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1.0 PURPOSE:

The purpose of this procedure is to define the procurement of professional services and goods and services for NTTA Project Delivery department projects.

2.0 RESPONSIBILITIES:

- 2.1 Assistant Executive Director – The Assistant Executive Director (AED) shall be responsible for reviewing contracts, signing the Executive Transmittal Letter, and forwarding contracts to the Deputy Executive Director/Executive Director for signature.
 - 2.2 Director of Project Delivery – The Director of Project Delivery shall be responsible for reviewing and approving the procurement need, RFQ and all checklists and attachments prior to advertisement, approving the recommendations made by the Evaluation Team, recommending approval in writing to NTTA Procurement Services, reviewing contracts, signing the Executive Transmittal Letter and forwarding to the Assistant Executive Director for signature.
 - 2.3 Project Delivery Contracts Manager – The Project Delivery Contracts Manager or designee shall be responsible for ensuring that the PD Program Support staff is enforcing the procurement policies, and as such shall be responsible for reviewing and approving all checklists and attachments prior to presentation to the Director of Project Delivery.
 - 2.4 Originator – The Originator is defined as the Corridor/ Project Manager, or the PMO functional manager who identifies the need for the procurement and shall be responsible for developing the RFQ package, completing the procurement checklist in form as well as budget accuracy, and reviewing the checklist and RFQ package with the Director of Project Delivery prior to advertisement. The originator is also responsible for participating in pre-proposal, question and answer, evaluation and selection activities as defined within this procedure.
 - 2.5 PD Program Support Staff – The PD Program Support staff shall be responsible for updating the procurement plan, routing procurement documents for review and approval, participating in pre-proposal, question and answer, evaluation and selection activities as defined in this procedure and for ensuring other participants comply with this procedure.
 - 2.6 NTTA Procurement Services – The NTTA Procurement Services Department (hereinafter referred to as “Procurement Services”) shall be responsible for the procurement of goods and services in order to obtain the best value for the agency and ensuring that procurement activities are conducted consistent with the policies and procedures governing the NTTA, and are responsible for following the procedures established herein.
 - 2.7 Evaluation Team – The Evaluation Team shall be responsible for evaluating and scoring submitted proposals in accordance with the evaluation criteria published in the RFQ, making a recommendation for selection or interview, evaluating and scoring interview sessions if applicable, and making final recommendation for selection.
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- 2.8 Business Diversity – Business Diversity staff shall be responsible for reviewing the scope of work and fee estimates and establishing an appropriate Business Diversity Goal to be met, and provide that Goal to PD Program Support staff.
- 2.9 System and Incident Management – System and Incident Management (SIM) staff shall be responsible for reviewing the scope of work and the fee estimates and establishing the insurance requirements for the procurement and providing those insurance requirements to PD Program Support staff.
- 2.10 NTTA Contracts Management Staff – The Contract Management staff is responsible for applying the procurement policy and procedures to all agency contract obligations. Contract management staff is responsible for assisting with the execution of contract in an expeditious manner to include review by Business Diversity, insurance and legal. The contract management staff monitors and reports on progressive payments made during the life of the contract as well as ensuring all contract terms and requirements are met.
- 2.11 PD Document Control Staff – PD Document Control staff is responsible for uploading executed documents into the Electronic Project Delivery System (EPDS).
- 2.12 NTTA Legal Counsel – Legal Counsel is responsible for reviewing requests for proposals and contract documents.
- 2.13 Professional Service Firms – Interested Professional Service Firms are responsible for submitting proposals in accordance with the RFQ and the advertisement, participating in interviews if requested, and negotiating and executing a contract with NTTA if selected.
- 2.14 PD Program Controls Manager – PD Program Controls Manager shall be responsible for reviewing the RFQ Project Budget and confirming the fee estimate and ICE are appropriate in relationship to the Authority budget and funding sources. All budget amounts and funding sources must be correctly documented on RFQ Procurement Checklist. Additionally, the negotiated fee schedule must be reviewed upon completion of negotiations.

3.0 SCOPE/APPLICABILITY:

This procedure shall apply to all professional service procurements and all goods and service procurements for NTTA Project Delivery department projects and corridors with an estimated value greater than \$25,000.

