

1. Pub 442 is tied to all ECMS legal agreements under the terms and conditions.

A. Scope Of This Agreement

1. Project Identification

The Consultant, for and in consideration of the payment or payments specified in this AGREEMENT, shall perform all work and

2. Terms, Conditions and Provisions

- a. The Consultant agrees to comply with and to provide the required work and services in accordance with the provisions li

- i. [Commonwealth Contractor Responsibility Provisions, dated October 25, 2010](#)
- ii. [Consultant Integrity Provisions, dated January 14, 2015](#)
- iii. [Commonwealth Nondiscrimination Clause for Consultant Agreements, dated May 11, 2017](#)
- iv. [Federal Nondiscrimination and Equal Employment Opportunity Clauses, dated January 1976](#)
- v. [Offset Provision for Commonwealth Contracts, dated October 25, 2010](#)
- vi. [Pennsylvania Election Code, dated February 22, 2001](#)
- vii. [Publication 442, Bureau of Design Specifications for Consultant Agreements, dated December 28, 2016](#)
- viii. [Provisions Concerning the Americans With Disabilities Act, dated October 14, 2011](#)
- ix. [US DOT Standard Title VI/Non-Discrimination Assurances, dated June 3, 2016](#)

2. Pub 442, Section 3.6.C indicates consultant travel and reimbursement is governed by Management Directive 230.10.

Publication 442(10-21)

an approved field rate, PennDOT and the Office of the Comptroller has the ability to approve a provisional field overhead rate.

C. Direct Costs Other than Payroll

The Consultant will not receive any mark-up on in-house direct costs.

Indirect Costs - The Direct Costs Other Than Payroll costs to be provided by the Consultant are to be identified as being directly charged to the Agreement and not to an account which is included in the Consultant's overhead percentage. The out of pocket expenses, for travel and subsistence (lodging and meals), for both the Consultant and the subconsultant (subcontractor) shall be charged at actual cost, not to exceed those authorized by the Commonwealth's Management Directive 230.10 and revisions thereto, whether charged as a direct or an indirect cost. Both the Consultant and subconsultant (subcontractor) shall be governed by the regulations as defined by this Directive.

3. Management Directive 230.10 ([Policies & Procedures \(pa.gov\)](#)) refers to the Commonwealth Travel Manual ([Commonwealth Travel Policy Manual \(pa.gov\)](#)) to detail policy and procedure.

7. PROCEDURES. Manual 230.1, Commonwealth Travel Procedures Manual, details Commonwealth travel policies and procedures to which Commonwealth Travelers must adhere.

4. The Travel Policy Manual states that employee will be reimbursed at the higher Privately Owned Vehicle Reimbursement Rate established by the U.S. General Services Administration (GSA) in effect on the date(s) of travel. The current rate is listed on the travel website at www.travel.pa.gov. When the GSA rate changes, the Commonwealth reimbursement rate changes with the same effective date.

2.3 Personal Automobile. A Commonwealth employee is only authorized to use his or her personally-owned vehicle, when: 1) it is the least expensive option (See Section 2.2, above.) and no temporary fleet vehicles are available **OR** 2) the supervisor determines in writing that use of the least expensive option is clearly not efficient. Employees are to secure supervisory authorization for use of a personally-owned vehicle in advance of such use. When an employee is authorized to use a personally-owned vehicle, the employee will be reimbursed at the higher Privately Owned Vehicle Reimbursement Rate established by the U.S. General Services Administration (GSA) in effect on the date(s) of travel. The current rate is listed on the travel website at www.travel.pa.gov. When the GSA rate changes, the Commonwealth reimbursement rate changes with the same effective date.