

eMARS 603

Personal Service Contracts



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eMARS Personal Services Contracts

1 – Orientation

This course is designed to provide a detailed understanding of the Commonwealth of Kentucky's Personal Service Contract processes and the eMARS procurement functionality as it relates to Personal Service Contracts (PSC's).

A Personal Service Contract is defined as an agreement whereby an individual, firm, partnership, or corporation is to perform certain services requiring **professional skill or professional judgment** for a specified period of time at a price agreed upon. It includes all price contracts for personal services between a governmental body or political subdivision of the Commonwealth and any other entity in any amount.

This course is not intended to provide information pertaining to Personal Service Contract Policies and Procedures. The eMARS PSC class will demonstrate how the procedures are entered into the eMARS Procurement System.

The statutes, policies and procedures governing PSC's are KRS 45A.690 – KRS 45A.725; FAP 111-43-00; 200 KAR 5:307 and 200 KAR 5:309. These are available on the Finance and Administration website; and in the Reference Document Section of the Personal Service Contract and Memorandum of Agreement Contracting Manual. <http://finance.ky.gov/business/eprocurement/state-laws.htm>

- PSC's are used to establish a contract with a private entity.
- PSC's must go through a competitive process OR have sole source OR not practicable or feasible to bid approval from the Secretary of the Finance and Administration Cabinet or his designee, the Office of Procurement Services (OPS) Executive Director.
- PSC's shall be filed with the Legislative Research Commission (LRC) Government Contract Review Committee (GCRC) unless exempt by statute or by an exemption granted by the GCRC.
- The GCRC has established policies which impact PSC's established pursuant to KRS 45A.690 – KRS 45A.725. These are located on the GCRC website and in the Reference Document Section of this Manual. <http://www.lrc.ky.gov/Statcomm/Contracts/homepage.htm>
- PSC's shall be filed with the GCRC prior to the effective date.
- PSC's may not extend past the end of the biennium in which they are created unless there is statutory authority to do so; or by an exemption granted by the GCRC.
- PSC's less than \$10,000 are exempt from routine GCRC review but must be filed with them for information purposes.
- PSC's less than \$10,000 must be filed with the GCRC **no more than** thirty (30) days after the effective date.



- PSC's are created as eMARS PON2 documents unless they are exempt from filing with the GCRC.
- PSC's exempt from filing with the GCRC are created as eMARS PO2 documents.

eMARS contains several features that provide additional support to users who create Personal Services Contracts and Memoranda of Agreement documents. The eMARS Procurement Workspace consolidates in one place the links to the documents and inquiries you will need to complete Procurement functions. eMARS also provides a Procurement Type field used to identify the Business Process being followed to procure goods or services for a given requirement. Procurement Type controls which documents may be processed, how Vendors will be evaluated in the Post Award State, and which Authorities may be cited on an Award Document.

Cited Authorities are only applicable to certain Procurement Types. When completing a document it is important to select the Procurement Type first as this action will filter the list of Cited Authorities to show only those that are relevant.

Learning Objectives

At the conclusion of this session, you will be able to:

- Process an Executive Order Request/Letter of Intent (**EO1/LOI**)
- Conduct a Competitive Negotiation using the Request for Proposal (**RFP**), Solicitation Response (**SRW**) and Evaluation (**EV**) document.
- Award a Proof of Necessity Agreement (**PON2**).
- Evaluate a Vendors Performance (**PE**).
- Track documents and work in progress using the Lifecycle Inquiry (**LINQ**).

Procurement Document Codes & Listings

The following table displays the Procurement document codes, types, names and purposes for documents used for Personal Service Contracts

DOC CODE	DOC TYPE	DOC NAME	PURPOSE AND NOTES
EO1	ADM	Executive Order Request	Used to review the types and amounts of contracts and purchases that the agency is requesting. The EO Review Committee will evaluate the documented necessity of the purchases in relation to the programmatic needs described in the Purpose and Justification field, along with the reasonableness of the costs. Required for Executive Branches of Government where needs are greater than \$1,000. The EO1 is also used to file a letter of intent for PSC's. Called a EO1/LOI (Letter Of Intent) These are reviewed by OPS, not the EO1 committee. EO1/LOI is required for any competitive exemption, regardless of amount.
PE	ADM	Performance Evaluation	Record Vendor Performance - Evaluators must be set up on the PEEVALR table by the contract administrator. Based on the Document ID



eMARS Course 603 – Personal Services Contracts

DOC CODE	DOC TYPE	DOC NAME	PURPOSE AND NOTES
PON2	AWARD	Contract	Created by any Department for all Personal Service Contracts/Grants/MOA's which require review by the Government Contract Review Committee. Requires completion of the PON information. Otherwise is exactly the same as a PO document.. Users make payment by copying forward from the award to a PRC.
EV	EV	Evaluation Document	Created by the buyer to consolidate all Solicitation Responses, enter scoring, award justification. The resultant award is generated from within the EV document.
PRC	PRC	Payment Request	The PRC payment document may be created by the end user as a standalone document or reference awards or master agreements with external vendors. The PRC is used to process all payments against a PON2
RFP	SO	Request for Proposals	Used by any department for all Personal Service Contracts, or by Central Procurement agencies for complex procurements.
RFQ	SO	Request for Quotes	Issued by any department for solicitation of goods or services within the small purchase delegation for the department. Used to solicit quotes for non-professional services
SRW	SO	Solicitation Response	Same as the SR, but generated through the Solicitation Response Wizard.

2 – Commonwealth of Kentucky Procurement Process

Procurement Lifecycle

The Commonwealth's Procurement Lifecycle consists of the following six major phases:

- **Executive Order Request**- identifies the need for a specific purchase, and the planned approach for making the acquisition. Requests will be required for any contract or purchase over \$1,000. The Executive Order/Letter of Intent contains information required for an EO1 as well as additional information for a Letter of Intent and competitive exemption requests.
- **Requisition** – a request for goods or services
- **Solicitation** – requirements for goods or services are advertised and vendors are requested to submit information, quotes, bids or proposals.
- **Solicitation Response** – Vendor responses to Solicitations are received and recorded.
- **Evaluation** – Vendor responses to a Solicitation are evaluated for award.
- **Award** – formal agreements are established with a Vendor to either purchase goods or services or set prices for future purchases.
- **Post Award** – the activities that take place during the remainder of a Vendor contract after award.

It is not required that every procurement go through all of the above procurement phases or to proceed through these phases in sequence. The only two required phases are Award, Post Award and the Executive Order Request process for anything over \$1,000, with the exception of utilities.

Executive Order Request

The Executive Order phase allows a user to create a request identifying the need for specific goods or services. The Executive Order Request (**EO1**) allows the agency to state the need for the purchase, and to specify the procurement process involved for making the acquisition. Each request must be reviewed prior to the start of the procurement process, and will be required on every purchase or contract expected to exceed \$1,000. The Letter of Intent (LOI) – is intended to ensure PSCs are established only when necessary for services that cannot reasonably be performed by any other state agency or university. The LOI is also used to request a competitive exemption for a PSC, regardless of amount. The EO1 is the eMARS document used to complete both the EO1 and the LOI for PSCs.

Requisition

In the Requisition phase, a user creates a request for the desired goods or services. For procurements that exceed an agency's Delegated Authority, a user must prepare a Requisition (**RQS**) document in eMARS to describe the requirement, receive departmental approval, and route to Office of Procurement Services (OPS) for subsequent processing. The Requisition is not used in Personal Service Contracting.

Solicitation

The Solicitation phase encompasses the documents and events used to advertise a requirement and request Vendors to submit information, quotes, bids, or proposals. eMARS uses the following document codes:

- Request for Information (**RFI**)
- Request for Proposal (**RFP**)*
- Request for Bid (**RFB**)
- Request for Quote (**RFQ**)
- Best and Final Offer (**BAFO**)

*The **RFP** document and its use in the Competitive Negotiation and Competitive Sealed Bidding processes are covered in detail in this course.

- **RFI** (Request for Information) – Used to gather information when a conceptual need has been identified, but the detailed requirements needed to achieve the goal still need to be defined.
- **RFP** (Request for Proposal) – Used to advertise procurements that may not have exact parameters. Used by Agencies to bid Personal Service Contract. May or may not be commodity driven.
- **RFQ** (Request for Quote) – Used for informal solicitations for goods or services.
- **RFB** (Request for Bid) – Used for procurements where the Commodities for goods or services are delineated (for Central use only).
- **BAFO** (Best and Final Offer) – Used in the second round of an RFP. Selected respondents are provided the opportunity to supplement their original response to reflect their best and final offer for the Solicitation.

Solicitation Response

As vendors respond to Solicitations issued by the Commonwealth their responses are recorded. The Solicitation Response phase encompasses the documents and events used to record a Vendor's response to a Solicitation.

Solicitation Response is divided into two main areas:

- **Vendor Functionality** – operates as a separate application, Vendor Self Service (**VSS**) integrated with eMARS. This will be covered later in the session.
- **Buyer Functionality** – the Buyer, or tech, enters responses in eMARS for Vendors not submitted in Vendor Self Service (**VSS**).

There are two Solicitation Response document codes:

- Solicitation Response (**SR**)
- Solicitation Response Wizard (**SRW**)

Evaluation

The Evaluation phase encompasses the documents and events used to evaluate a Vendor's response to a Solicitation. Once all bids have been received and a solicitation closing date has passed, the procurement moves into the Evaluation phase where responses are reviewed, analyzed, and ranked against all other responses by designated evaluators.

There is only one Evaluation document:

- Evaluation (**EV**)

Award

Awards range from contracts for consulting services to master agreements. The Award phase is the **ONLY** mandatory phase in the Procurement Process.

The Award phase encompasses the documents and events used to establish a formal agreement with a Vendor, either to purchase defined goods or services or to set prices for future purchases.

The following documents may be used in the Award phase:

- Purchase Order (**PO/PO2**)
- Contract (**CT/CT2**) (**CTT1/CTT2 KYTC ONLY**)
- Master Agreement (**MA**)
- Delivery Order (**DO/DO2**)
- Proof of Necessity Agreement (**PON2**) *

The Proof on Necessity Agreement is covered in detail in this class.

Post Award

The Post Award phase begins immediately after an Award has been established for a Vendor and encompasses the documents and events that take place during the remainder of the life of the contract.

Post Award encompasses three main areas:

- Receipt of goods and payment
- Vendor Performance
- Contract Administration

The following documents may be used in the Post Award State:

- Receiver (**RC**)
- Payment Request (**PRC**)
- Vendor Performance Evaluation (**PE**)
- Renewal (**RN**)

Procurement Folder

The Procurement Folder is the central repository for documents related to a single procurement. eMARS compiles all activities, documents, and related correspondence for a procurement into a virtual

Procurement Folder that ties multiple procurement documents and documentation items together. The Procurement Folder provides a single point for tracking, assigning, and reporting during the procurement life cycle. Each procurement document will belong to a specific Procurement Folder.

Each folder has a unique system generated identification number that allows users to identify the procurement documents and documentation items that apply to a particular purchase. Each folder also has a **Procurement Title** to easily identify the Procurement Folder. The Procurement Title is displayed on various procurement related pages to aid in identifying the proper folder for a specific procurement. The Procurement Folder can be accessed directly from the document using the Header or the Related Actions menu.

Procurement Types

Procurement Types are used to classify and group similar purchases. The Procurement Type is used to identify the Business Process being followed to procure Goods or Services for a given requirement. The Procurement Type controls which documents may be processed, how Vendors will be evaluated in the Post Award state, and which Authorities may be used on an Award Document.

For each Procurement Type, business rules for processing are assigned that include the following:

- Manager
- Required phases (e.g. Requisition, Award, etc.)
- Acceptable Documents (e.g. **RQS, PO, RC, PRC**, etc.)

A Performance Evaluation Template is assigned to each Procurement Type. This template determines the Evaluation Criteria to use when creating a Performance Evaluation (**PE**) document.

Certain Cited Authorities are only applicable to certain Procurement Types. When completing an award document it is important to select the Procurement Type first as this action will filter the list of Cited Authorities to show only those that are relevant.

Cited Authorities

In order for a purchase to be legally processed, the Commonwealth of Kentucky requires a Cited Authority to be associated with each award and each payment document. This Cited Authority contains statutory, regulatory or policy citations for a purchase. This information is required when creating award and payment documents.

Proper completion of the Cited Authority field is *required* for the Commonwealth of Kentucky to comply with an agency's pre-audit delegation agreement resulting from **FAP 120-13-00** (Decentralization of the Pre-Audit Function).

Cited Authority represents the statutory, regulatory or policy citation – for example, "**FAP 111-55-00**"- Small Purchase Authority.

Cited Authority is required on Award Documents and Payment Requests where there is no reference or only a memo reference to an award. Cited Authority is not required on Requisition or Solicitation documents.



The validation of the Cited Authority's minimum and maximum amount will occur at the document header level – the document amount and NOT the line amounts. The determination of which Cited Authorities are available to be selected is based on business rules set-up in eMARS.

NOTE: The combination of Document Department, Document Code, Procurement Type and Dollar Value determine if a Cited Authority is applicable to the award document you are attempting to process.

3 - eMARS Procurement Document Sections

eMARS Procurement documents have a Header section and up to eight Detail Sections. The following paragraphs provide an overview of what each section is used for and the types of information that will be entered.

Header- The Header section lists general information associated with the entire document.

The Header can also support attachments associated with the eMARS document. All file types (xml, doc, pdf, xls) are supported in the Header. Any attachment located in the Header will not print as a part of the final document. Attachments uploaded in the Header of a Solicitation document in the “Standard” file type will be available for download on the Vendor Self Service (VSS) application.

Vendor - The Vendor section provides Vendor information pertaining to:

- Vendor associated with a Solicitation Response (Solicitation and Evaluation phase documents)
- Vendor awarded a contract (Awards phase)

Vendors are selected from a pick list that is populated by the Vendor/Customer (**VCUST**) table.

Commodity– The Commodity section lists all commodities (goods or services) associated with the document. The Commonwealth will use a 5 digit Commodity Code to simplify the accurate selection of the classification.

Accounting Distribution– The Accounting Distribution section lists the fund distribution across multiple line items. This information allows for the distribution of Commodity costs across multiple Accounting lines based on percentages. (Optional)

Terms and Conditions– The Terms and Conditions require the user to identify the general requirements, rules, specifications and standards that are to be a part of the contract. Terms and Conditions can be added by selecting a pre-defined template, or by adding a free form document. All attachments found in the Terms and Conditions section will be printed as part of the assembled Contract. A pre-defined template can be selected by using the **T&C** Pick. Once selected eMARS will add the Terms attachment associated with the template. **Free Form Terms** and Conditions can be added by selecting a Free Form template from the **T&C** Pick. Users will then be required to **Upload** a 2003 XML attachment through the **File** Menu that contains all the Terms for the Contract. It is not acceptable to select a blank Free Form template and not upload the Terms and Conditions for an award document.

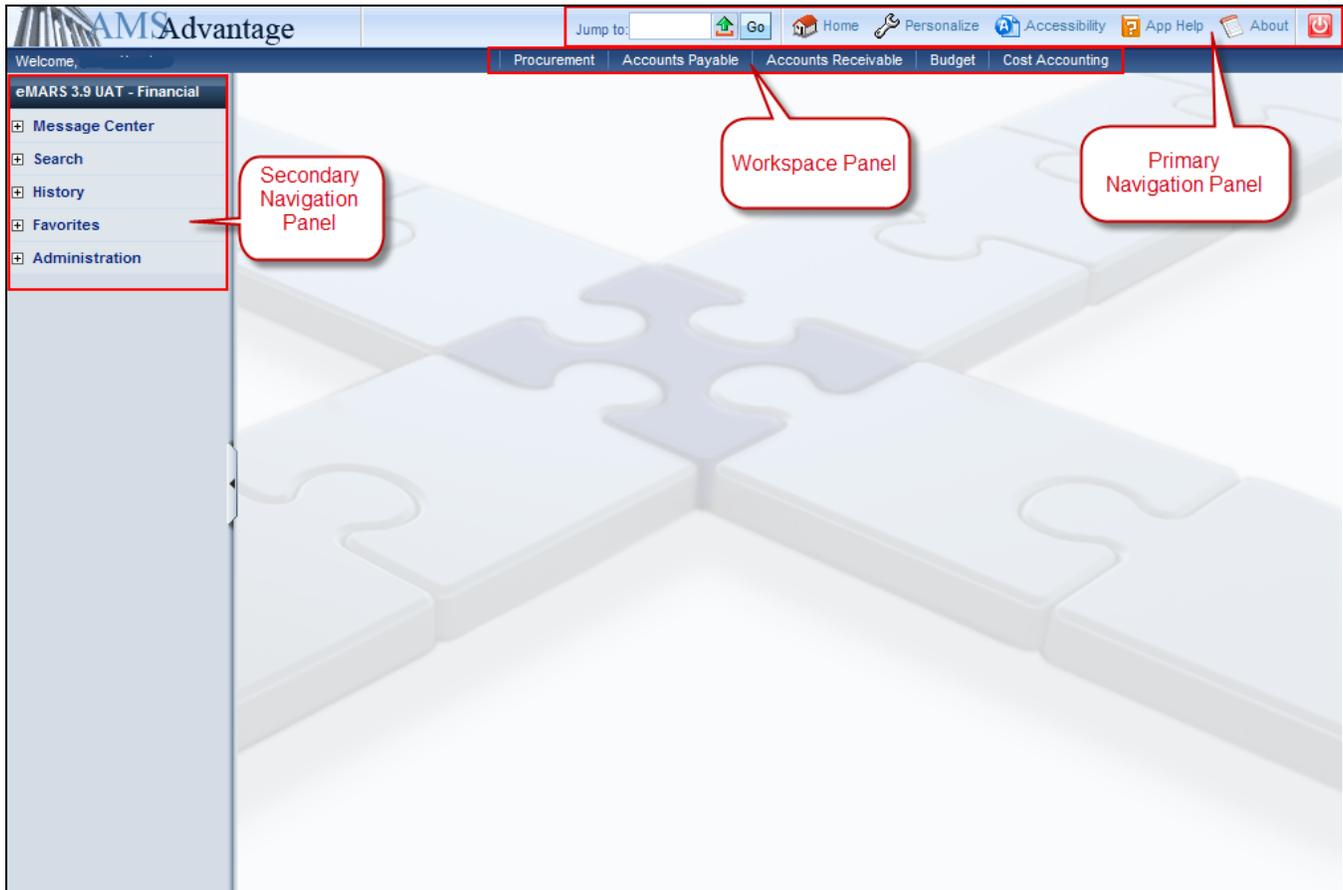
Accounting– The Accounting section lists the accounting funds for each Commodity line.

Posting– The Posting Section lists the posting information for each Accounting line.

Supporting Documents– The Supporting Document Section allows secondary attachments to be incorporated as a part of the contract or Solicitation document. Attachments located here must follow the same formatting guidelines as the Terms and Conditions section (XML) and will print as a part of the final document. The use of Supporting Documents will retain each on separate pages during the document assembly.

4- General Navigation within eMARS:

eMARS offers a variety of ways users can view the data or information within the system. There are multiple panels, menus and views that can assist the user when processing or entering data into the application.



Primary Navigation Panel

The Primary Navigation panel is a constant panel that you will see at the top of every screen within the eMARS application. The function of the Primary Navigation panel is to allow users quick access to specific functions available within eMARS. The Action Buttons that appear on the Primary Navigation Panel allow users to:

- Gain quick access to any table with in the application (Jump To)
- Return to the Home page from anywhere in the application (Home)
- Maintain your Favorites list (Personalize)
- Learn about the Accessibility features available in eMARS (Accessibility)
- Access On-Line Help and Documentation regarding eMARS (App Help/ About)

- Log out of the application and end the session

The Secondary Navigation Panel

The Secondary Navigation Panel is a dynamic panel that will change depending upon the type of page you are viewing within the application. The panel will allow users to navigate within a specific document or perform other specific functions. The main functions of the Secondary Navigation panel are listed below:

- Access worklists to approve documents
- Perform searches for documents, or pages
- Create Reports
- Access previously viewed pages
- Change your password.

When viewing a document or table, the Secondary Navigation panel is updated and displays menus and links that correspond to the page being viewed. This panel is also collapsible to allow for more working space.

Workspaces

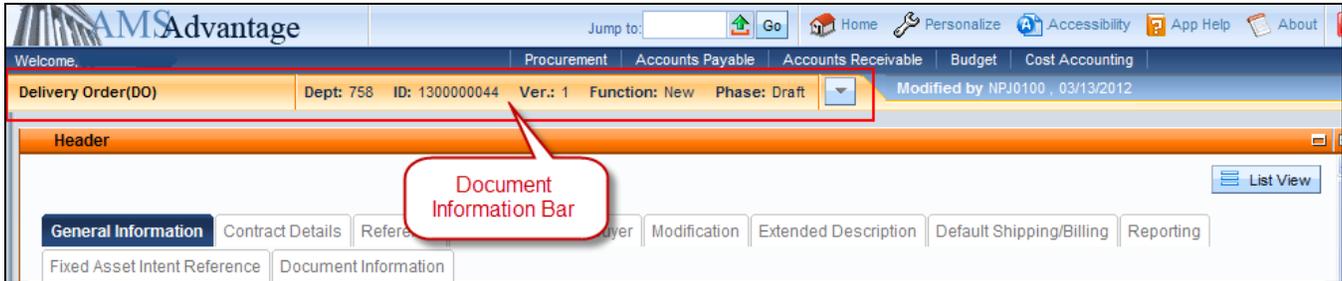
Workspaces are collections of shortcuts to individual application pages within eMARS used for quick access to data or pages. Workspaces allow users to access all the documents or pages associated with a specific function. The following Workspaces are available:

- Procurement
- Accounts Payable
- Accounts Receivable
- Budget
- Cost Accounting.

Using and Understanding Documents

Document Title Bar

The Document Title Bar provides specific document information such as the document information (Document ID, Document Department, Function and Phase).

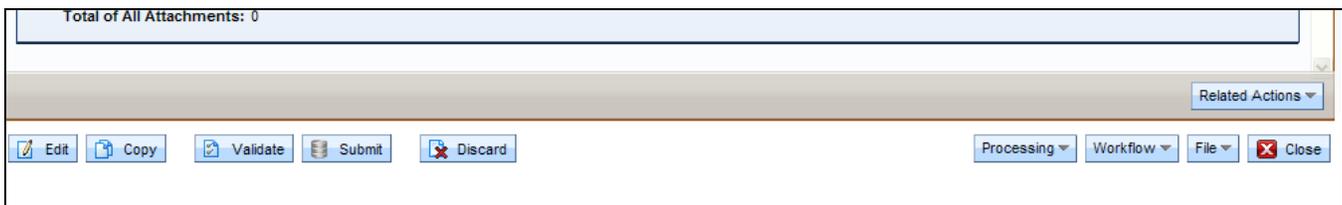


Within the Information Bar is a drop menu allows users to access additional information about the document.

- Include Document Comments
- View referenced documents
- View printed forms.

