



Office of State Procurement

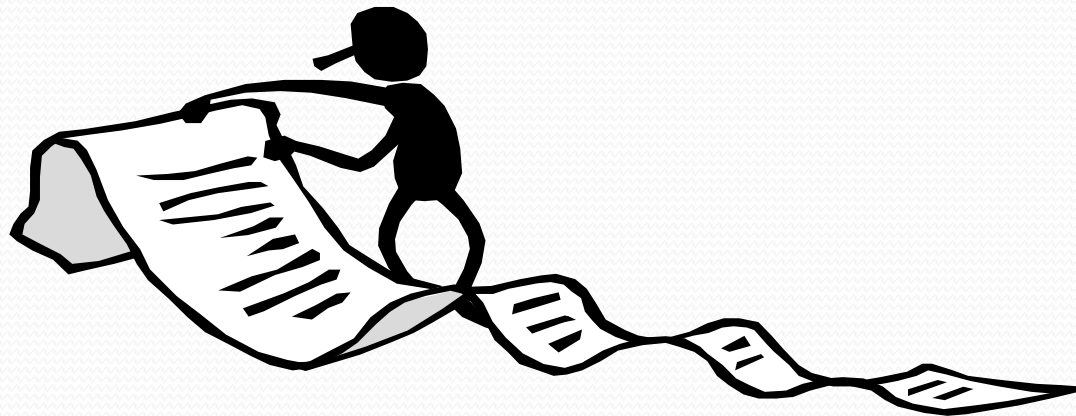
Professional Service Contracts – Professional Services

AGENCY
TRAINING



Objectives

- Discuss professional service contracts
- Understand the types of services that are classified as professional services





Professional Service Contracts

There are seven different types of Professional Service Contracts

- Personal
- Consulting
- Interagency
- Intergovernmental
- Social Services
- Cooperative Endeavors
- Professional





Applicability of Law

All expenditures of public funds by the Executive Branch of the State, regardless of their source they must follow the laws that govern PSC (Professional Service Contracts) contracts.

Some exemptions in law (RS 39:1554 & 39:1619)





Professional - R.S. 39:1556 (42)

Professional service is defined as work rendered by an independent contractor who has a professed knowledge of some department of learning or science used by its practical application to the affairs of others or in the practice of an art founded on it.





Professional - R.S. 39:1556 (42)

It's important to classify the type of services being provided correctly. The services being provided must be the usual and customary services for the profession.

A veterinarian speaking at a school on how you should take care of your pets, wouldn't be classified as professional services. The services would be classified as consulting and would be limited to \$74,999 per twelve (12) month period or your agency would have to process a RFP.





Professional

R.S. 39:1556 (42)

- Lawyers
- Doctors
- Dentists
- Psychologists
- Certified Advanced Practice Nurses
- Veterinarians
- Visiting Professors
- Architects
- Engineers
- Land Surveyors
- Landscape Architects
- Accountants
- Actuaries
- Claims Adjusters
- Pharmacists

Listed are the only services allowed to be classified as professional.



Non-Competitive

Contracts that are classified as professional services, are non-competitive.

- Not required to be put out for bid, RFP process
- No dollar limit

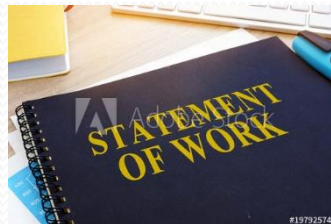
Cost benefit analysis should be completed to ensure the rates are within the normal range for the services being provided.



Examples of Professional Services

Review financial statements and other financial reports received from proposers submitted in response to an RFP, or other solicitation for stability and viability.

Provide drawings, specifications and/or other architectural, engineering and/or surveying information and documents as required.





Examples of Professional Services

Provide examination of teeth and gums, x-ray and diagnosing of diseases of the mouth and teeth. (Dentist)

Evaluate, report, and provide a plan for overall drainage in order to improve the drainage. (Engineer)

Examine animals for illnesses, administer medicines, annual vaccinations, Coggins shots, order x-rays, deliver foals or puppies and/or perform necessary surgery. (Veterinarian)



Resources to Find Services

- LaPac
- eCat
- LED
- Other Agencies





LaPac

- <https://wwwcfprd.doa.louisiana.gov/osp/lapac/pubMain.cfm>

LaPAC

Welcome to the Louisiana Procurement and Contract Network

[LaPAC Public Menu](#)

[Bids by Category](#)

[Bids by Department](#)

[Search for Open Bids](#)

[Search by Bid Number](#)

[Vendor Registration](#)

LaPAC Public Menu

All vendors that wish to receive email notifications of bid opportunities must be registered in LaGov via the vendor enrollment portal.

