



DCS Legal Services Unit: Contract Requirements for Consultant Services

DCS Legal Services Unit: Contract Requirements for Consultant Services:

In accordance with the requirements of the State of Connecticut Department of Administrative Services (DAS) and the DAS/Division of Construction Services (DCS) Legal Services Unit, certain Affidavits, Nondiscrimination Forms, Certificates, Professional Credentials, Business Credentials, and Insurance Documents must be either electronically uploaded to the DAS BizNet Website or submitted as hard copies directly to the DCS Legal Services Unit, as described below.

SECTION 1: ELECTRONICALLY UPLOAD TO DAS BIZNET:

Public Act No. 11-229, "Business Friendly Initiative": The State of Connecticut has revised its submittal requirements for Affidavits and Nondiscrimination Forms. Each firm is now required to open a BizNet account on the DAS website and then electronically upload certain Affidavits and Nondiscrimination Forms to their DAS BizNet account. Instructions for opening a BizNet account and uploading the Affidavits and Nondiscrimination Forms can be found on the DAS website (<http://das.ct.gov>), by clicking on "State Procurement Marketplace" and then clicking on "DAS Business Friendly Initiatives".

Firms should use the Affidavits and Nondiscrimination Forms found under the BizNet link. Once uploaded, Affidavits shall be updated and submitted annually and Affidavits and Nondiscrimination Forms shall be updated within 30 days of any changes to the submitted information. Questions concerning the electronic uploading of Affidavits and Nondiscrimination Forms can be directed to DAS Procurement Services at (860) 713-5095.

Part A:	Prior to, or at the time of, submission of QBS Submittal Booklet:
Affidavits: (Cost/Value of Contract: <u>\$50,000</u> or more)	<ol style="list-style-type: none"> 1. OPM Form 5 (Consulting Agreement Affidavit) NOTE: For this form, "Consulting Agreement" means any agreement with third parties for purposes described in C.G.S. 4a-81(b)(1). If there are no such agreements, the firm only needs to complete the shaded portion and have the affidavit notarized.
Affidavits: (Cost/Value of Contract: <u>\$500,000</u> or more)	<ol style="list-style-type: none"> 1. OPM Form 5 (Consulting Agreement Affidavit) NOTE: For this form, "Consulting Agreement" means any agreement with third parties for purposes described in C.G.S. 4a-81(b)(1). If there are no such agreements, the firm only needs to complete the shaded portion and have the affidavit notarized. 2. OPM Form 6 (Affirmation of Receipt of State Ethics Laws Summary) NOTE: If the firm has any contracts with any subcontractor or subconsultant that also exceeds \$500,000.00 for the project, the firm must submit an "Affirmation of Receipt of State Ethics Laws Summary" filled out and signed from each such subcontractor or subconsultant. 3. OPM Form 7 (Iran Certification)
Part B:	Within fourteen (14) days of being Conditionally Selected:
Nondiscrimination Form: (Cost/Value of Contract: <u>Less than \$50,000</u>)	<ol style="list-style-type: none"> 1. Nondiscrimination Certification Form A (Representation by Individual); or Nondiscrimination Certification Form B (Representation by Entity)
Affidavits & Nondiscrimination Forms: (Cost/Value of Contract: <u>\$50,000</u> or more)	<ol style="list-style-type: none"> 1. Nondiscrimination Certification Form A (Representation by Individual); or Nondiscrimination Certification Form C (Affidavit by Entity); or Nondiscrimination Certification Form D (New Resolution by Entity); or Nondiscrimination Certification Form E (Prior Resolution by Entity) 2. OPM Form 1 (Gift and Campaign Contribution Certification)



DCS Legal Services Unit: Contract Requirements for Consultant Services

SECTION 2: SUBMIT HARD COPIES TO DCS LEGAL SERVICES UNIT:

In accordance with the requirements of the DCS Legal Services Unit, the selection of a firm is conditional upon completing and submitting, within **fourteen (14) calendar days** of being notified by email, hard copies of certain Certificates, Professional Credentials, Business Credentials, and Insurance Documents directly to the DCS Legal Services Unit at the following address:

CT Department of Administrative Services
Division of Construction Services
Legal Services Unit – Room 445
165 Capital Ave
Hartford, CT 06106

All documents must be current (i.e., less than 90 days old). Documents requiring signatures must use exact legal names. Failure to timely submit the required materials to the DCS Legal Services Unit could result in a decision to discontinue negotiations with the conditionally selected firm and to initiate negotiations with the next highest ranked proposer. DCS reserves the right to terminate the selection and negotiation after it receives and reviews the five-year errors and omissions claims history. Questions concerning these documents can be directed to the DCS Legal Services Unit at (860) 713-5663 / (860) 713-5664.