Document Buttons:

Within a document there are a variety of buttons to assist the users in processing data and viewing information. These document buttons will be located at the bottom of each section and/or document



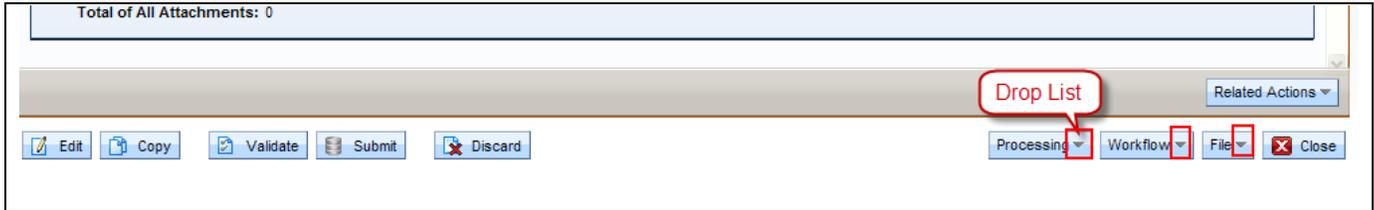
Document Buttons:

- | | |
|------------|--------------|
| • Edit | • Processing |
| • Copy | • Workflow |
| • Validate | • File |
| • Submit | • Close |
| • Discard | |

Section Buttons:

- | | |
|----------------------|------------------------|
| • Insert New Line | • Edit with Grid |
| • Insert Copied Line | • Related Actions Menu |

Additional actions are available if the selected button has a drop list. For example the Related Actions Menu, allows users to perform specific functions associated with that particular document.

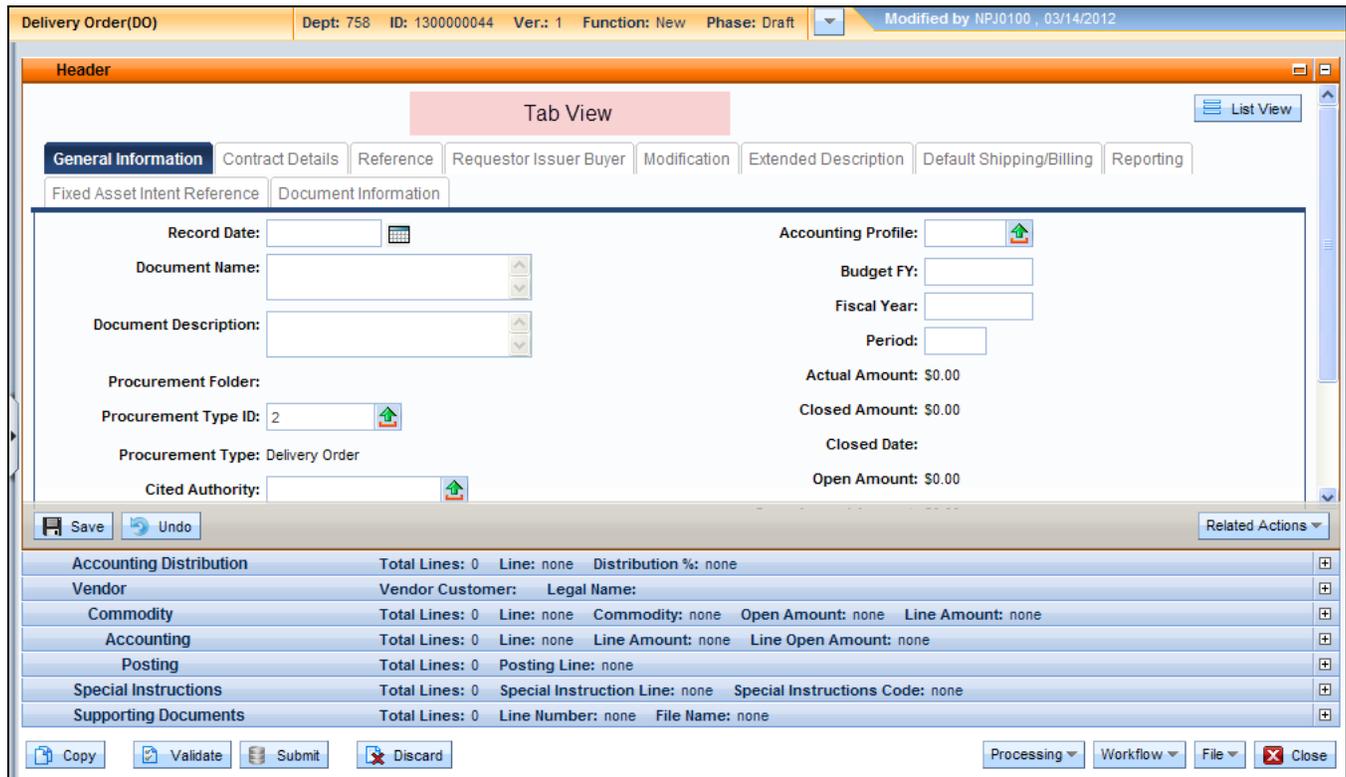


Document Views:

eMARS allows users to choose how they view the information in a specific document or section.

Tab View:

Tab view is the default view and allows the user navigate between different tabs within a document section. This helps avoid having to scroll to view the information associated with a document.



List View:

List view allows users to have the option to view all sub-sections of the document on one screen. Users will have to scroll to view all individual sub-sections.

Delivery Order(DO) Dept: 758 ID: 1300000044 Ver.: 1 Function: New Phase: Draft Modified by NPJ0100 , 03/14/2012

Header List View

General Information

Record Date:

Document Name:

Document Description:

Procurement Folder:

Procurement Type ID: 2

Procurement Type: Delivery Order

Cited Authority:

Default Form:

Total of Header Attachments: 0
Total of All Attachments: 0

Accounting Profile:

Budget FY:

Fiscal Year:

Period:

Actual Amount: \$0.00
Closed Amount: \$0.00
Closed Date:
Open Amount: \$0.00
Open Accrual Amount: \$0.00

Contract Details

Obligation Amt Adjusted for Outyear: \$0.00

Outyear Adjustments Amount: \$0.00

Save Undo Related Actions

Copy Validate Submit Discard Processing Workflow File Close

Accordion View:

The Accordion View removes the Secondary Navigation Panel from the screen and will show all document sections. The accordion view allows each section to be maximized for data entry, and can be expanded or collapsed as needed to review data and details.

Delivery Order(DO) Dept: 758 ID: 1300000044 Ver.: 1 Function: New Phase: Draft Modified by NPJ0100 , 03/14/2012

Header Accordion View

Accounting Distribution	Total Lines: 0 Line: none Distribution %: none
Vendor	Vendor Customer: Legal Name:
Commodity	Total Lines: 0 Line: none Commodity: none Open Amount: none Line Amount: none
Accounting	Total Lines: 0 Line: none Line Amount: none Line Open Amount: none
Posting	Total Lines: 0 Posting Line: none
Special Instructions	Total Lines: 0 Special Instruction Line: none Special Instructions Code: none
Supporting Documents	Total Lines: 0 Line Number: none File Name: none

Viewing Details:

Users have the option to view the section showing details or not showing details. Viewing a document without details allows for quick navigation. Users can then view the details one line at a time by selecting view details to reveal all information associated with the line.

Delivery Order(DO) Dept: 758 ID: 1300000044 Ver.: 1 Function: New Phase: Draft Modified by NPJ0100 , 03/14/2012

Header

Accounting Distribution Total Lines: 0 Line: none Distribution %: none

Vendor Vendor Customer: Legal Name:

Commodity Total Lines: 3 Line: 3 Commodity: none Open Amount: 0.00 Line Amount: \$0.00

Line	CL Description	Line Amount	Modified
1	Line 1	\$0.00 No	
2	Line 2	\$0.00 No	
3	Line 3	\$0.00 No	

From 1 to 3 Total: 3 First Previous Next Last Go to line: Go

View Details

Edit with Grid:

The Edit with Grid feature allows users to populate data into eMARS using an excel type view.

Delivery Order(DO) Dept: 758 ID: 1300000044 Ver.: 1 Function: New Phase: Draft Modified by NPJ0100 , 03/14/2012

Header

Accounting Distribution Total Lines: 0 Line: none Distribution %: none

Vendor Vendor Customer: Legal Name:

Commodity Total Lines: 3 Line: 3 Commodity: none Open Amount: 0.00 Line Amount: \$0.00

CL Description	Commodity	Extended Description	Line Type	Quantity	Unit	Unit Price	List Price
Line 1			Item	0.00000		\$0.00	\$0.00
Line 2			Item	0.00000		\$0.00	\$0.00
Line 3			Item	0.00000		\$0.00	\$0.00

Document Data Entry:

When processing a document, users will be required to complete specific fields. eMARS offers assistance to users who need to select values that appear in other tables within the system. Users have the following Data Entry help:

- Picks- allow users to select from a list of values
- Type Ahead-Provide letter by letter filtering as you type

Shipping Location:

Shipping Location: 1129

Delivery Date:

- 11290 : FAC OFFICE OF GENERAL COUNSEL
- 11293 : FINANCE CRC
- 11294 : FINANCE OAS
- 11299 : DIVISION OF FLEET MANAGEMENT

4-Executive Order Request Process

Executive Order 2008-011 signed by Governor Steve Beshear on Jan. 4, 2008 provides directives to immediately reduce administrative costs in state government. It applies to all program cabinets and agencies of the Commonwealth of Kentucky and administrative bodies under the Executive Branch

In order to make the process as efficient as possible the **EO1** document was created in eMARS. The **EO1** document allows the agency to request the acquisition of items or services. The document (**EO1**) allows the agency to clearly state the circumstances and need for the proposed purchase, and to specify the planned approach for making the acquisition. The threshold for submission of requests for any contract or purchase is set at \$1,000. If the contract or purchase exceeds \$1,000, it must be submitted on the **EO1** document which must be signed by the Cabinet Secretary or authorized agency head. Agencies shall not use split purchasing, or any other methods, to artificially circumvent this requirement.

Agencies must obtain approval prior to their submission of a procurement or payment document in eMARS. For purchases and payments less than \$1,000, authority is delegated to each Cabinet Secretary or Agency Head to establish procedures for careful internal review and approval.

Executive Order Request documents created for Personal Service Contracts are not reviewed by the Executive Order Committee, and will be approved at the agency level if less than \$10,000. For EO1's requesting Personal Service Contracts greater than \$10,000, or if a competitive exemption is requested will have the EO1 approved by the Office of Procurement Services.

More information pertaining to the Executive Order 2008-011 can be found on the FAC website (<http://finance.ky.gov/business/procurementservices/procurementhowto.htm>).

The EO1 document will need to be processed for the following:

- Prior to the submission of a Requisition (**RQS**) where the anticipated good or service will exceed \$1,000.
- Prior to the submission for any Solicitation (**RFP**, **RFB** or **RFQ**) where the final contract will be greater than \$1,000.
- Prior to the submission of any Order (**DO**) or Payment (**PRC**) referenced by a Master Agreement where the amount is greater than \$1,000.
- Prior to the processing of any stand alone contract or payment where the total amount is greater than \$1,000.
- Requesting a “Blanket Waiver” for routine expenditures that are non-discretionary in nature.
- Prior to a “renewal” or “continuation” modification of an existing contract.

EO1/Letter of Intent –Approval of an **EO1/Letter of Intent (LOI)** must be obtained prior to the PSC contracting process.

Agencies shall file a Letter of Intent (**LOI**) for PSC's equal to or greater than \$10,000.

Agencies shall use the **EO1** document to file the **LOI** with the Finance and Administration Cabinet. The “Purpose and Justification” field of the **LOI** must be completed and must contain the following:

- Description of needed service.
- Briefly explain why service cannot reasonable be provided by a state agency or state university.
- Estimate planned amount of work involved.
- Estimate contract cost per fiscal year – including anticipated amendments.
- Identify agency contact person, if other than the requestor on the document.

All required information must be included. If additional space is needed, agency shall include additional information in a Word document attached to the header. Users will need to enter as much information as possible in the “Purpose and Justification” field and add, “Additional information attached at the Header.”

The **LOI** shall be filed with FAC no less than two (2) weeks prior to the intended **RFP** issue date.

- Select “Personal Service Contract” from the “type of request” drop down list to route to OPS.

The **LOI** will be reviewed and final approval given by the Finance and Administration Cabinet.

The Process to complete an Executive Order Request document is as follows:

Access the **Document Catalog**:

Click **Create**:

Enter the **Document Code** of **EO1**, your document **Department Code** and document **Unit Code** into their respective fields and select **Auto Numbering**:

Click **Create** to create the EO1 document.

The General Information Section:

General Information	Purpose and Justification	For Agency Use	Document Information
Requesting Department:			Record Date: <input type="text"/>
Requestor ID: 			Requestor Name:
Short Description: <input type="text"/>			Requestor Phone Number:
Type of Request: 			New or Expanded?: <input type="text"/>
Procurement Method: <input type="text"/>			Cost: <input type="text"/>
Is this Item a Replacement?: <input type="text"/>			Is Cost an Estimate or Actual?: <input type="text"/>
What will happen to the replaced item?: <input type="text"/>			If so, Asset Tag#: <input type="text"/>
What Document is requested?: <input type="text"/>			If on Contract, Give Contract #: <input type="text"/>
Vendor: <input type="text"/>			Program Code: 
Funding Source: <input type="text"/>			If Federal, give CFDA Number: <input type="text"/>
Percentage of Each Funding Source: <input type="text"/>			Action: <input type="text"/>



FAC approval of a Request Form means the review required by the Executive Order has been completed, and the items or services have been authorized to begin the procurement process. Agencies must procure these items or services according to procurement policies and procedures, administrative regulations, and statutes. Special authority requests, delegations and other specific methods of procurement are not approved through this review- identifying the procurement method is for the Committee's information only. Follow normal request procedures to obtain approval for specific methods of procurement. Funding source must be in accordance to GOPM policies, regulations and statutes.

I certify by submitting this form electronically, that an original, signed by the Cabinet Secretary or authorized agency head, is maintained at the agency level. If the agency head applies an electronic approval it is not necessary to maintain the signed original on file. In addition, the agency has considered the guidance provided by the Personnel Cabinet regarding the distinction between an employee and an independent contractor before making this request, where applicable.

- The **Requesting Department** is required and will automatically populate based upon the department used when the document was created. (*required*)
- The **Record Date** will automatically populate with the EO1 is submitted to final (*required*). Please do not complete as the correct values will infer.
- The **Requestor ID** is used to identify the User who is requesting the EO1 document be processed. The **Requestor Name** and **Phone number** will infer with values from the Procurement User (USER) table (*required*).
- The **Short Description** field allows the users to indicate a descriptive title. The description should be less than 60 characters, and should specifically state the purpose of the EO1 document (*required*).
- The **Type of Request** field allows the user to identify the type of procurement the EO1 document will be used for (*required*). The following are types available from the pick:
 - Architectural & Engineering PSC
 - A & E Sole Source
 - A & E Not Practical to Bid
 - ✓ Personal Service Contract
 - ✓ PSC Sole Source
 - ✓ PSC Not Practical to Bid
 - ✓ PSC – Start Date Request
 - Memorandum of Agreement (MOA)
 - Grant
 - University Agreement
 - Construction Services
 - Postal Services & Equipment
 - Printing
 - Real Property Lease
 - Temp Labor Task Order (Non-IT)
 - Other Services, Non-Professional
 - Furniture
 - Equipment (NOT-IT)
 - Other Goods
 - Vehicles
 - Vehicle Repairs and Parts
 - IT Hardware
 - IT Software
 - IT Services
 - IT Maintenance
 - IT Task Orders
 - ARRA – Federal Stimulus

- The **New or Expanded?** field identifies if the purchase is related to a new or expanded program. If Yes is selected then further justification such as a KRS mandate will need to be provided in the Purpose and Justification section (*required*).
- **Procurement Method** identifies the procurement process that will be used to procure the desired goods or services (*required*). A list of the possible Methods are below:
 - Order from Existing Contract
 - Submit Requisition
 - Agency Authority
 - Special Authority
 - Emergency
 - ✓ Agency to Issue RFP
 - Modify an Existing Contract
- The **Cost** field coincides with the cost of the Goods or Services Requested. At no time should the cost of the **EO1** document be left \$0.00 as this will affect approval (*required*).
- The **Actual or Estimate** filed identifies if the **Cost** field was an exact or an estimated amount (*required*).
- The **Replacement** field identifies if the item or good requested is a replacement item (*optional*).
- An **Asset Tag Number** will be required if the value in the Replacement field was “Yes”. The Fixed Asset Tag number will identify the specific asset that is being replaced (*optional*).
- When an item is being replaced, users will need to identify the **What will happen to replaced item?** Field. Users will need to indicate if the replaced item was lost, damaged beyond repair or will be disposed of through surplus or other (*optional*).
- Users will need to complete the **Document Requested** field to correspond with the type of document that will be created as a result of the EO1 document. The correct document will need to be selected as required by procurement laws, regulations, policy and procedures (*required*). The following documents can be selected as a requested document:
 - One Time Purchase (used for PO, PO2, CT, CT2, documents)
 - Master Agreement
 - MOA (PO2, PON2)
 - ✓ Personal Service Contract (PON2)
 - Delivery Order (DO, DO2)
 - Payment Document
 - Blanket Waiver

- If the requesting document is to process a Delivery Order, then the Contract Number will need to be identified in the **Contract Number** field (*optional*).
- The **Vendor** field will indicate the contracted Vendor or a suggested vendor. If no vendor is identified the value of TBD (to be determined) will infer (*optional*).
- The **Funding Source** identifies the source of the funding which will be used to pay for the requested goods or services (*required*). The funding sources are selected from a drop list. The selectable values are listed below:
 - General
 - Federal
 - Agency/Restricted
 - Multiple/Explain
 - Tobacco
 - Road
 - ARRA- Federal Stimulus
- The **Program Code** will be required with the field ARRA—Federal Stimulus is selected as the “Funding Source”. Values in this field can be manually entered or can be selected from the Pick (*optional*).
- If a “Federal” Funding Source is identified users will need to identify the **CFDA** Number
- The **Percentage of Funding** will further identify the Funding Source. If multiple funds are being utilized, then the percentage of each fund will need to be identified.
- The **Action** field reflects the status of the EO1 document with the Executive Order Committee. The disposition of the document will be visible in the Action field and will be updated at various stages of the Executive Order process. The following are the “Actions” available:
 - Pending Review
 - Under Review
 - Approved
 - Denied
 - Held

Purpose and Justification:

General Information	Purpose and Justification	For Agency Use	Document Information
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Purpose and Justification:

FAC approval of a Request Form means the review required by the Executive Order has been completed, and the items or services have been authorized to begin the procurement process. Agencies must procure these items or services according to procurement policies and procedures, administrative regulations, and statutes. Special authority requests, delegations and other specific methods of procurement are not approved through this review- identifying the procurement method is for the Committee's information only. Follow normal request procedures to obtain approval for specific methods of procurement. Funding source must be in accordance to GOPM policies, regulations and statutes.

I certify by submitting this form electronically, that an original, signed by the Cabinet Secretary or authorized agency head, is maintained at the agency level. If the agency head applies an electronic approval it is not necessary to maintain the signed original on file. In addition, the agency has considered the guidance provided by the Personnel Cabinet regarding the distinction between an employee and an independent contractor before making this request, where applicable.

- The **Purpose and Justification** section allows users to provide an exact description on the nature of the purchase or contract. The Purpose and Justification will allow the user to specifically identify how the goods or Services relates to specific program requirements, how it is critical to the agencies delivery of services and necessary for ongoing operations. The Purpose and Justification section will also allow the user to identify the impact on the agency/cabinet if the purchase is not made. This filed will allow for 4000 characters (*required*).
- For PSC's equal to or greater than \$10,000. Users shall use the **EO1** document to file the **LOI** with Finance and Administration Cabinet. The "Purpose and Justification" field of the **LOI** must be completed and must contain the following:
 - Description of needed service.
 - Briefly explain why service cannot reasonable be provided by a state agency or state university.
 - Estimate planned amount of work involved.
 - Estimate contract cost per fiscal year – including anticipated amendments.
 - Identify agency contact person, if other than the requestor on the document.
- If a competitive exemption is requested, approval by the Finance Cabinet Office of Procurement Services is required regardless of the amount.

NOTE: If additional space is needed to record the **LOI**, a word document can be attached to the header of the **EO1** document. Users will want to add a document comment identifying the attachment.

For Agency Use:

General Information	Purpose and Justification	For Agency Use	Document Information
---------------------	---------------------------	-----------------------	----------------------

Extended Description:

FAC approval of a Request Form means the review required by the Executive Order has been completed, and the items or services have been authorized to begin the procurement process. Agencies must procure these items or services according to procurement policies and procedures, administrative regulations, and statutes. Special authority requests, delegations and other specific methods of procurement are not approved through this review- identifying the procurement method is for the Committee's information only. Follow normal request procedures to obtain approval for specific methods of procurement. Funding source must be in accordance to GOPM policies, regulations and statutes.

I certify by submitting this form electronically, that an original, signed by the Cabinet Secretary or authorized agency head, is maintained at the agency level. If the agency head applies an electronic approval it is not necessary to maintain the signed original on file.

- The For Agency User section allows the agency User to document additional information needed by your specific agency i.e. additional approvals or funding template information. This field will allow for 1500 characters.

By submitting the **EO1** document, the user is certifying that they have obtained the Cabinet Secretary's, or authorized agency head's signature, which will be maintained at the agency level.

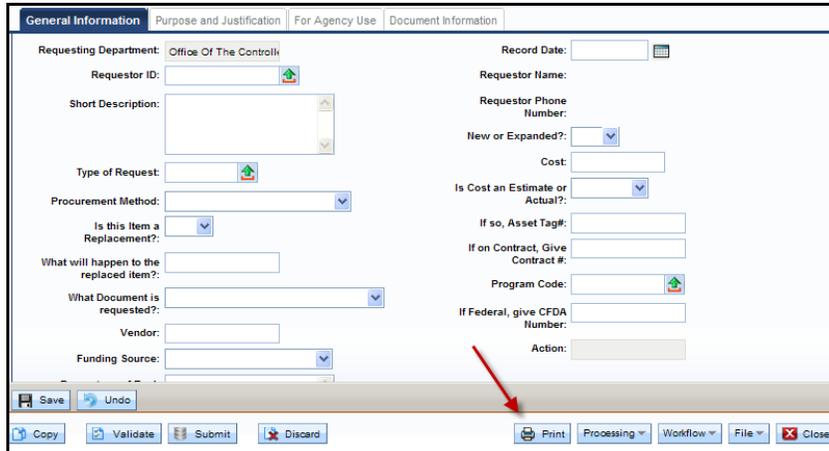
Once an Executive Order Request (**EO1**) document has been submitted to the Committee, it will be the responsibility of the User to follow up with the disposition of their **EO1** document. Once the **EO1** document has been reviewed and approved by the appropriate Committee/Cabinet Secretary or authorized agency head, the user can proceed with the procurement of their goods or services according to procurement policies and procedures, administrative regulations and statutes. **The EO1 is not an order. It is the authorization to begin the procurement process.**

Once a user has created their corresponding requested/procurement document for which **EO1** approval has been obtained, a copy of the approved **EO1** document will need to be attached to Procurement Award (**PON2**) document's Header. An electronic or printed copy of the **EO1** document can be created via the "Print" on the **EO1** document. Printing the **EO1** will generate a .PDF version of the **EO1** document that will be uploaded to the procurement document.

