

NEVADA DEPARTMENT OF CORRECTIONS	SERIES 200 FISCAL MANAGEMENT	SUPERSEDES: AR 212 (09/06/03)
ADMINISTRATIVE REGULATIONS MANUAL	ADMINISTRATIVE REGULATION 212 CONTRACTS	EFFECTIVE DATE: 11/08/04

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	<u>MANDATORY REVIEW DATE</u>	<u>05/02/05</u>

PURPOSE

To establish procedures for issuance and maintenance of Department contracts.

AUTHORITY

NRS 277.080 through 277.180
NRS 284.173
NRS 284.221
NRS 284.650
NRS 284.738
NRS 284.754
NRS 284.766
NRS 339.025
NRS 341.148
NRS, Chapter 439A

NRS, Chapter 616A through 616D
NRS 624.031
NRS 624.700
NRS 625.530
NAC, Chapter 333

RESPONSIBILITY

The Contract Monitor is responsible for processing and monitoring contracts for compliance with procedures.

The Institution/Facility Business Manager is responsible to process the Contract Request Form DOC-555 when a new contract is required or if an existing contract requires an amendment or renewal.

Budget Analysts are responsible for reviewing a contract request form and, if appropriate to verify funds are available for the contract and designate the correct line of coding to be used for the expenditure or revenue.

DEFINITIONS

AMENDMENT – A contract revising or changing the terms of the original contract.

ATTACHMENT – Supplemental information regarding a particular contract consisting primarily of the solicitation, scope of work, contractor’s response, negotiated response, if applicable, and the Department Security Regulations.

CONTRACT MONITOR – A designated department employee with the responsibility to document all aspects of contract compliance in accordance with NRS Chapter 333, NAC Chapter 333, and SAM Chapter 300.

CONTRACT SUMMARY – A form prescribed by the Board of Examiners to provide an accurate description of the contract document.

CONTRACTS – The document used to enter into a legal arrangement with outside entities for services and/or supplies including Interlocal and Cooperative Agreements.

COOPERATIVE AGREEMENTS – An agreement between two or more public agencies for the “joint exercise of powers, privileges and authority,” including, but not limited to law enforcement

INTERLOCAL CONTRACTS – A contract between any one or more agencies to perform any governmental service, activity or undertaking which any of its public agencies is authorized by law to perform.

APPLICABILITY

This regulation applies to all employees of the Department, except employees of Silver State Industries. Silver State Industries will develop an Internal Procedures regarding Contracts.

PROCEDURES

212.01 REQUEST FOR CONTRACT FORM (DOC 555)

1.1 When a contract or amendment is determined to be needed for an Institution/Facility, the Business Manager will complete the Request for Contract Form DOC-555.

1.1.1 The form must be filled out in full and the type of contract requested clearly marked or the form will be rejected and returned.

1.1.2 The originator must give as much detailed information as possible to the questions asked on the form.

1.1.3 Once the Business Manager has completed the form, the form should either be e-mailed or sent to the Budget Analyst assigned to that Institution/Facility for final approval to proceed with the contract or amendment.

1.1.4 The Budget Analyst will review the Request for Contract Form for completion, need for service and availability of funds. **(3-4029)**

1.1.5 The Budget Analyst will sign and mark yes or no for availability of budgeted funds and note the Budget Account, Category, and amount per Fiscal Year that is available for the contract. **(3-4032)**

1.1.6 The Budget Analyst will forward the Request for Contract Form to the Contract Monitor.

1.2 The Contract Monitor will review the Request for Contract form and determine the type of contract that is required.

1.2.1 The Contract Monitor will verify adherence to State rules and regulations in the procurement of the proposed contracted services/goods.

1.2.2. The Contract Monitor will verify appropriate signatures have been obtained and budget authority is available.

1.2.3 The Contract Monitor will solicit the contract, if applicable, in accordance with the State rules and regulations in the procurement process. **(3-4038)**

212.02 CONTRACT AND CONTRACT SUMMARY

1.1 The Contract Monitor will prepare the contract and the contract summary.

1.1.1 Attached to the contract will be any relevant documents to the contract. All attachments must be clearly labeled (i.e., Attachment A, Attachment B etc.) and indicate the name of the contract as stated on page one of the contract.

1.1.2 The contract summary will not have any attachments.

1.1.3 The Contract Monitor will sign the contract summary at the bottom.

212.03 SUBMISSION TO BUDGET ANALYST AND CHIEF OF FISCAL

1.1 The Chief of Fiscal and the assigned Budget Analyst will review and approve fund availability regarding contracts.

1.1.1 The Contract Monitor will submit the contract/amendment and contract summary to the Budget Analyst for review and approval of fund availability. Upon approving the contract, the Budget Analyst will initial the Contract Summary at the bottom next to the Chief of Fiscal's signature line and return the contract/amendment and summary to the Contract Monitor.

