

REDUNDANT FORMS FOR CONTRACTS, AMENDMENTS, RFPS

Prepared by OPM
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FORM	DISPOSITION
<p>1. Resolution</p>	<p>NO CHANGE <i>Reason:</i> Necessary from an ordinary business perspective to provide assurance that the individual signing the State contract has the authority to do so. *Submitted prior to contract execution.</p>
<p>2. OPM Ethics Form 1 – Gift & Campaign Contributions</p>	<p>NO CHANGE <i>Reason:</i> Originated with Governor Rell’s contracting reform initiatives. Does not lend itself to elimination or substantial revision. Form is unique to each contract (e.g., contractor swears that no gifts were given between the contract’s <i>Planning Start Date</i> and <i>Contract Execution Date</i>, which vary from contract to contract). *Submitted prior to contract execution; updated annually if multi-year contract.</p>
<p>3. OPM Ethics Form 3 – Certification of State Agency Official or Employee Authorized to Execute Contract</p>	<p>NOT APPLICABLE <i>Reason:</i> Completed form is signed by a State agency official or employee, not the contractor.</p>
<p>4. OPM Form – Nondiscrimination Certification (less than \$50,000)</p>	<p>REQUIRES LEGISLATIVE ACTION <i>Reason:</i> Form is redundant (i.e., not needed legally or administratively). Nondiscrimination provisions are in statute and referenced in all State contracts. Elimination of the form would require legislative action. *Submitted prior to contract execution.</p>
<p>5. OPM Form – Nondiscrimination Certification (\$50,000 or more)</p>	<p>COMBINE WITH #4 <i>Reason:</i> This is not a separate form, but a variation of #4 above. Contractor submits only one Nondiscrimination Certification, depending on whether the contract value is <i>less than</i> or <i>more than</i> \$50,000.</p>
<p>6. OPM Ethics Form 5 – Consulting Agreement Affidavit</p> <p>Applies only to contracts having a value of \$50,000 or more in a calendar or fiscal year.</p>	<p>NO CHANGE <i>Reason:</i> Originated with Governor Rell’s contracting reform initiatives. Does not lend itself to elimination or substantial revision. Form is unique to each contract (i.e., contractor swears not to have entered into any consulting agreement in connection with the <i>specific</i> contract). *Submitted with proposal (or bid). If sole source contract, submitted prior to contract execution.</p>

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<p>7. OPM Ethics Form 6 – Affirmation of Receipt of State Ethics Laws Summary</p> <p>Applies only to large construction contracts, usually with DPW or DOT.</p>	<p>NOT APPLICABLE <i>Reason: POS contractors do not submit this form.</i></p>
<p>8. Board of Directors</p>	<p>NOT REQUIRED BY POS CONTRACT <i>Reason: Agencies request this information from contractors only “as needed.” When requested, contractor simply sends agency a copy; no form needs to be completed.</i> <i>*When requested, submitted with proposal or prior to contract execution.</i></p>
<p>9. Insurance Certification</p>	<p>NO CHANGE <i>Reason: Required by POS contract. Necessary from an ordinary business perspective to protect the State’s interests (i.e., that the State is listed as an additional insured).</i> <i>*Submitted at contract execution.</i></p>
<p>10. Workforce Analysis</p> <p>Related to #14 and #15.</p>	<p>PENDING <i>Reason: This is not a “standard” State form. It is a variation of federal form EEO-3, which some (but not all) POS agencies use to collect workforce data (instead of using CHRO Form #15 below). Both the federal form and #15 collect data about the prospective contractor’s workforce. Some agencies use the federal form to make it easier on their contractors, who must report to the feds using EEO Form 3.</i> <i>*When used, submitted with proposal.</i></p>
<p>11. Smoking Policy</p>	<p>DELETED <i>Reason: POS contract has been revised. Contractor is no longer required to provide the agency with a copy of its written rules concerning smoking.</i></p>
<p>12. Annual Report</p>	<p>REVISED <i>Reason: POS contract has been revised. Going forward, contractor will have to provide this information only upon the agency’s request (not automatically).</i></p>
<p>13. Annual Tax Returns (TAX 990)</p>	<p>REVISED <i>Reason: POS contract has been revised. Going forward, contractor will have to provide this information only upon the agency’s request (not automatically).</i></p>

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<p>14. Minority Business [Enterprises Utilization] Form Related to #10 and #15.</p>	<p>PENDING <i>Reason:</i> This is not a “standard” State form. It is a variation of Form #15 below, which some (but not all) POS agencies use to collect information related to the Minority Business Enterprises (set aside) program. Submitted after contract execution if a POS contractor selects an MBE as a subcontractor or materials supplier. *When used, submitted after contract execution.</p>
<p>15. Notification to Bidders Related to #10 and #14.</p>	<p>PENDING <i>Reason:</i> Used by only some POS agencies to collect workforce and MBE program data required by CHRO. POS agencies support elimination of this form (as many are using alternative forms to collect the data). Moreover, #15 is never submitted to CHRO. The AG’s Office advised agencies to continue to use the form to solicit this information from prospective contractors (for now). *When used, submitted with proposal.</p>
<p>16. Cost Allocation Plan Describes the contractor’s method for assigning costs.</p>	<p>NO CHANGE <i>Reason:</i> Required by OPM’s Cost Standards. *Submitted once by the contractor to a POS agency, at the beginning of their contractual relationship.</p>
<p>17. Copies of Lease Agreements</p>	<p>NOT REQUIRED BY POS CONTRACT <i>Reason:</i> Agencies request only “as needed.” When requested, contractor simply sends agency a copy; no form needs to be completed. *When requested, submitted prior to contract execution.</p>