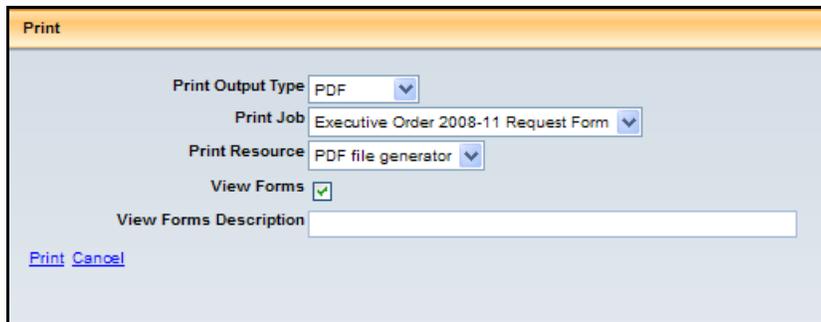
Once the **EO1** approval has been obtained, a copy of the approved **EO1** can be printed to keep on file.

To print the **EO1** document please follow the steps below:

- 1 Open the **EO1** document that has been approved by the Committee:
- 2 Click on the **Print** Button:

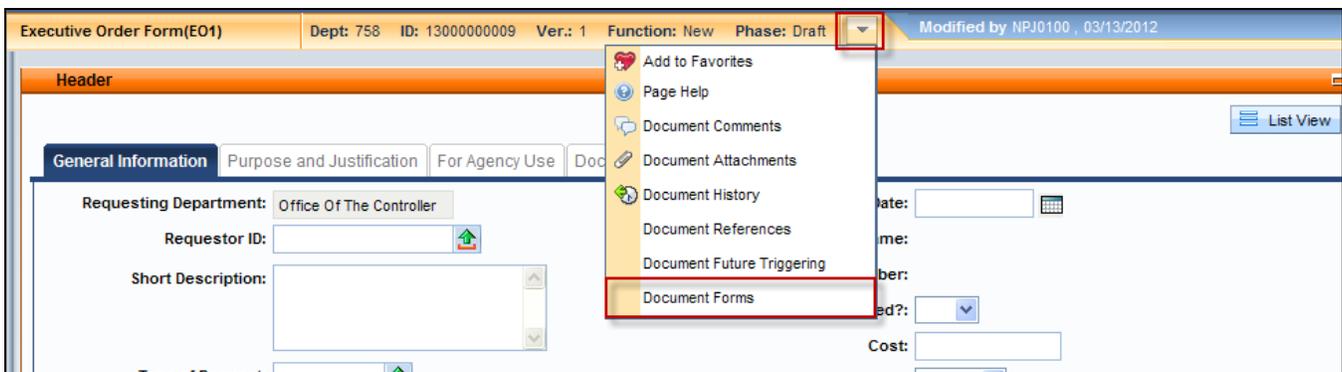


3 The Print Page will open, and select **Print**.



Once a user has selected **Print** from the Print Page the system will begin the printing process. Once the print process has submitted, eMARS will generate a PDF version of the EO1 document that can be found under the attachments on the EO1.

4 From the **EO1** document Open the Menu:, and then **Document Forms**:



5 The attachment can then viewed as an Adobe PDF and saved to your local PC and ultimately attached to the corresponding procurement document.

View Forms

[Browse](#) [Clear](#) [Refresh](#)

Doc Code :

Doc Dept :

Document ID :

Description :

Status	Description	Doc Code	Doc Dept	Document ID	File Name	
✓ Pending		EO1	758	13000000009	NPJ0100_191_EO1_758_13000000009_1	View PDF 

First Prev Next Last

Modifying your EO1

If the agency is required to take further action, such as to provide additional information, these instructions will be listed in the document comments. If the document is being held pending further action on the part of the Finance Cabinet, this information will be contained in the document comments section.

- If the agency needs to supply additional information, they will open the document, click on *Edit*, and modify the *EO1* as needed.
- Add the wording “Modification” and include the date of the mod with additional information to the top of the “Purpose and Justification” field.
- Include any requested increase for the cost. Modify the “Cost” field to reflect the new total- not just the modified amount. Please note that if the new cost is within 15% of the cost provided on the original *EO1*, it will not be necessary to submit a new *EO1*.
- Do not add additional information to “Document Comments” or as an Attachment. These fields do not print on the agenda that the Committee reviews.
- Resubmit the document. When the *EO1* modification is submitted, it will route through the same approvals as the original *EO1*, and will follow the same process.
- Modified *EO1* documents will appear on the next week’s agenda if all agency approvals have been applied before noon on Wednesday.

Monitoring the EO1 Document

To help monitor a large number of **EO1** documents, using agencies have access to the **EO1** Request (**EORQ**) table. Under search, go to page search, enter EO in the page code field, hit enter or browse. Choose **EO1** request. This opens the **EORQ** table.



E01 Request						
Document	Short Description	Type of Request	Action	Requesting Department	Last Update By	Date of Last Update
✓ EO1.030.09000008025	Exemption for supplies and postage	OTHER GOODS	Approved	Unified Prosecutorial System	NXS0015	02/27/2009
EO1.030.09000008203	Exemption for IT Hardware	IT HARDWARE	Approved	Unified Prosecutorial System	NXS0015	02/27/2009
EO1.030.09000008214	Exemption for IT Software	IT SOFTWARE	Approved	Unified Prosecutorial System	NXS0015	02/27/2009
EO1.030.09000008215	Exemption for IT Maintenance	IT MAINTENANCE	Held	Unified Prosecutorial System	PJW0028	02/27/2009
EO1.030.09000008216	Exemption for Furniture	FURNITURE	Approved	Unified Prosecutorial System	NXS0015	02/27/2009
EO1.030.09000008290	Exemption for Expenses relating to Office Moves	OTHER SERVICES, NON-PROFESSIONAL	Approved	Unified Prosecutorial System	NXS0015	02/27/2009
EO1.030.09000008291	Exemption for Office Equipment replacements	EQUIPMENT (NOT IT)	Approved	Unified Prosecutorial System	NXS0015	02/27/2009
EO1.030.09000008292	Exemption for Real Property Lease	REAL PROPERTY LEASE	Approved	Unified Prosecutorial System	NXS0015	02/27/2009
EO1.030.09000010971	Exemption from Cardinal Master Agreement and for Supplies	OTHER GOODS	Held	Unified Prosecutorial System	PJW0028	05/18/2009
EO1.030.09000011516	Exemption from Cardinal Master Agreement and for Supplies	OTHER GOODS	Denied	Unified Prosecutorial System	PJW0028	05/22/2009

First Prev [Next](#) [Last](#)

Save Search

Document Code: Action:

Document ID: Last Update By:

Requesting Department ID: Date of Last Update:

Requesting Department: Comments:

Requestor ID:

Request Date:

Type of Request:

OTHER GOODS

Short Description:

You may sort by column headings. The dept is part of the document number field, so it will sort by dept number first, and document number within the department.

You may search for specific documents, or groups of documents based on the search criteria below:

Requesting Department ID:

Request Date:

Document ID:

Action:

Type of Request:

Short Description:

Requestor ID:

[Ok](#) [Clear](#) [Cancel](#)

If you click on OK without filling out any searchable criteria, it will return all records that the user has security access to see. From this table, the user can see current document status, and review any comments that were entered as a result of the committee meeting.

NOTE: See Appendix for a list of the approval and workflow rules set for each type of request.



5 - Solicitation Process

The Personal Services process begins with the Request for Proposal (**RFP**) document. The Solicitation document is used to define the requirements/specifications for the services being requested and the **Terms and Conditions** for doing business with the Commonwealth.

When the Solicitation is submitted to Final status, eMARS will build a Bid Package for Vendors, send an e-mail notification to Vendors who are registered for the listed Commodities and who are listed in the Free Form Vendor list, and transmit the bid package to the Vendor Self-Service (**VSS**) web-site from which it may be downloaded.

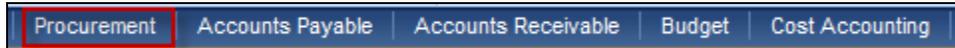
There are several types of Solicitations documents that perform similar but slightly different business functions. Personal Service Contracting uses the Request for Proposal (**RFP**)

Solicitation Document Code	Business Use
RFP (Request for Proposal)	Used to propagate procurements that may not have exact parameters. May or may not be commodity driven.

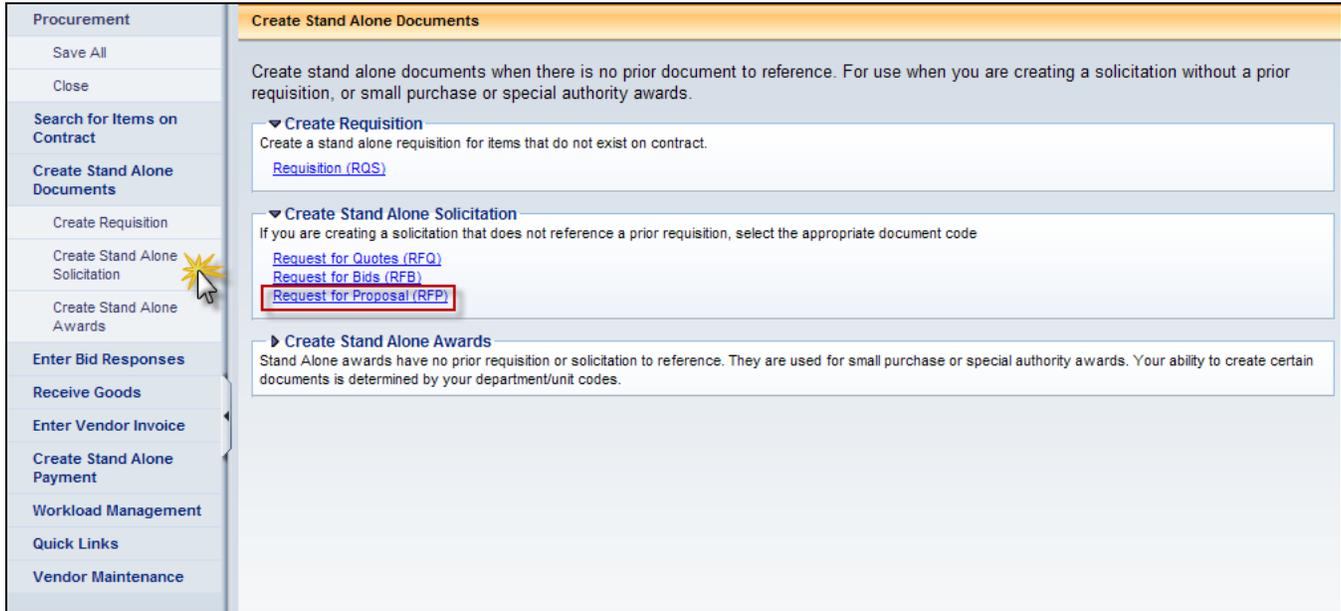
All **Request for Proposal** documents will be submitted to the Office of Procurement Services (**OPS**) for approval regardless of the dollar amount. The RFP must be submitted at least seven (7) days prior to the intended "Let Date"

Creating a Solicitation

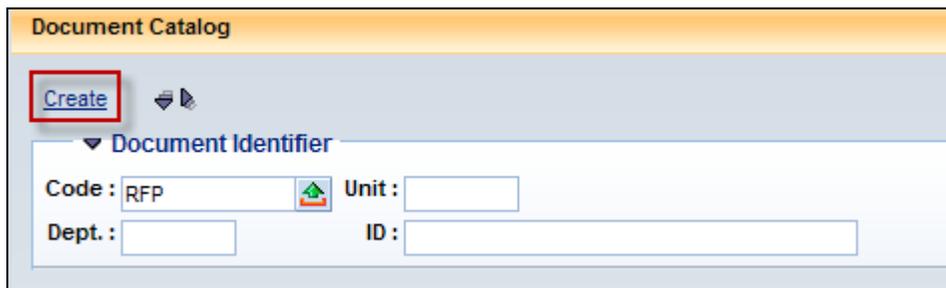
- 1 Access your **Procurement Workspace**:



- 2 Click **Create Standalone Document**, select **Create Standalone Solicitation** and click **Request For Proposal (RFP)**.



- 3 Click **Create** to switch into create mode.



The Document Code will infer with RFP

Enter your document **Department Code**

Enter the document **Unit Code**

Select **Auto Numbering**

Click **Create** to create the RFP document.

The document opens to the **Header**.

Complete the Header General Information section:

General Information	Contact	Templates	Add Templates	Reference Documents	Document Information	Additional Information
Record Date: <input type="text"/>						Prohibit Online Responses: <input type="checkbox"/>
Document Description: <input type="text"/>						System Gen List: No
Procurement Folder:						Let Date:
Procurement Type ID: <input type="text"/>						Published Date:
Procurement Type:						Published Time:
Solicitation Category: <input type="text"/>						Close Date:
Bid Receiving Location: <input type="text"/>						Close Time:
Attention:						Default Form: <input type="text"/>
						Total of Header 0 Attachments:
						Total of All 0 Attachments:

- The **Document Description** is *required* and will print on the final Solicitation. Users will want to provide a brief description on the purpose of the Solicitation, as this will be visible on the Vendor Self Service (**VSS**) website. This field will allow for 60 characters (*required*).
- The **Procurement Type ID** corresponds to the business process being followed. It is important that the correct Procurement Type be identified. Most RFP's will identify the Procurement Type of **17- PSC**.
- The **Solicitation Category** allows users to identify the Solicitation Category that can be associated with the Request for Proposal. The Solicitation Category allows Vendors who view the Solicitation to see all requests for a particular Category.
- The **Bid Receiving Location** identifies the locations where vendors should either mail or deliver their responses. A Bid Receiving Location can be selected by using the Pick or by using the Type Ahead feature. The Bid Receiving Location will be required for all solicitations where online bidding is prohibited.

Complete the **Contact** section

General Information	Contact	Templates	Add Templates	Reference Documents	Document Information	Additional Information
Issuer ID: <input type="text"/>		Requestor ID: <input type="text"/>		Team ID: <input type="text"/>		
		Name: <input type="text"/>		Buyer: <input type="text"/>		
		Phone Number: <input type="text"/>		Buyer Dept: <input type="text"/>		
		Email: <input type="text"/>				

- The **Issuer ID** will default to the User ID of the creating User. If you are completing the document on someone else’s behalf, then their User ID can be selected from the pick or by using the Type Ahead feature (*required*).
- The **Requestor ID** identifies the user who is requesting the services be performed. The User ID can be selected from the pick or by using the Type Ahead feature and will infer the Name, Email and Phone number of the individual User selected. (*required*).

Complete the **Terms and Conditions** component.

T and C	Name	Inc By	Free Form Flag
FREE	Free Form	by full text	

From 1 to 1 Total: 1 Go to line: **Go**

T and C: FREE
Name: Free Form
Sequence:
Inc By: by full text
T and C Attachment File Name:
Inactive Line:

- Archive
- SendPage
- Download Document
- Attachments**

Save **Undo** **Insert New Line** **Insert Copied Line** **Edit with Grid**
Copy **Validate** **Submit** **Discard** **Print** **Processing** **Workflow** **File** **Close**

The Terms and Conditions section require the user to identify the general requirements, rules, specifications and standards that are part of the Request for Proposal. The Terms of the document should be created in a MSWord document and attached to the Terms and Conditions section. All attachments found in the Terms and Conditions section will be printed as part of the assembled Solicitation.

All Request for Proposal documents should include Terms and Conditions created from the Request for Proposal Template (See Appendix A). The template can be downloaded from the Office of Procurement Services website where it can be modified. Users will need to follow the instructions associated with the template when modifying the text. The template can be located on the following sites:

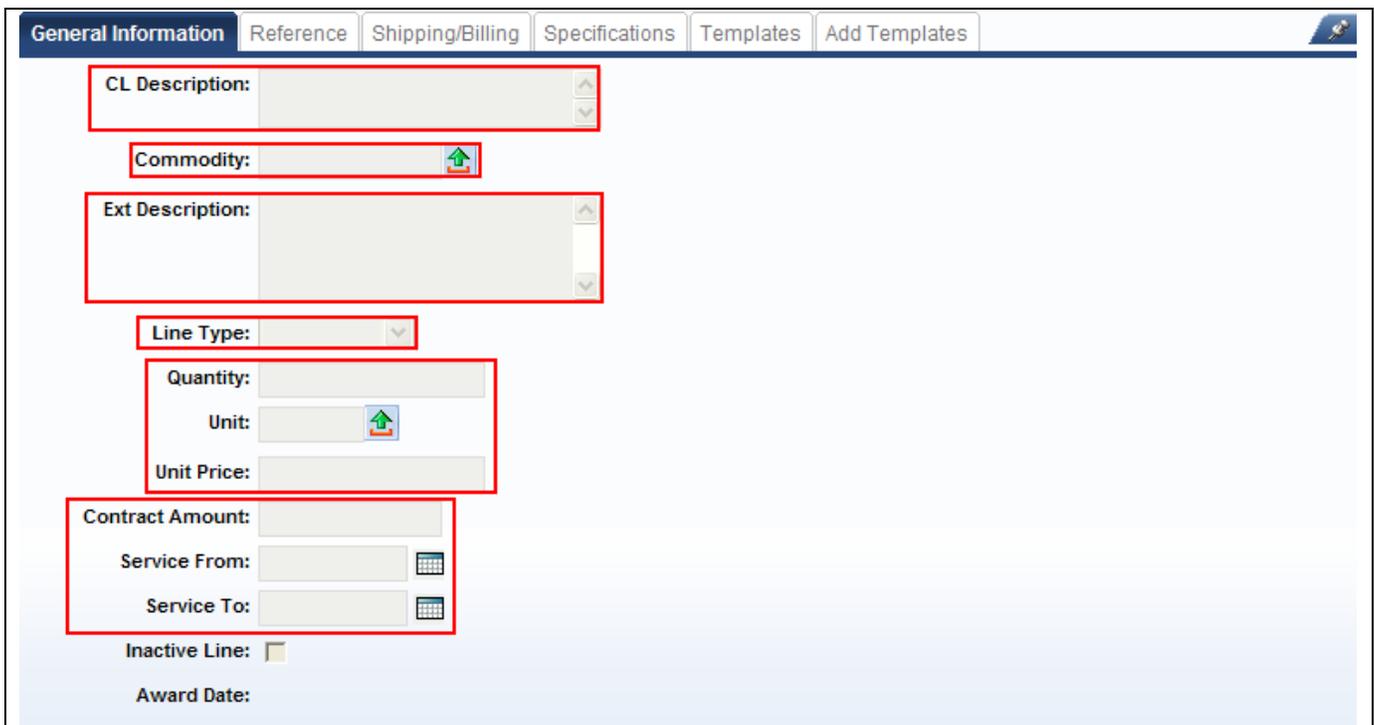
<http://finance.ky.gov/internal/eMARS/procurement.htm>

<http://finance.ky.gov/business/procurementservices/procurementhowto.htm>

After having modified the Request for Proposal Terms and Conditions template users must save the document as a 2003 .xml file, and upload the attachment to the Terms and Conditions section of the RFP. When uploading the completed template, users should select the Free Form T&C and upload their template from the File Menu.

NOTE: When the Free Form T&C is selected a default attachment is made to the RFP. Users will need to delete this default attachment prior to uploading their completed template.

Complete the **Commodity** section:



The screenshot shows the 'General Information' tab of the eMARS system. The 'Commodity' section is highlighted with a red box. The fields in this section are:

- CL Description: [Text field]
- Commodity: [Dropdown menu with an upload icon]
- Ext Description: [Text field]
- Line Type: [Dropdown menu]
- Quantity: [Text field]
- Unit: [Text field with an upload icon]
- Unit Price: [Text field]
- Contract Amount: [Text field]
- Service From: [Text field with a calendar icon]
- Service To: [Text field with a calendar icon]
- Inactive Line:
- Award Date: [Text field]

The **Commodity** section of the Solicitation is used to list all distinct goods or services being requested. Complete the required fields for the **General Information** section.

- The **CL Description** field is used to record a brief description of the good or service being requested. This field will print-out on all documents and is used on subsequent Procurement Documents. This field is displayed in the grid area of the **Commodity** section in order to help you identify which line you would like to inspect or modify. This field allows 60 characters (*required*).
- The **Commodity** field is used to store the NIGP **Commodity Code** that most closely matches the item or service being solicited (miscellaneous codes are not allowed). This field is used primarily for classification purposes. When creating a Solicitation it is important to make the first Commodity line the one that is most relevant to the Solicitation as a whole. The Commodity Code can be selected from the Pick or the Type Ahead feature.
- The **Extended Description** is used to provide a detailed description or the scope of the Commodity line. Specific information pertaining to the good or service should be recorded in the 4000 characters allowed for this field. This field will print on the printed version of the solicitation (*required*). To access a larger text field, **Additional Extended Description** from the Menu to access a larger text field.



The screenshot shows a software interface with a text area labeled 'Ext Description:' and a 'Line Amount:' label below it. At the bottom, there are two buttons: 'Load T & C Commodity' and 'Additional Extended Description'. The 'Additional Extended Description' button is highlighted with a red rectangular border.

The user may copy a description from MS-Word or another word processing format and paste into this field using [Ctrl] + [C] to copy and [Ctrl] + [V] to paste

- The **Line Type** field is used to identify how the cost of the line will be established. Generally speaking, Goods will use the Line Type of Item and Services will use the Line Type of Service (*required*).
 - **Item-** When the Line Type of Item is used on the Commodity line of a Solicitation, the system will also require a **Quantity**, **Unit** and the **Unit Price** to also be entered. Users will be required to identify the Quantity for the item selected.
 - **Service-** The Line Type of Service, on a Solicitation will require the **Contract Amount** to be entered. Users will be required to identify the **Service To** and **Service From** dates. The Line Type of Service can also be used if the unit cost is not known or is a lump sum cost.

NOTE: When the Solicitation is published to the Vendor Self Service website, Vendors will not see the entered Unit Price or Contract Amount.

If the resultant award will be paid from the UPPS payroll system- you must select a Line Type of service and provide a Contract Amount.

Complete the **Shipping/Billing** Information section.

