

Office of Policy and Management Mandatory Personal Service Agreement Procedure

In accordance with C.G.S. Section 4-213, no state agency may hire a personal service contractor without executing a personal service agreement (PSA).

The following outlines the mandatory procedures that must be followed in developing and executing PSAs between contractors and the Office of Policy and Management (OPM). These procedures are in compliance with [Personal Service Agreements Standards and Procedures](#) issued by OPM effective January 14, 2005, updated May 1, 2006. Adhering to these procedures will facilitate contract processing and execution.

Limited exceptions to these mandatory requirements may be allowed if sufficient cause can be demonstrated to the OPM Business Office and the OPM Legal Unit. Any such modification to these procedures must be approved by the OPM Legal Unit before the contracting division may proceed.

The PSA development and execution process has five (5) phases as follows:

- ◆ Phase 1 – Approval to Begin
- ◆ Phase 2 – Competitive Solicitation/Contractor Selection
- ◆ Phase 3 – Contract Development
- ◆ Phase 4 – Contract Execution
- ◆ Phase 5 – Post Contract Execution Responsibilities

Most of the material referenced in this procedure is available on the Internet and the OPM Intranet. The material is also available in hard copy in the OPM Business Office.

Important Note: If you are considering a PSA, you should check with the OPM Business Office (i.e., Cheryl Rannou) prior to taking any action as Department of Administrative Services (DAS) Contract Awards and/or Department of Information Technology data processing procurement procedures may preclude entering into a PSA.

Phase 1: Approval to Begin

- A. The OPM division that is planning to enter into a PSA (referred to in this document as the “contracting division”) identifies and documents the need to enter into a contract. This documentation should include a written outline of work describing the following information pertaining to the contract:
- ♦ Purpose – What is the need for the contract? What underlying opportunity or deficiency does it address? What problem is OPM attempting to solve?
 - ♦ Scope -- What are the boundaries of the contract? What services or end product will the contract include? What other agencies, if any, will be affected?
 - ♦ Activities – What does OPM want done? What functions, duties, or tasks are required? What work is to be performed?
 - ♦ Outcomes – What are the expected accomplishments or deliverables? What will be the beneficial effects of the contract? What are the tangible (e.g., reports, plans) or intangible (e.g., new process, operational changes) results of the contract?
 - ♦ Timeline – When, and in what sequence, will the work be done? Are there any important milestones? What are the deadlines?

The written outline of work must accompany OPM Personal Service Agreement Approval Form OPM-A-11 (see Phase 1, Approval to Begin, Section B. below).

- B. The contracting division must complete and forward the following applicable forms to the OPM Business Office (i.e., Joy Gutis) for processing. These forms are available on the OPM Intranet.

All Personal Service Agreements

- ♦ OPM Personal Service Agreement Approval Form [OPM-A-11](#) (revised June 2008).

This form is required for all OPM PSAs. The OPM-A-11 form is used:

1. to obtain and document approval from the division head to contract for services;
2. to document the outline of work pertaining to the PSA (see Phase 1, Approval to Begin, Section A. above);
3. for the OPM Business Office to confirm available funding; and
4. to obtain and document approval from the Office of the Secretary to enter into a PSA.

Note: Submit this form in hard copy to the OPM Business Office (i.e., Joy Gutis).

Competitive Solicitations Over \$50,000 or More Than One Year In Duration

- ◆ Request for [Personal Service Agreement Form](#).

In accordance with C.G.S. Section 4-216, no state agency may execute a PSA having a cost greater than \$50,000 or a term of more than one year in duration without prior approval from OPM (i.e., Office of the Secretary). The Request for Personal Service Agreement form is used to obtain this approval.

Note: Submit this form electronically to the OPM Business Office (i.e., Joy Gutis).

Non-Competitive Solicitations With a Term of More Than One Year or A Value Over \$20,000 And A Term of Not More Than One Year

- ◆ Request for [Waiver from Competitive Solicitation Form](#).

