

Suggested Checklist for the Review of Personal, Professional, Consulting, and Social Services Contracts

A. Minimum Contract Content:

1. Contains appropriate original (not a signature stamp) signatures of agency and contractor.
 2. Contains appropriate approvals; i.e. Civil Service, Attorney General, Higher Education Boards, if applicable, etc.
 3. Contains a date upon which the contract is to begin and upon which contract will terminate.
 4. Contains a description of the work to be performed including goals and objectives, deliverables, performance measures and a monitoring plan.
 5. Contains a maximum amount and schedule of payments to be made.
 6. Contains an itemized budget if it is a cost reimbursement contract.
 7. Contains a description of reports or other deliverables to be received, when applicable.
 8. Contains a schedule when reports or other deliverables are to be received, when applicable.
 9. When a contract includes travel and/or other reimbursable expenses, it contains language to effect the following:
 - a. Travel and other reimbursable expenses constitute part of the total maximum payable under the contract, or
 - b. No more than (\$_____) of the total maximum amount payable under this contract shall be paid as reimbursable expenses, and
 - c. Travel expenses shall be reimbursed in accordance with Division of Administration Policy and Procedure Memorandum 49 (The State General Travel Regulations).
 10. Contains the responsibility for payment of taxes, when applicable.
 11. Contains the circumstances under which the contract can be terminated either with or without cause and contains remedies for default. Must contain 30 day termination at convenience of the state unless justified and approved by the Director of the Office of Contractual Review.
 12. Contains a statement giving the Legislative Auditor and the Division of Administration Auditors the authority to audit records of the individual(s) or firm(s).
 13. Contains an assignability clause.
 14. Contains required anti-discrimination language (ADA).
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B. Additional Attachments which are required by Office of Contractual Review for Contract Submittal:

1. Signed [BA-22](#) form.
2. [Certification letter](#), if contract is over \$5,000.
3. [Multi-year letter](#), if contract exceeds 12 months.
4. [Late letter](#), if contract is more than 60 days late.
5. [Board Resolution](#), if contractor is a corporation, either profit or non-profit.
6. [Disclosure of Ownership](#) affidavit which has been filed with the Secretary of State's Office if contractor is a for profit corporation whose stock is not publicly traded.
7. [Certificate of Authority](#) to do business in La. if contractor is an out-of-state corporation.
8. Resume for Consultants.
9. Advance payment justification from non-profit contractor and approval by the agency with a statement that this is the most cost effective way of obtaining the services, as well as a recoupment schedule.
10. Information and documentation if [contract was awarded through the Request for Proposals process](#).

C. Determination of Responsibility of Contractor:

If a contract for consulting services is for \$50,000 or more, or for social services for \$250,000 or more per a 12 month period, the head of the submitting agency has prepared, signed and placed in the contract file a statement of facts on which a determination of responsibility was based. Factors to consider are:

1. Has adequate financial resources for performance, or has the ability to obtain such resources as required during performance.
2. Has the necessary experience, organization, technical qualifications, skills, and facilities, or has the ability to obtain them (including probable sub-contractor arrangements).
3. Is able to comply with the proposed or required time of delivery or performance schedule.
4. Has a satisfactory record of integrity, judgment and performance.

NOTE: Contractors who are seriously delinquent in current contract performance, considering the number of contracts and the extent of delinquencies of each, shall, in the absence of evidence to the contrary or compelling circumstances, be presumed to be unable to fulfill this requirement.

5. Is otherwise qualified eligible to receive an award under applicable laws and regulations.
6. On subcontracting, it has been established that contractor's recent performance history indicates acceptable subcontracting systems; or, major subcontractors have been determined by the head of the submitting agency to satisfy standard.