General Information	Reference	Shipping/Billing	Specifications	Templates	Add Templates
Shipping Location: <input type="text"/> 		Billing Location: <input type="text"/> 			
Attention: <input type="text"/>		Attention: <input type="text"/>			
Delivery Date: <input type="text"/> 					

- The **Shipping Location** field is used to identify where solicited goods should be delivered. A Shipping Location can be selected by using the Pick or by using the Type Ahead feature (*required*).
- The **Billing Location** field is used to identify the Accounts Payable Office where the Vendor's Invoice should be mailed. A Billing Location can be selected by using the Pick or by using the Type Ahead feature (*required*).
- The **Delivery Date** is used to identify that date in which the goods being ordered will need to be delivered.

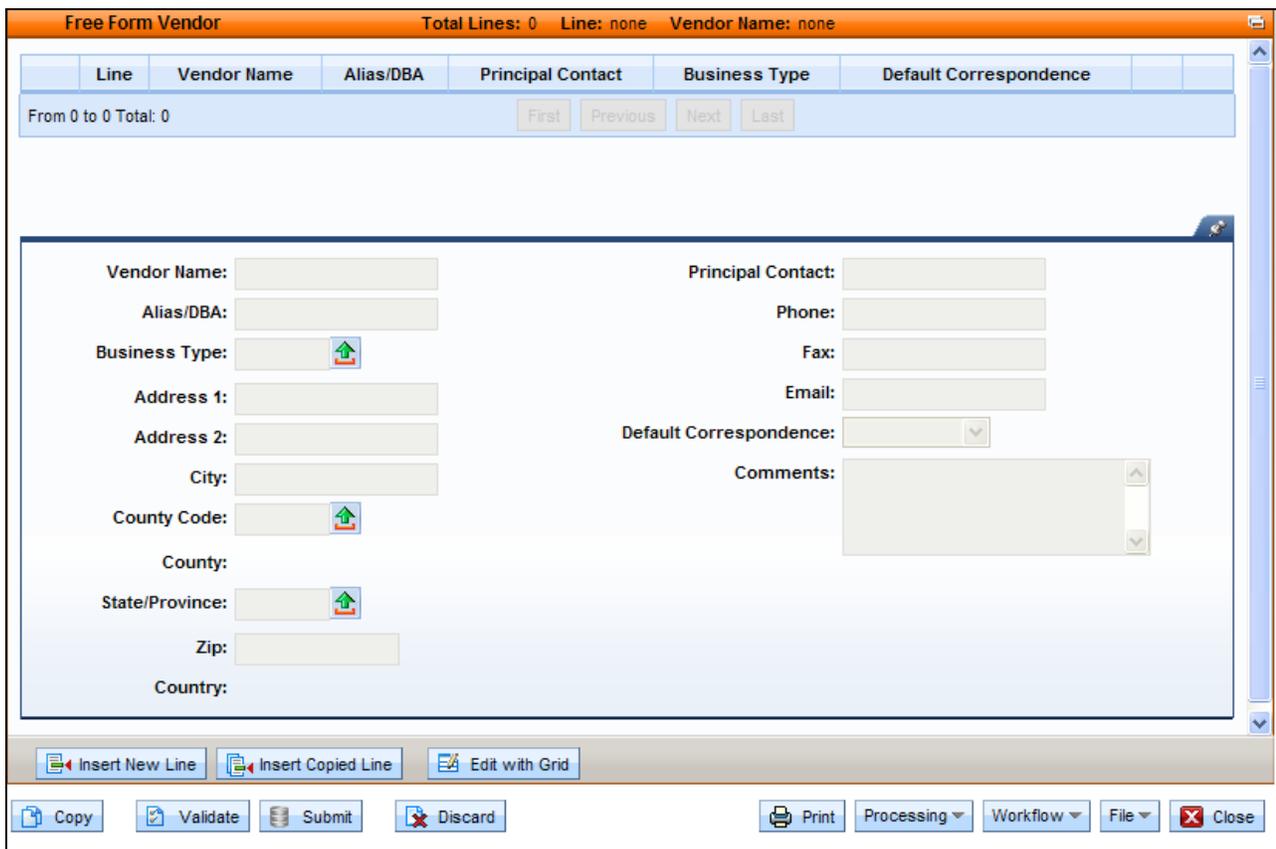
Open the **Evaluation Criteria Line** section:

Evaluation Criteria Line						
Total Lines: 0		Line: none		Criteria: none		Short Description: none
Line	Criteria	Short Description	Points	Free Form Flag	Inactive Line	
From 0 to 0 Total: 0						
<input type="button" value="First"/> <input type="button" value="Previous"/> <input type="button" value="Next"/> <input type="button" value="Last"/>						
<p>Criteria: <input type="text"/> </p> <p>Short Description: <input type="text"/></p> <p>Description: <input type="text"/></p> <p>Response Type: <input type="text"/></p> <p>Points: <input type="text"/></p> <p>Inactive Line: <input type="checkbox"/></p> <p>Mandatory YES Answer: <input type="checkbox"/></p>						

The Evaluation Criteria section allows users to define specific considerations for evaluating responses, and apply a point value for each. Criteria should also be identified in the Terms and Conditions template.

- The **Criteria** pick list allows users to select a pre-defined **Evaluation Criteria** from the eMARS database. If users would like to create unique **Evaluation Criteria** this field may be left blank.
- Use the **Short Description / Description** field to describe the **Evaluation Criteria**. These fields will be populated if a pre-defined **Evaluation Criteria** has been used. Can also be used to create new Evaluation Criteria that is not part of the Criteria Pick List above.
- The **Response Type** field is used to determine the format of the response required from Vendors. Possible choices are: Text, Number, Yes/No, Date, and None.
- The **Points** field is used to determine how many points may be awarded to a Vendor for the Response they've provided. It is used as part of the Evaluation process to determine which vendor will receive the award.
- The **Marked Delete?** Check-box is used on Solicitation modifications to signify that the **Evaluation Criteria** is no longer part of the Solicitation.
- The **Mandatory YES Answer** check-box is used to require the Vendor to answer "Yes" to **Evaluation Criteria** that have been set-up with a **Response Type** of Yes/No. Solicitation Response documents with a "No" answer to a Mandatory **Evaluation Criteria** may not be submitted.

Open **Free Form Vendor** section



Free Form Vendor Total Lines: 0 Line: none Vendor Name: none

Line	Vendor Name	Alias/DBA	Principal Contact	Business Type	Default Correspondence
From 0 to 0 Total: 0					

Vendor Name: Principal Contact:
 Alias/DBA: Phone:
 Business Type:  Fax:
 Address 1: Email:
 Address 2: Default Correspondence: 
 City: Comments:
 County Code: 
 County:
 State/Province: 
 Zip:
 Country:

The **Free-Form** Vendor list is used to identify vendors that will be included in the vendor notification process. Vendors identified in the Free Form Vendor section of the **RFP** will receive email notification of the solicitation once it has been posted to the Vendor Self Service website.

The Free Form Vendor section is optional when completing the **RFP**, however if a vendor is entered, users will need to include as much information as possible.

Open the **Commodity E-mail Push** section:

Commodity E-mail Push		Total Lines: 2	Line: 1	Commodity: 90553
Commodity	Description			
90553	Pilot Training Services			
90500	AIRCRAFT OPERATIONS SERVICES			

The **Commodity E-mail Push** section allows users to select Commodity Codes that are associated with the **RFP**. This section will be automatically populated when the document is populated based on the Commodity codes identified in the Commodity section. You may also add and delete Commodity codes. When Commodity codes are entered in the **Commodity E-mail Push** section that match a vendors' registered Commodity code they will receive email notification of the solicitation once it has been posted to the Vendor Self Service (VSS) website.

Complete the **Publishing** Section.

Publishing		
Procurement Folder:	Create Vendor Notification: <input checked="" type="checkbox"/>	Commodity Description: <input checked="" type="checkbox"/>
Amendment Number:	Schedule of Events: <input checked="" type="checkbox"/>	Item Shipping: <input checked="" type="checkbox"/>
Published Date:	Terms and Conditions: <input checked="" type="checkbox"/>	Item Specifications (Handling): <input checked="" type="checkbox"/>
Published Time:	Evaluation Criteria: <input checked="" type="checkbox"/>	Item Specifications (Details): <input checked="" type="checkbox"/>
Let Date: <input type="text"/> 	Evaluation Criteria (Points): <input type="checkbox"/>	Commodity Terms and Conditions: <input checked="" type="checkbox"/>
Close Date: <input type="text"/> 	Amendment History: <input checked="" type="checkbox"/>	Commodity Attachments: <input checked="" type="checkbox"/>
Close Time: <input type="text"/>	Document Attachments: <input checked="" type="checkbox"/>	Prohibit Online Responses: <input type="checkbox"/>
Public Bid Opening Date: <input type="text"/> 	Publish Vendor List: <input type="checkbox"/>	AttachmentList: <input type="text"/>
Public Bid Opening Time: <input type="text"/>		Restrict Multiple Responses per Vendor TIN: <input type="checkbox"/>

The **Publishing** Section allows users to establish the **Close Date** and **Close Time**; whether or not to allow on-line bidding; and what elements will appear in the Vendor Self Service (**VSS**) rendering of the Solicitation.

- The **Let Date** identifies the day the Solicitation is to be published. (Required)
- The **Close Date** identifies the date in which the **RFP** closes for bidding (Required).
- The **Close Time** identifies the time where the Solicitation closes (Required).

NOTE: The Closing Time must be supplied in 24hr military time in the following format HH:MM

- **Public Bid Opening Date/Time:** These fields may be used to specify the time at which bids will be read to the general public. The time must be supplied in 24hr military time. (Optional)

Create Vendor Notification: <input checked="" type="checkbox"/>	Commodity Description: <input checked="" type="checkbox"/>
Schedule of Events: <input checked="" type="checkbox"/>	Item Shipping: <input checked="" type="checkbox"/>
Terms and Conditions: <input checked="" type="checkbox"/>	Item Specifications (Handling): <input checked="" type="checkbox"/>
Evaluation Criteria: <input checked="" type="checkbox"/>	Item Specifications (Details): <input checked="" type="checkbox"/>
Evaluation Criteria (Points): <input type="checkbox"/>	Commodity Terms and Conditions: <input checked="" type="checkbox"/>
Amendment History: <input checked="" type="checkbox"/>	Commodity Attachments: <input checked="" type="checkbox"/>
Document Attachments: <input checked="" type="checkbox"/>	Prohibit Online Responses: <input type="checkbox"/>
Publish Vendor List: <input type="checkbox"/>	AttachmentList: <input type="text"/>
	Restrict Multiple Responses per Vendor TIN: <input type="checkbox"/>

The Publishing section allows users to identify what information can be viewed on the Vendor Self Service (VSS) web-site. Users will want to make as much information available to the vendor as possible.

It is recommended that users creating an RFP select the following in the publishing section:

- **Evaluation Criteria Points-** Allows the vendors to view the available points associated with the Evaluation Criteria
- **Prohibit Online Responses-** Prohibits Vendors from being able to respond to the **RFP** online.
- **Restrict Multiple Responses per Vendor TIN-** Ensures that only one response can be recorded for a Solicitation.

NOTE: The Prohibit Online Responses cannot be changed in a modification. Users will want to verify prior to finalizing their document that the Online Responses are prohibited.

Including Additional Attachments to your Solicitation (optional):

Additional attachments may need to be included with your Solicitation that are not part of the Terms and Conditions Template. eMARS will support attachments in two sections on the **PO**.

Header Attachments:

- The Header of the **RFP** will support all types of attachments i.e. .xml, .pdf,. .xls. Attachments can be uploaded by accessing the **Attachments** under the **File Menu**. In order for Vendors to be able to view Header attachments, the file must be uploaded as a Standard File Type. Attachments made to the Header of the Solicitation *will not* print with the final document, but can be printed separately and included with the Solicitation.

Supporting Documents section:

- The Supporting Documents section will only support 2003 .xml documents. All attachments included in the Supporting Document section will print with the final document. Each attachment included in the Supporting documents section will require a line to be inserted into the section. All supporting documents will be separated with a page break in the printed document. The following attachments can be included as a Supporting document
 - The Secretary's Order Signature Page
 - Required Affidavit for Bidders or Offerors

Once all the required or desired information has been included in the document, users will need to **Validate** to check for errors. If there are associated errors with the document, they will be displayed on the error panel. If there are multiple errors users can select the **View All** link to show all errors/warnings/informational messages associated with the document.

If errors occur on the document, they will need to be corrected and the document will need to be re-validated.

Once the **RFP** has validated successfully, users will then need to **Assemble** the document. The assembly of the document will generate an Adobe PDF version of the Solicitation. In order for a Solicitation to publish on the Vendor Self Service website an assembled document must exist. It is required that all Solicitations are assembled prior to submission.

The assembly job should take 1-2 minutes. Users can follow the below steps to assemble their **RFP**:

To Assemble:

- 1 From the Header Section, select **Assemble Document**
- 2 Select **Submit Assemble Request**(this will initiate the document assembly process)
- 3 As the job is running, select the **Refresh** link to follow the job.

NOTE: If any changes are made to the **RFP** after the document is assembled, users will need to repeat the assembly process.

Once the Assembly job completes successfully, the generated Adobe PDF document will need to be viewed and downloaded.

To View or Download:

- 1 From the Header, select **Attachments** from the **File Menu**.
- 2 Identify the attachment generated from the assembly process, and select Download.

NOTE: RFP's will need to be submitted for OPS approval 7 days prior to the "Let Date"

There are additional steps during the Solicitation Response phase:

Post/Monitor Questions and Addendums

Any questions that are submitted once an **RFP** has posted to the Vendor Self Service (**VSS**) website will need to be posted in an addendum or modification to the **RFP**. It is encouraged that the Issuer/Buyer over the **RFP** establishes a date in which all questions regarding the Solicitation should be submitted. This will allow the Issuer/Buyer to include all submitted questions and their responses in a modification of the **RFP** that will post to the Vendor Self Service site.

When creating a modification to the **RFP** the following should be included:

- The Date
- The Modification Number
- The Reason for Modification (i.e. Post Solicitation Q & A's)
- List all Questions and corresponding Answers

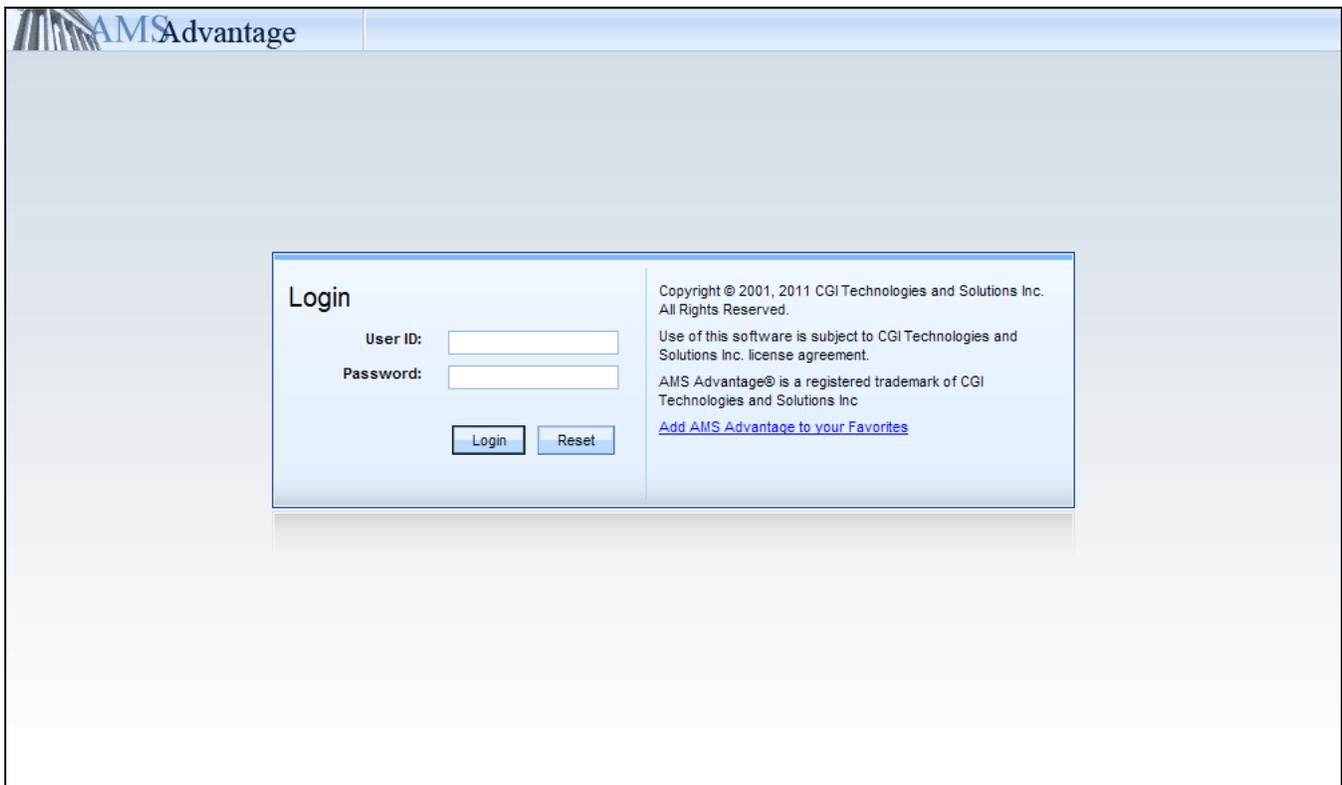
When creating the addendum/modification to, users are to include all submitted questions and corresponding answers on the first page of the Terms and Conditions Template attached to the Terms and Conditions section of the document. The revised template will need to be uploaded, and the **RFP** will need to be re-assembled so that it posts to the Vendor Self Service website.

Exercises – Logging In to eMARS

You will use a Student ID to access the training database during class. These IDs are only set up for the training environment. Your User ID for the production environment will be assigned along with a new password when eMARS is implemented.

From the Login page, enter the following information:

Required Fields	Values
User Name	Enter your Student ID from your student card. NOTE: User Names are case sensitive.
Password	Enter your Password from the student card and click Login . NOTE: Passwords are case sensitive.



AMS Advantage

Login

User ID:

Password:

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[Add AMS Advantage to your Favorites](#)

The Home Page appears.

Exercise 1 – Create a Solicitation (RFP) document

Scenario

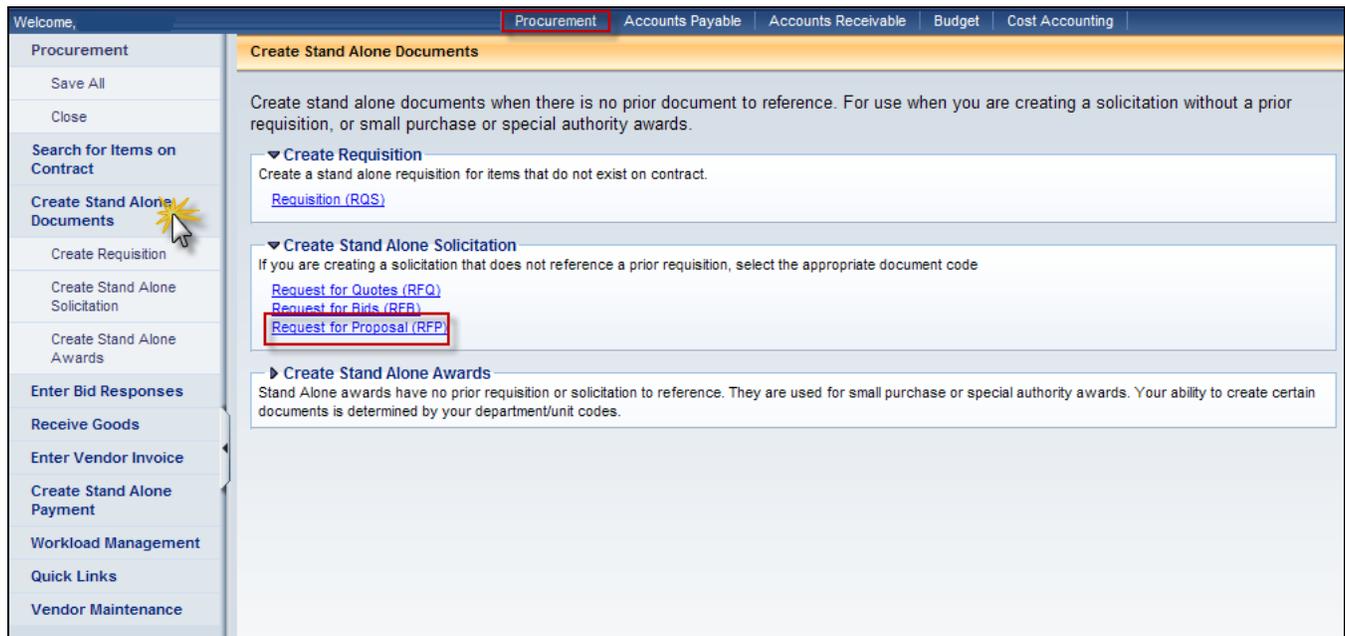
You need to initiate a Request for Proposal (**RFP**) Process for Legal Services for Commonwealth.

Task Overview

You will create an **RFP** from your **Procurement Workspace**. On the **RFP** you will add custom **Terms and Conditions**, build a **Free Form Vendor List**, build a list of the **Commodities** being solicited and set the **Publishing Dates**.

Procedures

1. Access your **Procurement Workspace** and click **Create Standalone Document**
2. Expand the **Create Standalone Solicitation** section and click **Request For Proposal (RFP)**.



The screenshot shows the eMARS Procurement Workspace interface. The top navigation bar includes 'Welcome', 'Procurement', 'Accounts Payable', 'Accounts Receivable', 'Budget', and 'Cost Accounting'. The left sidebar contains various menu items, with 'Create Standalone Documents' expanded. The main content area is titled 'Create Standalone Documents' and contains the following sections:

- Create Requisition**: Create a stand alone requisition for items that do not exist on contract. [Requisition \(RQS\)](#)
- Create Stand Alone Solicitation**: If you are creating a solicitation that does not reference a prior requisition, select the appropriate document code. [Request for Quotes \(RFQ\)](#), [Request for Bids \(RFB\)](#), [Request for Proposal \(RFP\)](#)
- Create Stand Alone Awards**: Stand Alone awards have no prior requisition or solicitation to reference. They are used for small purchase or special authority awards. Your ability to create certain documents is determined by your department/unit codes.

The Document Catalog opens.

3. Click **Create**.

Document Catalog

[Search](#) 

▼ **Document Identifier**

Code : RFP  **Unit :**

Dept. : ID :

▼ **Other Options**

Auto Numbering :

Create Template :

[Create](#)

[Menu](#)

4. Enter the following required fields:

Required Fields	Values
Dept	See Student Card
Unit	UNIT

5. Click **Auto Numbering**.

6. Click **Create**.

The **RFP** document opens to the **Header** page.