In accordance with C.G.S. Sections 4-215 and 4-216, PSAs having a term of more than one year in duration or a cost greater than \$20,000 and a term of not more than one year shall be based on competitive negotiations unless OPM (i.e., Office of the Secretary) approves a request for a waiver from such requirement. The Request for Waiver from Competitive Solicitation form is used to obtain this approval.

Note: Submit this form electronically to the OPM Business Office (i.e., Joy Gutis).

- C. The OPM Business Office (i.e., Joy Gutis) shall confirm the availability of funding for the requested PSA and forward:
- ◆ form OPM-A-11 to the Office of the Secretary (i.e., MaryAnn Palmarozza) for approval to enter into a PSA; and
 - ◆ other applicable forms to the Office of the Secretary (i.e., Zethalyn Evans) to enter into the PSA Website for approval.
- D. Upon approval from the Office of the Secretary, the OPM Business Office (i.e., Joy Gutis) shall provide the contracting division and the OPM Legal Unit (i.e., Sherrill Jacobson) with a copy of the approved form OPM-A-11.
- E. Upon approval from the PSA Website system, the Office of the Secretary (i.e., MaryAnn Palmarozza) shall provide the contracting division, the OPM Business Office (i.e., Joy Gutis), and the OPM Legal Unit (i.e., Sherrill Jacobson) with an electronic copy of the other approved forms.
- F. Once all required approvals are in place, the contracting division can begin the competitive solicitation process (see Phase 2) or the contract development process (see Phase 3) if the PSA is a non-competitive (i.e., sole source) purchase. Until

such approval notice, neither the competitive solicitation process nor the contract development process should proceed.

- G. Once approval is obtained to contract for outside services, the contracting division must establish a Project File. The contents of the File must be detailed enough to enable someone with no knowledge of the process to reconstruct an accurate account of what occurred.

The Project File should contain any of the following documents, if applicable.

- ◆ Outline of work;
- ◆ Approvals from DAS (See Note 1);
- ◆ Approvals from OPM (see Note 1);
- ◆ The legal notice and advertising placements;
- ◆ The RFP/RFQ document, including any amendments;
- ◆ Any mailing used to distribute the legal notice;
- ◆ The names of all members of the RFP/RFQ Team and their role(s);
- ◆ Ethics and Confidentiality Agreements signed by members of the RFP/RFQ Team;
- ◆ Any written questions from proposers and OPM's written answers;
- ◆ A list of attendees at the bidders' conference;
- ◆ An audio recording, transcript, notes, or minutes of the bidders' conference;
- ◆ Copies of all RFP/RFQ-related correspondence, including e-mail;
- ◆ The evaluation plan, including any amendments;
- ◆ All proposals received before and after the deadline;
- ◆ All rating sheets used for reviewing proposals;
- ◆ Any forms or notes used to check references;
- ◆ The final ranking of proposals;
- ◆ The Screening Committee's top three (3) proposers to the Secretary;
- ◆ Documentation pertaining to the Secretary's selection or rejection of a contractor;
- ◆ Fully-executed contract (see Note 1);
- ◆ Fully-executed contract amendments (see Note 1);
- ◆ Any required affidavits and certifications (see Note 1); and
- ◆ The final evaluation of the contractor.

Note 1: The original copy is maintained in the files of the OPM Business Office. A copy should also be maintained in the Project File.

