

**NEVADA DEPARTMENT OF CORRECTIONS
ADMINISTRATIVE REGULATION
212**

CONTRACTS

Supersedes: AR 212 (12/17/12); and AR 212 (Temporary, 06/17/14)
Effective Date: 09/16/14

AUTHORITY: NRS 80.010, NRS 277.080 through 277.180, NRS Chapter 281A, NRS 284.1729, NRS Chapter 333, NRS Chapter 333A, NRS 339.025, NRS 341.148, NRS Chapter 616A through 616D, NRS 624.031, NRS 624.700, NRS 625.530, NAC Chapter 333, SAM 300, 42 U.S.C. § 15601, *et seq.* and 28 C.F.R. Part 115

RESPONSIBILITY

The appropriate staff are responsible for processing Department contracts that are in compliance with Nevada Revised Statutes, Nevada Administrative Codes, the State Administrative Manual, and PREA federal mandates.

The Institution/Facility Business Manager/Administrator is responsible for processing a Request for Contract form (DOC-555) when a new contract is required or an existing contract requires an amendment/renewal.

The assigned Budget Analyst is responsible for reviewing a Request for Contract form (DOC-555) and, if appropriate, verifying funds are available for the contract and designating the correct coding to be used for the expenditure or revenue.

212.01 REQUEST FOR CONTRACT FORM (DOC-555)

1. A Request for Contract form (DOC-555) must be completed by the Institution/Facility Business Manager/Administrator when a contract or amendment is required.
2. All Requests for Contract forms (DOC-555) must be properly completed. Failure to properly complete the Request for Contract form (DOC-555) will result in the document being returned to the sender.
3. The assigned Budget Analyst must approve availability of budgeted funds, account, category and fiscal year.
4. The appropriate staff will determine the type of contract that is required, and adhere to State rules and regulations in the procurement of the proposed contracted services/goods.

212.02 CONTRACT AND CONTRACT SUMMARY

1. The Contracts Manager, under the supervision of the Chief of Purchasing/Inmate Services, is responsible to prepare an accurate scope of work, which will provide the basis for contractor bids.
2. The Contracts Manger, under the supervision of the Chief of Purchasing/Inmate Services, is responsible for soliciting responses to the bids, or ensuring that bids completed by the Institutions comply with State requirements.
3. Designated and appropriate staff are responsible to ensure that the contract meets budgetary needs, is in the best interest of the facility/division, and meets all authority requirements of the State.
4. The Contracts Manager, under the supervision of the Chief of Purchasing/Inmate Services, is responsible for preparing the contract and the contract summary based on the vendor selected by the Institution/Facility/Administrator.

212.03 CONTRACT APPROVAL REQUIREMENTS AND SIGNATURES

1. The contractor must sign all copies of the contract in agreement with the terms and conditions of both the contract and the scope of work. The contractor does not receive or sign the contract summary form.
2. The Chief of Fiscal Services, the Assistant Chief of Fiscal Services, and the assigned Budget Analyst will review and approve funding availability regarding contracts. Signatures verifying approval are required on all contract summary forms and electronically signed/approved in the Contract Entry Tracking System (CETS).
3. The Attorney General's Office must approve and sign all contracts/attachments which are to be presented to the Board of Examiners and corresponding copies with the contractor's signature for content and form.
4. As designated by the Director, the Deputy Director of Support Services, is responsible for signing all copies of the contract and the corresponding attachments.
5. The Contracts Manager, under the supervision of the Chief of Purchasing/Inmate Services, is required to submit all contracts to the Budget Office for timely review and approval by either the Clerk of the Board of Examiners or for submission to the Board of Examiners in accordance with the schedule as presented by the Clerk of the Board of Examiners..
6. Mandatory background checks on contractors/vendors will be completed no less than every three years in compliance with PREA federal mandates; the Contracts unit is required to maintain tracking documentation for audit purposes.
 - A. The level and type of training provided to contractors shall be based on the services they provide and the level of contact they have with inmates. All contractors who have contact with inmates shall be notified of the agency's zero-tolerance policy regarding sexual abuse and sexual harassment and informed how to report such incidents.

212.04 CONTRACT TRACKING

1. Appropriate staff of the Institution/Facility/Administrator will be assigned to ensure performance compliance of the contract.
2. The Contracts Manager, under the supervision of the Chief of Purchasing/Inmate Services will maintain the administrative file of the contract. This file will contain but is not limited to:
 - A. Original contract and all amendments with attachments, exhibits and relevant documents
 - B. Copies of bids
 - C. Correspondence
 - D. Contract Summary
 - E. Contract Request Form
 - F. Insurance documents as required by Risk Management
 - G. Proof of Nevada Business License
 - H. PREA verification/audit information

APPLICABILITY

1. This regulation requires an Operational Procedure for the Support Services Division.
2. This regulation does not require an audit as a part of the annual review of internal controls pursuant to SAM 2418.0.

REFERENCES

State Administrative Manual (SAM) – Chapter 0300, Chapter 1500, and 1908
ACA Standards 4-4029, 4-4032, 4-4035, 4-4038, and 4-4041



Director

9/17/14

Date