[Vendor Registration Menu](#)

Use the LaGov vendor enrollment portal to market your products or services.

[Bids by Category](#)

View a listing of bids by category for all departments.

[Bids by Department](#)

View a listing of solicitations by department.

[Search for Open Bids](#)

Locate open solicitations by one or more selection criteria.

[Search by Bid Number](#)

Locate solicitations by bid number.

[Check Status](#)

View a listing of solicitations that have already opened and see the current status.

[Contract Search](#)

Use Louisianas Electronic Catalog (eCat) to view State contracts for use by state agencies, quasi state agencies and political subdivisions.



eCat

- https://wwwcfprd.doa.louisiana.gov/OSP/LaPAC/eCat/dsp_eCatSearchLagovm

Office of State Procurement

Louisiana's Electronic Catalog (LA eCat)

Search tool for items on state contracts.

Help

LaGov

Contract

Contract #

Vendor

Name

Contract Desc.

SEBD VSE

T-Number Desc

SE/HI DVSE

T-number

Coop?

Contract Line Item:

Line #

Product Category

Material #

Product Category/Line Item Description

Catalog Items:

MDM Catalog Reference #

Supplier Part #

Region

Catalog Item Long Description

Emergency

- Search using singular word forms only.
- Words separated by a space searches for items containing all words in any order.
- Enclose a phrase in quotes to search for the exact phrase.
- Words separated with OR searches for any of the words.
- % can be used as a wildcard when searching

Search for: Contracts Contract Line Items Catalog Items



Economic Development

- <https://www.doa.la.gov/pages/osp/se/secv.aspx>

Citizens State Agencies State Employees Vendors Division Offices

Home About Us Contact Information Purchasing Professional Contracts State Travel and Purchase Cards

Home About Us Contact Information Purchasing Professional Contracts Debarred Vendors

Louisiana's Hudson Initiative (Small Entrepreneurship) Program

Hudson Initiative (Small Entrepreneurship) Certified Vendors from LaPAC

- [Alpha List](#)
- [List by Commodity Enrollment](#)



Minimum Contract Requirements R.S. 39:1625

Beginning / Ending dates – real ones, not “shall begin on date of approval and extend for one year”

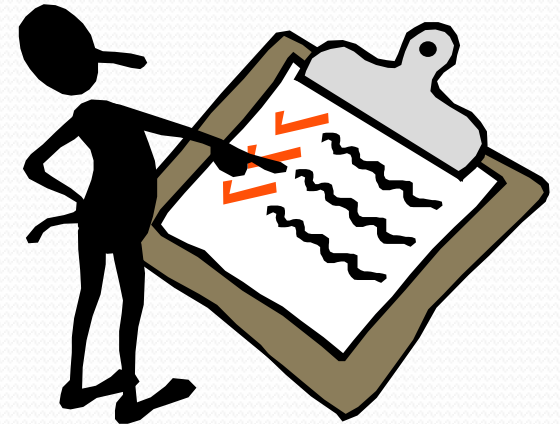
Your agency can decide to have a contract for one year and amend it for two additional years or you can have a three year contract.

If your agency has a need for the contract to have a duration longer than three (3) years, you can submit the contract for review and approval to the JLCB in order to have a duration up to five (5) years.



Minimum Contract Requirements continued

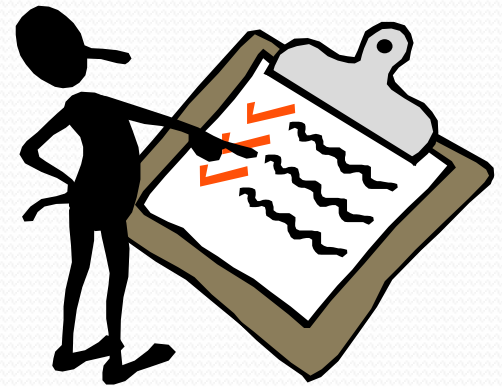
- Appropriate original signatures or electronic signatures (if your Agency policy allows)
- Statement of Work – Description of Services
 - Deliverables
 - Schedule of deliverables
 - Performance Measures
 - Monitoring plan