Phase 2: Competitive Solicitation/Contractor Selection

A. Assembly of the Request for Proposals (RFP)/Request for Qualifications (RFQ) Team

A Team needs to be assembled consisting of the following:

Title	Role
<p>Screening Committee (required per C.G.S. Sec. 4-217c)</p> <p>Should be comprised of an uneven number of members with the expertise necessary to evaluate the bids received.</p> <p>All members of the screening committee must be non-biased parties and have no association or relationship with any potential bidder. The utmost care should be taken in selecting members to avoid possible claims of bias or conflict of interest, which might arise at a later time.</p>	<p>Responsible for the development of the RFP/RFQ and the evaluation plan.</p> <p>Reviews and rates proposals.</p> <p>Submits the names of the top three (3) proposers to the Secretary of OPM. The committee should document the submission of the top three (3) proposers to the Secretary in order to substantiate compliance with C.G.S. Section 4-217(c).</p>
<p>Official Agency Contact</p> <p>Should be someone with no interest or involvement in the RFP/RFQ process.</p>	<p>Handles all communications regarding the RFP/RFQ with all outside parties.</p> <p>May be involved in the writing of the RFP/RFQ and/or development of the rating form, and/or writing of the evaluation plan.</p> <p>Receives all proposals and keeps them, unopened, in a secure location until the submission deadline.</p> <p>Is <u>not</u> involved in the review or rating of proposals.</p>
<p>Process Advisor (optional)</p>	<p>Ensures the integrity of the RFP/RFQ process.</p> <p>Is <u>not</u> involved in the review or rating of proposals.</p>
<p>Technical Advisor (optional)</p>	<p>May be needed if the RFP/RFQ involves highly technical or obscure subject matter.</p> <p>Is <u>not</u> involved in the review or rating of proposals.</p>

OPM Secretary	Selects or rejects the personal service contractor from the names of the top three (3) proposers as recommended by the screening committee.
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B. Ethics and Confidentiality

All individuals who are members of the RFP/RFQ Team must complete and sign an [Ethics and Confidentiality Agreement](#). This Agreement has two (2) sections. The Initial Agreement is completed and signed when an individual joins the RFP/RFQ Team. The Endorsement is completed and signed after the proposals are opened and the identities of the proposers become known.

Also, in accordance with C.G.S. Section 1-83, Governor M. Jodi Rell requires staff with significant decision-making and/or supervisory responsibility for the review and/or award of State contracts to file an annual statement of financial interests form with the Office of State Ethics.

C. Preparation of RFP/RFQ and Evaluation Plan

1. Drafting of RFP/RFQ

OPM has developed [boilerplate language](#) for RFP/RFQs.

Utilizing the boilerplate language, the RFP/RFQ Team, or a subset of its members, prepares a draft legal notice and a draft RFP/RFQ and submits it electronically to the Office of the Secretary (i.e., MaryAnn Palmarozza) for review.

In accordance with C.G.S. Section 4-217(c), a request for proposals shall include, but not be limited to:

- ◆ An outline of the work to be performed;
- ◆ The required minimum qualifications for the personal service contractor;
- ◆ The criteria for review of proposals by the state agency;
- ◆ The format for proposals; and
- ◆ The deadline for submitting proposals.

2. Writing of Evaluation Plan

The RFP/RFQ Team, or a subset of its members, must write the evaluation plan, which describes the step-by-step process for reviewing proposals. The evaluation plan must be developed and approved before the RFP/RFQ is released.

The evaluation plan should include, but is not limited to the following:

- ◆ Receiving proposals;
- ◆ Opening proposals;
- ◆ Reading proposals;
- ◆ Developing rating form and weights;
- ◆ Developing reference check form;
- ◆ Rating proposals;
- ◆ Holding meetings with proposers;
- ◆ Final ranking of proposals; and
- ◆ Reporting to the Secretary of OPM.

The process to be followed for bid submission and opening must be discussed with the OPM Legal Unit. For example, a formal/sealed bid submission and opening process as opposed to an informal process.

The rating form should be developed in accordance with the criteria set forth in the RFP/RFQ.

3. Review of Draft RFP/RFQ

The Office of the Secretary (i.e., MaryAnn Palmarozza) will review the draft legal notice and draft RFP/RFQ and discuss suggested changes.