7. Complete the required fields in the Solicitation document **Header**.

General Information	Contact	Templates	Add Templates	Reference Documents	Document Information	Additional Information
Record Date:	<input type="text"/>		Prohibit Online Responses: <input type="checkbox"/>			
Document Description:	Legal Service for the Commonwealth of KY		Legal Services			
Procurement Folder:						System Gen List: No
Procurement Type ID:	17		Let Date:			
Procurement Type:	Personal Service Contract					Published Date:
Solicitation Category:	LGL		Published Time:			
Bid Receiving Location:	OPS		Close Date:			
Attention:	Bid Clerk					Close Time:
	Finance, Office of Procurement Services					Default Form: <input type="text"/>
	702 Capitol Avenue, Room 095					Total of Header Attachments: 0
	Frankfort					Total of All Attachments: 0
	KY					
	40601					
	US					

Required Fields	Values
Document Description	Enter "Legal Services for the Commonwealth of Kentucky".
Procurement Type ID	Select "17" from the Pick-List for Personal Service Contracts.
Solicitation Category	Enter "LGL"
Bid Receiving Location	Enter "OPS"

8. Complete the Contact section

General Information	Contact	Templates	Add Templates	Reference Documents	Document Information	Additional Information
Issuer ID:	<input type="text"/>		Requestor ID:	<input type="text"/>		Team ID:
	Name:	<input type="text"/>		Buyer:	<input type="text"/>	
	Phone Number:	<input type="text"/>		Buyer Dept:	<input type="text"/>	
	Email:	<input type="text"/>				

Required Fields	Values
Requestor ID	Select your Student-id from the Pick-List as the Requestor.

9. **Save** the document to infer the Name, Phone Number and Email address of the Requestor.
10. **Complete the Terms and Conditions Section:**
11. Navigate to the eMARS website at <http://finance.ky.gov/internal/eMARS> and click on the **Procurement Functional Area.**

eMARS - Enhanced Management Administrative Reporting System

Applications	Training	Functional Areas
<ul style="list-style-type: none"> ■ eMARS (Financial Production) ■ eProcurement ■ Financial Analysis System 2 (FAS²) ■ Vendor Self Service (VSS) 	<ul style="list-style-type: none"> • eMARS End-User Training <ul style="list-style-type: none"> ▫ Training Course Catalog ▫ Independent Study Guides (ISG) and Recordings ▫ Training Manuals ▫ Training Schedule (11/03/11) 	<ul style="list-style-type: none"> • Cash Receipts (11/25/09) • Cost Accounting (08/23/06) • Chart of Accounts (COA) Plan (08/02/10) • Financial (08/03/06) <ul style="list-style-type: none"> ▫ Banking Contract Transition (06/17/11) • Fixed Assets (02/27/12) <ul style="list-style-type: none"> ▫ Smart Government Initiative (SGI) Vehicle Information (08/02/11) • Interfaces (08/01/06) • Procurement (i.e. Personal Service Templates) (01/01/2012) <ul style="list-style-type: none"> ▫ Procurement How-To's (04/29/11) • Procurement Card Program (01/05/12) • Reporting (09/09/10) <ul style="list-style-type: none"> ▫ infoAdvantage Payroll spreadsheets • Vendor Self Service (VSS) • Security/Workflow Approvals (05/19/06)
<p style="background-color: #003366; color: white; padding: 2px;">Upgrade Information</p> <ul style="list-style-type: none"> • Financial Upgrade - 3.6.0.3 to 3.9 (12/19/2011) 	<p style="background-color: #003366; color: white; padding: 2px;">Support Orgs</p> <ul style="list-style-type: none"> ■ Controller's Office ■ Commonwealth Office of Technology ■ Customer Resource Center ■ Office of Procurement Services ■ Statewide Accounting Services 	
<p style="background-color: #003366; color: white; padding: 2px;">Year-End Info</p> <ul style="list-style-type: none"> ■ Fiscal Year 2012 Monthly Closing Schedule [PDF, 30KB] (06/16/11) ■ Closing Memo - Fiscal Year 2011 [PDF, 607KB] (03/15/11) ■ 2011 Year-End Information <p>Links related to year-end documentation such as allotment listings; pending transactions in</p>	<p style="background-color: #003366; color: white; padding: 2px;">Agency Reports</p> <ul style="list-style-type: none"> ■ AD EFT Exception Reports (on-going as needed) 	

Procurement

Contract Information

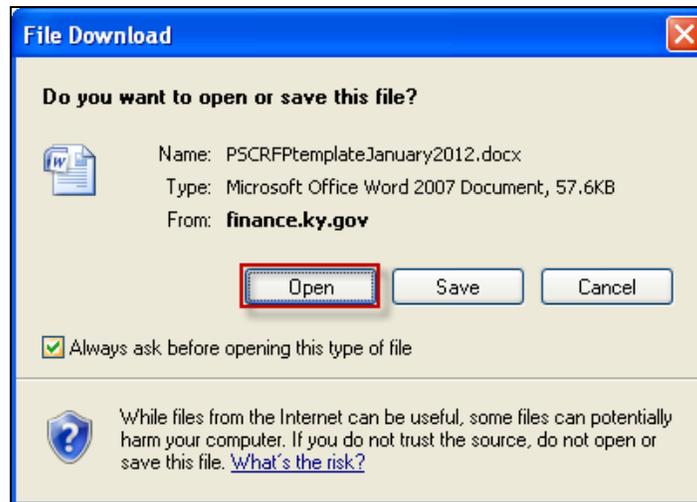
- [All State Agency Master Agreement Listing](#) (07/05/11)
- [WSCA Copier Contracts](#) (08/20/09)

Terms and Conditions Templates

The following templates have been created by the Office of Procurement Services to replace the PSC1 Terms and Conditions.

- [Professional Services \(RFP\)](#) [DOC, 61KB] (01/01/2012)
- [Personal Service Contracts \(PSC\)](#) [DOC, 36KB] (01/01/2012)

12. Select the **Professional Services (RFP)** template and **Open** a copy of the template.



13. Modify only the highlighted sections of the document to make it specific to the agency and the RFP

Required Fields	Values
Name of Agency	Enter: “Office of Procurement Services”
Title of RFP	Enter: “Legal Services for the Commonwealth of KY”
RFP Number	Enter Your RFP Document ID
Description of Services To Be Performed	Enter: “The Office is seeking services to assist with the prosecution of tax offenders.....”

**REQUEST FOR PROPOSAL
FOR
PERSONAL SERVICE CONTRACT**

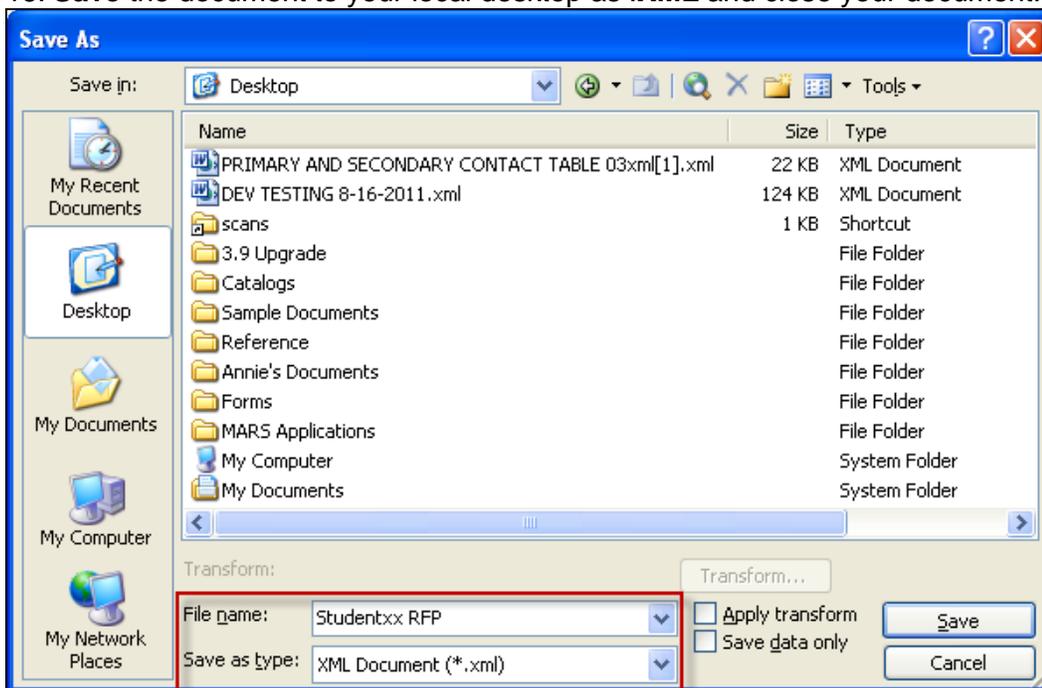
Cabinet/Agency
Title of the RFP
Solicitation number

This document constitutes a Request for Proposal for Personal Service Contract from qualified individuals and organizations to furnish those services as described herein for the Commonwealth of Kentucky,
Cabinet/Agency

Offerors are advised that any personal service contract resulting from the Request for Proposals for Personal Service Contract must comply with all applicable provisions of KRS 45A and KRS 12.210 prior to becoming effective.

A contract, based on this RFP, may or may not be awarded. Any contract award from this RFP is invalid until properly approved and executed by the Finance and Administration Cabinet and filed with the Legislative Research Commission, Government Contract Review Committee.

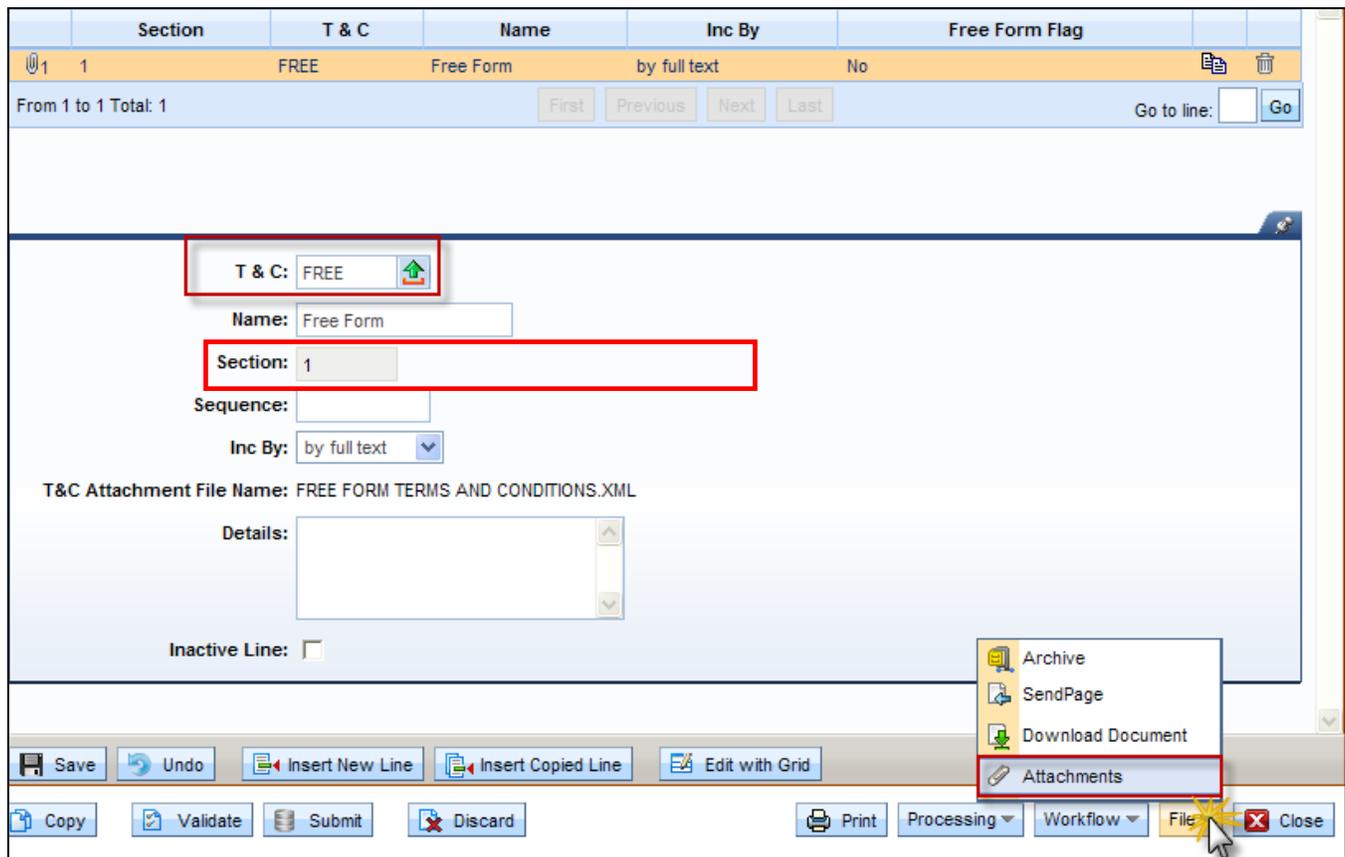
14. After modifying the information in the Template remove all Highlighting from the document by selecting all text (Ctrl + A) and remove the highlight.
15. Delete all instructions at the beginning of the template
16. **Save** the document to your local desktop as **.XML** and close your document.



17. Navigate to the **Terms and Conditions** section your **RFP**

18. Click **Insert New Line**.

19. Select or enter **Free** in the **T&C**.



Section	T & C	Name	Inc By	Free Form Flag
1	FREE	Free Form	by full text	No

From 1 to 1 Total: 1

T & C: FREE

Name: Free Form

Section: 1

Sequence:

Inc By: by full text

T&C Attachment File Name: FREE FORM TERMS AND CONDITIONS.XML

Details:

Inactive Line:

File Menu: Archive, SendPage, Download Document, Attachments

Bottom Bar: Save, Undo, Insert New Line, Insert Copied Line, Edit with Grid, Copy, Validate, Submit, Discard, Print, Processing, Workflow, File, Close

20. Open the **File** Menu and select **Attachments**.

The **Attachment** page opens.

21. Click **Delete** to discard the blank document brought in when Free Form was selected from the T&C.

NOTE: It is important that you delete the default attachment that is automatically brought in when the Free Form T & C is selected. If the default is not deleted it may cause problems during the assembly process.

Attachments

File Name	Type	Date	User ID	Primary State
✓ Free Form Terms and Conditions.xml	Document XML	3/6/12	NPJ0100	New

First Prev Next Last

[Upload](#) Search [Download](#) [Delete](#) [Restore](#)

File Name : Free Form Terms and Conditions.xml Description :

Type : Document XML

Date : 3/6/12

User ID : NPJ0100

Primary State : New

[Return to Document](#)
[View Attachment History](#)

22. Click **Upload**.

23. **Browse** your local hard files for the RFP Template created in Step 12.

24. Select your Template and click **Open**.

NOTE: Make sure that the Attachment Type of **Document XML** is selected. The Attachment Type of Document XML will be required for all attachments that are included in the Terms and Conditions and Supporting Documents Sections.

25. Click **Upload**.

Upload Attachment

[Upload](#) [Cancel](#)

Attachment File : [Browse...](#)

Description :

Attachment Type : Document XML

Attachments

File Name	Type	Date	User ID	Primary State
✓ StudentXX- RFP.xml	Document XML	3/6/12	NPJ0100	New

First Prev Next Last

[Upload](#) [Search](#) [Download](#) [Delete](#) [Restore](#)

File Name : StudentXX- RFP.xml Description :

Type : Document XML

Date : 3/6/12

User ID : NPJ0100

Primary State : New

[Return to Document](#)

[View Attachment History](#)

26. Click **Return to Document**

27. Open the **Commodity** section

28. Click **Insert New Line**

General Information	Reference	Shipping/Billing	Specifications	Templates	Add Templates
CL Description:	Legal Services				
Commodity:	96149 				
	Legal Services, Attorneys				
Ext Description:	The Office is seeking Legal Services.....				
Line Type:	Service 				
Quantity:	<input type="text"/>				
Unit:	<input type="text"/> 				
Unit Price:	<input type="text"/>				
Contract Amount:	7500				
Service From:	4/27/2012 				
Service To:	5/27/2012 				
Inactive Line:	<input type="checkbox"/>				
Award Date:					

29. Enter the following:

Required Fields	Values
CL Description	Enter “Legal Services” .
Commodity	96149
Extended Description	The Office is seeking Legal Services..... (The Extended Description should mimic the Description of Services)
Line Type	“Service”
Contract Amount	\$7500.00
Service From	One Month from Today
Service To	Two Months from Today

30. Complete the **Shipping/Billing** Tab.

General Information	Reference	Shipping/Billing	Specifications	Templates	Add Templates
Shipping Location: <input type="text"/>		Billing Location: <input type="text"/>		Attention:	
Attention:		Attention:			
Delivery Date: <input type="text"/>					

31. Enter the following required fields:

Required Fields	Values
Billing Location	11284

32. Click **Evaluation Criteria Line**

Evaluation Criteria Line Total Lines: 0 Line: none Criteria: none Short Description: none

Line	Criteria	Short Description	Points	Free Form Flag	Inactive Line
From 0 to 0 Total: 0					
<input type="button" value="First"/> <input type="button" value="Previous"/> <input type="button" value="Next"/> <input type="button" value="Last"/>					

Criteria:

Short Description:

Description:

Response Type:

Points:

Inactive Line:

Mandatory YES Answer:

33. Click **Insert New Line** to enter the first Evaluation Criteria.

Required Fields	Values
Criteria	Select “Price” from the pick list for the first criteria.
Points	Enter “200”

34. Click **Insert New Line** to enter in the second **Evaluation Criteria**.

Required Fields	Values
Short Description	Enter “QUAL”
Description	Enter “Qualifications and Training”
Response Type	Select “Text”
Points	Enter “100”

35. Click **Insert New Line** to enter in the third **Evaluation Criteria**.

Required Fields	Values
Short Description	Enter “EXP”
Description	Enter “Experience”
Response Type	Select “Text”
Points	Enter “75”

36. Select **Free-Form Vendor** from the Secondary Navigation Panel.

Line	Vendor Name	Alias/DBA	Principal Contact	Default Correspondence
0				

From 1 to 1 Total: 1

First Previous Next Last Go to line: Go

Vendor Name: ABC Attorney

Alias/DBA:

Address 1: 555 Walnut Street

Address 2:

City: Frankfort

State/Province: KY

Zip: 40601

Principal Contact: B. Legal

Phone: 502-695-8852

Fax:

Email: ABCAttorney@legal.com

Default Correspondence: Email

37. Click **Insert New Line** and enter the following required fields:

Required Fields	Values
Vendor Name	ABC Attorney
Address 1	555 Walnut Street
City	Frankfort
State/Province	KY
Zip	40601
Principal Contact	B. Legal
Phone	502-695-8852
E-MAIL	ABCAttorney@legal.com
Default Correspondence	E-Mail

38. Click **Validate**

39. Select **Commodity E-mail Push**

View the Commodity Codes that infer:

Commodity E-mail Push		Total Lines: 2	Line: 1	Commodity: 96149
Commodity	Description			
96149	Legal Services, Attorneys			
96100	MISCELLANEOUS PROFESSIONAL SERVICES			

40. Click **Publishing** from the Secondary Navigation Panel.

Publishing

Procurement Folder: 2281001	Create Vendor Notification: <input checked="" type="checkbox"/>	Commodity Description: <input checked="" type="checkbox"/>
Amendment Number:	Schedule of Events: <input checked="" type="checkbox"/>	Item Shipping: <input checked="" type="checkbox"/>
Published Date:	Terms and Conditions: <input checked="" type="checkbox"/>	Item Specifications (Handling): <input checked="" type="checkbox"/>
Published Time:	Evaluation Criteria: <input checked="" type="checkbox"/>	Item Specifications (Details): <input checked="" type="checkbox"/>
<div style="border: 1px solid red; padding: 2px;"> Let Date: <input type="text"/> <input type="calendar"/></div>	<div style="border: 1px solid red; padding: 2px;"> Evaluation Criteria (Points): <input type="text"/></div>	Commodity Terms and Conditions: <input checked="" type="checkbox"/>
<div style="border: 1px solid red; padding: 2px;"> Close Date: <input type="text"/> <input type="calendar"/></div>	Amendment History: <input checked="" type="checkbox"/>	Commodity Attachments: <input checked="" type="checkbox"/>
<div style="border: 1px solid red; padding: 2px;"> Close Time: <input type="text"/></div>	Document Attachments: <input checked="" type="checkbox"/>	AttachmentList: <input type="text"/>
Public Bid Opening Date: <input type="text"/> <input type="calendar"/>	Publish Vendor List: <input type="checkbox"/>	<div style="border: 1px solid red; padding: 2px;"> Prohibit Online Responses: <input type="checkbox"/></div>
Public Bid Opening Time: <input type="text"/>		<div style="border: 1px solid red; padding: 2px;"> Restrict Multiple Responses per Vendor TIN: <input type="checkbox"/></div>

41. Enter the following required fields:

Required Fields	Values
Let Date	Enter Today's Date
Close Date	Enter Today's Date
Close Time	Enter time for ½ hour from now. E.g. if it is 10 in the morning enter: 10:30 NOTE: Closing Time must be supplied in 24hr military time.
Evaluation Criteria Points	Click to select
Prohibit Online Responses	Click to select
Restrict Multiple Responses per Vendor TIN	Click to select

42. Click **Validate** to check the document for errors.

43. Click **Header**

44. Click **Assemble Document**.

The **Assemble** page will open.

Print Job Code	Print Job Name
✓ SO_FORM	Solicitation Printer

First Prev Next Last

Application Resource ID : RFP

Print Job Code : SO_FORM

Print Job Name : Solicitation Printer

Print Job Description : Solicitation Printer

Hide Inactive Procurement Lines :

[Submit Assemble Request](#) [Cancel](#)

45. Click **Submit Assemble Request**.

46. Click **Refresh** until you see that you have a Successful Status.

Assemble Request							
							Menu Back Refresh
Request Id	Job Id	User Id	Start Time	End Time	Status	Message	
✓ 701691	2270759	NPJ0100	03-06-2012 11:05:30	03-06-2012 11:06:19	Successful	Assembly job complete	
First Prev Next Last							
View Job Log Messages							

47. Click **Back** to return to the document **Header**.

48. Select **File>>Attachments** and **Download** the **PDF**.

Attachments					
File Name	Type	Date	User ID	Primary State	
✓ Draft_RFP_758_1300000023_1_SO_FORM.PDF	Assembled Form	3/6/12	NPJ0100	New	
First Prev Next Last					
Upload Search Download Delete Restore					
File Name : Draft_RFP_758_1300000023_1_SO_FORM.PDF		Description :		Assembled pdf file for document [RFP,758,1300000023,1] - Solicitation Printer	
Type : Assembled Form		Date : 3/6/12		User ID : NPJ0100	
Primary State : New					
Return to Document					
View Attachment History					

49. Click **Return To Document** to return to the Header.
50. **Submit** the document to initiate workflow for approval.
51. Write down your document number on your Student Card. You will need this in later exercises.

