

Policy

Policy Title:	Contract Administration				
Policy Number:	DHS-020-005	Version:	1.0	Effective Date:	03/01/2007

DHS Chief Administrative Officer

02/28/2007

Approved By: (Authorized Signer Name)

Date Approved

Overview

Description:

Provides requirement to attend Contract Administration training for those DHS employees responsible for contract administration duties.

Purpose/Rationale:

Describes Department of Human Services (DHS) policy for effective Contract Administration. DHS has the responsibility to maintain the integrity of its programs by applying a high degree of professionalism and stewardship towards its activities associated with monitoring the performance and obligations of its contractors and providers.

Applicability:

This policy applies to all DHS employees responsible for monitoring and approving the performance and obligations of DHS contractors and providers.

Failure to Comply:

Poor contract administration can result in inappropriate payments; ie payment for services and goods that are not delivered or do not meet DHS standards. This potentially compromises the safety of the customers and clients we serve. Further implications include a loss of credibility with the public; elimination of delegated authority to contract by the Department of Administrative Services (DAS); legislative intervention and legal action brought against the DHS. Additionally, Contract Administrators, can be held personally financially liable if convicted of violating any provision of ORS 279A.140. Fines range from not less than \$500 to not more than \$3,000.

Policy

1. General

DHS contractors must comply with all performance requirements, laws, rules, and general provisions specified in their executed contract with DHS. DHS is responsible for monitoring contractor performance. DHS staff assigned to monitor contractor performance are DHS' Contract Administrators.

2. Responsibilities of Contract Administrators

- a. Ensure the contractor is functioning as an independent contractor and not as an employee.
- b. Approve and accept deliverables or work products and ensure compliance with contract terms and conditions.

- c. Ensure contractor does not perform services outside the scope and term of the contract.
 - d. Receive and monitor contract expiration notices and take appropriate action.
 - e. Initiate requests when necessary to amend or extend the contract.
 - f. Ensure invoices meet the requirements specified in the contract.
 - g. Monitor expenditures paid against the contract total.
 - h. Make available for review all contract records associated with the duties and activities provided above.
 - i. Initiate contact with OCP for assistance related to contractor performance and corrective action remedies.
 - j. Notify DHS Information Security Office of any reported breach of security by a contractor in accordance with policy DHS-090-005.
3. Required Training for DHS employees assigned Contract Administration duties.
- a. **Contract Administrators.** DHS employees assigned Contract Administration duties are required to attend DHS Office of Contracts and Procurement (OCP) Contract Administration training.
 - b. Managers, who have authority to bind and obligate DHS through the execution of contracts in accordance with DHS Policy 040-010 must ensure staff assigned as Contract Administrators have attended Contract Administration training.
 - c. Waiver of Training. The training requirement can be waived by DHS Designated Procurement Officer (DPO) if DHS program demonstrates an individual has the knowledge skills and abilities necessary to provide effective Contract Administration.
4. Responsibilities of Managers who designate individuals as Contract Administrators
Managers, who have authority to bind and obligate DHS through the execution of contracts in accordance with DHS Policy 040-010 must ensure staff assigned as Contract Administrators have attended Contract Administration training. To register for this training you may go to:
<http://www.dhs.state.or.us/training-dhsoha/>

Procedure(s) that apply:

[DHS-020-003-01, Personal Services Contract \(PSK\) Procedure](#)

Form(s) that apply:

DHS 0118, Contract Request Form - [Word](#)

DHS 0118A, Contract Amendment Form - [Word](#)

DHS 0118S, Contract Solicitation Form - [Word](#)

DHS 0117, Instructions for Letter of Notification and Contract Feasibility Study Form - [Word](#)

DHS 0286, [Signature Authorization for Budgetary Expenditures \(DHS 0286\)](#)

Definition(s):

Contract Administration: OAR 125-246-0110(33), "Contract Administration" means all functions related to a given Contract between an Agency and a Contractor from the time the Contract is awarded until the Work is completed and accepted or the Contract is terminated, payment has been made, and disputes have been resolved. Contract Administration includes Amendments. Also see Common Terms for department-wide support services policies

Reference(s):

DHS-020-003, [Personal Services Contracts \(PSK\)](#)

DHS-040-010, [Delegation of Expenditure Decision Authority](#)

DHS-090-005, [Privacy and Information Security Incident Management](#)

ORS Chapter [279](#), [279A](#), [279B](#) and [279C](#)

OAR 125-246-0110(33), 125-246-0170(2),125-246-0550 to 0555,125-246-0355 and OAR125-246-0900

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Policy History:

- **Version 1.0:**
 - 03/01/2007 Initial Release

Keywords:

(List keywords here that might be used by someone to search for this policy on the internet)

