



**U.S. Department of
Transportation**

Office of the Secretary
of Transportation

ORDER

DOT 4200.15A

09-06-89

Subject: GUIDELINES FOR THE USE OF ADVISORY AND ASSISTANCE SERVICES

1. PURPOSE. This Order establishes the Department of Transportation (DOT) implementation of Office of Management and Budget (OMB) Circular A-120, Guidelines for the Use of Advisory and Assistance Services, for determining and controlling the appropriate use of advisory and assistance services obtained from individuals and organizations.
2. CANCELLATION. DOT 4200.15, Criteria and Guidelines for the Use of Consulting Services, dated 3-5-81.
3. REFERENCES.
 - a. OMB Circular A-120, Guidelines for the Use of Advisory and Assistance Services, dated 1-4-88, establishes Federal-wide policy for determining and controlling the appropriate use of those services.
 - b. Federal Personnel Manual (FPM) Chapter 304, and DOT Personnel Manual (DPM) Chapter 304, Employment of Individual Experts and Consultants, dated 12-21-85, as revised, establishes Federal-wide and DOT-wide policy for the employment of experts and consultants.
 - c. DOT 4200.16A, Advance Acquisition Planning and Annual Procurement Plans, dated 9-6-89, establishes DOT-wide policy for advance planning of procurement actions.
 - d. Title 41, Code of Federal Regulations Part 101-6.10, Federal Advisory Committee Management, dated 12-2-87, establishes Federal-wide procedures for the creation and operation of advisory committees.
 - e. DOT 1120.3A, Committee Management Policy and Procedures, dated 3-1-76, with Change 1, dated 2-14-79, implements the requirements of Reference 3.d. for DOT.
 - f. DOT 4000.8A, Use of Contracts, Grants and Cooperative Agreements, dated 8-17-82, with Change 1, dated 10-3-88, establishes DOT-wide policy for the selection of procurement instruments.
 - g. DOT 1340.5D, Contract Information System, dated 9-14-88, establishes DOT-wide procedures for reporting contract data to a single DOT-wide system.

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All Operating Administrations

OPI: Office of
Acquisition and
Grant Management

- h. Title 48, Chapter I, Federal Acquisition Regulation (FAR), Part 9, Contractor Qualifications, and Part 37, Service Contracting, dated 4-1-84, as revised establishes Federal-wide policy and procedures for acquiring advisory and assistance services.

4. RESPONSIBILITIES.

- a. The Assistant Secretary for Administration shall be the single official responsible and accountable for ensuring that the acquisition of advisory and assistance services meets the provisions contained in OMB Circular A-120, FAR, and this Order.
- b. The Director of Personnel, Office of the Secretary (OST), shall ensure compliance with OMB Circular A-120 for employment of individual experts and consultants.
- c. The Director of Acquisition and Grant Management, OST, shall ensure compliance with OMB Circular A-120 and FAR for the procuring of advisory and assistance services by contract.
- d. The Heads of the Operating Administrations and the Assistant Secretary for Administration, for OST, shall ensure that procedures implementing OMB Circular A-120 are established, as necessary, and that personnel, committees, and procurement actions are reviewed for compliance with OMB Circular A-120, FAR, and the terms of this Order.
- e. Each contracting officer shall ensure that for each proposed contractual action for advisory or assistance services that compliance with the requirements set forth in paragraph 8.C. of OMB Circular A-120 is achieved, that the contract is correctly reported in the Contract Information System, and that practices concerning individual contracts otherwise comply with this Order.

5. PROCEDURES.

- a. Employment of individual experts and consultants shall be accomplished in accordance with FPM and DPM Chapters 304.
- b. Proposed procurement actions \$200,000 and over shall be processed in accordance with DOT 4200.16A, Advance Acquisition Planning and Annual Procurement Plans.

- c. Proposed contractual actions less than \$200,000 shall be processed in accordance with procedures established by the Heads of the Operating Administrations and the Assistant Secretary for Administration, for OST, to conform with the requirements of OMB Circular A-120 and FAR. All such new and revised procedures which implement any of the provisions of OMB Circular A-120 shall be submitted to the Assistant Secretary for Administration for information within 5 working days after the procedures have been approved.
- d. Establishment and operations of advisory committees shall be in accordance with 41 CFR, Part 101-6.10, Federal Advisory Committee Management, and DOT 1120.3A, Committee Management Policy and Procedures. No advisory committee member shall be paid for services (excluding reimbursement for travel expenses), except in accordance with the terms of paragraph 5.a. above.
- e. Advisory and assistance services shall not be procured using grants or cooperative agreements, as defined by DOT 4000.8A.



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for Administration