The Office of the Secretary (i.e., MaryAnn Palmarozza) shall coordinate a review of the revised draft legal notice and RFP/RFQ with the OPM Legal Unit. The OPM Legal Unit will review and make further changes, if necessary, and return the draft to the Office of the Secretary (i.e., MaryAnn Palmarozza) to update. At such time, if necessary, there will be a discussion to address open issues.

Upon approval of final changes, the Office of the Secretary (i.e., MaryAnn Palmarozza) shall:

- ◆ return the final legal notice and RFP/RFQ;
- ◆ forward the final legal notice and RFP/RFQ electronically to the OPM Business Office (i.e., Cheryl Rannou) to be used to post the legal notice; and
- ◆ forward the final legal notice and RFP/RFQ electronically to either Claire Nolin or Cristina Hungerford to post to the OPM website and in accordance with

Governor M. Jodi Rell's Executive Order No. 3, the State of Connecticut's Contracting Portal on the DAS website.

For planning purposes, staff should allow a minimum 2 – 3 week time period for the Office of the Secretary and the OPM Legal Unit to review the draft legal notice and RFP/RFQ. **Additional time for a legal review during legislative session may be necessary, and staff should plan accordingly.**

The OPM Legal Unit shall announce the RFP/RFQ to all OPM staff members including instructions to handle communications relating to such RFP/RFQ. The announcement should also be sent to non-OPM staff members on the RFP/RFQ Team.

D. Solicitation of Bids

Upon approval of the legal notice and RFP/RFQ, the Official Agency Contact shall:

- ◆ Complete and submit a [Purchase Request Form OPM A-9](#) to the OPM Business Office (i.e., Cheryl Rannou) for each legal notice to be published (e.g., the Hartford Courant; the Northeast Minority News or Northend Agent; and other relevant publications).
- ◆ Provide a copy of the legal notice to known potential bidders on the same day or the day after the legal notice is posted in the newspaper and/or on the Internet.
- ◆ Provide the RFP/RFQ package to requesters/respondents as requests are received. (Note: The RFP/RFQ package can be downloaded from the Internet.)
- ◆ Maintain a list of potential bidders who have filed a Notice of Intent to bid.
- ◆ Maintain a list of all questions asked by potential bidders and forward the questions and draft responses to the OPM Legal Unit for review and approval. Forward questions and approved answers to the staff member who posted the RFP/RFQ, either Claire Nolin or Cristina Hungerford, to post such responses to the OPM website and in accordance with Governor M. Jodi Rell's Executive Order No. 3, the State of Connecticut's Contracting Portal on the DAS website. If applicable, copies of all questions and responses should be provided to all who have filed a Notice of Intent to bid.

E. Receipt And Opening Of Bids

The Official Agency Contact person receives bids.

- ◆ All bids should be stamped with the time and date received, including those bids received after the submission deadline. Sealed bids should not be opened until the time deadline published in the RFP/RFQ. The envelope of sealed bids should be stamped with the time and date received.

- ◆ Late bids should be disqualified and not reviewed by the screening committee unless it is in the best interests of the State to accept a late bid. Late bids which are disqualified are not opened but must be maintained. The screening committee shall immediately notify proposers in writing if a bid has been disqualified because it is late.
- ◆ The screening committee opens bids according to the process decided upon when previously discussed with the OPM Legal Unit (see Phase 2, Competitive Solicitation/Contractor Selection, Section C.2. Writing of Evaluation Plan above).
- ◆ Once the proposals are opened and the identities of the proposers become known, all individuals who are members of the RFP/RRQ Team must complete the Endorsement section of the Ethics and Confidentiality Agreement form (see Phase 2, Competitive Solicitation/Contractor Selection, Section B. Ethics and Confidentiality above).
- ◆ Provide the following information regarding all qualified proposers to the OPM Business Office (i.e., Cheryl Rannou). This information is in accordance with Section 1 of P.A. 07-1, which requires the reporting of prospective state contractors to the State Elections Enforcement Commission.
 - Contractor Name;
 - FEIN Number;
 - Contact Name;
 - Contact E-Mail Address; and
 - Beginning and Ending Dates of Contract Solicitation Period (i.e., date of RFP/RFQ submission and anticipated start date of PSA).

