



COMMONWEALTH of VIRGINIA

DEPARTMENT OF TRANSPORTATION

1401 EAST BROAD STREET
RICHMOND, VIRGINIA 23219-2000

David S. Ekern, P.E.
COMMISSIONER

July 27, 2009

MEMORANDUM

TO: The Consultant Community

FROM: Malcolm T. Kerley, P.E.
Chief Engineer (*Original with signature on file in the Innovative Project Delivery Division*)

SUBJECT: Regulation Compliance for Professional Services

The Virginia Department of Transportation (VDOT) has recently discovered numerous instances where consultants responding to Professional Services Request for Proposal (RFP) and other Design-Build solicitations are not properly registered with the Virginia State Corporation Commission (SCC) and/or the Virginia Department of Professional and Occupational Regulation (DPOR).

It is incumbent upon each firm conducting business in Virginia to be in compliance with state law and regulations and be prepared to provide evidence of this compliance to VDOT as applicable. It is strongly recommended that every firm review the status of its firm, its branches, and professional staff with the SCC and DPOR to ensure compliance with state law and regulations.

Failure to comply with the law with regard to those legal requirements in Virginia (whether federal or state) regarding your organizational structure, any required registration with governmental agencies and/or entities, and any required governmental licensure, whether business, individual, or professional in nature may render your submittal, in the sole and reasonable discretion of the Department, non-responsive and in that event your submittal may be returned without any consideration or evaluation.

Cc: Division Administrators