4.0 REFERENCES:

- [NTTA Policy Regarding the Procurement of Goods and Services and Disposition of Property](#)
- [NTTA Procedures Regarding the Procurement of Goods and Services and Disposition of Property](#)
- PC-03 Exception Reporting

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5.0 DEFINITIONS & ACRONYMS:

6.0 PROCEDURES:

6.1 Professional and Consulting Services Procurement – (Reference section 3 of *Procedures Regarding the Procurement of Goods and Services and Disposition of Property.*)

- 6.1.1 As soon as the CM, Project Manager or Program Support functional manager (“Originator”) becomes aware of the need for procurement, they shall contact the PD Program Support staff to place the item on the procurement schedule and obtain Director of Project Delivery’s approval.
- 6.1.2 Per the procurement schedule, when the time comes for procurement, the Originator shall coordinate with the PD Program Support staff to prepare for public advertisement, as defined in the steps following.
 - 6.1.2.1 The PD Program Support staff assigned to the corridor or project shall contact Contract Management to obtain a contract number for the job.
 - 6.1.2.2 The Originator shall provide the PD Program Support staff with a scope of work and estimated fee. Once received, PD Program Support staff shall forward this scope and fee estimate to the Business Diversity and SIM departments simultaneously to obtain the Business Diversity Goal and the Insurance requirements.
 - 6.1.2.3 The Originator shall continue to prepare all the components under their responsibility as defined by CA-01-F1, Professional/Consulting Services Request Checklist and then shall submit the completed checklist with all accompanying attachments to PD Program Support staff.
 - 6.1.2.3.1.1 When preparing the checklist, the originator shall compare the estimate of the fee for the project against the established budget in the corridor charter. If insufficient funds are available, the CM or Project Manager shall initiate an exception report to obtain approval in accordance with PC-3, Exception Reporting.
- 6.1.3 The Originator shall coordinate with PD Program Support staff to develop the RFQ package. The RFQ package shall include all the components and attachments as indicated on the checklist. Sample RFQ packages may be obtained from PD Program Support staff.
- 6.1.4 As part of the RFQ package, PD Contracts Manager shall propose the evaluation team to the Director of Project Delivery. The Director of Project Delivery will then recommend the evaluation team to NTTA Procurement Services for final approval. **The evaluation team must be comprised of at least four (4) NTTA staff members, plus one member from the Business Diversity Department. The Business Diversity Department member shall score only the criteria associated with Business Diversity. All other team members will score the remaining**

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content not inclusive of Business Diversity criteria. NTTA Project Delivery Contracts Manager and Non-NTTA staff may serve as non-voting advisors of the evaluation team.

- 6.1.5 The Originator shall also create evaluation criteria based on the qualifications specified in the RFQ and submit these criteria with the Procurement Services Checklist, also subject to Procurement Services approval.
 - 6.1.6 PD Program Support staff shall submit the RFQ to Project Controls Manager for confirmation of budget for project and funding source.
 - 6.1.7 PD Program Support staff shall submit the RFQ to NTTA Procurement Services and NTTA Legal Counsel for review ([Legal Services Request Form – 101110](#)). This must occur a minimum of 10 working days prior to the next step (6.1.7) to accommodate the needed review time by Legal Counsel. If NTTA Legal Counsel provides comments and/or requests revisions, the Originator shall incorporate those comments and/or revisions into the RFQ.
 - 6.1.8 Once legal review of the RFQ has been completed, the Originator shall give RFQ and the Procurement Services checklist, with all attachments, to the Project Delivery Contracts Manager for “Approved as to Form” signature. Once signed by the Project Delivery Contracts Manager, the Originator shall schedule a meeting with the Director of Project Delivery to discuss the RFQ and checklist and obtain the required Director of Project Delivery signature. This must occur in sufficient time to accommodate the Procurement Services review period described in Section 6.1.9 below. If the Director of Project Delivery does not approve, the originator shall make required edits and resubmit, or cancel the procurement based on Director of Project Delivery input.
 - 6.1.9 If the Director of Project Delivery approves the RFQ, then the Originator will give the RFQ package to the PD Program Support staff to submit to Procurement Services. If the Director of Project Delivery does not approve the RFQ, then the procurement process ends. If the Director of Project Delivery approves the RFQ but makes comments, the Originator shall incorporate those comments into the RFQ, seek legal review if necessary ([Legal Services Request Form – 101110](#)), and return the RFQ to the PD Program Support staff. An additional Legal review is required in cases where there are changes to scope, standard of care language, evaluation criteria, and/or the qualifications of the respondent team.
 - 6.1.10 The PD Program Support staff shall give the RFQ and the Professional Services request checklist, with all attachments, to Procurement Services no later than five business days prior to advertisement. **If the checklist is not submitted to Procurement Services at least 5 business days prior to advertisement, the advertisement may be delayed.**
 - 6.1.11 The procurement services department shall review the RFQ. If the RFQ is not approved, it shall be returned to the Originator for correction. If the RFQ is approved, Procurement Services shall place an advertisement in the newspaper and on the NTTA website and notify the Business Diversity department.
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6.1.12 Once a professional services opportunity has been advertised, the following minimum timing requirements must be met in order to allow the proposing public ample opportunity to attend a pre-proposal meeting, compose and submit questions, receive answers to those questions and any addenda or clarifications such that they can submit a compliant proposal, and if asked, properly prepare for an interview prior to selection:

