

300 - Procurement of Professional Services

General

This section provides summary guidance to airport Sponsors and Consultants concerning the requirements for procurement of professional services under the Federal Aviation Administration (FAA) airport grant program. The intent of this regional guidance is to provide supplemental information to assist the AIP sponsor in compliance with FAA policy. This guidance does not impose additional obligations over that provided within the referenced regulations. In the event there is a discrepancy between this guidance and current AIP policy, AIP policy shall take precedence.

Federal Regulation

Federal Regulation 49 CFR Part 18, Uniform Administrative Requirements for Grants and Cooperative Agreements primarily establishes the policies and procedures for procurement of professional services under the Airport Improvement Program. Federal Statute 49 USC 47107(a) and Title IX of the Federal Property and Administrative Services Act of 1949 also serve to establish requirements associated with procurement of professional services.

AIP Procurement Standards

FAA Advisory Circular 150/5100-14d serves as the official FAA policy for Sponsors to assure conformance with 49 CFR Part 18, 49 USC 47107 and Title IX. Per 49 CFR Part 18.36(B), sponsors shall use their own established procurement procedures, which reflect applicable state and local laws/regulations.

However, as a condition of AIP eligibility, Sponsors must also comply with applicable Federal laws and regulations stated within FAA Advisory Circular 150/5100-14. This includes but is not limited to the following:

- Grantees must maintain a contract administration system that will ensure performance in accordance with the terms and conditions of their contract.
- Grantees remain solely responsible, in accordance with good administrative practice and sound business judgment, for the settlement of all contractual and administrative issues that arise from their procurement action.
- Federal agencies may not substitute their judgment for that of a grantee unless the matter is primarily a Federal concern.
- Grantees shall have an established procedure to address protest and disputes that arise from their procurement action and contract agreements.
- Grantees shall conduct a fee analysis for all procurement actions.

Consultant Selection *(Ref. Chapter 2)*

The selection of a professional consultant must be conducted in a fair and open manner and must be based upon qualifications and experience. Selections based on costs or cost proposals are prohibited under the AIP.

Grantees must conduct the selection process in manner that ensures fair and open competition and is void of any unfair or unethical conduct. Sponsors are urged not to enter into the selection process with a pre-selection mentality.

AIP Eligibility

Sponsors are advised that failing to adhere to the requirements of AC 150/5100-14 may result in the costs associated with engineering services being declared ineligible for AIP participation. We encourage Sponsors to contact the FAA prior to soliciting for professional services for the purpose of avoiding actions that may be deemed ineligible for AIP participation. Sponsors are

also urged to seek FAA review and approval of an engineering agreement prior to execution in order to limit the risk of an ineligible cost determination.

References

- AC 150/5100-14D - Architectural, Engineering & Planning Consultant Services For Airport Grant Projects
 - CFR 18.36 - Uniform Administrative Requirements for Grants and Cooperative Agreements
 - Federal Statute 49 USC 47107
 - FAA ORDER 5100.38C, CHAPTER 9 - AIP Handbook
 - Public Law 92-582 - Brooks Bill, Oct. 27, 1972 Title IX, as amended
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RESOURCES**Advisory Circulars**

- [AC 150/5100-14](#): Architectural, Engineering, and Planning Consultant Services for Airport Grant Projects

Regulations/Policy

- [49 CFR Part 18](#): Uniform Administrative Requirements for Grants and Cooperative agreements.

Forms

- **Sponsor Certification For Selection of Consultants:** [MS Word](#) | [pdf](#)

310 - Roles and Responsibilities

Professional Services

The process of selecting a professional consultant and establishing an agreement for services typically involves four entities; the sponsor, potential consultants, the independent estimator and the FAA project manager. Of these entities, the sponsor maintains the most prominent role.

The sponsor is the contractual authority for establishing and administering contract agreements and is responsible for all contractual matters, including evaluation and award of contract, resolution of claims and disputes, and settlement of litigation issues.

Sponsors should note that Federal Regulation 49 CFR Part 18.36 prohibits Federal Agencies from substituting their judgment for that of the grantee. **The FAA will not render any judgment or opinion of any consultant.** The FAA also will not act on the behalf of the Sponsor in making a determination of a fair and reasonable fee. The FAA's role in consultant selection is essentially limited to a review of the sponsor's procurement process for the purpose of making a determination of AIP eligibility.

