

## DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT

## INTRADEPARTMENTAL CORRESPONDENCE

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## **MEMORANDUM**

TO:

**DOTD Project Managers** 

FROM:

Janice P. Williams, P. E.

**Chief Engineer** 

DATE:

September 13, 2016

**SUBJECT:** 

Use of IDIQ (Retainer) Contracts

23 C.F.R. 172

The referenced C.F.R. has been updated by the US DOT effective May 22, 2016. Under the new version of the C.F.R., retainer contracts are strictly limited to a maximum term of five years. DOTD has received guidance from FHWA that all work for any task order issued under a retainer contract signed after May 22, 2016 must be completed before the contract's five-year limit is reached.

In addition, FHWA emphasized that retainer contracts should not be used to deliver design or other services routinely required as part of DOTD's programs. Use of retainer contracts should be limited to small, short-term projects, performance of routine or specialized services on a number of projects, or work necessary for emergency response. Consulting services for any large scale, long term project, if needed, should be obtained using a project specific advertisement that includes a well-defined scope of services. When planning your programs and projects going forward, you will have to include time in your schedules for specific advertisements for any such consulting services.

If you have any questions, you should consult your section head for further guidance.

c: Ed Wedge, P.E. Mark Chenevert, P.E. Darhlene Major Geoff Rodriguez Section Heads District Administrators

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