6.1.12.1 Minimum Procurement Timing Requirements (Knowledge of Need through Selection):

Activity	Minimum Time Between Steps
Place item on Procurement Plan	1 business day
Obtain Contract Number	3 business days
Provide scope of work, estimated fee and scoring criteria	10 business days
Obtain BDD Goal and Insurance Requirements	5 business days
Prepare RFQ Document, checklist and other component documents	3 business days
Confirm budget and funding source with Project Controls Manager	
NTTA Procurement Services and Legal Counsel review of RFQ	10 business days
Professional Service Checklist with Components	Submitted to Procurement 5 business days prior to Advertisement
Advertisement	Must Advertise twice with the second advertisement 7 days after the first (5 business days) (for procurements under \$100K, only need to advertise for 2 calendar days)
Pre-Proposal Meeting	7 calendar days after last advertisement (5 business days)
Proposals Due	14 calendar days after pre-proposal meeting (10 business days)
Panel Evaluation/Short List	7 calendar days after proposals received (5 business days)
Interviews/Demonstration (required for total value based procurement)	7 calendar days after panel evaluation/short list (5 business days)
Evaluation Team recommendation of selection of firm	7 calendar days after interviews/demonstrations (5 business days)
Procurement Services Mgr approval	1 business day after Evaluation Team recommendation
Department Director Approval of Recommendation	1 business day after Procurement Services recommendation
Procurement Services Announcement of Selection	1 business day after Department Director Approval recommendation
ICE Approval Complete and Negotiation Commencement	20 business days after announcement of selection

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Total Minimum Time from Knowledge of Need to Completion of Negotiation (<\$100K w/o interviews):	85 Business Days (Approximately 4 months)
Total Minimum Time from Knowledge of Need to Completion of Negotiation (≥ \$100K w/o interviews):	90 Business Days (Approximately 4 months)
Total Minimum Time from Knowledge of Need to Completion of Negotiation (≥ \$100K with interviews):	95 Business Days (Approximately 4 months & 1 week)

Note: These are minimum timing requirements established to protect the proposing public to ensure they have adequate time to prepare for and submit a compliant proposal and to properly prepare for interviews if requested prior to selection. These timing requirements do not include additional time necessary for preparation and presentation to the Board Work Session and Board Meeting if required.

- 6.1.13 During the advertising phase, Procurement Services shall receive questions and forward them to the Originator through PD Program Support staff to develop responses. Procurement Services shall issue addenda and proposal clarifications if needed.
- 6.1.14 Procurement services shall organize and conduct a pre-proposal meeting.
- 6.1.15 After the pre-proposal meeting, Procurement Services shall continue to receive questions until the designated deadline and forward them to the Originator through PD Program Support staff to develop responses.
- 6.1.16 Firms shall submit their proposals to procurement services by the published deadline.
- 6.1.17 Procurement Services, with the assistance of the PD Program Support staff, shall distribute the proposals and evaluation criteria to the evaluation team.
- 6.1.18 The evaluation team shall review and score proposals in accordance with the previously prepared evaluation criteria submitted with the RFQ. This process shall be overseen by procurement services.
- 6.1.19 During an evaluation meeting, the evaluation team shall make a recommendation for selection or to proceed to interviews, based upon the criteria set forth in the RFQ. These recommendations shall be submitted to the Director of Project Delivery for approval.
- 6.1.20 If the evaluation team chooses to interview, candidate(s) shall be notified by Procurement Services and shall prepare and make presentations to the evaluation team and procurement services.
- 6.1.21 Following the interviews (if held), the evaluation team shall recommend for selection, to the Director of Project Delivery, a firm based upon qualifications and capability to meet requirements.
 - 6.1.21.1 All records related to the evaluation and selection process including evaluation team member completed evaluation criteria score sheets shall be turned into Procurement Services for filing with the Procurement History.