Typical roles and responsibilities of each entity are outlined as follows:

Sponsor's Roles and Responsibilities

- The sponsor is the contractual authority for establishing and administering contract agreements and is responsible for all contractual matters, including evaluation and award of contract, resolution of claims and disputes, and settlement of litigation issues.
- The Sponsor shall conduct all procurement actions in a fair and reasonable manner, conforming to professionally accepted selection procedures that ensure free and open competition and in a manner that is void of unfair or unethical conduct.
- The sponsor shall review and update their DBE program to reflect the availability of DBE participation for the intended services.
- The sponsor shall assure that all projects intended to be covered by the agreement are specifically identified within the solicitation. Sponsors shall only identify projects that may reasonably be constructed within five years of the initial date of the contract. The solicitation shall not use general scope of services (i.e. All future AIP funded projects).
- The sponsor shall publicly solicit the request for qualifications using public announcements, newspaper advertisements and direct mailings.
- The sponsor shall assure that the selection process is based solely on qualifications and capabilities. The selection process shall be void of fee/cost information.
- The Sponsor shall establish an objective selection board and develop fair and reasonable rating criteria prior to receipt of qualifications from prospective consultants.
- The sponsor shall make a determination of the most qualified firm using the results of their established rating criteria and any interviews that are conducted.
- The Sponsor and selected firm shall establish a detailed scope of work that clearly defines the required services.
- The Sponsor shall use the detailed scope of work to determine a fair and reasonable cost of services in compliance with Federal Regulation 49 CFR Part 18.36.
 - a. For contracts expected to exceed \$100,000, an independent estimate must be developed to serve as a review aide in determining whether the proposed fees are fair and reasonable. Refer to appendix "F" of AC 150/5100-14D for a sample fee estimate format.

- b. For contracts less than \$100,000, the fee assessment by the following
 1. Written determination of fair and reasonable fee based on a review by a knowledgeable person
 2. Comparison with a Sponsor prepared fee estimate
 3. Comparison with previous contracts of similar nature
 4. Determination based on previous business experience.
- A record of negotiations must be prepared that sufficiently documents the entire selection process, negotiation phase and fee analysis. This documentation shall be made readily available for a third party audit.
- The sponsor shall submit the agreement, the sponsor certification, record of negotiations and the fee analysis to the FAA for review. The purpose of the FAA review is to determine AIP eligibility and must not be construed as a review for legal sufficiency.

Potential Consultant

- Respond to Sponsor's RFQ with understanding that fee information is not to be considered in the selection process.
- Make good faith efforts to meet any established DBE participation goals.
- Negotiate a sufficiently detailed scope of services.
- Negotiate a fair and reasonable fee for services. Consultant shall provide a derivation of the fees as an attachment.
- Prepare contract documents that incorporate all required Federal provisions. The contract must also specify acceptable methods of payment such cost plus fixed fee or fixed lump sum. Be advised that costs-plus-percentage-of-costs agreements are strictly prohibited under the Airport Improvement Program.
- Provide evidence that charged labor and general administrative overhead expenses are certified by an audit and comply with provisions of 48 CFR PART 31, Contract Cost Principles and Procedures.
- Provide the services required in the contract.

Independent Estimator's Role

- Review detailed scope of services. Request clarification of uncertain work items.
- Prepare an independent estimate in the recommended format that exhibits a fair and impartial assessment of your opinion of reasonable fees.
- Furnish estimate along with a derivation of the estimated fees to the Sponsor.
- Avoid discussing man-hours or fee information with the selected consultant.
- **SIGN** and **DATE** the independent cost estimate

FAA's Role

- Review proposed agreement for a determination of AIP eligibility.
- Review selection process and agreement for conformance to AIP requirements. (NOTE: FAA concurrence is based on a combination of Sponsor Certification and a cursory review of sponsor documentation)
- Advise the Sponsor of FAA's determination. (NOTE: The FAA is not a party to the Sponsor's contract. Any review and approval is limited to a determination for AIP eligibility and must not be construed as review for legal sufficiency.)

RESOURCES

Advisory Circulars

- [AC 150/5100-14](#): Architectural, Engineering, and Planning Consultant Services for Airport Grant Projects

Regulations/Policy

- [49 CFR Part 18](#): Uniform Administrative Requirements for Grants and Cooperative agreements.