F. Review of Bids/Selection of Contractor

- ◆ In accordance with C.G.S. Section 4-217(c), the screening committee shall review bids and rank all proposals in accordance with the criteria set forth in the RFP/RFQ and as delineated in the Evaluation Plan.
- ◆ Each committee member must use the same format for rating all valid proposals received. Any notes made by committee members should be on rating forms or separate pieces of paper to be kept as an addendum to the “original” copy of the RFP/RFQ submission so that all duplicate copies can be disposed of.
- ◆ The committee submits the names of the top three (3) proposers to the Secretary of OPM, who selects or rejects the personal service contractor from among such names. The committee should document the submission of the top three (3) proposers to the Secretary in order to substantiate compliance with C.G.S. Section 4-217(c).
- ◆ A Notification of Award letter must be sent to the selected personal service contractor. Other proposers must also be notified about OPM’s decision to begin contract negotiations with a selected contractor.

Phase 3: Contract Development

The Office of the State Comptroller requires completion of a PSA form CO-802A when entering into a contract. OPM uses a specific format and boilerplate language, which has been pre-approved by the Office of the Attorney General, as part of all PSAs. This standard format, referred to as Attachments A, B, and C, contains standard contract provisions and is customized for each PSA to address the following:

- ◆ Name and address of contractor;
- ◆ Contract period (i.e., beginning and ending dates of PSA). Note: the beginning date should not precede the date the contract is signed by the contractor, OPM, and if applicable, the Office of the Attorney General;
- ◆ Specification of services;
- ◆ Cost and schedule of payments; and
- ◆ Other information including but not necessarily limited to statutory authority to enter into the PSA and the OPM contract contact person.

Responsibilities Of The Contracting Division

A. If the contract was not the result of a RFP/RFQ, the contractor shall complete and return the following documents:

- ◆ [Agency Vendor Form SP-26NB](#).
- ◆ Request for Taxpayer Identification Number and Certification [Form W-9](#).
- ◆ [Vendor Profile Form OPM-A-15](#) (revised June 2008).

B. If the selected contractor is an individual the following must also be addressed:

- ◆ Prior to contracting with an individual for personal services, an agency is responsible for determining if the characteristics of an employee/employer relationship exist. This can be determined by applying the Internal Revenue Service (IRS) Common-law Rules, which are available in the Office of the [State Comptroller Accounting Manual](#), Section 3.2 of Commitments.

The IRS has identified twenty (20) factors that are used as guidelines to determine whether sufficient control is present to establish an employee/employer relationship. If an individual does meet the characteristics of an employee, an agency should follow procedures for placing the individual on the agency payroll.

- ◆ If the value of the PSA with an individual exceeds \$3,000, DAS needs to determine if a waiver of the classified service is appropriate before contracting with such individual. The OPM contracting division shall work with the OPM Human Resources Unit to coordinate the submission of required paperwork to DAS.

- ♦ In accordance with C.G.S. Section 4-212(2), OPM cannot enter into a personal service agreement with a current State employee. In order to obtain the services of a current State employee, OPM would need to hire such individual as an employee of OPM. Furthermore, in accordance with C.G.S. Section 5-208a, no State employee shall be compensated for services rendered to more than one State agency unless:
 1. The appointing authority of each agency or his designee certifies that the duties performed are outside the responsibility of the agency of principal employment.
 2. That the hours worked at each agency are documented and reviewed to preclude duplicate payment.
 3. That no conflicts of interest exist between services performed.

The contracting division shall work with the OPM Human Resources Unit to coordinate the completion of required dual employment paperwork.

- ♦ In accordance with C.G.S. Section 4a-7a(b), a PSA between a state agency and an individual shall have a term of not more than one year.