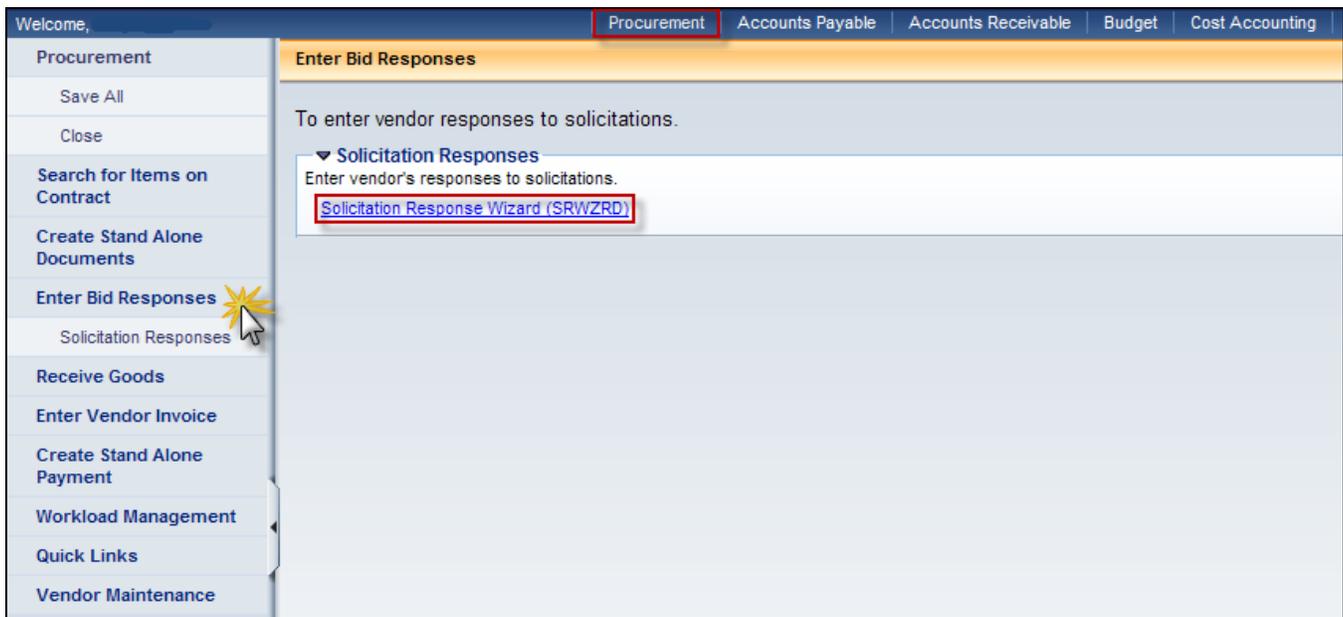
5 –Recording a Vendor Response.

When a Vendor submits a response to a Solicitation, it must be recorded in eMARS. Users will record the Vendor’s response to a solicitation using the Solicitation Response Wizard (**SRW**) document. A Solicitation Response Wizard document will be required for each Vendor who submitted a response.

The Solicitation Response Wizard document will allow users to record the Vendor’s Response in relation to the Commodity Lines established in the RFP as well as any Evaluation Criteria established.

Vendor Response using the Solicitation Response Wizard

Access your **Procurement Workspace**, click the **Enter Bid Response**. Click **Solicitation Response Wizard (SRWZRD)**. The **Solicitation Response Wizard** page opens.



Enter the Solicitation and Vendor Information on the **SRWZRD** page.



The screenshot shows the 'Solicitation Response Wizard' interface. It features a header with the title 'Solicitation Response Wizard'. Below the header, there are two main sections: 'Solicitation Information' and 'Solicitation Response Information'. The 'Solicitation Information' section contains four input fields: 'Solicitation Document Code', 'Solicitation Department', 'Solicitation Document ID', and 'Vendor ID'. Each field has a small icon to its right, likely for a pick list or search function. The 'Solicitation Response Information' section is currently empty. At the bottom of the interface, there are two buttons: 'Create Response' and 'Find Responses in Progress'.

- The **Solicitation Document Code** is the document code (**RFP**) from the Solicitation for which the response is being recorded.
- The **Solicitation Department** identifies the Document Department for the Solicitation for which responses are being recorded.
- The **Solicitation Document ID** identifies the Solicitation Document ID number for the recorded response. The Solicitation ID can be entered in its entirety or can be selected from the Pick. The Pick will be filtered to show all those Solicitation documents where the Let Date is less than today's date and the Solicitation has not been awarded. This page will be further filtered by the values that you have entered in **Solicitation Document Code** field and the **Solicitation Department** field.
- The **Vendor ID** corresponds to the Vendor Customer Number of the Vendor in which the response is being recorded. The Vendor ID can be selected from the Pick or manually entered. In order for a Solicitation Response Wizard document to be recorded for a vendor, they must be registered and have a Vendor Customer Number. The use of a Miscellaneous Vendor code is not allowed.

The Solicitation Response Wizard (SRW) generates with information populated from the Solicitation document. Users will be required to complete the **SRW** with the information corresponding to the vendor's response.

The Solicitation Response Wizard Opens to the

Solicitation Summary	Default Information	Discount Information	Document Information
Solicitation: RFP-758-1300000023		Total Bid: \$0.00	
Solicitation Description: Legal Services for the Commonwealth of Kentucky		Close Date: 3/6/12	
Issuing Office: 1049 US 127 South		Close Time: 12:00	
Requesting Office: 1049 US 127 South		Phone: 502-564-9641	
Buyer:		Phone: 502-564-9641	
jamie.davis2@ky.gov		Phone: 502-564-8110	
Procurement Folder: 2281001		Status: Closed	
Procurement Type: Personal Service Contract			

- The Response Summary section opens to the Solicitation Summary and will detail the information from the Solicitation document. The information viewable in the Solicitation Summary section is as follows:

Solicitation Summary	Default Information	Discount Information	Document Information
Delivery Days:	<input type="text"/>	Vendor ID:	VC0000008846
Response Type:	Bid <input type="button" value="v"/>	Legal Name:	
Comments:	<input type="text"/>	Alias/DBA:	
		Response Date:	<input type="text"/>
		Response Time:	<input type="text"/>

- The Default Information tab allows users to identify information regarding the bid being recorded. Users will be required to complete the following:
 - **Response Type:** The Response Type identifies the type of response being recorded. The default response type is “Bid”
 - **Vendor ID, Legal Name, and Alias/DBA:** This information will default from the VCUST table and will correspond to the Vendor Customer number selected when the **SRW** document was created.
 - **Response Date:** The Response Date identifies the date in which the response was received. This date must be before the closing date and time of the indicated Solicitation document.
 - **Response Time:** The Response Time corresponds to the actual time the response was received. This time must be before the closing date and time indicated on the Solicitation. The Response Time must be formatted in 24 hour time e.g. HH:MM.

The **Commodity Response** section:

Step 2: Commodity Response Total Lines: 1 Line: 1 Commodity: 91874 Total Price:

Line	Commodity	CL Description	Total Price	Award Date
1	91874	Legal Services		

From 1 to 1 Total: 1 First Previous Next Last Go to line: Go

List View

General Information
Commodity Information
Specification
Shipping and Handling

CL Description: Legal Services Alternate Specs Submitted:

Commodity: 91874

Legal Consulting

Commodity Specifications:

Line Type: Service

Total Price:

Response Type: Bid ▼

Comments:

This section displays all Commodity line items for all Commodity Groups from the referenced solicitation. Up to 15 Commodity line items can be displayed in the grid. If there are more than 15 Commodity line items, then you can navigate between the records by clicking the **Next**, **Previous**, **First**, and **Last** links. The rows in the grid are sorted by Group and then by Line Number.

The General Information Tab allows users to identify the Response Type for the specific commodity line.

- The **Response Type** for each Commodity line defaults to “Bid”, but can be changed. You can optionally enter data into the **Comments** field. If the **Response Type** for any of the above line types is “No-bid” then you should only enter text in the **Comments** field; however, the system will not prevent you from entering data in the other fields.

The Commodity Information Tab allows users to record the Vendors’ response to the Commodity Line selected. The Commodity Information will default with information from the Solicitation and the line type used its Commodity Line(s). The Line Type determines the required fields for each Commodity Line:

If the Line Type is:	Then the Required Fields is:
Item	Unit Price and Delivery Days
Service	Bid Contract Amount

Complete the **Criteria Response** section:

Step 3: Criteria Response							
Total Lines: 3 Group: Default Line: 1 Short Description: Lowest Price Response Type: Number							
Group	Line#	Short Description	Response Type	Date Response	Number Response	Yes/No Response	Text
Default	1	Lowest Price	Number				
Default	2	Qual	Text				
Default	3	EXP	Text				

From 1 to 3 Total 3

First Previous Next Last

This section displays all **Evaluation Criteria** lines for the different Criteria Groups/Lines from the referenced Solicitation. Up to 15 criteria lines can be displayed in the grid. If there are more than 15 lines, then you can navigate between the records by clicking the **Next**, **Previous**, **First**, and **Last** links. The rows in the grid are sorted by Group and then by Criteria Number. Only the required fields for each Line Item Type are editable.

The **Response Type** for each criteria on the Solicitation determines which response field is required on the **SRW**.

If the Response Type is:	Then the Required Fields is:
Date	Date Response (mm/dd/yyyy)
Number	Number Response (any numeric value)
Yes/No	Yes/No Response
Text	Text Response (Can be any combination of text and numbers up to 256 characters)

Once all required fields are complete Users will need to **Validate** the document to check for errors. If errors occur during validation, they will appear in the error messages at the top of the screen.

Once all errors are corrected the document will need to be **Submitted** to finalize the **SRW** document. The SRW is submitted to final status and no approvals are required.

When you close the document you will transition back to the **SRWZRD** page where you can enter a response for a new Vendor without retying the Solicitation ID.

How to print the SRW document:

1. Select **Print** located at bottom of page.

2. Print page opens, Click **Print** and print job returns “Submitted Successfully”.
3. From the Header, Open the **Menu** from the Document Information Bar and select “**Document Forms**”
4. Select the Printed .PDF file generated by the print process.
5. Select **View**.
6. Select **Open**. This will open a session of Adobe and open the file.
7. Print the document from Adobe.

If you need to modify a finalized **SRW** you must complete the Mod Authorization step.

Line	Modified By	Modified On
1	NPJ0100	03/06/2012

From 1 to 1 Total: 1

General Information

Reason:

Authorized On:

Authorized By:

Auth Method:

Modified On: 03/06/2012

Modified By: NPJ0100

- In order to submit a modification to a **SRW** document, you must describe the reason for the modification in the **Reason** field
- List who authorized the modification in the **Authorized By** field
- Record the date the modification was authorized in the **Authorized On** field.



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Exercise 2 – Record Vendor Responses to the RFP using the SR Wizard (SRW).

Scenario

You have received several paper responses to the **RFP** created in Exercise 1. You must record these responses into the system.

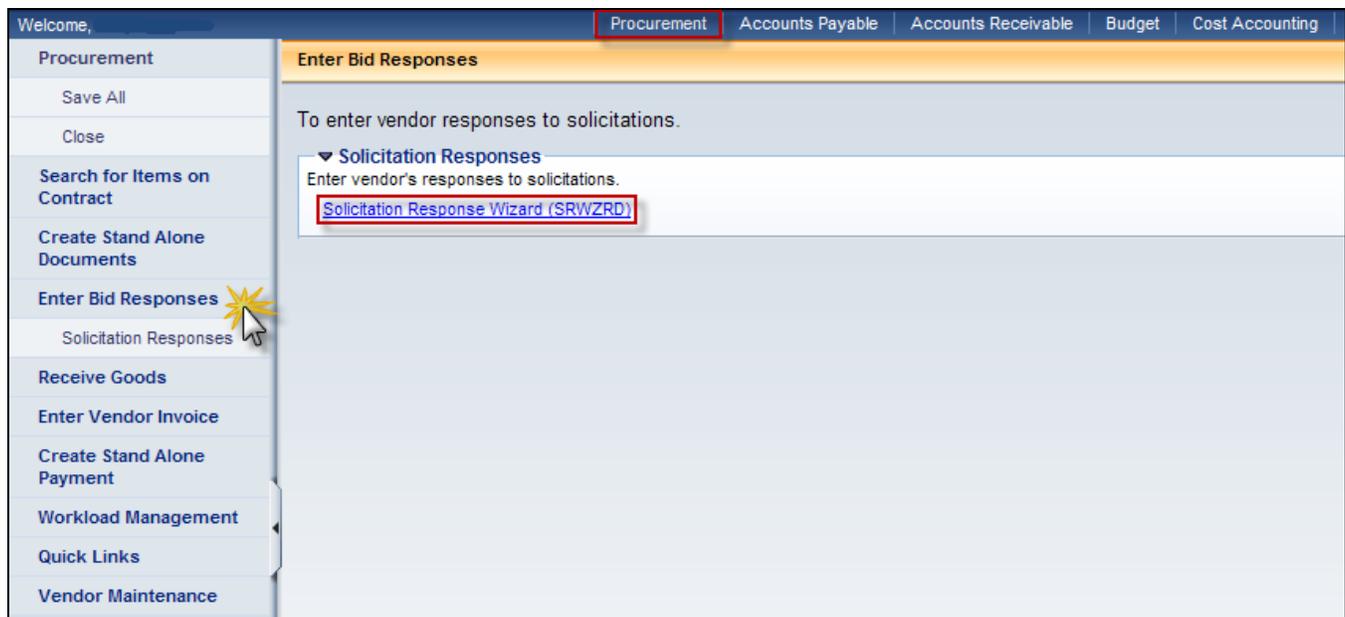
Task Overview

You will access the **Solicitation Response Wizard** page from your **Procurement Workspace** and initiate two Vendor Responses to the **RFP** document you created in Exercise 1. You will record the Vendors price proposals and enter Vendor Responses to the **Evaluation Criteria**.

Procedures

1. Open the **Procurement Workspace** and click **Enter Bid Response**.
2. Click **Solicitation Response Wizard (SRWZRD)**.

The **Solicitation Response Wizard** page will open.



Enter the Solicitation and Vendor Information on the **SRWZRD** page.

Solicitation Response Wizard

▼ Solicitation Information

Solicitation Document Code :

Solicitation Department :

Solicitation Document ID :

Vendor ID :

▶ Solicitation Response Information

[Create Response](#) [Find Responses in Progress](#)

Required Fields	Values
Solicitation Document Code	Enter "RFP".
Solicitation Department	Type in the department from your Student Card.
Solicitation Document ID	Select the RFP you created in Exercise 1.
Vendor ID	Search for and select "Bluegrass Attorney" from the pick list.

3. Click **Create Response**.
4. Open the **Response Summary** section.

Solicitation Summary	Default Information	Discount Information	Document Information
<p>Solicitation: RFP-758-1300000023</p> <p>Solicitation Description: Legal Services for the Commonwealth of Kentucky</p> <p>Issuing Office: 1049 US 127 South</p> <p>Requesting Office: 1049 US 127 South</p> <p>Buyer: jamie.davis2@ky.gov</p> <p>Procurement Folder: 2281001</p>	<p>Total Bid: \$0.00</p> <p>Close Date: 3/6/12</p> <p>Close Time: 12:00</p> <p>Phone: 502-564-9641</p> <p>Phone: 502-564-9641</p> <p>Phone: 502-564-8110</p> <p>Status: Closed</p> <p>Procurement Type: Personal Service Contract</p>		

5. Open the **Default Information** tab



Solicitation Summary	Default Information	Discount Information	Document Information
Delivery Days:	<input type="text"/>	Vendor ID:	VC1000000087
Response Type:	Bid <input type="button" value="v"/>	Legal Name:	Bluegrass Attorney
Comments:	<input type="text"/>	Alias/DBA:	
		Response Date:	<input type="text"/>
		Response Time:	<input type="text"/>

6. Enter the Following

Required Fields	Values
Response Date	Enter Today's Date
Response Time	Enter a time that is before the Close Time listed in your RFP

7. Open the **Commodity Response** section

Step 2: Commodity Response Total Lines: 1 Line: 1 Commodity: 91874 Total Price:

Line	Commodity	CL Description	Total Price	Award Date
1	91874	Legal Services		

From 1 to 1 Total: 1 First Previous Next Last Go to line: Go

List View

General Information Commodity Information Specification Shipping and Handling

CL Description: Legal Services Alternate Specs Submitted:

Commodity: 91874
Legal Consulting

Commodity Specifications:
Line Type: Service
Total Price:
Response Type: Bid

Comments:

8. Open the **Commodity Information** tab:

Line	Commodity	CL Description	Total Price	Award Date
1	91874	Legal Services		

From 1 to 1 Total: 1 First Previous Next Last Go to line: Go

List View

General Information **Commodity Information** Specification Shipping and Handling

Requested Service From: 4/6/12
Requested Service To: 5/6/12
Bid Contract Amount:

9. . Enter the required fields below.

Required Fields	Values
Contract Amount	Enter: \$6500.00

10. Open the **Criteria Response** grid.

Step 3: Criteria Response							
		Total Lines: 3		Group: Default	Line: 1	Short Description: Lowest Price	Response Type: Number
Group	Line#	Short Description	Response Type	Date Response	Number Response	Yes/No Response	Text
Default	1	Lowest Price	Number			<input type="text"/>	
Default	2	QUAL	Text			<input type="text"/>	
Default	3	EXP	Text			<input type="text"/>	

11. Enter the Response for each criteria.

Enter the following information:

Required Fields	Values
Number Response	For evaluation criteria "PRICE" enter "\$6500.00"

Required Fields	Values
Text Response	For evaluation criteria QUAL enter "Law Degree and Bar Certification"

Required Fields	Values
Text Response	For Evaluation criteria EXP enter "15 years"

12. Click **Validate** and check for errors. After correcting any errors, click **Submit**.

13. Click **Close** and you will be returned to the **SRWZRD** page. You can enter a response for a new Vendor without retyping the Solicitation ID.

14. Record a second Vendor Response for Thoroughbred Attorney at Law (VC1000000002).

15. Once the second **SRW** opens expand the Default Information and enter in the following information.

Required Fields	Values
Response Date	Enter Today's Date
Response Time	Enter a time that is before the Close Time listed in the RFP created in Exercise 1.

16. Open the **Commodity Response** section

Step 2: Commodity Response Total Lines: 1 Line: 1 Commodity: 91874 Total Price:

Line	Commodity	CL Description	Total Price	Award Date
1	91874	Legal Services		

From 1 to 1 Total: 1 First Previous Next Last Go to line: Go

List View

General Information Commodity Information Specification Shipping and Handling

CL Description: Legal Services Alternate Specs Submitted:

Commodity: 91874
Legal Consulting

Commodity Specifications:
Line Type: Service

Total Price:

Response Type: Bid

Comments:

17. Open the **Commodity Information** tab:

Line	Commodity	CL Description	Total Price	Award Date
1	91874	Legal Services		

From 1 to 1 Total: 1 First Previous Next Last Go to line: Go

List View

General Information **Commodity Information** Specification Shipping and Handling

Requested Service From: 4/6/12

Requested Service To: 5/6/12

Bid Contract Amount:

18. . Enter the required fields below.

Required Fields	Values
Contract Amount	Enter: \$7000.00

19. Open the **Criteria Response** grid.

Step 3: Criteria Response							
		Total Lines: 3		Group: Default	Line: 1	Short Description: Lowest Price	Response Type: Number
Group	Line#	Short Description	Response Type	Date Response	Number Response	Yes/No Response	Text
Default	1	Lowest Price	Number			<input type="text"/>	
Default	2	QUAL	Text			<input type="text"/>	
Default	3	EXP	Text			<input type="text"/>	

20. Enter the Response for each criteria.

Enter the following information:

Required Fields	Values
Number Response	For evaluation criteria “PRICE” enter “\$7000.00”

Required Fields	Values
Text Response	For evaluation criteria QUAL enter “Law Degree and Bar Certification”

Required Fields	Values
Text Response	For Evaluation criteria EXP enter “10 years”

21. Click **Validate** and check for errors. After correcting any errors,

22. Click **Submit**.



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6 – Consolidate and Evaluate Vendor Responses on the EV document

The **Evaluation (EV)** document allows users to evaluate vendors responses to a Solicitation and create an associated Award document. Users will be able to view all responses in a Bid Tabulation for easy evaluation and exported to be later attached to the award. Much of the information on the **Evaluation** document defaults from the Solicitation. The remaining information comes from the **Solicitation Response** documents.

The Evaluation Process

To create the **Evaluation (EV)** document users will **Copy Forward** from the **Solicitation (RFP)** to the Evaluation (**EV**) document.

Complete the **Document Department**, **Document Unit** and select **Auto-Document Numbering**.

Copy Forward

From Document

Category : PROC Doc Dept : 758
 Type : SO Doc Unit : D758
 Code : RFP ID : 1300000020
 Select Entire Document : Version : 1

To Document

Doc. Department Code : Document Id :
 Unit Code : Auto Numbering :

Target Doc Type	Target Doc Code	Description
SR	SR	Respond to Solicitation
SO	RFB	Re-Solicit In Same Procurement
SO	RFP	Re-Solicit In Same Procurement
<input checked="" type="checkbox"/> EV	EV	Create EV from SO
SR	SRW	Respond to Solicitation

First Prev Next Last

Select the **Load the Responses** in the Header of the Evaluation document.

Header

[List View](#)

General Information

Document Creation

<p>Solicitation: <input type="text" value="RFP"/></p> <p>Solicitation Dept: <input type="text" value="758"/></p> <p>Solicitation Number: <input type="text" value="1300000020"/></p> <p>Legal Services for the Commonwealth of Kentucky</p> <p>Buyer Name:</p> <p>Solicitation Close Date: 03/06/2012</p> <p>Solicitation Close Time: 15:00</p> <p>Publish: <input type="checkbox"/></p> <p>Publish Date:</p>	<p>Procurement Folder: 2280502</p> <p>Procurement Type: Personal Service Contract</p> <p>Created By: NPJ0100</p> <p>Created On: 03/07/2012</p> <p>Modified By: NPJ0100</p> <p>Modified On: 03/07/2012</p> <p>Total of Header Attachments: 0</p> <p>Total of All Attachments: 0</p> <p>Document Closed Date:</p>
---	---

Save Undo

Load Responses
Create Document
View Procurement Folder

Copy Validate Submit Discard

Print Processing Workflow File Close

- Clicking the **Load Responses** link will bring all final **Solicitation Response** documents into the **EV**. This includes **SRW, SR** documents.

NOTE: Responses can only be loaded to the **EV** after the Closing Date has passed.

The **Load Statistics Details** section will show all the Vendors who have responded to the Solicitation and which bids have been loaded into the **EV**.