Forms

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320 - Selection Guide

Professional Services

This guide summarizes the typical steps required in a selection process for professional consultants. Advisory Circular 150/5100-14d serves as the official FAA guidance on the selection process. The information provided herein supplements guidance provided in the Advisory Circular and is not intended to supersede official regulations. In the event there is a discrepancy between this guidance and current AIP policy, AIP policy shall take precedence.

A. Qualification Based Selection (*ref. Para. 2-1*)

The selection of a professional consultant must be based on experience and qualifications. Cost information must not be a factor in the selection process.

Sponsors shall solicit through various means to obtain a sufficient number of interested sources. Statements of qualifications are to be obtained from all interested firms.

The Sponsor shall evaluate the submitted statements of qualifications, ultimately resulting in the selection of the best-qualified firm. Identification of the detailed scope of work and the negotiation of fair and reasonable fee may only proceed after the sponsor has made a final selection.

B. Informal Procedures (*ref. Para. 2-9*)

For projects in which the consultant fee is **not** anticipated to exceed \$100,000, informal procedures may be utilized to select a firm. Under this procedure, the sponsor may simply contact a minimum of three firms to ascertain qualifications and capabilities. Negotiations may proceed with the best-qualified firm.

The Sponsor must fully document the informal selection process, including the basis for final selection, and the determination of reasonableness of costs. Please consult with the FAA prior to utilizing this approach.

When using the informal process, Sponsors should avoid actions that can be construed as exclusionary. This includes limiting the three firms to one firm with known airport experience and two firms with no known airport design experience.

C. Formal Solicitation

Formal procedures are to be utilized when the engineering fees are expected to exceed \$100,000 or when the selection addresses multiple projects. The sum of both design and construction costs should be considered when choosing between the informal and formal procedures.

The remainder of this regional guidance focuses on the formal procedure. References noted in parenthesis refer to Advisory Circular 150/5100-14d.

1. Identification of Work (*ref. Para. 2-6.b*)

The Sponsor shall first identify the project or projects for which professional services are required. Sponsors should keep the following in mind:

- a. The availability of Federal funds is not typically guaranteed at this stage. The official notice of the receipt of Federal funds is the Congressional Release. Because of the requirement to base grants on defined costs as opposed to estimates, Sponsors are expected to incur preliminary costs such as engineering expenses until a grant is established. This may result in the sponsor carry such costs for several months before reimbursement is possible. Early coordination with the FAA at this point is strongly encouraged in order to avoid misdirected work that could possibly be declared ineligible for AIP participation.

- b. Considering the inherent differences between the services required of a planning/environmental project versus that of a development project, Sponsors are strongly encouraged to separate the solicitation of a planning/environmental consultant from that of a development type consultant.
- c. The scope of work is by necessity broadly defined at this point. Detailed refinement of the scope of services is typically accomplished once a selection has been made.
- d. Sponsors may incorporate other non-eligible work items within the same solicitation. However, all such work must be identified as non-Federal participation. The consultant will be required to identify the cost of services for ineligible work separately from that of eligible work.
- e. Sponsors may identify multiple projects in one solicitation with the intent of issuing future work authorizations as funding becomes available. All such work must be specifically identified in the original solicitation. General scopes may not be used.

The sponsor should make all prospective consultants aware that the initiation of a work authorization may be conditioned upon receipt of Federal funds. If a retainer contract is in place, the identified work must reasonably be accomplished within five years of the date of the base contract or a new selection process will be necessary. (*Ref. para. 2-6.d*)

2. Establishment of Selection Board (*ref. Para. 2-5*)

The Sponsor shall assemble a selection board consisting of a minimum of three persons who are knowledgeable of the project(s) and the type of services required. It is recommended that one or more members have a technical background in the type of development work being considered. Complex and intricate projects may require additional selection board members who are knowledgeable in specific areas.

It will be the responsibility of the selection board to review all submitted statements of qualifications and to subsequently evaluate and rate each firm. In order to maintain integrity of the board, persons who may have an expressed or implied conflict of interest should not be appointed to the selection board. Board members must approach this duty in a clear and objective manner that is free of pre-selection mentality and any conflict of interest.