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- 6.1.22 Director of Project Delivery shall approve the evaluation team’s recommendation, in writing, to Procurement Services. If the recommendation is not approved, it shall be returned to the evaluation team for re-evaluation or termination.
 - 6.1.23 NTTA Procurement Services shall announce the selection.
 - 6.1.24 Once approved and announced, the Originator shall prepare for contract negotiations with selected firm to finalize scope, fee and schedule. This shall include the preparation of an Independent Cost Estimate (ICE) in accordance with CA-08. ICE preparation and approval must be complete prior to commencement of negotiations. If the estimated fee amount is >\$300,000, a formal negotiation shall be scheduled in accordance with CA-06. An NTTA employee designated by the Director of Project Delivery shall be the lead negotiator, and may be supported by the Originator and PD Program Support staff. PD Program Support staff shall use CA-01-F18, Contract Preparation Checklist during negotiations and contract preparation to ensure all aspects of the negotiation and contract preparation are covered. PD Program Support staff shall prepare the final contract, work authorization (if applicable), and other documents according to the negotiations.
 - 6.1.25 PD Program Support staff shall attach the contract documents and all attachments to the post-selection checklist and the Originator shall present the checklist to the Director of Project Delivery for approval. If not approved by the Director of Project Delivery, the Originator shall resolve any issues and repeat until approval is achieved.
 - 6.1.26 Once approved by the Director of Project Delivery, the final proposal, evaluation, scope, fee, schedule, along with the Professional Services Requisition checklist shall be presented to Procurement Services for their records.
 - 6.1.27 If the contract value is not over \$299,999.99 the contract shall be forwarded to NTTA Contracts Management for execution in accordance with Section 6.3, Contract Execution.
 - 6.1.28 If the contract is for \$300,000 or more it shall be presented to the Board for approval. The Originator shall prepare an executive summary and resolution and shall submit the contract for Board approval. If the contract is not approved by the Board, it shall be returned to the Originator for re-evaluation. If the contract is approved, it shall be forwarded to NTTA Contracts Management and executed in accordance with Section 6.3, Contract Execution.
- 6.2 Goods Procurement – (Reference section 5 of *Procedures Regarding the Procurement of Goods and Services and Disposition of Property.*)**
- 6.2.1 Procurement Activities: Bid Package Development
 - 6.2.1.1 The originator shall identify a need for goods and services procurement.
 - 6.2.1.2 Once the need is identified, procurement services shall develop the bid package. This includes coordinating with the originator, checking the possibility of participating in a Cooperative Purchasing Program (COOP) and assigning a contract number.
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- 6.2.1.3 If a COOP purchase is possible, then procurement services shall proceed with the COOP purchase. If the purchase is \$300,000 or over, then the Board is required to approve the purchase. Once the purchase is approved, a purchase order shall be prepared. If the purchase is less than \$300,000, then procurement services shall proceed with contract execution.
 - 6.2.1.4 If a COOP purchase is not possible, then procurement services shall begin the bidding process.
 - 6.2.1.5 For contracts on goods, procurement services shall finalize the bid package for approval from the originating department. For contracts on services, procurement services shall draft a scope of services. The milestones include: notification of the Business Diversity department – who shall assign Business Diversity contracting goals; assignment of insurance and bond requirements by the insurance coordinator (SIM Dept.); NTTA legal counsel shall provide all terms and conditions before the bid package is finalized ([Legal Services Request Form – 101110](#)). The originator shall receive the scope of services for approval and prepare the Goods and Services Request Checklist, CA-01-F4. The originator shall coordinate with the PMO Project Controls Manager for review of budget and funding source and PD Program Support staff during the preparation of the goods and services request checklist to ensure that it is filled out properly.
 - 6.2.1.6 Procurement services shall review and approve the checklist prior to arrangement of newspaper advertisement.
 - 6.2.1.7 The Originator shall begin bid phase management which involves receiving and responding to questions and issuing addenda/bid clarifications.
 - 6.2.1.8 The bidders may submit bids up to opening time at which time procurement services shall confirm that bid checklists are complete. Bids shall be opened and read at a public meeting at the time, date and place designated in a notice issued with the bid documents. Bids shall be retained until acceptance.
 - 6.2.1.9 The Originator and procurement services shall jointly begin bid evaluation by preparing the bid analysis and examining the bids for irregularities.
 - 6.2.1.10 The Director of Project Delivery shall approve the bid recommendations.
 - 6.2.1.11 If the contract is more than \$299,999.99, then the contract shall require approval or ratification by the Board, through the Board document review process.
 - 6.2.1.12 If the contract is \$299,999.99 or less, the contract shall be forwarded to the Contracts Management and executed in accordance with Section 6.3
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6.3 Professional Services Contract Execution

- 6.3.1 PD Program Support staff shall prepare the contract package including all addenda and acknowledgements using the appropriate, active CA-01 Forms and checklists listed in Section 9.0.
- 6.3.2 With input from the Originator for the project description section, PD Program Support staff shall prepare the Executive Transmittal Letter (CA-03-F3) and forward to the Director of Project Delivery for signature.
- 6.3.3 Once approved by the Director of Project Delivery, if valued at \geq \$25,000.00 the contract with the Executive Transmittal Letter shall be forwarded to the AED for review and signature. If valued at $<$ \$25,000.00 the only signature required at this point is that of the Director of Project Delivery. If not approved, the Originator shall return to negotiations to make appropriate revisions at step 6.1.23.
- 6.3.4 PD Program Support staff shall forward the contract documents and signed Executive Transmittal Letter to NTTA Contracts Management.
- 6.3.5 NTTA Contracts Management shall forward the contracts to the selected contractor/firm for execution
- 6.3.6 The selected contractor/firm shall return the executed documents (wet signature) and required forms to Contracts Management.
- 6.3.7 Upon review for compliance, Contracts Management shall forward the Executive Transmittal Letter with the signed contract documents to Business Diversity Department, Insurance (SIM Department), and Legal for approval of submitted documents.
- 6.3.8 Upon concurrence from Business Diversity, Insurance, and Legal, Contracts Management shall attach the Contract Execution Transmittal letter received from PD Program Support staff and shall forward the contract documents to the Deputy Executive Director/Executive Director for execution and shall then be forwarded to the Board Secretary for signature.
- 6.3.9 The executed contracts shall be returned to Contracts Management. Contracts Management shall retain one original for their records and return another original to the PD Program Support staff for distribution. PD Program Support staff will perform a quality control review of the executed document to verify that all signatures have been obtained.
- 6.3.10 The PD Program Support staff shall notify the PD Document Control to scan the original and file it into the EPDS. PD Document Control then notifies Project Controls of the location of the contract in the system. PD Program Support staff will then prepare a Notice to Proceed letter to be reviewed by the Originator and signed by the Director of Project Delivery. PD Program Support staff will then transmit the original contract and the Notice to Proceed letter to the selected contractor/firm, and shall send a copy of the Notice to Proceed letter to Contracts Management.