Minimum Contract Requirements continued

- Responsibility for taxes (LDR# & Tax ID)
- Termination clauses –for cause and convenience
- Remedies for default clause
- Legislative Auditor clause
- Assignability clause
- Any required anti-discrimination language
- Travel requirements –PPM 49 (OR) Travel is included in the cost
- Fiscal funding clause if the duration of the contract crosses a fiscal year
- Act 87 –Discretionary or Non-discretionary





Minimum Contract Requirements continued

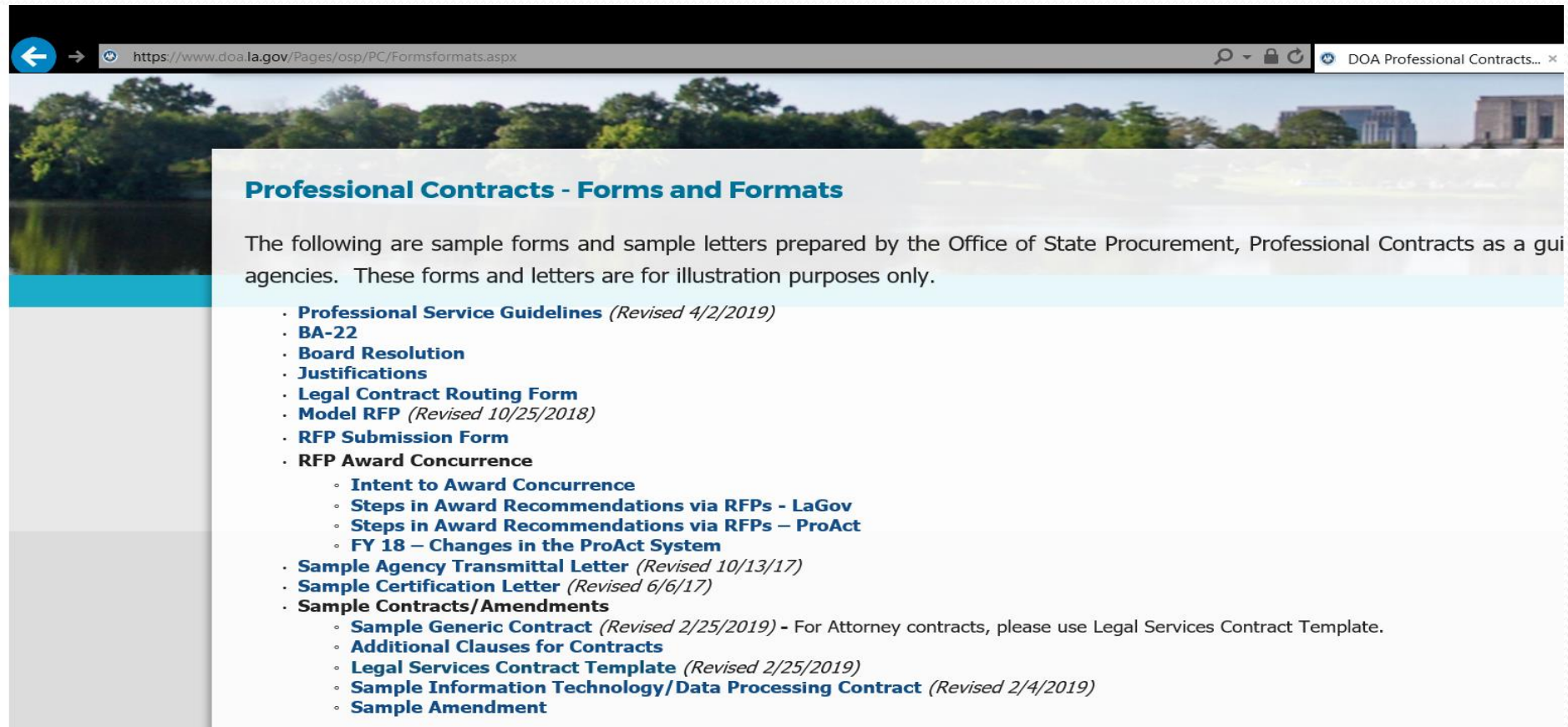
- Maximum amount
- Payment terms - schedule of payments to be made should be negotiated and clear so the contractor knows how he can bill and when he can bill
- Itemized budget must be include if your contract is for cost reimbursement.
- If monthly payments are being made, you should provide justification for which deliverables are being paid and when they are being paid.