3. Selection Criteria (*ref. Para. 2-7*)

Prior to solicitation for prospective consultants, the selection board shall develop selection criteria in order to comparatively rate all interested firms. A numerical rating system should be developed for each item. The numeric rating assigned to a particular criterion should be proportional to the importance of that criterion in accomplishing the intended project. Sponsors should avoid assigning high emphasis on a particular criterion that would have little impact (compared to other criteria) on the project. The criteria should include but not be limited to the following:

- a. Firm's capability to perform
- b. Firm's Experience in similar projects
- c. Professional qualifications of key personnel
- d. Implementation of Affirmative Action Plan
- e. Personnel Capabilities
- f. Current Workload

- g. Ability to meet schedules
- h. Ability to meet budgets
- i. Past projects of similar nature
- j. Knowledge of FAA Standards & Policies
- k. Demonstration of understanding of the project(s)
- l. Capability to furnish qualified inspectors

4. Solicitation (*ref. Para. 2-2 and 2-8.c.*)

Sponsors shall solicit in a manner that promotes fair and open competition. Sponsors shall avoid exclusionary practices that may be construed as compromising fair and open competition.

Sponsors should implement measures assuring broad circulation of their intent to hire a professional consultant. Acceptable measures include utilizing public announcements, local and regional advertisements, and trade journal announcements. Solicitations may also be sent directly to firms known to have expertise in the area of the proposed project.

Sponsors may not purposely exclude known firms that have experience in similar work as that intended. Affirmative steps shall be taken to notify small and minority owned businesses of potential federally funded work.

The request for qualifications (RFQ) should, as a minimum, include the information listed below. Please note that cost information of prospective consultants must not be solicited in the RFQ nor be included in the consultant's submittal.

- a. Description of the services that are required;
- b. Description of the specific proposed project(s);
- c. Location of the proposed project(s);
- d. Estimate of how long services will be required;
- e. Estimated construction cost range of the proposed construction work;
- f. Request for experience and qualifications
- g. Description of how the selection will be made.
- h. Notification that the contract will be subject to applicable Federal Provisions

SAMPLE ADVERTISEMENT

*The following is an example of a suggested format
for advertising for engineering consultants.*

NOTICE TO AIRPORT CONSULTANTS

The City of **<Insert Name of Sponsor>** is hereby soliciting statements of qualifications and experience from airport consultants for projects at **<Insert name of Airport>**. Subject to receipt of Federal funding, these projects may include the following:

1. Rehabilitate runway 12/30 (6,000' X 150'), reconstruct and extend parallel taxiway system, including lighting and signage.
Estimated cost of development: \$1,900,000.
2. Extend runway 18/36 (1000' X 150') including parallel taxiway system and safety area grading.
Estimated Cost of development \$800,000.

The required services include, but are not limited to, A/E services for preliminary, design, bidding and construction phases including incidental special services for projects funded under the FAA Airport Improvement Program.

A qualification based selection process conforming to FAA Advisory Circular 150/5100-14d will be utilized. Fee information will not be considered in the selection process and must not be submitted with the statement of qualifications. Selection Criteria will include: Recent experience in airport projects, capability to perform all aspects of project, reputation, ability to meet schedules within budget, quality of previous airport projects undertaken, interest shown, and consultant qualifications.

Fees will be negotiated for projects as federal funds become available.

Prospective Consultants are advised that applied overhead rates must be in accordance with the cost principals established within Federal Regulation 48 CFR Part 31, *Contract Cost Principles and Procedures*.

This contract is subject but not limited to the following federal provisions:

- Title VI of the Civil Rights Act of 1964
- Section 520 of the Airport and Airway Improvement Act of 1982
- DOT Regulation 49 CFR Part 18.36(i) - Access to Records
- DOT Regulation 49 CFR Part 20 - Lobbying and Influencing Federal Employees
- DOT Regulation 49 CFR Part 26 -Disadvantage Business Enterprises Participation.
- DOT Regulation 49 CFR Part 29 – Government-wide Debarment and Suspension
- DOT Regulation 49 CFR Part 30 - Federal Trade Restriction Clause

Interested firms should submit three copies of their statement of qualifications and experience along with references to the following address, no later than **<Insert Time and Date><Insert Point of Contact and Address>**

5. Selection (*ref. Para. 2-8*)

Once all Statements of Qualifications are received, the selection committee proceeds with evaluating and rating each submittal. The combined results of each firm's ratings are then tabulated. A short list consisting of a minimum of three firms is developed for further consideration. The remaining unsuccessful firms should be notified of their non-selection.

Detailed information related to qualifications, capabilities and performance should now be obtained from each firm. The magnitude and complexity of a project may dictate the extent of this phase.

