

MEMORANDUM

State of Alaska

Department of Transportation and Public Facilities
Statewide Design and Engineering Services Division

TO: DISTRIBUTION

DATE: August 22, 2001

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FROM: Michael L. Downing, P.E.
Chief Engineer



SUBJECT: Consultant Logos Policy

Documents completed for the Department by private contractors or others are produced for the Department on behalf of the public. Typically, these documents include company names and logos of the contractors. The purpose of allowing those outside the Department to include company names and logos on documents is to acknowledge their contribution. The purpose is not to provide a forum for advertising. Additionally, the inconsistent use of logos causes confusion. In some instances, these names and logos provide inappropriate clutter, which detracts from the readability and professional appearance of the documents.

Another issue regarding documents is ownership. Recently, there was a contention by a contractor that the work produced by the contractor, for the Department, is the property of the contractor.

Finally, at the request of the AGC, the Department is in the process of standardizing plans statewide.

To ensure standardization of documents statewide and address the issues listed above, please abide by the following when private contractors or outside agencies produce work for your region:

1. Insure all contracts or agreements specify that work produced by the contractor, for the Department, is owned by the Department. This may be accomplished by inclusion of the stipulations presented in General Conditions Appendix A [Ownership of Work Products (Article A18)] of The Standard Provisions Booklet (DOT&PF Standard Provisions for Small Procurements of Construction Related Professional Services). For your use, the stipulations are below:

Al 8.1 Work products produced under this Agreement, except items which have pre-existing copyrights, are property of the CONTRACTING AGENCY. Payments to the CONTRACTOR for services hereunder include full compensation for all work products produced by the CONTRACTOR and its subcontractors and the CONTRACTING AGENCY shall have royalty free non-exclusive and irrevocable rights to reproduce, publish, or otherwise use, and to authorize others to use, such work products.

Al 8.2 Should the CONTRACTING AGENCY elect to reuse work products provided under this Agreement for other than the original project and/or purpose, the CONTRACTING AGENCY will indemnify the CONTRACTOR and its Subcontractors against any responsibilities or liabilities arising from such reuse. Additionally, any reuse of design drawings or specifications provided under this Agreement

must be limited to conceptual or preliminary use for adaptation and the original CONTRACTOR's or Subcontractor's signature, professional seals and dates removed. Such reuse of drawings and specifications, which require professional seals and dates removed, will be signed, sealed and dated by the professional who is in direct supervisory control and responsible for all adaptation.

2. Identify private contractors or other public agencies involved in the development of plans for the Department by including the company name in the same box with the engineer's seal, either directly above or directly below the seal, on each plan sheet. No contractor or public agency logos, other than the Department's, are allowed anywhere in the plans, Use lettering that is 1/16" or less in height on 11" x 17" plan sheets, and use the same font as other lettering of similar size on the plan sheet. Use the format:

PLANS DEVELOPED BY:
COMPANY NAME

3. Documents (electronic or hard copy) such as:

- special provisions
- engineering reports
- environmental documents
- other miscellaneous publications

that are prepared by private contractors or public agencies other than the Department, shall include the contractor or agency name, in the format outlined in No. 2 above, at the bottom right of the first page, cover sheet, or title sheet, only. No contractor or agency logos, other than those of the Department, are allowed. The lettering shall be of the same type as other lettering of the same size elsewhere on the cover sheet or in the document body.

Company or agency letterhead, other than the Department's, may be allowed as exhibits in document appendices only.

4. The only logos, other than the Department's, allowed on any electronic or hard copy document produced by, or for, the Department, are those of public agencies that provide the majority of funding for the document.

Implement item 1 immediately for all new contracts. Implement items 2, 3, and 4 by October 1, 2001.

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