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7.0 REGULATORY REQUIREMENTS:

As stated in the *NTTA Policy Regarding the Procurement of Goods and Services and Disposition of Property*, the procurement of goods and services must adhere to section 366.033(j) of the Texas Transportation Code.

8.0 RELATED BOARD POLICY:

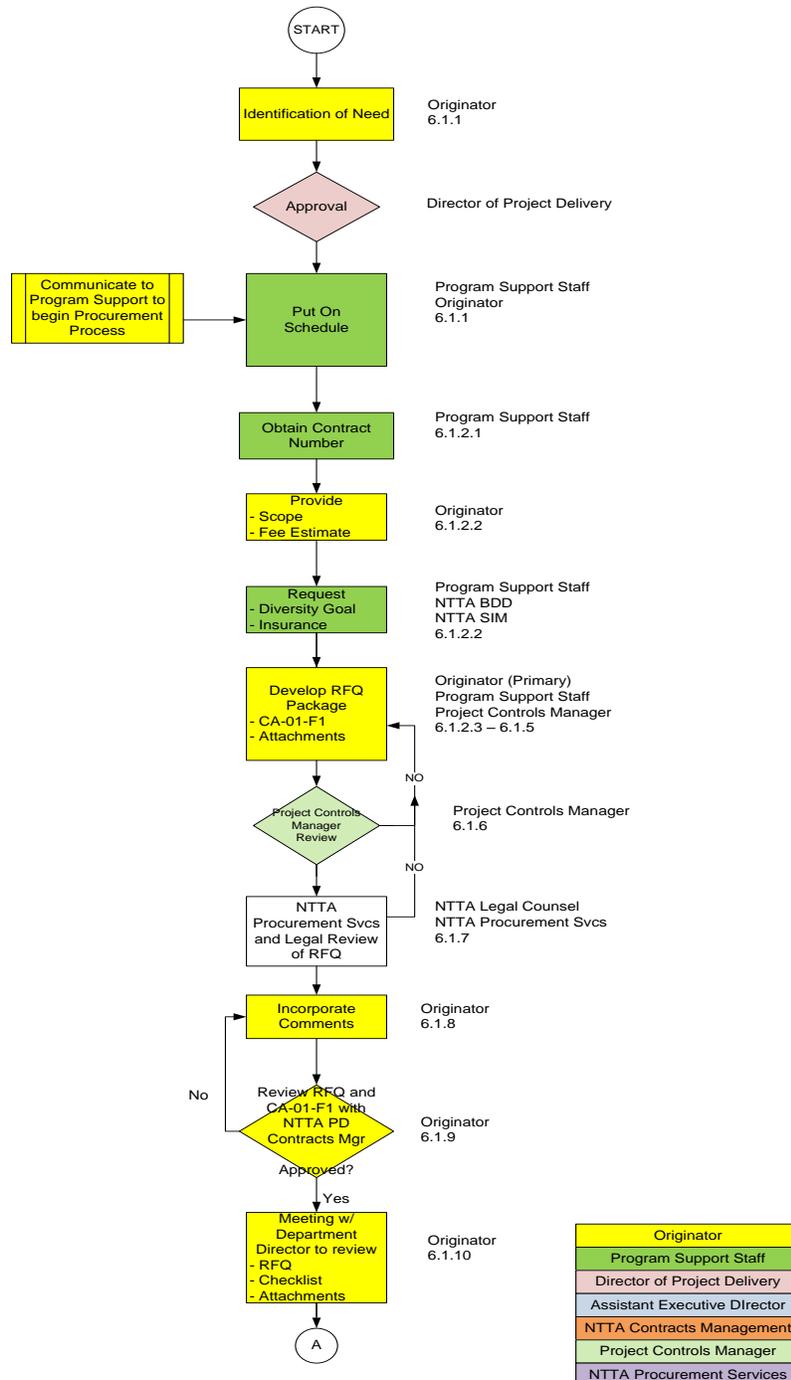
- [NTTA Policy Regarding the Procurement of Goods and Services and Disposition of Property](#)