Sponsors typically elect to conduct personal interviews. For relatively small and simple projects, a telephone conference call may be sufficient. If formal interviews are utilized, we recommend that each firm prepare a detailed proposal identifying key personnel, proposed typical schedule, technical design approaches, and construction budget cost control. The proposal may serve as the basis for the actual interview.

During this phase, Sponsors should keep in mind the following:

- Sponsors are advised that the FAA will not offer nor render any judgment or opinion on any firm's past performance or capabilities. The FAA will not participate in the selection process.
- A review or discussion of cost/pricing information must be strictly avoided during the selection process.
- Sponsors are permitted to contact past clients of the firms to establish or confirm the quality of past performance.

Using the combined information obtained in the evaluations, the firm's proposals and the respective interviews, the selection board should reach a consensus on which firm is best qualified to accomplish the intended work.

6. Documentation (*ref. Para. 2-8.n*)

The entire selection process must be well documented to provide a clear and concise record that affirms the process was conducted in a fair and open manner and that Federal requirements where met. A small report shall be prepared containing sufficient detail to indicate the extent of the review and selection considerations.

330 - Contract Establishment Professional Services

Following the selection of an acceptable consulting firm, the sponsor should initiate the process to prepare and execute a written contract agreement. The agreement must be legally sufficient and clearly define all terms of the agreement including but not limited to: parties to the contract, definition of services, payment provisions, and the duration of services. The agreement must also incorporate all required Federal contract provisions.

The Sponsor must be aware that they are the contractual authority for establishing and administering the contract agreement. The Sponsor is responsible for all contractual matters, including evaluation and award of contract, resolution of claims and disputes, and settlement of litigation issues.

The FAA is not a party to such contract agreements. The Sponsor shall not construe the FAA's review of a contract agreement as a review for legal sufficiency. The FAA's role in reviewing such agreements is essentially limited to a determination of AIP eligibility.

The establishment of a contract agreement requires a systematic approach that results in a mutual agreement between the two parties. The typical steps required for the establishment of a professional agreement are described below.

Scope of Services (Ref. Para. 2-11 and Appendix E)

Upon selection of the most qualified firm, the Sponsor and the selected consultant shall meet to develop a detailed scope of services. Costs and fees should not be addressed at this time. The scope of services must clearly define all responsibilities expected of the selected consultant as well as the Sponsor. Appendix E of AC 150/5100-14d contains examples of detailed scope of services.

The scope of services should generally be limited to work elements that are approved for AIP participation as identified in the FAA project initiation letter. AIP ineligible work elements should be identified in the scope of services.

The sponsor's independent estimator may attend the scope of services meeting provided that fee information is not revealed nor discussed.

Cost/Price Analysis (Ref. Para. 2-12 and Appendices F & G)

Per 49 CFR Part 18.36, **all procurement actions** require some form of a fee analysis be conducted to assure reasonableness of costs. This analysis is a responsibility of the sponsor. The sponsor shall not assume the FAA will conduct the fee analysis.

Agreements less than \$ 100,000 - For agreements expected to be \$100,000 or less, the sponsor is still required to conduct a fee analysis to determine reasonableness of fees. The determination of a reasonable fee shall be documented under date and signature of the reviewer and include a basis for the determination. The basis of the determination may be as follows:

- A knowledgeable individual review's of the consultant's proposed fee.
- Sponsor prepared fee estimate
- Comparison with previous contracts of similar nature

Sponsors may also elect to conduct an independent estimate for fee proposals expected to be less than \$100,000.

Agreements greater than \$ 100,000 - For agreements where the fees are expected to exceed \$100,000, an independent estimate is required. The purpose of the independent estimate is to assist the sponsor in negotiating a fair and reasonable price with the selected consultant. Sponsors may use qualified in-house personnel to accomplish this or they may hire a separate firm to conduct the independent estimate. If an outside firm is retained for the independent estimate, this firm may not be one of the firms included on the original short list of the selection process.

The detailed scope of work becomes the basis for the independent cost analysis and the consultant's proposal. The independent estimate and the selected consultant's proposal should be developed approximately at the same time. **The person or firm conducting the independent cost analysis may not discuss or share cost data with the Sponsor's selected consultant.**

Upon receipt of the independent cost estimate, the sponsor shall analyze and evaluate the consultants proposed fees using the independent cost analysis as an aide. Sponsors should not focus simply on the bottom line cost when comparing the two fees. Attention should be given to the level of effort proposed by the selected consultant versus the independent estimate. Sponsors should look for red flags such as a discrepancy in resource allocation, which may be an indication that a particular work item is either being overlooked or overemphasized.

