

STATE OF GEORGIA

COUNTY OF HALL

**RESOLUTION AUTHORIZING THE ADOPTION AND EXECUTION OF THE
GEORGIA DEPARTMENT OF TRANSPORTATION (GDOT) PROCUREMENT
POLICY FOR THE PROCUREMENT, MANAGEMENT AND ADMINISTRATION
OF ENGINEERING, AND DESIGN RELATED CONSULTANT SERVICES**

WHEREAS, Hall County, Georgia (hereinafter referred to as “the County”) desires to adopt the Georgia Department of Transportation (collectively referred to hereafter as “GDOT”) Procurement Policy for the Procurement, Management and Administration of Engineering, and Design Related Consultant Services for all State and Federally Funded Transportation Projects.

WHEREAS, the County will execute the GDOT Procurement Statement Confirming Understanding of All Policies and Procedures related to the Procurement of Engineering and Design Services as per 23 CFR 172 attached hereto as Exhibit “A”; and

WHEREAS, the County will execute the GDOT Letter of Agreement affirming 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 attached hereto as Exhibit “B”; and

NOW THEREFORE, on behalf of Hall County, Georgia the Hall County Board of Commissioners further authorizes the Chairman and the Financial Services Director to sign any and all documents necessary to effectuate this transaction, subject to the review and approval of the County Attorney.

SO RESOLVED this the _____ day of _____, 2026.

**HALL COUNTY BOARD OF
COMMISSIONERS**

Chairman, David Gibbs

ATTEST:

Jennifer Rivera, County Clerk (SEAL)

APPROVED AS TO FORM:

County Attorney

Exhibit “A”



Hall County Government

FINANCIAL SERVICES
PURCHASING DIVISION

January 22, 2026

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

POST OFFICE DRAWER 1435
GAINESVILLE, GA 30503

t: 770.535.8270 | f: 770.531.6711

FINANCIAL SERVICES DIRECTOR
Taylor Samples, CPA

ASSISTANT FINANCE DIRECTOR
Elizabeth White

PURCHASING MANAGER
Andy Youngblood

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

Hall County 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.

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.

Hall County agrees with and confirms:

____ 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

- ____ 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
- ____ That *if* it has adopted GDOTs 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. Hall County agrees with and confirms that while exceptions may be requested for best practices, exceptions to regulatory requirements will not be considered.
- ____ 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.
- ____ 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.
- ____ 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

Hall County agrees with and confirms:

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

- ____ 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

Hall County agrees with and confirms:

- ____ 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.
- ____ 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.
- ____ 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.
- ____ Solicitations will ensure that area classes and scope are related and that there is associated scope for every area class required.
- ____ Area Classes and/or Scope which is not included in the Solicitation prior to its closing are not eligible to be added later.
- ____ 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.
- ____ 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.
- ____ 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)
- ____ 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
- ____ Each Solicitation will indicate contract and payment types.
- ____ Each Solicitation will include the selection criteria and associated weights in solicitation.
- ____ 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.

- ____ 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.
- ____ 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).
- ____ 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)

Hall County agrees with and confirms:

- ____ It has published the solicitation as required by state law to the Georgia Procurement Registry.
- ____ 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))
- ____ If adopting GDOT policies and procedures, it understands posting requirements of GDOT.
- ____ That all posting requirements will be met.
- ____ 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.
- ____ 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)

Hall County agrees with and confirms:

- ____ It understands the role and responsibilities of the Selection Committee.
- ____ All members of the selection committee are qualified as per FAR 36.602-2
- ____ All selection committee members have been provided with training and instructions on how to provide scores and comments.

- _____ Evaluations will be conducted in two (2) phases.
- _____ Phase 1 evaluations will result in the shortlist to begin Phase 2.
- _____ 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.
- _____ 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.
- _____ 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)

Hall County agrees with and confirms:

- _____ Professional services contracts and Consultant Services Contracts are to be procured as specified in the Federal Brooks Act, 40 U.S.C 1104(a).
- _____ It can provide the scope of the contract and a supporting task list to start negotiations.
- _____ 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.
- _____ 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.
- _____ 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.
- _____ 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.
- _____ Understanding of the different elements which may require negotiations.

- _____ 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

Hall County agrees with and confirms:

- _____ Understanding of the award process including the preparation and approval of the selection package.
- _____ Understanding and inclusion of all required contract provisions as required by 23 CFR 172.9(c).
- _____ Understanding and compliance with all of the requirements for preparing and maintaining all award documentation
- _____ Understanding and compliance with notifications being posted to the Georgia Procurement Registry.

Contract Administration 23 CFR 172.9

Hall County agrees with and confirms:

- _____ All contract provisions have been included in the contract in accordance with 23 CFR 172.9(c).
- _____ The understanding and compliance with assigning a **Responsible Charge** who is a fulltime, government employee - 23 CFR 172.9(d).
- _____ 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.
- _____ 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.
- _____ Any modifications will be negotiated in the same manner and formality as the original agreements.
- _____ 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.
- _____ 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

Hall County agrees with and confirms:

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)

HALL COUNTY, GEORGIA

By: _____
David Gibbs, Chairman
Hall County Board of Commissioners

By: _____
Taylor Samples, Director
Hall County Financial Services

Date: _____

Date: _____

Attestation: _____
Jennifer Rivera, Commission Clerk

Exhibit “B”



Hall County Government

FINANCIAL SERVICES
PURCHASING DIVISION

Date: _____

POST OFFICE DRAWER 1435
GAINESVILLE, GA 30503

t: 770.535.8270 | f: 770.531.6711

FINANCIAL SERVICES DIRECTOR
Taylor Samples, CPA

ASSISTANT FINANCE DIRECTOR
Elizabeth White

PURCHASING MANAGER
Andy Youngblood

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

Attn: Maria L. Roux
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

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

1. Hall County 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:
2. Personnel listed of Hall County 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. Hall County understands that only the above listed personnel have been certified to participate in the advertising the solicitation, facilitating evaluations, conducting negotiations and contract administration of Engineering and Design related procurements.

4. Hall County 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. Hall County 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)
 - f. City/County 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.

(Affix signatures and seal)

HALL COUNTY, GEORGIA

By: _____
David Gibbs, Chairman
Hall County Board of Commissioners

Attestation: _____
Board of Commissioners, Clerk

Date: _____