Part A:	Within fourteen (14) days of being Conditionally Selected:	
Professional and Business Credentials Package	1.	See “ Table 1 - DCS Professional and Business Credentials ” in “ Credentials and Insurance Requirements ” (DCS Form 1150) in the “DCS Library / 1000 Project Initiation & Consultant Selection” on the DCS website www.ct.gov/dcs for a list of required Professional and Business Credentials that must be submitted to DCS Legal Services Unit.
	2.	“ Certificate of Legal Existence ”: Submit a current copy (i.e., less than 90 days old). Obtain a copy by submitting a “Request for Certificates or Copies” to the CT Secretary of State. Download the request from the CT Secretary of State website www.sots.ct.gov . Click on “Forms and Fees /Commonly Used Forms”.
	3.	“ Good Standing Certificate ” for out-of-state firms only : Submit a current copy (i.e., less than 90 days old) from the firm’s home state.
Insurance Verification Package	4.	<p>Insurance Certificates: See “Table 2 - CT Consultant Insurance Requirements” in “Credentials and Insurance Requirements” (DCS Form 1150) in the “DCS Library / 1000 Project Initiation & Consultant Selection” on the DCS website www.ct.gov/dcs for a description of required insurance coverages. Include insurance certificate(s) that indicate at least the minimum noted coverages described in Table 2, as well as additional coverage that may be described in the Conditional Selection letter and/or addenda.</p> <p>NOTE: There is a new requirement regarding commercial general liability (CGL) insurance: The CT Attorney General’s Office now requires all selected firms to provide an endorsement to the CGL insurance stating that the State of Connecticut is an additional insured. Please be advised that a blanket endorsement is <u>not</u> acceptable.</p>
	5.	<p>Written Statement from the Prime Consultant’s insurance agent or their insurance company: The statement must note that the insurance agent or insurance company has reviewed the current claims and that the firm has sufficient coverage reserves to handle any open claims and still provide required coverage reserves for this DCS project.</p> <p>NOTE: This statement must be provided by either the insurance agent or the carrier. Information provided directly by the Consultant shall be deemed non-responsive.</p>
	6.	Five-Year Professional Liability (Errors and Omissions) Claims History : The E&O claims history must be a signed statement from the firm’s insurance carrier(s) or agent(s) stating either (1) there have been no errors or omissions claims made against the firm during the past five years or (2) there have been claims and providing the following information for each claim: Type of claim; Amount of any settlements; Amount of legal expenses paid; Amount of reserve for open claims; and Current status of claim.
	7.	Statement Regarding Labor Law Violations and OSHA Violations : Firms that have had Labor Law or OSHA violations in the past ten (10) years, <u>and have also paid fines or penalties in these areas</u> , shall include a brief statement on their letterhead noting the project where the event occurred, the project owner, the amount of fines paid and the final resolution of the occurrence. This letter will be the last page of the insurance verification package. Failure to disclose these fines or penalties may result in the termination of the selection and negotiation process or the termination of the Consultant Agreement as determined by the CT DAS Commissioner.



DCS Legal Services Unit: Contract Requirements for Consultant Services

SECTION 2: SUBMIT HARD COPIES TO DCS LEGAL SERVICES UNIT (cont'd):

Part A:	Within fourteen (14) days of being Conditionally Selected (cont'd):	
DCS Documents	8.	QBS - Certificate (of Authority) (DCS Form 1215): Download from the "DCS Library / 1000 Project Initiation & Consultant Selection" on the DCS website www.ct.gov/dcs . Submit the <u>original</u> executed document to the DCS Legal Services Unit. NOTE: This Certificate will serve as authorization for execution of the Disclosure Affidavit and the other affidavits/certifications.
	9.	QBS - Disclosure Affidavit (DCS Form 1216): Download from the "DCS Library / 1000 Project Initiation & Consultant Selection" on the DCS website www.ct.gov/dcs . Submit the <u>original</u> executed document to the DCS Legal Services Unit. NOTE: The name and title of the person who is signing should agree exactly with the name and title as stated in the second paragraph of the Certificate (of Authority).
Additional State of CT Documents	10.	Form SP-26NB – Agency Vendor Form and IRS W-9 – Request for Taxpayer ID Number & Certification: If a firm <u>has</u> done business with the State of Connecticut and <u>has</u> previously registered with the CT Comptroller's Office, check with the CT Comptroller's Office that the information on the "Agency Vendor Form" is correct. If a firm has <u>not</u> done business with the State of Connecticut and/or has <u>not</u> previously registered with the CT Comptroller's Office, download from the CT DAS website http://das.ct.gov by clicking on "State Procurement Marketplace", and then click on "Forms" under "Quick Links". Submit the <u>original</u> signed documents to the DCS Legal Services Unit.

END

1269.1 DCS Legal Services Unit:
Contract Requirements for Consultant Services