1.1.2 The Contract Monitor will then submit the contract/amendment, contract summary and any additional appropriate documents to the Chief of Fiscal for review and approval of fund availability. Upon approving the contract/amendment, the Chief of Fiscal will sign the contract summary on the signature line and return to the Contract Monitor.

212.04 CONTRACT TO CONTRACTOR FOR SIGNATURE

1.1 The Contract Monitor will forward the contract or amendment to the contractor for signature.

1.1.1 The contract summary is not sent to the contractor.

1.1.2 The original contract or amendment, all attachments applicable and all four (4) signature pages, clearly marked where the contractor is to sign, will be sent to the Contractor via Federal Express, Direct Mail or fax, whichever is appropriate under the circumstances.

1.1.3 Upon receipt of the signed contract or amendment from the Contractor, the Contract Monitor will send the contract or amendment and the contract summary to the Attorney General's Office for review and approval.

212.05 SUBMISSION TO THE ATTORNEY GENERAL'S OFFICE

1.1 Submission to the Attorney General's Office will include the following:

- A copy of the contract summary;

- The original contract with four (4) copies of the signature page clearly marked on all four (4) pages where the Deputy Attorney General is to sign; and
- All relevant attachments to the contract or amendment.

1.2 Upon receiving the signed contract back from the Attorney General's Office, the Contract Monitor will forward the contract or amendment and contract summary to the Assistant Director of Support Services.

212.06 SUBMISSION TO THE ASSISTANT DIRECTOR/DESIGNEE OF SUPPORT SERVICES

1.1 Submission to the Assistant Director of Support Services/Designee will include the following:

- A copy of the contract summary;
- The original contract with four (4) copies of the signature page clearly marked on all four (4) pages where the Assistant Director of Support Services is to sign;
- All relevant attachments to the contract or amendment.

1.2 Upon receipt of the signed contract from the Assistant Director of Support Services, the Contract Monitor will forward the contract or amendment and contract summary to the State Budget Office.

212.07 SUBMISSION TO STATE BUDGET OFFICE

1.1 Submission to the State Budget Office will include the following:

- The original contract summary and three copies; and
- The original contract or amendment with all applicable attachments and three complete copies.

1.2 Timely submission must be adhered to in accordance with the schedule as presented by the Board of Examiners.

1.3 If contract or amendment is a retroactive contract, a cover letter of explanation must be sent to the Budget Analyst IV at the State Budget Office when submitting the summaries and contracts.

1.4 Upon receipt of the fully executed contract/amendment, copies must be sent to applicable persons including, but not limited to, the Contractor, Budget Analyst for the Institution/Facility, Business Manager of the Institution/Facility and the Department's Accounting Office.

212.08 TRACKING OF CONTRACTS

1.1 The Chief of Purchasing or Chief of Fiscal Services will designate a contract monitor to review compliance with contract terms.

1.2 The Contract Monitor will maintain an administrative file.

1.2.1 Administrative files will contain relevant history of the contract including, but not limited to:

- Original contract and or amendments with attachments, exhibits and relevant documents that have been included as part of the contract;
- Copies of bids;
- Correspondence;
- Contract summaries;
- Contract request forms;
- Tracking of Progression of the Contract/Amendment;
- Insurance requirements; and **(3-4041)**
- Communication Log.

1.3 The Contract Monitor will produce and distribute quarterly and yearly contract reports. **(3-4035)**

1.3.1 The Contract Monitor will maintain a spreadsheet that can be sorted by budget account, date of expiration or contractor. This report will be distributed quarterly to Business Managers, Budget Analysts, Chief of Fiscal Services, Chief of Purchasing and the Assistant Director of Support Services.

1.3.2 The Contract Monitor will maintain a spreadsheet of all contracts current or expired and submit it annually to the State Controller's Office.

REFERENCES

State Administrative Manual (SAM) – Section 0300, Section 1500, and 1980.0.
ACA Standards 3-4029, 3-4032, 3-4035, 3-4038, and 3-4041

ATTACHMENTS

Request For Contract Form DOC-555

Jackie Crawford, Director

Date

CONFIDENTIAL XX
 Yes No

THIS PROCEDURE SUPERSEDES ALL PRIOR WRITTEN PROCEDURES ON THIS SPECIFIC SUBJECT.