The cost for preparing an independent estimate should be nominal in amount and is eligible for reimbursement.

Negotiations (*Ref. Para. 2-13 and Appendix H*)

Sponsors should note that the FAA does not participate in negotiations and is not a party to the contract. The FAA role is to assure Federal requirements are met and that adequate measures were taken to determine reasonableness of costs.

Using the proposal evaluation, the sponsor should enter into negotiations with the selected firm to resolve any discrepancies or concerns previously identified. Once the negotiations result in a mutually acceptable agreement, a record of negotiations **must** be prepared by the sponsor. The record of negotiations is a sponsor responsibility. The consultant may not submit the record of negotiations on the behalf of the sponsor.

Appendix H of AC 150/5100-14d contains a sample record of negotiations. This record should be retained with the contract agreement file.

Preparation of Agreement (*Chapter 3*)

Upon completion of the negotiations, a preliminary agreement should be prepared. The form of the contract shall follow industry-accepted standards while incorporating required Federal provisions. Permissible types of contracts include Cost-Plus-Fixed fee and Fixed Lump Sum type contracts.

The use of Cost-Plus-Percentage of Costs is **strictly prohibited** for AIP funded projects. The sponsor and consultant are advised that they are solely responsible for the legal sufficiency of the agreement. The FAA is not a party to the contract and any review conducted by the FAA shall not be construed as a review for legal sufficiency.

Contract Checklist (*Ref. Para. 3-7*)

As a minimum, the contract agreement for professional services shall include but not be limited to the following listed items:

- Effective date of the agreement
- Name and description of the parties to the agreement
- Description of work
- Definition of services
- Delineation of ineligible work from eligible work (if applicable)
- Identification of delivery schedule
- Delineation of responsibilities between consultant and sponsor
- Inclusion of mandatory Federal provisions
- Provisions for re-negotiation in the event of a change in the scope of work
- Provisions for deliverable items such as reproducible copies of plans and specifications and engineering reports.
- Compensation provisions
- Provision for termination of services
- Incorporation of required Federal Provisions

Federal Provisions

Contracts funded in whole or in part by the Airport Improvement Program shall incorporate the following Federal provisions:

Provisions for all A/E Contracts

Civil Rights Act of 1964, Title VI - Contractor Contractual Requirements - 49 CFR Part 21
Airport and Airway Improvement Act of 1982, Section 520 - Title 49 U.S.C. 47123
Disadvantaged Business Enterprise - 49 CFR Part 26
Lobbying and Influencing Federal Employees - 49 CFR Part 20
Access to Records and Reports - 49 CFR Part 18.36
Rights to Inventions - 49 CFR Part 18.36
Trade Restriction Clause - 49 CFR Part 30

Additional Provisions for A/E Contracts exceeding \$10,000

Termination of Contract - 49 CFR Part 18.36

Additional Provisions for A/E Contracts exceeding \$25,000

Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - 49 CFR Part 29

Additional Provisions for A/E Contracts exceeding \$100,000

Breach of Contract Terms - 49 CFR Part 18.36

>> [Download All Required A/E Federal Provisions](#) (rtf)

Submittal Requirements for FAA Review

The Sponsor shall assemble and submit the following documentation for FAA review.

- One copy of the Engineering Agreement
- Consultant's derivation of fees (*Ref. Appendix F and G*)
- Sponsor determination of fair and reasonable fee.
 - **Agreements exceeding \$100,000:** Sponsor determination of a fair and reasonable fee along with a **signed** copy of the independent cost estimate

- **Agreements less than \$100,000:** Sponsor determination of a fair and reasonable fee
- Documentation of selection process
- Record of Negotiations (Ref. Appendix H)
- Verification that applied overhead rates have been certified by audit and comply with Federal Regulation 48 CFR PART 31, *Contract Cost Principles and Procedures*
- Sponsor written recommendation of award (May be incorporated into record of negotiations.
- Sponsor Certification for Selection of Consultants

AIP Review:

The purpose of the FAA review is essentially limited to a determination of AIP eligibility. FAA review and concurrence does not imply a determination of legal sufficiency. The FAA's concurrence in a consultant agreement is generally based on a cursory review of the agreement, as well as a Sponsor certification. This checklist certification identifies critical grant obligations that you as the Sponsor must fulfill in order to comply with AIP eligibility requirements.

RESOURCES**Advisory Circulars**

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