OSP PSC Contract Template

- <https://www.doa.la.gov/Pages/osp/PC/Formsformats.aspx>

A screenshot of a web browser displaying the "Professional Contracts - Forms and Formats" page. The browser's address bar shows the URL "https://www.doa.la.gov/Pages/osp/PC/Formsformats.aspx". The page title is "DOA Professional Contracts...". The main content area has a light blue background with a header "Professional Contracts - Forms and Formats". Below the header, there is a paragraph of text and a bulleted list of links to various forms and templates.

Professional Contracts - Forms and Formats

The following are sample forms and sample letters prepared by the Office of State Procurement, Professional Contracts as a guide for agencies. These forms and letters are for illustration purposes only.

- **Professional Service Guidelines** *(Revised 4/2/2019)*
- **BA-22**
- **Board Resolution**
- **Justifications**
- **Legal Contract Routing Form**
- **Model RFP** *(Revised 10/25/2018)*
- **RFP Submission Form**
- **RFP Award Concurrence**
 - **Intent to Award Concurrence**
 - **Steps in Award Recommendations via RFPs - LaGov**
 - **Steps in Award Recommendations via RFPs – ProAct**
 - **FY 18 – Changes in the ProAct System**
- **Sample Agency Transmittal Letter** *(Revised 10/13/17)*
- **Sample Certification Letter** *(Revised 6/6/17)*
- **Sample Contracts/Amendments**
 - **Sample Generic Contract** *(Revised 2/25/2019)* - For Attorney contracts, please use Legal Services Contract Template.
 - **Additional Clauses for Contracts**
 - **Legal Services Contract Template** *(Revised 2/25/2019)*
 - **Sample Information Technology/Data Processing Contract** *(Revised 2/4/2019)*
 - **Sample Amendment**



Performance Evaluation R.S. 39:1569.1(B)

- Within sixty (60) days after completion of services, a performance evaluation is to be completed.
- Using agency has FULL responsibility for diligent administration and monitoring of contract
- If your contract/amendment was approved by OSP, a copy MUST be sent to OSP.



LaGov SRM ePROCUREMENT Tips

- PSC - Always have to start with a shopping cart
- You must fill in the LaGov Service Type
- Always click “Check” before you click “Order” to make sure there are no additional Red errors
- Click “Order” to send to OSP for review





What Type of Service?

Provide an academic achievement program to reduce the dropout population of Louisiana's youth by keeping them actively engaged in an age appropriate educational setting that leads to a recognized high school exit, entry to a post-secondary education, and or the workforce.



Social Service



What Type of Service?

Provide translation of various documents from English to languages to include Spanish, French, Chinese, Arabic, Vietnamese, and Mandarin as needed.



Personal Service



What Type of Service?

Contractor will appraise the property and provide appraisal report within ten (10) business days.



Consulting



What Type of Service?

Provide patient care oriented pharmacy services, including but not limited to proper drug dispensing and drug reaction handling. All drugs dispensed must be properly labeled with patient's name, name of drug, directions for taking the drug and strength of the medication, number of units dispensed, and expiration date.



Professional



What Type of Service?

Record public meetings, depositions, sworn statements, investigative hearings, and administrative hearing and to transcribe such recordings an original and one copy of the transcription shall be due within fourteen (14) business days.



Personal (Court Reporter)



What Type of Service?

Provide independent living skills preparation and transitional services to youth 14-21 years of age who are in foster care or exit foster care due to an applicable reason. The services provided shall assist youth in the transition to self-sufficiency.

Social Services



What Type of Service?



Provide physical therapy treatment to patients. Examine, evaluate, diagnose, and treat patients. Order lab tests, x-rays, or medical treatment as needed. Complete necessary progress notes in medical charts as required.

Personal Services



What Type of Service?

Provide legal counsel, advice and representation for the State of Louisiana.



Professional Services



Test Your Knowledge!

1. How to enter Professional service contracts in LaGov?
As a purchase order or as a shopping cart?
2. What Revised Statute tells us the definition of Professional service?
3. What is one of the new professions added under Professional service?
4. When do you need to submit a performance evaluation?
5. Are professional service contracts competitive?





Quiz Answers

A+ excellent!

1. PSC always have to start with a shopping cart.
2. Revised Statute Title 39:1556 (42)
3. Pharmacist, Visiting Professors and Scientists
4. Within sixty (60) days of completion of services
5. No





Office of State Procurement

OSP Main Phone Number:
225-342-8010

Professional Contracts Help Desk:
DOA-PChelpdesk@la.gov

Purchasing Helpdesk:
DOA-OSPhelpdesk@la.gov