9.0 COMPONENT DOCUMENTS:

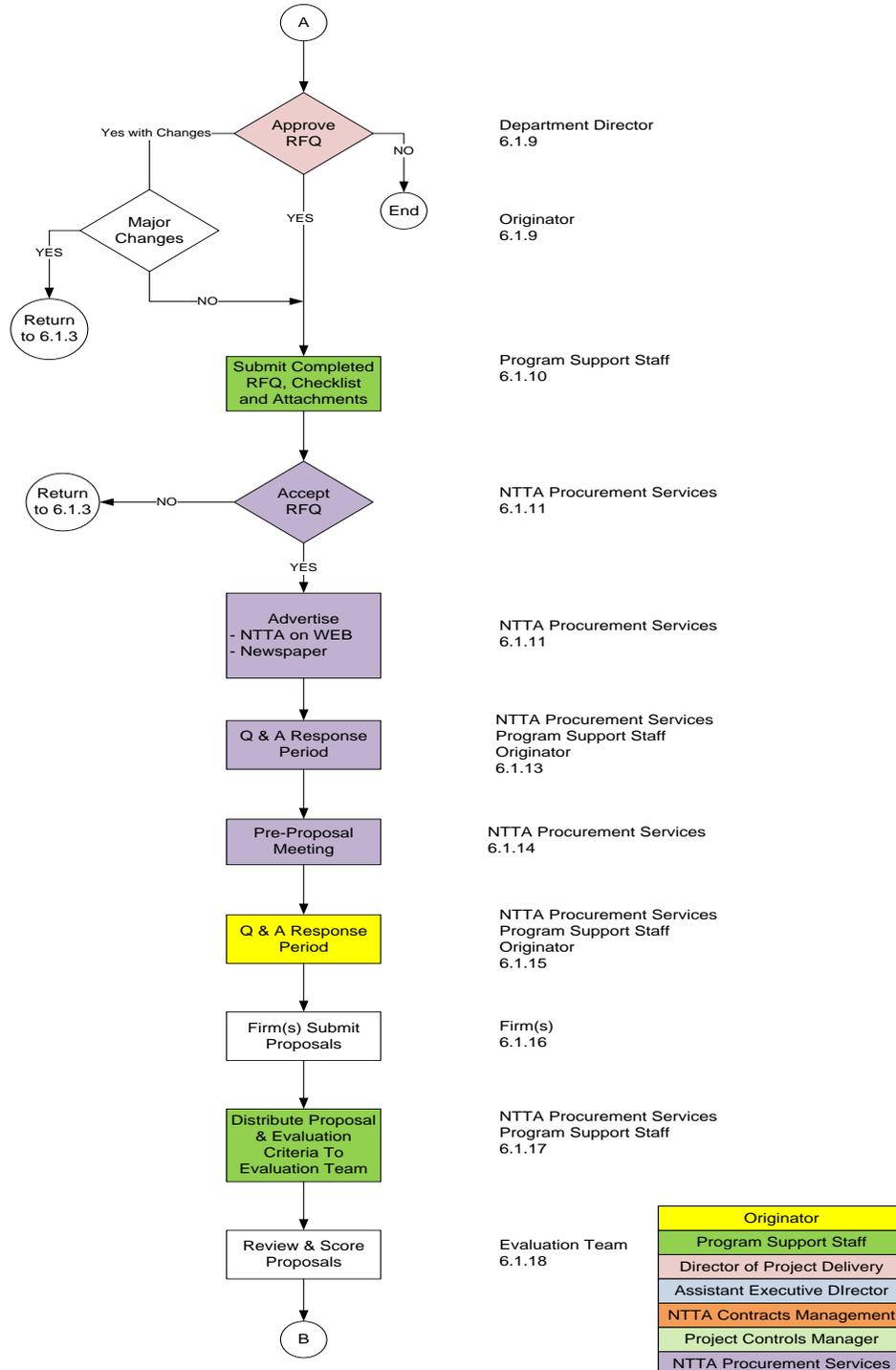
- [CA-01-F1](#) Professional/Consulting Services Request Checklist
- [CA-01-F4](#) Goods and Services Request Checklist
- [CA-01-F7](#) Template - Agreement for Engineering Services - Single Scope
- [CA-01-F8](#) Template - Work Authorization Agreement for Engineering Services - Cost Plus Fixed Fee
- [CA-01-F9](#) Template - Exhibit B Compensation - Single Scope, Cost Plus Fixed Fee
- [CA-01-F10](#) Template - Exhibit B Compensation - Single Scope, Cost Plus Percentage
- [CA-01-F11](#) Template - Agreement for Engineering Services - Work-Authorization based
- [CA-01-F12](#) Template - Work Authorization Agreement for Engineering Services - Cost Plus Percentage
- [CA-01-F13](#) Template - Work Authorization Agreement for Engineering Services - Lump Sum
- [CA-01-F14](#) Template - Exhibit B Compensation - Single Scope, Lump Sum Compensation
- [CA-01-F15](#) Template - Request for Qualifications (RFQ)
- [CA-01-F16](#) Template - Professional Services Task Fee Estimate
- [CA-01-F17](#) Template - Professional Services Unit Price Fee Estimate
- [CA-01-F18](#) Professional Services Contract/WA/SA Preparation Checklist
- [Transmittal Letter -01-04-2011-Protected](#)
- [Legal Services Request Form - 101110](#)

