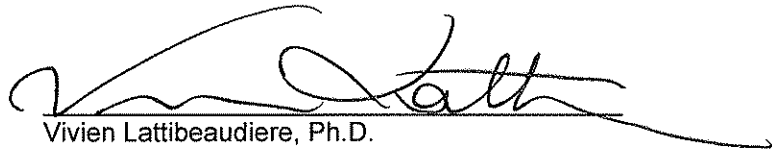
2. Any individuals being proposed in an SOQ as a Supplemental Service consultant must disclose in the SOQ proposal any and all other work they are conducting on other ADOT contracts, including those through ECS, Procurement Group, Multi-Modal Planning Division or other ADOT Divisions. If awarded the contract, ECS will make a determination as to whether work on any of these other contracts will interfere with the ability of the Supplemental Service consultant to

effectively complete his/her Supplemental Service assignment. If such a determination is made, the Supplemental Services consultant shall have the option to withdraw from or expeditiously complete those other assignments or decline the Supplemental Service contract for which they were selected.

3. If a current or former ADOT Supplemental Services consultant is employed by a consultant which has an active ADOT contract for which the Supplemental Service consultant is or was a decision maker (for example: involved in the final scope preparation, selection process or negotiate/approve billings or contract modifications), the Supplemental Services consultant is prohibited from working on these contracts.
4. Supplemental Service consultants are prohibited from serving on ECS consultant Selection Panels.

As of this date, a copy of this information bulletin will be included in each ECS Statement of Qualifications (SOQ) package.

If you have any questions regarding this bulletin, please contact Engineering Consultant Section at (602) 712-7525.



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