

Directions for completing the FY 2012 – FY 2013 Purchase of Service Contract and the Required Documents

Attached is your agency POS Contract for Day and Residential Services for July 1, 2011 to June 30, 2013. Completed POS Contracts must be returned to Central Office by **May 27, 2011**. If you are able to submit the completed POS Contract before May 27, 2011 this will be greatly appreciated and will assist us in processing your contract in a timely fashion. The contract is contained in multiple PDF files. These include:

1. The POS Contract Directions and Required Forms PDF
2. The POS Contract Boilerplate PDF
3. The POS Contract Cover Page PDF (page 1)
4. The POS Contract Summary Page PDF (page 51)
5. The POS Contract Signature Page PDF (page 52)
6. Contract Cancellation Acknowledgement Form

Open, save, and print all documents that come attached to that e-mail. Review carefully the POS Contract Directions and Required Forms PDF for detailed instructions for filling out the forms and documents required to be submitted with your POS Contract.

A completed POS Contract must include the following:

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|--|---|
| <ol style="list-style-type: none"> 1. POS Contract 2. Consulting Agreement Affidavit 3. Gift and Campaign Contribution Certificate 4. Non-Discrimination Certification 5. Corporate Resolution 6. Workforce Analysis Form 7. Contract Cancellation Acknowledgment Form 8. 2012 Operational Report Amend Authorizations | <p>NEEDED TO EXECUTE CONTRACT</p> |
| <ol style="list-style-type: none"> 9. Staff Schedules 10. Smoking Policy 11. Water Safety Policy 12. DOL Certificate 13. GSE Locations 14. Day Program Calendar | <p>Submitted with FY12 Operational Plan</p> <p>Required, but not needed to execute Please send electronically by 6/30/11. We would like these submitted electronically as we are trying to develop an electronic file of forms so that they will not need to be re-submitted unless they change or a policy change occurs. If you have difficulty scanning and emailing the forms contact your Operations Center Resource Manager and they will be happy to assist you.</p> |

In order to satisfy the legal requirement of a contract execution, DDS must receive the POS Contract Boilerplate, the POS Cover Page (page 1), the POS Summary Page (page 51) and the POS Signature Page (page 52) electronically within the same e-mail. These three documents must be scanned into a PDF File and attached in a reply e-mail to

your Operations Center Resource Manager with your specific contract attached. If you do not have the capability to scan these documents, please send a complete hard copy of the contract to Sandy McNally at the address below.

Additionally, all must return the original hard copy of the completed signature pages of the POS Signature Page (page 52), the Consulting Agreement Affidavit, Gift and Campaign Contribution Certificate, Corporate Resolution, and Non-Discrimination Certification to:

Sandra McNally, FAO
Department of Developmental Services
460 Capitol Avenue
Hartford, CT 06106

The Workforce Analysis Form, 2012 Operational Report, Staff Schedules, Smoking Policy, Water Safety Policy, DOL Certificate, GSE Locations, and Day Program Calendar must be sent electronically to DDS.OperationsCenter@ct.gov.

Please return all documents by **May 27, 2011** to allow for full execution prior to **June 15, 2011**.

Required Document Descriptions:

Documents that are colored BLUE are hyperlinked to the documents. They can also be found on the DDS Website at <http://www.ct.gov/dds/cwp/view.asp?a=3166&q=478128>

1. POS Contract

a. Directions

- i. Sign Page 52
 1. Must be signed by the Executive Director or other authorized individual.

b. **Link** <http://www.ct.gov/dds/cwp/view.asp?a=3166&q=478136>

c. Notes

- i. Pages 1 - 52 with the POS Cover Page (page 1), the POS Summary Page (page 51), and the POS Signature Page (page 52) needing to be removed and replaced by the POS Cover Page (page 1), the POS Summary Page (page 51), and the POS Signature Page (page 52) PDF attachments.

2. Gift and Campaign Contribution Certificate (OPM Ethics Form1)

a. Directions

- i. Check the "Initial" box
- ii. Complete form as applicable, DDS will complete the shaded area with the following:
 1. Awarding State Agency will be DDS
 2. Planning Start Date will be 5/2/2011
 3. Contract Number or Description will be 11DDS0xxxRD
- iii. form must be signed by the Executive Director or other authorized individual
- iv. Notarize

b. **Link** http://www.ct.gov/opm/lib/opm/finance/psa/opm_ethicsform1_020110.doc

3. Consulting Agreement Affidavit (OPM Ethics Form 5)

a. Directions

- i. Complete form as applicable
- ii. form must be signed by the Executive Director or other authorized individual
- iii. Notarize

b. Link http://www.ct.gov/opm/lib/opm/finance/psa/opm_ethicsform5_020110.doc

c. Notes

- i. All agencies must complete this form. If an agency has more than one (1) consulting agreement, the provider must submit a different form for each agreement.
- ii. If the agency does **not** have any consultant agreements, the provider must complete only the shaded section.
- iii. The Awarding State Agency is the Department of Developmental Services.
- iv. If the agency does have any consultant agreements, the provider must complete the entire form.
 1. The definition of consulting agreement as defined in Sec 4a-81 states: As used in this section "consulting agreement" means any written or oral agreement to retain the services, for a fee, of a consultant for the purposes of:
 2. Providing counsel to a contractor, vendor, consultant, or other entity seeking to conduct, or conducting business with the state.
 3. Contacting, whether in writing or orally, any executive, judicial, or administrative office of the state, including any department, institution, bureau, board, commission, authority, official or employee for the purpose of solicitation dispute resolution, introduction, request for information or
 4. Any other similar activity related to such contract. Consulting agreement does not include any agreements entered into with a consultant who is registered under the provision of Chapter 10 as of the date such affidavit is submitted in accordance with the provisions of this section."

