

# INSTRUCTIONAL MEMORANDUMS

## To Local Public Agencies



To: Counties and Cities	Date: July 7, 2023
From: Local Systems Bureau	I.M. No. 3.320
Subject: Consultant Evaluations	

**Contents:** This Instructional Memorandum (I.M.) provides instructions and procedures for performing evaluations of Local Public Agency (LPA) consultant contracts. It also describes the process for monitoring and improving consultant performance.

### Applicability

In accordance with 23 CFR 172.9(d)(2), evaluations of prime consultants are required for all Federal-aid projects when the services provided include engineering, architectural, landscape architectural, and related professional and technical services. An evaluation is required when Federal-aid is utilized on consultant contracts, such as for Preliminary Engineering or Construction Engineering. Projects where only construction is funded with Federal-aid do not require a consultant evaluation.

Evaluations are not required for subconsultants; however, an evaluation may be completed at the discretion of the LPA Person in Responsible Charge or the Iowa DOT Administering Bureau.

### Evaluation Process

Consultant evaluations shall be completed using the Consultant Evaluation form ([Form 517024](#)). This form is designed for use on either Iowa DOT or LPA projects that employ consultants. Instructions for completing and routing the form are included with the form. The consultant contract's scope of service should be reviewed before an evaluation to ensure that only items in the scope are evaluated.

The consultant shall be evaluated after completion and acceptance of the contract scope of services by the LPA, or if the contract is expected to or exceeds 2 years in duration, the consultant shall be evaluated annually on the anniversary of the contract date.

### Use of Evaluations

#### Consultant Selections

Completed evaluation forms and summaries of evaluation data will be provided by the Iowa DOT to an LPA upon request. The LPA may use past evaluations as a factor in its selection process. If used, only recent evaluations (typically 5 years old or less) should be considered. The LPA should also give appropriate consideration when a consultant has made significant staffing changes since it was last evaluated, or if its past evaluations were for a type of work that is substantially different than the work type currently being considered. For these reasons, the LPA should use caution when assigning a numeric score to proposals based on past evaluation data. If past evaluations indicate performance problems, the LPA should discuss this with the consultant as part of the selection discussions to determine what steps the consultant has taken to improve its performance.

#### Performance Monitoring

The Iowa DOT Local Systems Bureau will collect information on LPA consultant performance. If a consultant has a pattern of poor performance, based on the evaluation results or other problems reported by LPA or Administering Bureau staff, the Local Systems Bureau will initiate a discussion with the Project Management Bureau. Refer to [I.M. 3.310](#), Federal-aid Participation in Consultant Costs, for further details.

### Records Management

Completed evaluation forms will be retained by the LPA and Iowa DOT Administering Bureau in accordance with the project's record retention requirements.

Consultant evaluations are open records, and as such, copies of previous evaluations will be made available to the Federal Highway Administration, LPAs, consultants, or other interested parties upon request.

Consultant plans of corrective action may contain information considered confidential as per Iowa Code [Chapter 22](#). If such information is determined confidential by the Attorney General staff assigned to the Iowa DOT, corrective plans of action will be released upon request after redacting the confidential information.

Consultants will be notified of all requests for their records, including the parties who requested the records.