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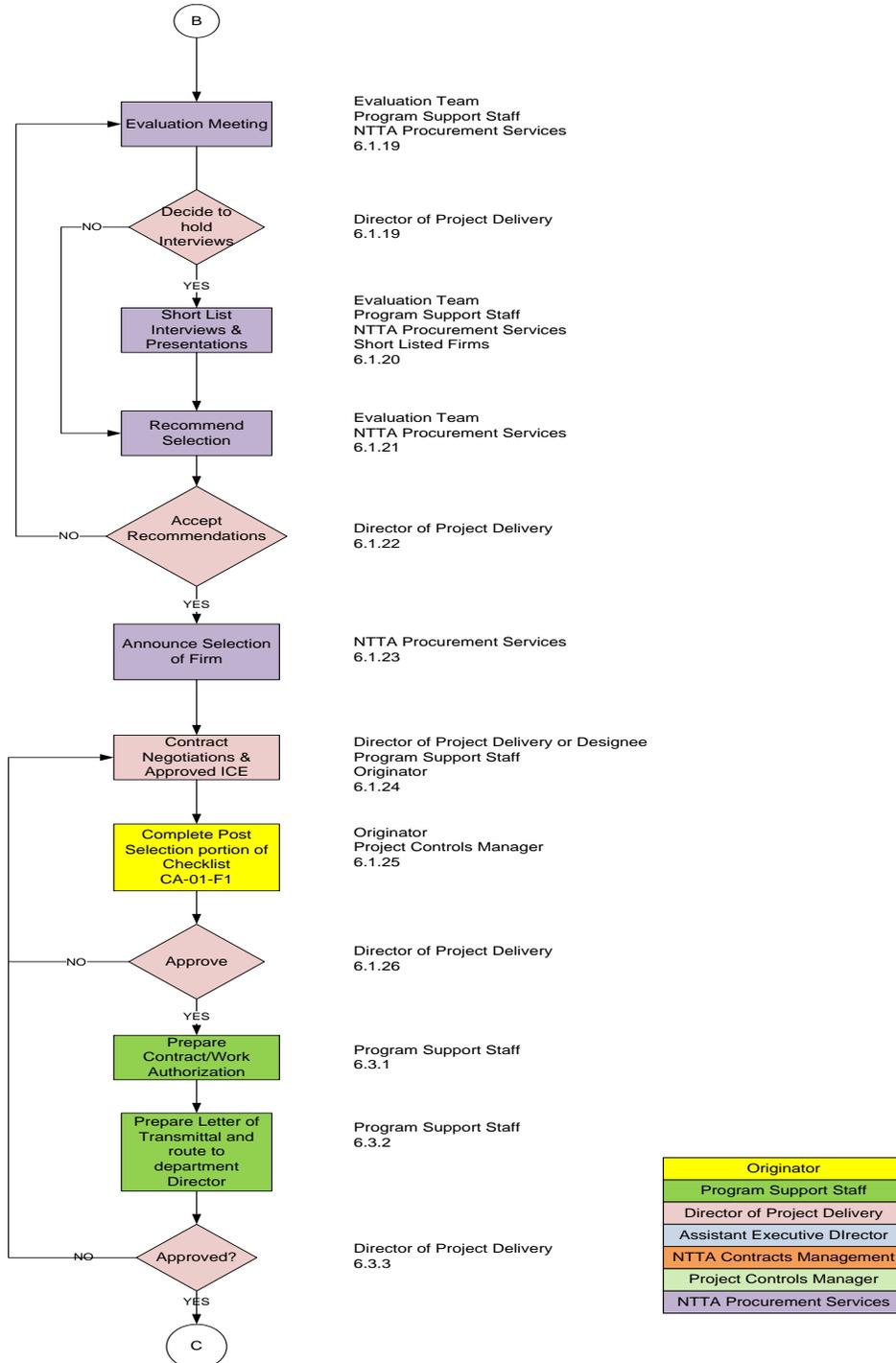
10.0 FLOWCHART:



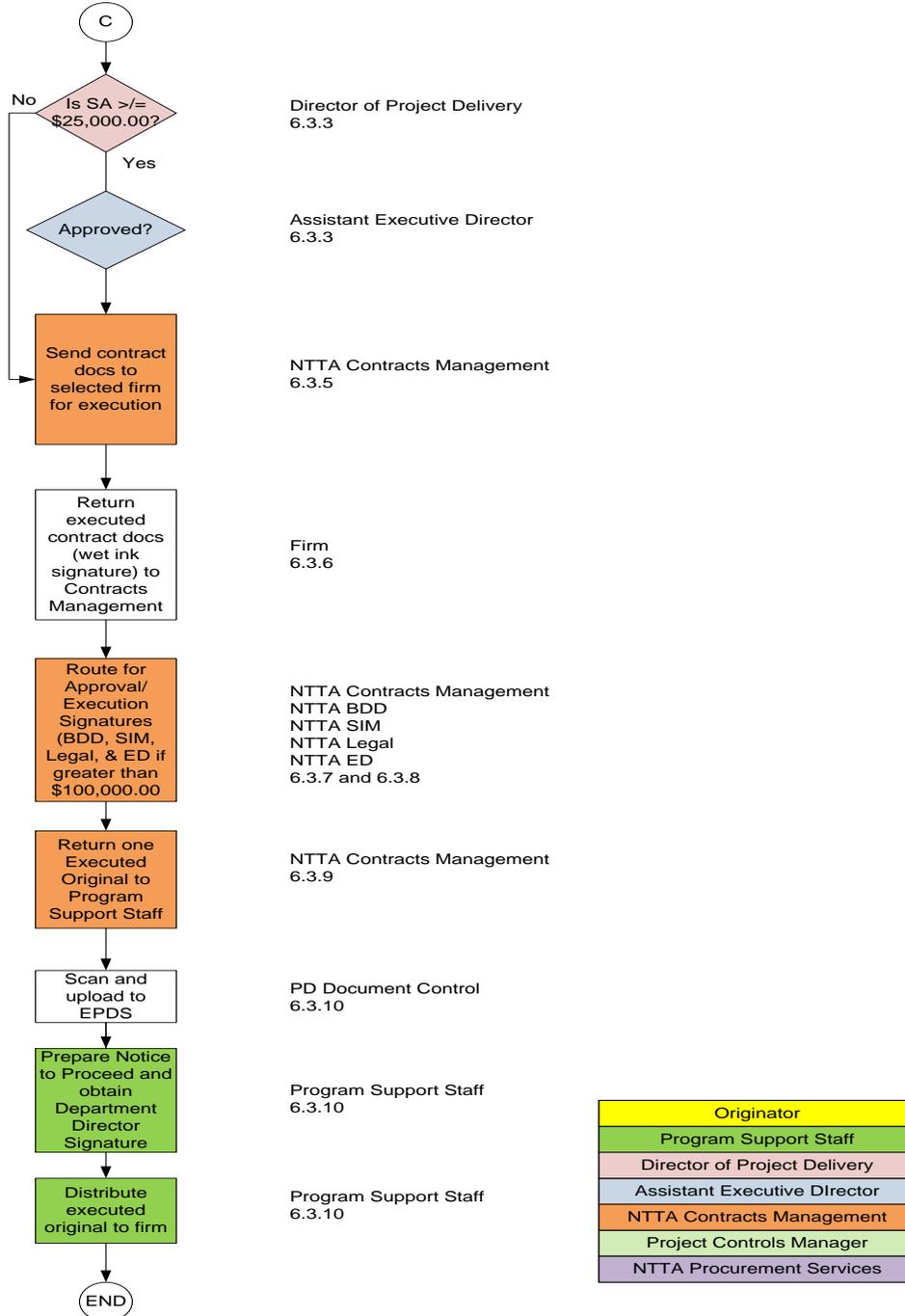
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11.0 REVISION HISTORY:

Revision	Revised by:	Date Issued	DRN	Reason for Revision
0	Mike Hutchison	06/05/2008		Original Issue
1	Mike Hutchison	09/26/2008		Section 7.0 – Clarify workflow for professional services full advertisement and use of the professional services and construction procurement checklists.
2	Mike Hutchison	03/08/2010	10089	Separated out Construction Procurement into separate procedures, CA-07. Major revisions to Section 6.0 related to Professional Service Procurement. Revised Forms CA-01-F1, CA-01-F3, CA-01-F4 to reflect current process.
3	Zenette Jenkins	06/25/2010	10174	Revised 6.1.4 and 6.1.23. Added CA-01-F18 Contract Preparation Checklist to the procedure.
4	Aruldass Amaladas	08/20/2010	10202	Deleted CA-01-F3 Construction Letting Request Checklist from the procedure. Updated 9.0 Component Documents
5	Mike Hutchison	10/14/2010	10249	Added DPD's designee as Lead Negotiator.
6	Kim Robins	04/28/2011	10302	Section 2.0 Updated responsibility titles for NTTA Project Delivery Contracts Manager. Added PMO Budget Control Manager. Section 6.1 Clarify processes for project controls review. Added Legal Form link. Section 6.1.2 Added details relating ICE and negotiation commencement. CA-01-F18 Expanded Contract Checklist to include WA/SA. Updated flowchart.