Load Statistics Details		Vendor Name: Bluegrass Attorney				
Vendor Name	Alias/DBA	Entered	Response	Loaded for Evaluation	Published	
Bluegrass Attorney		Manually	03/07/2012	03/07/2012		
Thoroughbred Attorney at Law		Manually	03/07/2012	03/07/2012		
From 1 to 2 Total: 2		First Previous Next Last	Go to line: <input type="text"/> Go			

Open the Bid Tabulation section:

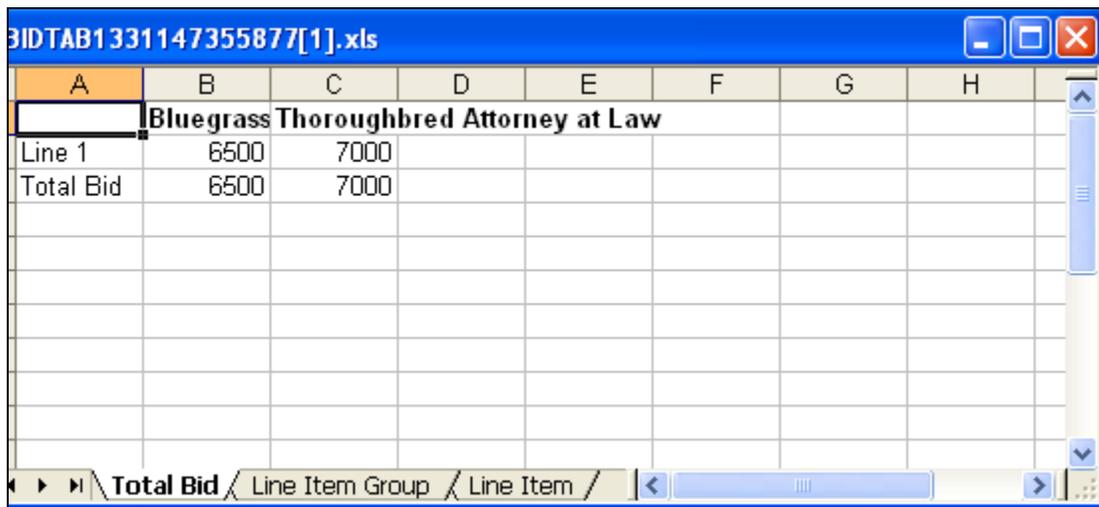
Bid Tabulation			
Group		Bluegrass Attorney	Thoroughbred Attorney at Law
Default	1	\$6,500.00	\$7,000.00
Total For Default		\$6,500.00	\$7,000.00
Total Bid		\$6,500.00	\$7,000.00

All submitted Bid Responses can viewed in a grid format in the Bid Tabulation section of the **EV** document. This allows the user/buyer to view all responses on a single screen. A Bid Tabulation can also be downloaded to an excel spreadsheet for quick reference and be later attached to the award document.

Download the Bid Tabulation spreadsheet by following the below steps:

- 1 Select **File**
- 2 Click **Download Document**
- 3 From the Document Template page select **Generate File**
- 4 **Open** the file

NOTE: Excel Macros must me Enabled to generate the Bid-Evaluation Template. Please check the Macro Security before generating the template.



A	B	C	D	E	F	G	H
	Bluegrass	Thoroughbred Attorney at Law					
Line 1	6500	7000					
Total Bid	6500	7000					

The Excel Bid-Tab will have three (3) separate tabs to view the data:

- The **Total Bid** worksheet displays Vendors ranked lowest to highest based on the total cost of their bid. The lowest Vendor will be placed on the left and the highest will be on the right.
- The **Line Item Group** worksheet consolidates all Vendors responses on a Commodity Group basis. Vendors' Responses to each group will be grouped together and then sorted lowest to highest.
- The **Line Item** worksheet consolidates all Vendor Responses on a Commodity Line by Commodity line basis. All responses to the same line item are grouped together and then sorted in ascending order (e.g. lowest to highest).

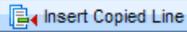
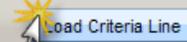
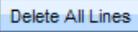
Open the Score by Criteria section:

Vendor Responses to the Evaluation Criteria are scored in the **Score by Criteria** section.

This page allows users to view and score the Vendors' criteria responses directly on the **EV** document. Users will need to click on the **Load Criteria Line** button to Load the Criteria and the Vendor's Responses to the **EV**.

Score by Criteria						
Description	Vendor	Alias/DBA	Vendor Response	Points Available	Points Awarded	
Lowest Bidder Receives Points	Bluegrass Attorney		6500.0000	200		
Qualifications an Training	Bluegrass Attorney		Law Degree and Bar Cert	100		
Experience	Bluegrass Attorney		15 years	75		



- Click on the **Load Criteria Line** link to load in all of the Vendors' responses to Evaluation Criteria.
- Use the **Points Awarded** field to establish a score for each Vendor's Evaluation Criteria response.

Each Vendor with a recorded response will need to have points awarded.

Using the Quick Switch

For Quick Entry users can use the Quick Switch to toggle between the vendor's responses loaded to the **EV**. To use the quick switch, users will have to change their view to the accordion style.

Score by Criteria					
Description	Vendor	Alias/DBA	Vendor Response	Points Available	Points Awarded
Lowest Bidder Receives Points	Bluegrass Attorney		6500.0000	200	
Qualifications an Training	Bluegrass Attorney		Law Degree and Bar Cert	100	
Experience	Bluegrass Attorney		15 years	75	

To view the page in the Accordion format, users will need to select the Minimize/Maximize icon. Once in the Accordion View, the Quick Switch will be available.

Header	
Load Statistics	
Load Statistics Details	Vendor Name: Bluegrass Attorney
Awarded Items	Total Lines: 0 Line: none Vendor Name: none
Bid Tabulation	
Evaluators	Total Lines: 0 Line: none Name: none
Solicitation Commodity Line	Total Lines: 1 Line: 1 Commodity: 91874 Open Quantity: 0.00000
Award by Line	Award: No Award Created?: No Award Quantity: 0.00 Amount: \$6,500.00
Award by Group	Award: No Commodity Group: Default Vendor: Bluegrass Attorney Total Amount: \$6,500.00
Award by Total	Total Lines: 2 Line: 1 Vendor Name: Bluegrass Attorney All Lines Bid?: Yes
Rank by Criteria Group	Total Lines: 2 Line: 1 Evaluation Crite
Score by Evaluator	Total Lines: 3 Line: 1 Vendor: Bluegra
Score by Criteria	

Quick Select Row

Line	Vendor Name	Total Points
1	Bluegrass Attorney	0
2	Thoroughbred Attorney at Law	0

First Previous Next Last

OK Cancel

From 1 to 3 Total: 3

First Previous Next Last

Save Undo Insert New Line Insert Copied Line Load Criteria Line Delete All Lines

Select the next vendor for points to be awarded and click OK.

This will transition users back to the Score by Criteria section for the selected Vendor.

Score by Criteria						
Code	Description	Vendor	Alias/DBA	Vendor Response	Points Available	Points Awarded
	Lowest Bidder Receives Points	Thoroughbred Attorney at Law		7000.0000	200	
	Qualifications an Training	Thoroughbred Attorney at Law		Law Degree and Bar Cert	100	
	Experience	Thoroughbred Attorney at Law		10 Years	75	

Selecting the Awarded Vendor:

Identify and select Vendor who will be awarded the contract.

Awards can be generated one of three ways:

- Award by Total
- Award by Group
- Award by Line

You will need to complete only one of these sections to determine who will be granted the award.

Award by Total:

(most RFP's will be awarded using the Award by Total)

Award the Solicitation by Total if all lines from the Solicitation (all Commodity Groups and Commodity Lines) are being awarded to the selected Vendor. Award all line items to a Selected Vendor by choosing the Vendor in the Grid section and selecting the **Award All?** check-box.

Award by Total								Total Lines: 2		Line: 1		Vendor Name: Bluegrass Attorney		All Lines Bid?: Yes		
Line	Vendor Name	Alias/DBA	Adjusted Total	Total Points	All Lines Bid?	Response Link										
1	Bluegrass Attorney			375	Yes	SRW.758.1300000098										
2	Thoroughbred Attorney at Law			265	Yes	SRW.758.1300000099										

From 1 to 2 Total: 2

Go to line:

All Lines Bid?:
 Total Bid: \$6,500.00

Disqualify Vendor?:
Award All?:

Disqualification Reason Code: 
 Re-Solicit:

Award by Group

If awarding the Solicitation by Commodity Group, Users will need to select the award check box corresponding to the Vendor and Group with which to create the Award.

Award by Group							Award: No	Commodity Group: Default	Vendor: Bluegrass Attorney	Total Amount: \$6,500.00
Award	Commodity Group	Vendor	Alias/DBA	Response Type	Total Amount					
No	Default	Bluegrass Attorney		Bid	\$6,500.00					
No	Default	Thoroughbred Attorney at Law		Bid	\$7,000.00					

From 1 to 2 Total: 2 Go to line:

Award: **Response Type:** 1
Re-Solicit: **Total Amount:** \$6,500.00
Commodity Group: Default **Disqualify Vendor?:**
Vendor: Bluegrass Attorney **Disqualification Reason Code:**
Alias/DBA:

Award by Line

If awarding the Solicitation by Commodity Line users will need to select a Vendor with which to create an Award. To select a different or multiple commodity Lines to award users will need to select the specific Commodity line they wish to award from the Solicitation Commodity Line section.

Award by Line										Award: No	Award Created?: No	Award Quantity: 0.00	Amount: \$6,500.00
Award	Award Created?	Vendor	Alias/DBA	Resp Type	Award Quantity	Amount	Contract Amount	Discount %					
No	No	Bluegrass Attorney		Bid	0.00	\$6,500.00	6500.00						
No	No	Thoroughbred Attorney at Law		Bid	0.00	\$7,000.00	7000.00						

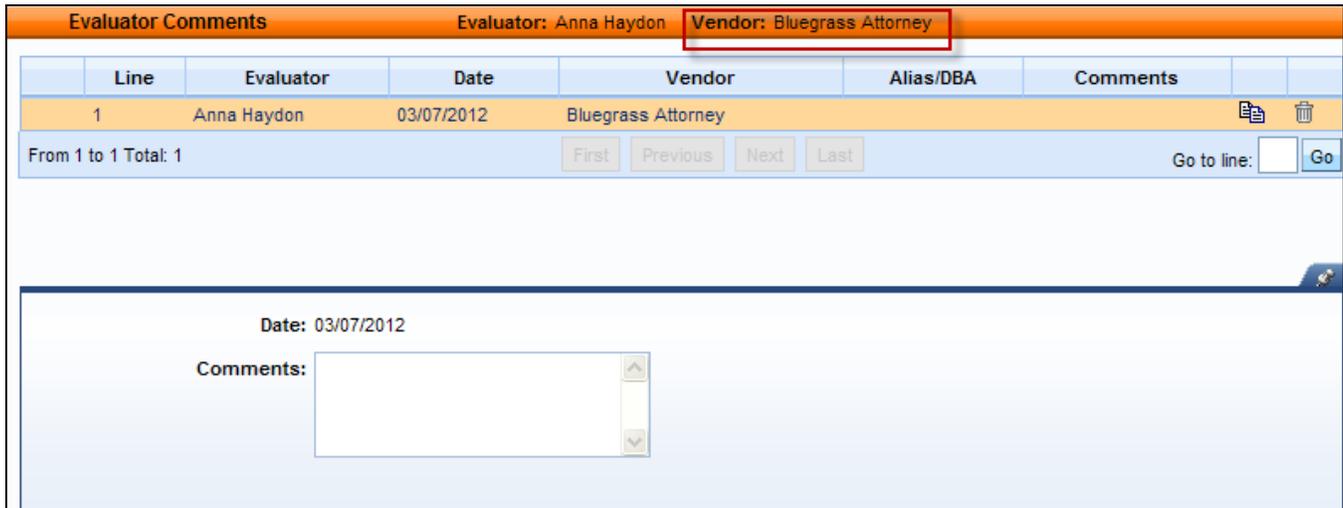
From 1 to 2 Total: 2 Go to line:

General Information

Award: **Resp Type:** Bid
Re-Solicit: **Amount:** \$6,500.00
No Award: **Award Quantity:**
Vendor: Bluegrass Attorney **Contract Amount:**
Alias/DBA: **Discount %:**
Disqualification Reason Code:
Disqualify Vendor?:

Open the Evaluator Comments Section

After identifying and selecting the vendor to award the contract, users must provide an Award Justification for the Vendor receiving an award. This Award Justification should be recorded in the **Evaluator Comments** section. At least one comment must exist for all Vendors selected for an award. If a comment does not exist an error will be received upon attempted creation of the award document.



Line	Evaluator	Date	Vendor	Alias/DBA	Comments
1	Anna Haydon	03/07/2012	Bluegrass Attorney		

From 1 to 1 Total: 1

First Previous Next Last

Go to line: Go

Date: 03/07/2012

Comments:

- **Comments Box**- Record the Determination & Finding or award justification in this box. This field will allow for 1500 characters.
- Users can use the **Quick Switch** to toggle between different vendors, if multiple comments need to be recorded.

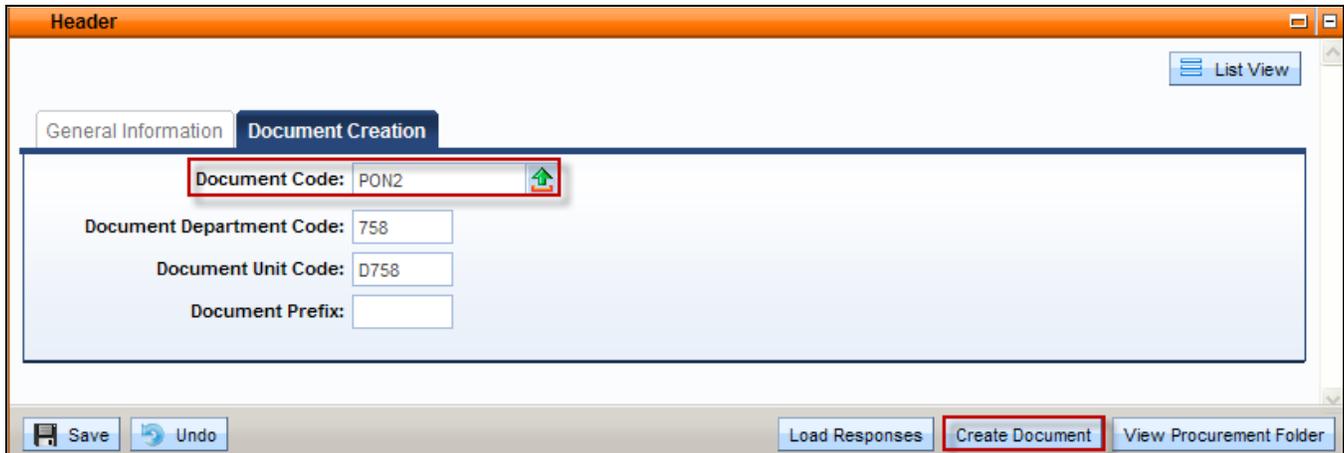
NOTE: The Vendor will be displayed on the Heading to verify that the comment is being recorded for the correct vendor.

Generate the Award

Once the Vendor has been selected; the Award or Contract can be created directly from the **EV** document. Awards should be made one Vendor at a time from the **Document Creation** section in the **EV** Header. When an award is generated from the **EV** it will take information from several places:

- **Terms and Conditions** and **Supporting Documents** will be copied from the Solicitation.
- Accounting information will be copied from a referencing Requisition (**RQS**), if it exists.
- Pricing will be taken from the Vendor's bid as recorded on the Solicitation Response (**SR/SRW**) document.
- The Vendor will be taken from the Solicitation Response (**SR/SRW**) document.

NOTE: Award documents with Accounting consequences that reference a Requisition will be generated with a **memo** Commodity and Accounting line reference back to the Requisition.



- The **Document Code** field allows users to identify the desired award document code that will be generated. **Personal Service Contracts will use the document code of PON2.**
- Clicking **Create Document** will create the document for the Vendor and line items selected on **Award by Total**, **Award by Group** or **Award by Line** sections.

View the created awarded contract:

All created award documents can be found in the **Awarded Items** section.

Awarded Items									
Line	SO Commodity Line No	Award Link	Vendor Code	Vendor Name	Alias/DBA	Quantity Awarded	Contract Amount	Discou	
1	1	PON2.758.1300000027	VC1000000087	Bluegrass Attorney		0.00000	6500.00		
From 1 to 1 Total: 1									

The Generated documents can be opened by clicking on the **Award Link**. The generated award or contract will need to be completed prior to validating or finalizing the **EV** document.

Exercise 3 – Evaluate and Tabulate Vendor Responses to the RFP using the EV document and Excel document download.

Award a Personal Service Contract from the EV document

Scenario

You need to evaluate and compare the Bids that came in for the **RFP** for Legal Services created in Exercise 1 and the Responses you created in Exercise 2. You need to award a **Personal Services Contract (PON2)**.

Task Overview

You will access the **RFP** you created in Exercise 1 from the Document Catalog. You will **Copy Forward** from the **RFP** to an **EV** document. When the **EV** is created you will load in all of the responses. You will inspect and score the Vendor's responses to your **Evaluation Criteria**. You will download the **EV** document into a Bid-Tabulation Spreadsheet. You will record an Award Justification using the **Evaluator Comments** section for the Vendor being awarded the Contract. You will award the **Personal Service Contract (PON2)** from the **EV**. Once the contract has been generated, you will access it from the awarded items inquiry, add additional required information, and **Submit** it to final. Once the award has been submitted to final, you will return to the **EV** document and **Submit** it to final as well.

Procedures

1. Search the **Document Catalog** for the **RFP** you created in Exercise 1.

NOTE: If you have not logged out since it was created you may use your History to open the RFP.

2. Open the RFP and, click **Copy Forward**.

Copy Forward

From Document

Category : PROC Doc Dept : 758
 Type : SO Doc Unit : D758
 Code : RFP ID : 1300000020
 Select Entire Document : Version : 1

To Document

Doc. Department Code : Document Id :
 Unit Code : Auto Numbering :

Target Doc Type	Target Doc Code	Description
SR	SR	Respond to Solicitation
SO	RFB	Re-Solicit In Same Procurement
SO	RFP	Re-Solicit In Same Procurement
✓ EV	EV	Create EV from SO
SR	SRW	Respond to Solicitation

First Prev Next Last

3. Click the **EV** line in the grid as the Target Document Type

4. Enter the following required fields:

Required Fields	Values
Doc. Department Code	See Student Card
Unit Code	UNIT
Auto-Numbering	Select the check box.

5. Click **OK**.

An **Evaluation** document (EV) is created.

6. Click **Load the Responses**

Header

List View

General Information Document Creation

Solicitation: RFP	Procurement Folder: 2280502
Solicitation Dept: 758	Procurement Type: Personal Service Contract
Solicitation Number: 1300000020	Created By: NPJ0100
Legal Services for the Commonwealth of Kentucky	Created On: 03/07/2012
Buyer Name:	Modified By: NPJ0100
Solicitation Close Date: 03/06/2012	Modified On: 03/07/2012
Solicitation Close Time: 15:00	Total of Header Attachments: 0
Publish: <input type="checkbox"/>	Total of All Attachments: 0
Publish Date:	Document Closed Date:

Save Undo Load Responses Create Document View Procurement Folder

Copy Validate Submit Discard Print Processing Workflow File Close

7. Click **Load Statistics Details**

Review this section to see all the Vendors who have responded and which bids have been loaded into the EV.

Load Statistics Details		Vendor Name: Bluegrass Attorney				
Vendor Name	Alias/DBA	Entered	Response	Loaded for Evaluation	Published	
Bluegrass Attorney		Manually	03/07/2012	03/07/2012		
Thoroughbred Attorney at Law		Manually	03/07/2012	03/07/2012		

From 1 to 2 Total: 2

First Previous Next Last

Go to line: Go

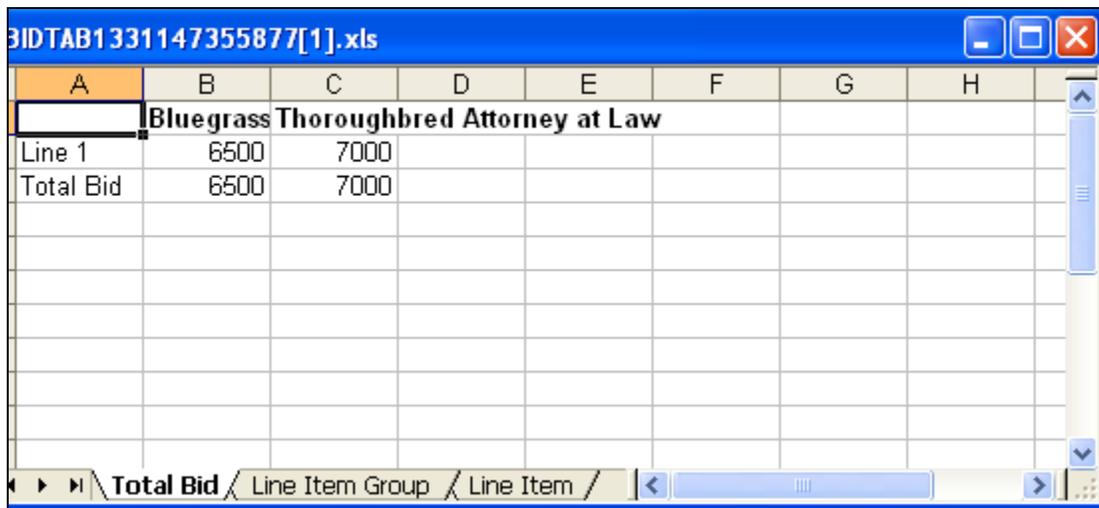
8. Open the **Bid Tabulation** section:

Bid Tabulation			
Group	Bluegrass Attorney	Thoroughbred Attorney at Law	
Default			
	1	\$6,500.00	\$7,000.00
Total For Default		\$6,500.00	\$7,000.00
Total Bid		\$6,500.00	\$7,000.00

Download the Bid Tabulation spreadsheet by following the below steps:

- Select **File**
- Click **Download Document**
- From the Document Template page select **Generate File**
- Open** the file

NOTE: Excel Macros must be Enabled to generate the Bid-Evaluation Template. Please check the Macro Security before generating the template.



A	B	C	D	E	F	G	H
	Bluegrass Thoroughbred Attorney at Law						
Line 1	6500	7000					
Total Bid	6500	7000					

Navigation: Total Bid / Line Item Group / Line Item /

9. Open the **Score by Criteria** section:

10. Click **Load Criteria Line**

Score by Criteria						
Description	Vendor	Alias/DBA	Vendor Response	Points Available	Points Awarded	
Lowest Bidder Receives Points	Bluegrass Attorney		6500.0000	200	[Yellow box]	
Qualifications an Training	Bluegrass Attorney		Law Degree and Bar Cert	100	[Red box]	
Experience	Bluegrass Attorney		15 years	75	[Red box]	

Buttons: Save, Undo, Insert New Line, Insert Copied Line, Load Criteria Line, Delete All Lines

11. Score Vendor Responses to Evaluation Criteria.

To toggle between Vendors, use the Quick Switch.