NOTE: Any such PSA may be extended or renewed, for an unlimited term, provided the appropriate collective bargaining representative, the Commissioner of DAS and the joint standing committee of the General Assembly having cognizance of matters relating to labor and public employees are notified of such extension or renewal.

- ♦ In accordance with the Guide to the Code of Ethics for Public Officials and State Employees issued by the Office of State Ethics, no former executive branch or quasi-public agency official or employee shall, for one year after leaving state service, represent anyone (other than the state) for compensation before the agency in which he or she was employed at the time of leaving state service, concerning any matter in which the state has a substantial interest. The Office of State Ethics has established a policy to allow former state servants who are not retired members of the State Employee Retirement System to enter into consulting and other employment contracts with their former agencies within the one year period. Specifically, such conduct is permitted, as long as the reemployment is at no greater pay level than the individual was receiving at the time of separation from state service plus necessary expenses. For more information, see [Advisory Opinion No. 2003-3](#).
- ♦ In accordance with Personal Service Agreement Guidelines issued by OPM effective January 14, 2005, updated May 1, 2006, state agencies should not enter into personal service agreements with retired members of the State Employee Retirement System. Retirees should be placed on payroll in 120-day positions. Retirees who are reemployed by the state can work no more

than 120 working days in a calendar year without impairing their pension rights. For more information, see [Office of Labor Relations General Notice 2003-15: Reemployment of Retired Employees](#).

- C. If the PSA is a result of a request for proposals, has a cost of more than \$50,000, and fewer than three (3) acceptable bids were received, the contracting division shall complete and submit a [Request for Non-Competitive Personal Service Agreement form](#) to the Office of the Secretary (i.e., Zethalyn Evans) to enter into the PSA Website for approval.
- ◆ In accordance with Personal Service Guidelines issued by OPM effective January 14, 2005, updated May 1, 2006, OPM (i.e., Office of the Secretary) needs to approve all PSAs if fewer than three (3) acceptable bids are received in response to a request for proposals with a cost of more than \$50,000.
- D. Complete a [Contract Components Form OPM-A-12](#) (revised June 2008).
- E. Utilizing the boilerplate language, the contracting division prepares a draft [Attachments A, B, and C](#).
- F. The contracting division shall submit the following to the OPM Legal Unit (i.e., Sherrill Jacobson) for review. For planning purposes, staff should allow a minimum 2 – 3 week time period for the OPM Legal Unit to review the draft Attachments A, B, and C.
- ◆ an electronic copy of Attachments A, B, and C;
 - ◆ a hard copy of Contract Components Form OPM-A-12;
 - ◆ a hard copy of the Vendor Profile Form OPM-A-15;
 - ◆ a hard copy of Agency Vendor Form SP-26NB ; and
 - ◆ a hard copy of Request for Taxpayer Identification Number and Certification Form, W-9.

Additional time for a legal review during legislative session may be necessary, and staff should plan accordingly.

Responsibilities Of OPM Legal Unit

- A. The OPM Legal Unit shall review the draft Attachments A, B, and C and will work with the contracting division to make changes/recommendations.

The OPM Legal Unit (i.e., Sherrill Jacobson) shall determine if the contractor is an active vendor in the Core-CT financial system. If the vendor is not set up in the Core-CT financial system, the OPM Legal Unit (Sherrill Jacobson) shall provide the OPM Business Office (i.e., Lynda Williams) with a copy of forms SP-26NB and W-9. The OPM Business Office (i.e., Lynda Williams) will submit the required paperwork

to the Office of the State Comptroller to set up the contractor in the Core-CT financial system.

Upon approval of final changes, the contracting division can share final draft Attachments A, B, and C with the contractor. Any questions and suggested changes from the contractor regarding the final document shall be discussed with the OPM Legal Unit.

