



**DEPARTMENT OF CORRECTIONS  
General Services**



<b>Title:</b>	<b>Contracts Administration</b>	<b>DOC Policy: 30.3.3</b>
<b>Effective:</b>	<b>5/1/15</b>	<b>Supersedes: N/A</b>
<b>Applicability:</b>	<b>All DOC employees responsible for monitoring and approving the performance and obligations of DOC contractors and providers.</b>	
<b>Directives Cross-Reference:</b>	<b>Contracts – Div 026 DAS Rules – OAR 125-246</b>	
<b>Attachments:</b>	<b>None</b>	

**I. PURPOSE**

The purpose of this policy is to establish the Department of Corrections policy on contract administration. This policy also addresses the requirement to attend Contract Administration training for those DOC employees responsible for contract administration duties.

**II. DEFINITIONS**

- A. **Contract:** An agreement between two or more entities which creates an obligation to do or not to do a particular thing. Its essentials are competent parties, subject matter, a legal consideration, mutuality of agreement, and mutuality of obligation. For the purposes of this policy, “contract” means “public contract”.
- B. **Contract Administration:** All functions related to a given contract between DOC 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 and contract close out.
- C. **Contract Administrator:** A DOC employee who is assigned the duties and responsibilities for providing contract administration, either as a part of the employee’s position description, or as assigned within a particular contract. The contract administrator may delegate in writing a portion of the contract administrator’s responsibilities to a technical representative for specific day-to-day administrative activities for each contract, including communications. DOC employees assigned to monitor contractor performance are technical representatives and not contract administrators.
- D. **Expenditure Authority:** The authority given by an approving officer to expend state funds by review, approval, and signature of a claim of authorization document. Such documents may include purchase requests, invoices, charge or credit card invoices (SPOTS, Voyager, etc.), contract invoice, or other documents that commit department funds.
- E. **Price Agreement:** A public contract for the procurement of goods services as a set price with:
  - 1. No guarantee of a minimum or maximum purchase; or

2. An initial order or minimum purchase combined with a continuing contractor obligation to provide goods or services in which the contracting agency does not guarantee a minimum or maximum additional purchase.

### **III. POLICY**

The department has the responsibility to maintain the integrity of its programs by applying a high degree of professionalism, integrity and stewardship towards its activities associated with monitoring the performance and obligations of its contractors and providers.

#### **A. General Provisions:**

1. All contract administrators must adhere to the contract administration procedures maintained by the Procurement and Contracts Unit.
2. DOC is responsible for monitoring contract performance and compliance with the contract requirements.
3. The Procurement and Contracts manager or designated procedure officer is responsible for developing and maintaining policy and recommended training to ensure effective and efficient contract administration of the department's contracts.
4. All contract administrators shall attend Contract Administration training in accordance with this policy.

#### **B. Duties and Responsibilities:**

1. Contract Budget Management: The contract administrator will work with the Procurement and Contracts Unit to ensure adequate and appropriate encumbrances are made to the initial contract, along with subsequent amendments, within the contracts module. Contract administrators will ensure sufficient current biennium funds are available, amending for consideration when necessary, to safeguard against delay in service or contractual obligation. Although contracts and price agreements may cross biennia, proper budget management is the responsibility of the contract administrator.
2. Monitor progress of work and ensure contract deliverables are met in accordance with the contract.
3. Take steps to correct and remedy any problems which may interfere with completion of the work or delivery of goods. This may include, but is not limited to, initiating amendments, exercising termination provisions, or any other provisions or actions required. The contract administrator will document in writing all such steps taken.
4. Ensure the contractor does not perform services outside the scope and term of the contract.
5. Receive and monitor contract expiration notices and take appropriate action.
6. Initiate request forms when necessary to amend or extend the contract.
7. Ensure invoices meet the requirements specified in the contract, and approve for payment as appropriate.
8. Monitor expenditures paid against the contract total and ensure DOC payment obligations do not exceed the contract maximum dollar amount.

9. Make available for review all contract records associated with the duties and activities provided herein.
10. Contact procurement and contract specialists for assistance related to contractor performance, corrective action remedies, and termination of contract prior to contract or price agreement expiration date.
11. Perform contract closeout functions, including but not limited to, assuring that all deliverables and work products have been received, all deliverables have been accepted and approved for payment, and that all issues have been resolved including the return of state property, if any.
12. Ensure the contractor is functioning as an independent contractor and not as a State employee.

**C. Training:**

1. DOC employees assigned contract administration duties shall attend training as prescribed by the DOC designated procurement officer.
2. Individuals may register for training administered by DAS on the [iLearnOregon](#) website.
3. Waiver of Training: The training requirement may be waived by the designated procurement officer if the contract administrator demonstrates the knowledge, skills and abilities necessary to provide effective contract administration.

**D. Responsibilities of Managers who Designate Individuals as Contract Administrators:**

Managers, who have authority to bind and obligate the department through the execution of contracts in accordance with this policy must ensure staff assigned as contract administrators have attended contract administration training as prescribed by the DOC designated procurement officer.

**E. Failure to Comply:**

Ramifications of failure to appropriately administer a contract or price agreement could result in over expenditure of department funds. Negligent or fraudulent expenditures may result in personal financial responsibility or disciplinary action, up to and including dismissal pursuant to OAR 291-026-0050.

**IV. IMPLEMENTATION**

This policy will be adopted immediately without further modification.

Certified: signature on file  
Birdie Worley, Rules Coordinator

Approved: signature on file  
Kim Brockamp, Deputy Director