4. Non-Discrimination Certification – By law, a contractor must provide an awarding State

agency with written representation or documentation that certifies the contractor complies with the State's nondiscrimination agreements and warranties. Providers entering into a contract valued at \$ 50,000 or more for any year of the contract are required to complete one of three forms that declare that a provider has a "policy in place that complies with the nondiscrimination agreements and warranties of Connecticut General Statutes §§ 4a-60(a)(1) and 4a-60a(a)(1), as amended."

a. Directions

- i. Complete either OPM Form C, D, or E
- ii. Follow the instructions relating to each form.
- iii. **MUST BE SIGNED THE SAME DAY AS OR AFTER THE CONTRACT IS SIGNED.**

- iv. Form C, by Affidavit (OPM Recommended). For use by an entity to certify through an affidavit that a complying nondiscrimination policy is currently in place.

http://www.ct.gov/opm/lib/opm/finance/psa/oag_formc_entaffidavit070809final.doc , is an affidavit that must be

1. Signed by a chief executive officer, president, chairperson, member, or other corporate officer duly authorized to adopt corporate, company, or partnership policy, and
 2. Notarized
- v. Form D, by New Resolution. For use by a entity that has a complying nondiscrimination policy adopted by a new resolution of the board of directors, shareholders, managers, members, or other governing body.
http://www.ct.gov/opm/lib/opm/finance/psa/oag_formd_entnewresolution070809final.doc
 , is a certification that must be:
1. Signed by an authorized signatory, and
 2. Accompany the new resolution, which must be,
 - a. Signed by a member of the Boards Executive Committee, and
 - b. Have the corporate seal, or encircled LS with the signature to indicate that the corporation does not have a seal.
- vi. Form E, by Prior Resolution. For use by a entity that has a complying nondiscrimination policy adopted by a prior resolution of the board of directors, shareholders, managers, members, or other governing body.
http://www.ct.gov/opm/lib/opm/finance/psa/oag_forme_priorresolution070809final.doc , is a certification that must be:
1. Signed by a duly authorized corporate officer or member, and
 2. Accompany the prior resolution, which must be,
 - a. Signed by a member of the Boards Executive Committee, and
 - b. Have the corporate seal, or encircled LS with the signature to indicate that the corporation does not have a seal.

5. Corporate Resolution — A Corporate Resolution giving the executive director or whoever is designated by the board to sign contracts on behalf of the organization. A copy must be attached to the contract. Agencies may decide to do a new resolution each year or use an existing one from a previous year. The Corporate Resolution signed by the Secretary of the Board attesting that the resolution is still in effect. If the Secretary is not available, then a member of the Board’s executive committee may sign it.

a. Directions

- i. must be signed by the Secretary of the Board of Directors, or another member of the Board’s Executive Committee
- ii. must have the corporate seal, or encircled LS with the signature to indicate that the corporation does not have a seal,
- iii. **MUST BE SIGNED THE SAME DAY AS OR AFTER THE CONTRACT IS SIGNED.**

See the following links for examples:

http://www.ct.gov/opm/lib/opm/cjppd/cjexternal/arra/jag_docs/sample_corporate_resolution.pdf

http://www.das.state.ct.us/Purchase/Info/Vendor_Authorization_Guidelines_Samples.pdf

6. Workforce Analysis Form

http://www.ct.gov/dds/lib/dds/operations_center/workforce_analysis_form.xls

7. Contract Cancellation Acknowledgment Form

This form cancels the current contract and replaces it with the attached combined Residential and Day Services POS Contract.

8. 2012 Operational Report

<http://www.ct.gov/dds/cwp/view.asp?a=3166&Q=478354>

The following documents are not required to execute the contract, but still need to be submitted.

9. Staff Schedules

10. Smoking Policy

11. Water Safety Policy

12. DOL Certificate – Required for Day Programs that pay participants less than Minimum Wage.

13. GSE Locations

14. Day Program Calendar

| Form | When Signed | When Signed | When Signed | Who Signs | Seal/Notarized |
|--------------------------------------|--|--------------|--------------------|-------------------------------------|--|
| Consulting Affidavit | After May 2, 2011 and prior to submitting contract to DDS. | | | Executive Director | Notarized |
| Gift and Campaign Contribution Cert. | After May 2, 2011 and prior to submitting contract to DDS. | | | Executive Director | Notarized |
| POS Contract | | The Contract | | Executive Director | |
| Non-Discrimination Cert. | | | After the Contract | Secretary of the Board of Directors | Corp. Seal or the encircled LS if there is no Corp. Seal |
| Corporate | | | After the | Secretary of the | Corp. Seal or the |

| | | | | | |
|-------------------|--|--|----------|--------------------|--|
| Resolution | | | Contract | Board of Directors | encircled LS if there is no Corp. Seal |
|-------------------|--|--|----------|--------------------|--|