- B. The OPM Legal Unit shall prepare the final PSA [form CO-802A](#), with Attachments A, B, and C for execution.
- C. The OPM Legal Unit shall determine which of the following Ethics forms are appropriate and applicable to the PSA.
 - ◆ [Form 1](#), Gift and Campaign Contribution Certification
 - Required if value of PSA is \$50,000 or more in a calendar or fiscal year.
 - ◆ [Form 5](#), Consulting Agreement Affidavit
 - Required for the purchase of goods or services if value of PSA is \$50,000 or more in a calendar or fiscal year. This form is normally submitted with the bid or proposal. This form is needed at the time of contract execution if a sole source or no bid contract.
 - ◆ [Form 6](#), Affirmation of Receipt of State Ethics Laws Summary
 - Required for large State construction contracts or a large State procurement contract with a cost of more than \$500,000. This form is normally submitted with the bid or proposal. This form is needed at the time of contract execution if a sole source or no bid contract.
- D. The OPM Legal Unit shall prepare an execution checklist referencing required documents that the contractor must complete. See Appendix A for the Execution Checklist for Contractor.

Phase 4: Contract Execution

- A. The OPM Legal Unit (i.e., Sherrill Jacobson) shall forward the following to the contracting division to give to the contractor:
- ◆ Form CO-802A with Attachments A, B, and C; and
 - ◆ Contractor execution checklist with required forms.
- B. The contractor shall return all required documents to the contracting division. Utilizing the contractor execution checklist, the contracting division shall review the returned documents for completeness. Once the documents are complete, the contracting division shall forward the required documents to the OPM Legal Unit (i.e., Sherrill Jacobson).
- C. The OPM Legal Unit (i.e., Sherrill Jacobson) shall be solely responsible for forwarding the PSA to the Office of the Secretary for signature. The authority to enter into PSAs on behalf of OPM is limited to the Secretary and Deputy Secretary. In addition, in accordance with C.G.S. Sections 4-250 and 4-252(b), and Governor M. Jodi Rell's Executive Order No. 7c, Paragraph 10, [Form 3](#) Certification of State Agency Official or Employee Authorized to Execute Contract needs to be signed if the value of the PSA is \$50,000 or more in a calendar year or fiscal year.
- D. PSAs Over \$3,000 Or More
- ◆ PSAs having a cost of \$3,000 or more also require approval from the Office of the Attorney General.
 - ◆ The OPM Legal Unit (i.e., Sherrill Jacobson) shall be solely responsible for transmitting applicable PSAs and other required documentation to the Office of the Attorney General for approval.
- E. Upon receipt of a fully executed PSA (i. e., the PSA has been signed by the contractor, OPM, and if required, the Office of the Attorney General), the OPM Legal Unit (i.e., Sherrill Jacobson) shall forward the PSA and other documentation to the OPM Business Office (i.e., Joy Gutis) for processing. The OPM Business Office (i.e., Cheryl Rannou) shall make copies of the PSA and distribute them to the contracting division and the contractor. Receipt of such copy shall be notification to all parties that the PSA has been fully executed.
- F. If the PSA was the result of a RFP/RFQ, in accordance with Governor M. Jodi Rell's Executive Order No. 3, the OPM Legal Unit (i.e., Sherrill Jacobson) shall post a copy of the form CO-802A, with the social security number/federal employer identification number redacted, on the State of Connecticut's Contracting Portal on the DAS website.

G. If the PSA was the result of a RFP/RFQ, advise the OPM Business Office (i.e., Cheryl Rannou) to remove the unselected proposers from the State Elections Enforcement Commission report.

Phase 5: Post Contract Execution Responsibilities

The contracting division is responsible to assign someone to monitor the PSA. Such responsibilities include but are not limited to ensuring that invoices authorized for payment comply with C.G.S. Section 3-117, meet the Office of the State Comptroller's requirements regarding expenditure documentation and itemization, and are consistent with the terms and conditions of the PSA.

