

**NEVADA DEPARTMENT OF CORRECTIONS
ADMINISTRATIVE REGULATION
212**

CONTRACTS

Supersedes: AR 212 (12/17/12); AR 212 (Temporary, 06/17/14); 09/16/14; (Temporary, 02/13/17)
Effective Date: 03/07/17

AUTHORITY

NRS 80.010, 277.080 through 277.180, NRS Chapter 281A, Chapter 333, Chapter 333A, 339.025, 341.148, Chapter 616A through 616D, 624.031, 624.700, 625.530; NAC Chapter 333, State Administrative Manual (SAM) Chapter 300, SAM 1908, 42 U.S.C. § 15601, *et seq.* and 28 C.F.R. Part 115

RESPONSIBILITY

The Deputy Director of Support Services is responsible to ensure the management and administration of fiscal and contract policies.

The Business Manager/designee is responsible to initiate a Request for Contract form (DOC-555) when a new contract is required or a contract amendment authorizing payment of contracted goods/services received.

The Fiscal Services Budget Section is responsible to verify funds are available or will be available for the contract and designate the correct budget coding to be used for the expenditure or revenue.

The Contracts Manager is responsible to assist Department staff to secure contracts for services and goods which are in the best interest of the Department and in compliance with federal and state regulations, and will collect vendor review information from designated staff for entry into the State Purchasing Division's Contract Database Management System (Contract Database).

The Purchasing Division is responsible to maintain background check files on contractors/vendors.

The appropriate institution/facility/division staff is responsible to monitor vendor performance in accordance with the approved contract and provide a vendor review to the Contracts Manager for entry into the Contract Database.

212.01 REQUEST FOR CONTRACT FORM (DOC-555)

1. The appropriate institution/division staff, with support from the Contracts Manager, should determine the type of contract that is required, and adhere to state rules and regulations in the procurement of the proposed contracted services/goods.

2. A Request for Contract form (DOC-555) must be completed by the Business Manager/designee when a new contract or amendment is required.

3. All Request for Contract forms (DOC-555) must be fully completed and submitted to the Contracts Manager.

A. For new contracts, a detailed Scope of Work should be provided by the Business Manager/Designee. For contract amendments, justification for the amendment (e.g., revised Scope of Work, term extension, etc.) should be provided by the institution/division.

B. The Fiscal Services Budget Section shall ensure availability of funds, budget coding, and fiscal year(s). If funds are not available at the time the Request for Contract form (DOC-555) is submitted, a copy of any relevant Work Program requesting the budget authority should be submitted to the Contracts Manager.

C. Failure to properly complete the Request for Contract form (DOC-555) will result in the document being returned to the Business Manager/designee.

212.02 CONTRACT AND CONTRACT SUMMARY

1. The Contracts Manager is responsible to prepare a solicitation and solicit bids (if required) based on the scope of work/specifications provided by the institution/facility/division, or verify that bids requested by the institution/facility/division to prospective vendors, comply with federal and state regulations. The Contracts Manager may work in coordination with State Purchasing.

2. The Contracts Manager will prepare the contract and the contract summary based on the awarded vendor selected by the institution/division, grant or evaluation committee, whichever is applicable.

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/Assistant Chief of Fiscal Services and the Fiscal Services Budget Section will review and approve budget and contract authority 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 and attachments which are to be presented to the Board of Examiners (BOE) 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 will submit all contracts required by NRS to the Governor's Finance Office for timely review and approval by either the Clerk of the BOE or for submission to the BOE in accordance with the schedule as presented by the Clerk of the BOE.

6. Mandatory background checks on contractors/vendors will be completed each year in compliance with PREA federal mandates. The Purchasing Division is required to maintain background check files on contractors/vendors 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 institution/facility/division staff will be assigned to ensure vendor performance, compliance of the contract, and provide a vendor review (if appropriate) to the Contracts Manager for entry into the Contract Database.

2. Business Manager(s) will authorize payment of contracted services/goods received.

3. Fiscal Services will ensure timely payment of services, within thirty-days of authorization of services by the Business Manager(s).

4. The Contracts Manager 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 (e.g., calculations demonstrating how the amount of the contract was determined);

B. Copies of bid from the selected vendor (bids from vendors not selected will be maintained in a separate working file for one year from the contract start date);

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

ACA Standards 4-4029, 4-4032, 4-4038, and 4-4041


James Dzurenda, Director

3/7/17
Date