

NDOT Form 39 – Agreement Closeout

(July 30, 2018)

Introducing the new NDOT Form 39 - Agreement Closeout form (and new way of submitting them).

The image shows the header of NDOT Form 39. On the left is the Nebraska Department of Transportation logo. On the right is the text 'NDOT Form 39'. In the center, the title reads 'State Projects Notification of Completion of Professional Services'. Below the title are three input fields: 'Date:' with a grey box, 'Project No.:' with a grey box, and 'Control No.:' with a grey box.

NDOT executes over 1,500 original and supplemental agreements annually with entities such as local public agencies, grant recipients, consultants, and other service providers. This includes more than 200 original and 200 supplemental agreements issued each year to our professional service providers (consultants). The total number of active (open) professional services agreements managed by NDOT is approximately 750 unique agreements at any given time. The maximum not-to-exceed value of these 750 agreements is approximately \$200 million dollars.

Over the past 2 years, NDOT has closed out approximately \$50 million in professional services agreements with nearly \$8 million dollars left unspent. The average billing of an agreement when closed out is about 85% of the maximum amount. Closing out agreements in a timely manner allows the NDOT to re-allocate this money to other projects. This is one of the primary reasons NDOT requires the agreement closeout process.

All professional services agreements include the following section (or similar wording) addressing agreement close-out:

10. AGREEMENT CLOSE-OUT

Upon submitting its final invoice, the Consultant must complete and submit to the State a Notification of Completion Form (NDOT Form 39). The form is available on the State's website at <http://dot.nebraska.gov/business-center/consultant/> and must be submitted electronically in accordance with the instructions on the form.

As detailed in the instructions accompanying the form, submitting the NDOT Form 39 is the same as submitting an invoice through NDOT's OnBase system. This ensures the same people who review invoices and progress reports are also involved in closing out the services. NDOT will process all invoices before processing an NDOT Form 39 so the Consultant should make sure all invoices for the services have been submitted.

The next *Update* will dive further into the agreement closeout process and overhead adjustments ("true-up" invoices).