In accordance with C.G.S. Section 1-83, Governor M. Jodi Rell requires staff with significant decision-making and/or supervisory responsibility over staff that monitor State contracts to file an annual statement of financial interests form with the Office of State Ethics.

In accordance with C.G.S. Sections 4-250 and 4-252(c), and Governor M. Jodi Rell's Executive Orders No. 1, Paragraph 8 and No. 7c, Paragraph 10, any contractor who is awarded a contract with a value of \$50,000 or more in a calendar or fiscal year shall update [Form 1](#), Gift and Campaign Contribution Certification form on an annual basis.

In addition, not later than sixty (60) days after a contractor completes work on a PSA, the contracting division must prepare a written evaluation of the contractor's performance using the [Personal Service Contractor Evaluation form](#). The OPM Business Office (i.e., Cheryl Rannou) will notify the contracting division when to complete the form. The original copy of the evaluation is maintained in the Project File. The contracting division should forward an electronic copy of the form to the OPM Business Office (i.e., Cheryl Rannou) via e-mail, who in turn will place a copy in the contract file and forward the evaluation form to the Office of Finance.

Appendix A PSA Original Contract Execution Checklist for Contractors

Required by Contractor	Name of Form	Form Returned <i>(OPM Division use only)</i>
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- Form CO-802A with Attachments A, B, and C
 - The Contractor shall sign, indicate title, date, and type or print the name of the signatory next to the signature on the form CO-802A.

- Form 1, Gift and Campaign Contribution Certification

- Form 5, Consulting Agreement Affidavit

- Form 6, Affirmation of Receipt of State Ethics Laws Summary

- Nondiscrimination Certification for State Contracts
 - Must be signed by an authorized signatory of the contractor.

- Certificates of Insurance
 - Per Section J of Attachment A.

- Applicable Licenses and Registrations
 - Per Section C of Attachment A.

- Signatory Authority
 - ***If the contractor is an Individual:*** Indicate the title of “Self” on the form CO-802A.
 - ***If the contractor is a Partnership:*** Any general partner in a general or limited partnership has the authority to execute a contract, however, where possible, the partnership should supply a certification from a general partner other than the general partner executing the contract, or a certification from all general partners, stating that the general partner executing the contract has such authority. If a limited partner executes, however, a copy of the partnership agreement should be submitted with the specific authority of the named limited partner executing the contract. When executing an agreement on behalf of a partnership, the signatory must provide his title (i. e., partner, general partner, or limited partner).

- ***If the contractor is a Limited Liability Company (LLC):*** A member of the LLC should sign the contract on behalf of the LLC and indicate the title of “Member” on the form CO-802A.

- ***If the contractor is a Corporation:***

- a. A certified copy of a corporate resolution must accompany the contract.

The certification should bear an original signature by an officer of the corporation, preferably the secretary, and one other than the person authorized to sign the contract.

The certification should recite the following: 1) the name of the proper body adopting the resolution; 2) date of the adoption; 3) date of certification; and 4) title of certifier.

The resolution itself must authorize someone to sign the contract. The resolution must state the name or name/title of the person authorized to sign the contract. If the resolution only states the title, a certification by a corporate officer as to the name of the individual who holds that office is required. The resolution must be adopted prior to the signing of the contract.

- In lieu of a certified resolution, a certified copy of the applicable sections of the corporate by-laws that authorize execution of the contract by the signing person may be submitted along with certification that the person signing the contract in fact holds the office in question.
- In lieu of a certified copy of the corporate resolution or by-laws, a certified copy of the corporate minutes of the meeting of the board of directors may be submitted. These minutes must specifically authorize the signing person to execute the particular contract under review or the particular type of contract of which the one under review is an example.

- b. All state contracts entered into with a corporation must have the corporate seal affixed to either the signature page of the contract or the certified resolution appended to the contract. An embossed seal or statement from a corporate officer stating that the corporation does not have a seal must be supplied. The seal may consist of the word “seal” or the letters “L.S.” if the corporation does not have a seal.