Required Fields	Values
Points Awarded	Vendor: Bluegrass Attorney
	PRICE: 200
	QUAL 100
	EXP 75
	Vendor: Thoroughbred Attorney at Law
	PRICE: 185
QUAL 100	
EXP 50	

12. Select **Award by Total** from the Secondary Navigation Panel:

Award by Total							
		Total Lines: 2		Line: 1		Vendor Name: Bluegrass Attorney	
All Lines Bid?: Yes							
Line	Vendor Name	Alias/DBA	Adjusted Total	Total Points	All Lines Bid?	Response Link	
1	Bluegrass Attorney		375		Yes	SRW.758.1300000098	
2	Thoroughbred Attorney at Law		335		Yes	SRW.758.1300000099	
From 1 to 2 Total: 2				First	Previous	Next	Last
							Go to line: <input type="text"/> <input type="button" value="Go"/>

All Lines Bid?: <input checked="" type="checkbox"/>	Total Bid: \$6,500.00
Disqualify Vendor?: <input type="checkbox"/>	Award All?: <input checked="" type="checkbox"/>
Disqualification Reason Code: <input type="text"/>	Re-Solicit: <input type="checkbox"/>

13. Select the **Award All** check box for **Bluegrass Attorney**

14. Click **Evaluator Comments** on the Secondary Navigation Panel.

Evaluator Comments							
		Evaluator: Anna Haydon		Vendor: Bluegrass Attorney			
Line	Evaluator	Date	Vendor	Alias/DBA	Comments		
1	Anna Haydon	03/07/2012	Bluegrass Attorney		Award Justification		
From 1 to 1 Total: 1				First	Previous	Next	Last
							Go to line: <input type="text"/> <input type="button" value="Go"/>

Date: 03/07/2012
Comments: Bluegrass Attorney was responsive in all areas of the Solicitation.....

15. Click **Insert New Line** and enter the following required fields:

Required Fields	Values
Comments	Enter “Awarded to Bluegrass Attorney. See D&F for details”.

16. Click **Header** on the Secondary Navigation Panel.

17. Open the **Document Creation** tab.

Header

General Information
Document Creation

Document Code:

Document Department Code:

Document Unit Code:

Document Prefix:

18. Enter the following required fields:

Required Fields	Values
Document Code	Select " PON2 ".

19. Click **Create Document**

20. Open the **Awarded Items** section on the Secondary Navigation Panel.

Awarded Items		Total Lines: 1		Line: 1		Vendor Name: Bluegrass Attorney		
Line	SO Commodity Line No	Award Link	Vendor Code	Vendor Name	Alias/DBA	Quantity Awarded	Contract Amount	Disc
1	1	PON2.758.1300000027	VC1000000087	Bluegrass Attorney		0.00000	6500.00	
From 1 to 1 Total: 1			<input type="button" value="First"/> <input type="button" value="Previous"/> <input type="button" value="Next"/> <input type="button" value="Last"/>	Go to line: <input type="text"/>				

Write down your EV document ID on your Student Card.

7 –Personal Service Contract/Proof of Necessity Agreement

A Personal Service Contract as defined by KRS 45A.690(1)(g) is an agreement whereby an individual, firm, partnership, or corporation is to perform certain services requiring professional skill or professional judgment for a specified period of time at a price agreed upon. It includes all price contracts for personal services between a governmental body or political subdivision of the Commonwealth and any other entity in any amount.

The statutes, policies and procedures governing PSC's are KRS 45A.690 – KRS 45A.725; FAP 111-43-00; 200 KAR 5:307 and 200 KAR 5:309. These are available on the FAC website; and in the Reference Document Section of the Personal Service Contract and Memorandum of Agreement Contracting Manual. <http://finance.ky.gov/business/eprocurement/state-laws.htm>

Overview:

- PSC's are used to establish a contract with a private entity.
- PSC's must go through a competitive process OR have sole source OR not practicable or feasible to bid approval from the Secretary of the Finance and Administration Cabinet or his designee, the Office of Procurement Services (OPS) Executive Director.
- PSC's shall be filed with the Legislative Research Commission (LRC) Government Contract Review Committee (GCRC) unless exempt by statute or by an exemption granted by the GCRC.
- The GCRC has established policies which impact PSC's established pursuant to KRS 45A.690 – KRS 45A.725. These are located on the GCRC website and in the Reference Document Section of this Manual. <http://www.lrc.ky.gov/Statcomm/Contracts/homepage.htm>
- PSC's shall be filed with the GCRC prior to the effective date.
- PSC's may not extend past the end of the biennium in which they are created unless there is statutory authority to do so; or by an exemption granted by the GCRC.
- PSC's less than \$10,000 are exempt from routine GCRC review but must be filed with them for information purposes.
- PSC's less than \$10,000 must be filed with the GCRC **no more than** thirty (30) days after the effective date.
- PSC's are created as eMARS PON2 documents unless they are exempt from filing with the GCRC.
- PSC's exempt from filing with the GCRC are created as eMARS PO2 documents.

Please refer to the Finance and Administration Cabinets' Personal Service Contracting Manual for all policies and standard procedures that are required throughout the Personal Service Contracting process. The manual can be found on the Office of Procurement Services website at <http://finance.ky.gov/business/procurement/services/procurement/howto.htm>.

Personal Service Contracts (PSC's) are established on a **PON2** document and will require multiple levels of approval within the Finance and Administration Cabinet to ensure that the user follows all policy, procedures and statutes that govern Personal Service Contracts. All PSC's, unless exempt, will go before the Government Contract Review Committee (GCRC) for final review. Personal Service Contracts must be on file with the review committee prior to the start of services.

To confirm that the PSC is complete, users can use the PSC checklist (Appendix C) to ensure that all information is present.

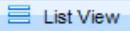
PON2 Document

Open the **PON2** document from the **Awarded Items** section of the **EV**:

The document opens to the **Header** page.

Complete the required and optional information in the Header section, some fields will be populated with information from the RFP.

Header

 List View

General Information
Contract Details
Reference
Requestor Issuer Buyer
Modification
Extended Description

Default Shipping/Billing
Reporting
Fixed Asset Intent Reference
Document Information

<p>Record Date: <input type="text"/> </p> <p>Document Name: <input type="text"/></p> <p>Document Description: <input type="text" value="Legal Services for the Commonwealth of Kentucky"/></p> <p>Procurement Folder: 2281301</p> <p>Procurement Type ID: <input type="text"/> </p> <p>Procurement Type: <input type="text"/></p> <p>Cited Authority: <input type="text"/> </p> <p>Default Form: <input type="text"/> </p> <p>Total of Header Attachments: 0</p> <p>Total of All Attachments: 2</p>	<p>Accounting Profile: <input type="text"/> </p> <p>Budget FY: <input type="text"/></p> <p>Fiscal Year: <input type="text"/></p> <p>Period: <input type="text"/></p> <p>Actual Amount: \$6,500.00</p> <p>Closed Amount: \$0.00</p> <p>Closed Date: <input type="text"/></p> <p>Open Amount: \$6,500.00</p> <p>Open Accrual Amount: \$0.00</p> <p>Not to Exceed Amount: <input type="text" value="\$0.00"/></p>
---	---

The following fields can be found in the General Information section:

- The **Record Date** will infer when the document is submitted to final.
- The **Document Name** is an optional field where additional information about the contract can be identified. This field *will not* print on the final document, but rather can be used for internal information. This field will allow for 60 characters (*optional*).
- The **Document Description** is *required* and will print on the final document. This field will infer with the values entered in the RFP, but can be changed. This field will allow for 60 characters. The description is also searchable from various inquiries like the Procurement Document Inquiry (**PRCUDOC**).
- The **Procurement Type ID** will correspond to the type of Business Process being followed. The following Procurement Types can be used on the **PON2**:
 - 13 - Architecture & Eng PSC
 - 17 - Personal Service Contract
- The **Cited Authority** represents the statutory, regulatory or policy citations for the contract. The Cited Authority is required on the **PON2**. The authorities available on the **PON2** document will be filtered by **Procurement Type ID** and document code. Cited Authorities allowable on the PON2 document are listed below:
 - FAP-111-44-00
 - FAP-111-43-00-03-STD
 - FAP-111-09-00-12
 - FAP-111-43-00-L
 - FAP-111-43-00-STD
 - FAP-111-43-00-03-L
- The **Default Form** identifies the specific form that is to be used when the PON2 is printed or assembled. Users will want to ensure that the correct form is identified for the type of document they are processing i.e. modification.
- The **Budget FY, Fiscal Year** and **Period** will infer when the Proof of Necessity document is submitted to final. The values defaulted will identify the current accounting Budget FY, Fiscal Year and Period in which the document was submitted.

Complete the **Requestor Issuer Buyer** section:

General Information	Contract Details	Reference	Requestor Issuer Buyer	Modification	Extended Description
Default Shipping/Billing	Reporting	Fixed Asset Intent Reference	Document Information		

Issuer ID: NPJ0100 	Team ID: FOAS
Anna Haydon	Buyer:
502-564-9641	
anna.haydon@ky.gov	
Requestor ID: NPJ0100 	
Name: Anna Haydon	
Phone Number: 502-564-9641	
Email: anna.haydon@ky.gov	
Requesting Dept: <input type="text"/> 	

- The **Issuer ID** will default to the User ID of the creating User and will infer the Name, Email and Phone number of the individual User selected. If you are completing the document on someone else's behalf, then their User ID can be selected from the pick or by using the Type Ahead feature (*required*).
- The **Requestor ID** identifies the user who is requesting the services being ordered. This value will infer from the RFP and can be changed. The User ID can be selected from the pick or by using the Type Ahead feature (*required*).

Inspect the **Vendor** section:

Vendor Line	Vendor Customer	Legal Name	Line Amount	Modified
1	VC1000000087	Bluegrass Attorney	\$8,500.00	No

From 1 to 1 Total: 1 Go to line:

Vendor Discount

Vendor Customer: VC1000000087 <input type="button" value="↑"/>	Vendor Contact ID: PC001 <input type="button" value="↑"/>
Legal Name: Bluegrass Attorney	Vendor Contact Name: Joe Legal
Alias/DBA:	Vendor Contact Phone: 502-69609865
Address Code: AD001 <input type="button" value="↑"/>	Vendor Contact Phone Ext.:
123 Blue Street	Vendor Contact Email: Joe@Bluegrass.com
Frankfort	Fax:
KY	Fax Extension:
40601	Web Address http://:
US	

 Processing ▾ Workflow ▾ File ▾

The Vendor section will be populated with the Vendor selected in the EV document.

- The **Vendor Customer** code will correspond to the Vendor code selected on the SRW and EV document and should not be changed.
- The **Address Code** identifies the Ordering/Procurement address for the Vendor. If multiple addresses exist for the vendor, a different address code can be selected from the Pick (*required*).
- The **Vendor Contact ID** corresponds to the Vendor Contact on the vendor record. If multiple contacts exist, a different Vendor Contact Id can be selected from the Pick (*required*).

Inspect **Commodity** Lines.

Review the **General Information** section.

General Information	Reference	Fixed Asset Intent Reference	Shipping/Billing	Specification	Matching	Retainage	Tolerance	Discount	Worksites
<p>CL Description: Legal Services</p> <p>Commodity: 96149</p> <p>Legal Services, Attorneys</p> <p>Extended Description: The Office is seeking Legal Services.....</p> <p>Line Type: Service</p> <p>Quantity: 0.00000</p> <p>Unit:</p> <p>Unit Price: \$0.00</p> <p>List Price: \$0.00</p> <p>Contract Amount: \$6,500.00</p> <p>Service From: 04/29/2012</p> <p>Service To: 05/29/2012</p>									
								<p>Accounting Profile:</p> <p>Accounting Template:</p> <p>Inactive Line: <input type="checkbox"/></p> <p>Non-Reserved Funding Open Amount Total: \$0.00</p> <p>Item Sub Total: \$6,500.00</p> <p>Line Amount: \$6,500.00</p> <p>Closed Amount: \$0.00</p> <p>Open Amount: \$0.00</p> <p>Open Accrual Amount: \$0.00</p> <p>Closed Quantity: 0.00000</p> <p>Open Quantity: 0.00000</p> <p>Closed Contract Amount \$0.00</p> <p>Open Contract Amount: \$6,500.00</p> <p>Warehouse:</p>	

The Commodity section will be pre-populated with information from the RFP and the pricing recorded on the Solicitation Response Wizard (SRW) documents.

- The **CL Description** identifies a brief description of the service. This field will populate with information from the **RFP**. This field will print on all documents and is used on subsequent Procurement Documents. This field is displayed in the grid area of the Commodity section in order to help you identify which line you would like to inspect or modify (*required*).
- The **Commodity** field is used to store the Commodity Code that most closely matches the item or service being purchased. This field is used primarily for classification purposes. This field will be populated based on the value from the **RFP**. It is imperative the correct commodity code is identified on the document (*required*).
- The **Extended Description** is used to provide a detailed description of the Commodity line. Specific information pertaining to the Service should be recorded in the 4000 characters allowed for this field. The Extended Description will be completed with the information entered on the RFP. This field should be updated to add any specific information pertaining to the PON2 and information specific to the RFP should be deleted. This field will print on the final contract (*required*). To access a larger text field, select **Extended Description** from the **Related Actions** Menu.
- The **Line Type** field is used to identify how the cost of the line will be established. Generally speaking, Goods will use the Line Type of Item and Services will use the Line Type of Service. Personal Service Contracts will use the line type of Service.

- **Service-** The Line Type of Service, will infer the **Contract Amount** that was recorded on the Solicitation Response Wizard (SRW) document. The **Service To** and **Service From** dates will infer from the RFP.
- The **Accounting Profile** field allows users to identify the Profile that will be used to distribute the total amount of their commodity line across multiple Accounting Templates. The Accounting Profile is set up to identify a distribution Percentage and will automatically generate the accounting lines on the document when it is validated. *This field should only be used when an accounting distribution is needed (optional).*
- The **Accounting Template** allows the user to enter a unique template that will populate their accounting lines with specific chart of account elements. When the document is validated, the accounting line associated with the commodity where an Accounting Template has been keyed will populate with the template information. It is not necessary to identify the Accounting Template in the Commodity section, as it can also be keyed on the Accounting Line (*optional*).

Inspect the **Shipping/ Billing** information section.

General Information	Reference	Fixed Asset Intent Reference	Shipping/Billing	Specification	Matching	Retainage	Tolerance	Discount	Worksites
Shipping Location: <input type="text"/>		Billing Location: <input type="text"/>							
Delivery Date: <input type="text"/>									

The Billing Location will infer from the RFP:

- **The Billing Location** field identifies where the Vendor’s Invoice should be mailed. This value will infer from the RFP, but can be changed. To change the Location users can click on the **arrow** next to the **Billing Location** field to access the **Billing Location** pick-list. If you already know the **Billing Location** code you may record it directly in this field without accessing the pick-list. The **Billing Location** code, however, must be valid on the **Procurement Location** reference table.

Complete the Accounting Section

The Accounting section identifies the funding source used to make payment on each of the Commodity lines in the Contract.

NOTE: If the PON2 has multiple Commodity Line each will require an Accounting Line

General Information	Reference	Fixed Asset Intent Reference	Fund Accounting	Detail Accounting	Payment Details
Event Type:	<input type="text"/>		Budget FY:	<input type="text"/>	
Accounting Template:	<input type="text"/>		Fiscal Year:	<input type="text"/>	
Line Description:	<input type="text"/>		Period:	<input type="text"/>	
Line Amount:	<input type="text"/>		Freight %:	<input type="text"/>	
Reserved Funding:	<input type="text"/>	<input type="text"/>	Modified:		
Roll Indication 1:	<input type="checkbox"/>		Number of Attachments:		
Roll Indication 2:	<input type="checkbox"/>		Line Closed Amount:		
			Line Closed Date:		
			Line Open Amount:		
			Referenced Line Amount:		

- The **Event Type** is used to determine what posting codes will be used on the document. The event type is required on each accounting line (*required*). The following event types can be identified on the Purchase Order
 - **PR05-** Order from External Vendor- the use of this event type will establish an encumbrance for the identified funding source (default)
 - **PR06-** Order from Internal Vendor- this event type will infer for all Deliver Orders marked with an Internal Vendor
 - **PR07-** Non-Accounting Order- this event type can be selected for all orders in which an encumbrance is not desired.

An encumbrance is defined as: The reservation of funds to be used for a specific expense.

- The **Accounting Template** allows the user to enter a unique template that will populate the Fund and Detail Accounting elements. When the document is validated, the accounting line's fund and detail sections will populate with the template information. Any values entered by the user either before or after the template has been inferred will override any values from the template (*optional*).

NOTE: Accounting Templates aren't required on the document. The Fund and Detail Accounting sections can be manually completed if no template is entered.

- The **Line Description** allows a brief description to be recorded to identify the additional information on the accounting line. This field will allow for 100 characters, and does not print on the final document (*optional*).
- The **Line Amount** identifies the amount allocated to the accounting line. The sum of all Accounting lines recorded for a single commodity line must equal the total of the Commodity line (*required*).

- The **Budget FY, Fiscal Year** and **Period** will infer when the PON2 is submitted to final. The values defaulted will identify the current accounting Budget FY, Fiscal Year and Period.

Fund and Detail Accounting section:

General Information	Reference	Fixed Asset Intent Reference	Fund Accounting	Detail Accounting	Payment Details
Fund:	<input type="text"/>	Object:	<input type="text"/>	Revenue:	<input type="text"/>
Department:	<input type="text"/>	Sub Object:	<input type="text"/>	Sub Revenue:	<input type="text"/>
Unit:	<input type="text"/>	Dept Object:	<input type="text"/>	Dept Revenue:	<input type="text"/>
				Appr Unit:	<input type="text"/>

General Information	Reference	Fixed Asset Intent Reference	Fund Accounting	Detail Accounting	Payment Details
Function:	<input type="text"/>	Activity:	<input type="text"/>	Reporting:	<input type="text"/>
Sub Function:	<input type="text"/>	Sub Activity:	<input type="text"/>	Sub Reporting:	<input type="text"/>
Major Program:		Location:	<input type="text"/>	Task:	<input type="text"/>
Program:	<input type="text"/>	Sub Location:	<input type="text"/>	Sub Task:	<input type="text"/>
Program Period:	<input type="text"/>			Task Order:	<input type="text"/>

The elements in the **Fund** and **Detail Accounting** sections will further identify the funding source that will be used to establish payment for each commodity. The elements in this section can be added by the user, or will infer if an Accounting Template has been entered. Not all fields will be required, but users will need to ensure that the correct values are entered.

Open the Terms and Conditions section:

The Terms and Conditions section require the user to identify the general requirements, rules, specifications and standards that are part of the Personal Service Contract. The Terms of the document shall be created in a MSWord document and attached to the Terms and Conditions section. All attachments found in the Terms and Conditions section will be printed as part of the assembled Solicitation.

All Personal Service Contract or PON2 documents should include Terms and Conditions created from the PSC Award Template (See Appendix B). The template can be downloaded from the Office of Procurement Services website where it can be and modified. Users will need to follow the instructions associated with the template when modifying the text. The template can be located on the following sites:

<http://finance.ky.gov/internal/eMARS/procurement.htm>

<http://finance.ky.gov/business/procurementservices/procurementhowto.htm>

Also see Appendix B for a copy of the PSC Template

PSC Terms and Conditions Requirements:

All Personal Service Contracts Terms and Conditions shall include the following and have been incorporated into the Template:

Pursuant to FAP 111-43-00, the PSC shall include the following:

- All terms and conditions agreed upon;

- The sworn statement regarding campaign finance laws required by KRS 45A.110(2) and 45A.115;
- The statement regarding revealing of violations of and compliance with certain KRS chapters required by KRS 45A.485;
- The Legislative Research Commission (LRC) Proof of Necessity form;
- Language regarding access to documents required by 200 KAR 5:314;
- And language of KRS 45A.695(7) regarding payments and cancellation clause required by 45A.695(1).

In addition to the terms listed in FAP 111-43-00, the PSC shall include the following clauses:

Funding Out Provision:

The state agency may terminate this contract if funds are not appropriated to the contracting agency or are not otherwise available for the purpose of making payments without incurring any obligation for payment after the date of termination, regardless of the terms of the contract. The state agency shall provide the contractor thirty (30) calendar days written notice of termination of the contract.

Reduction in Contract Worker Hours

The Kentucky General Assembly may allow for a reduction in contract worker hours in conjunction with a budget balancing measure for some professional and non-professional service contracts. If under such authority the agency is required by Executive Order or otherwise to reduce contract hours, the contract will be reduced by the amount specified in that document.

*Additional information on Contract Workers is located on the eProcurement website at:

<http://finance.ky.gov/business/procurementservices/procurementhowto.htm>

Registration with the Secretary of State by a Foreign Entity.

An agency, department, office, or political subdivision of the Commonwealth of Kentucky shall not award a state contract to a person that is a foreign entity required by KRS 14A.9-010 to obtain a certificate of authority to transact business in the Commonwealth (“certificate”) from the Secretary of State under KRS 14A.9-030 unless the person produces the certificate within fourteen (14) days of the bid or proposal opening. Therefore, foreign entities should submit a copy of their certificate with their solicitation response. If the foreign entity is not required to obtain a certificate as provided in KRS 14A.9-010, the foreign entity should identify the applicable exception in its solicitation response. If a copy of the certificate or justification for the foreign entity’s claim that it is not required to obtain a certificate is not received by the contracting agency within the time frame identified above, the foreign entity’s bid shall be deemed non-responsive or the contract shall be cancelled.

Businesses can register with the Secretary of State at

<https://secure.kentucky.gov/sos/ftbr/welcome.aspx>.

Invoices for fees:

The contractor shall maintain supporting documents to substantiate invoices and shall furnish same if required by state government. Pursuant to KRS 45A.695, no payment shall be made on any personal

service contract unless the individual, firm, partnership, or corporation awarded the personal service contract submits its invoice for payment on a form established by the committee.

*Invoice form is available on the Legislative Research Commission, Government Contract Review Committee website: <http://www.lrc.ky.gov/Statcomm/Contracts/homepage.htm>

After having modified the PSC Terms and Conditions template users must save the document as a 2003 .xml file, and upload the attachment to the Terms and Conditions section of the PON2. When uploading the completed template, users should select the Free Form T&C and upload their template from the File Menu.

Adding Terms and Conditions:

1. Open a copy of the Personal Service Contract Terms and Conditions from the *Procurement Functional* area of the eMARS website <http://finance.ky.gov/internal/eMARS/>:
2. Follow all instructions when completing the template:
3. Modify only the highlighted sections of the document to make it specific to the agency and the Personal Service Contract.
4. Save the document to your local desktop as **.XML**. In order for the template to be incorporated into the PON2 document the file must be saved as a 2003 .xml.
5. Upload the Template into the **Terms and Conditions** section of the **PON2** as a Free Form T&C. The file can be uploaded from the **Attachments** screen from the **File** Menu.

Complete the Proof of Necessity Component (PON).

The Proof of Necessity section is required for all Personal Service Contracts. The PON is designed to capture information necessary for the Government Contract Review Committee (GCRC) to review and approve the contract. The PON will contain all the information needed to file the contract so services can begin.

The **PON** tab contains fields that require certain information as outlined below:

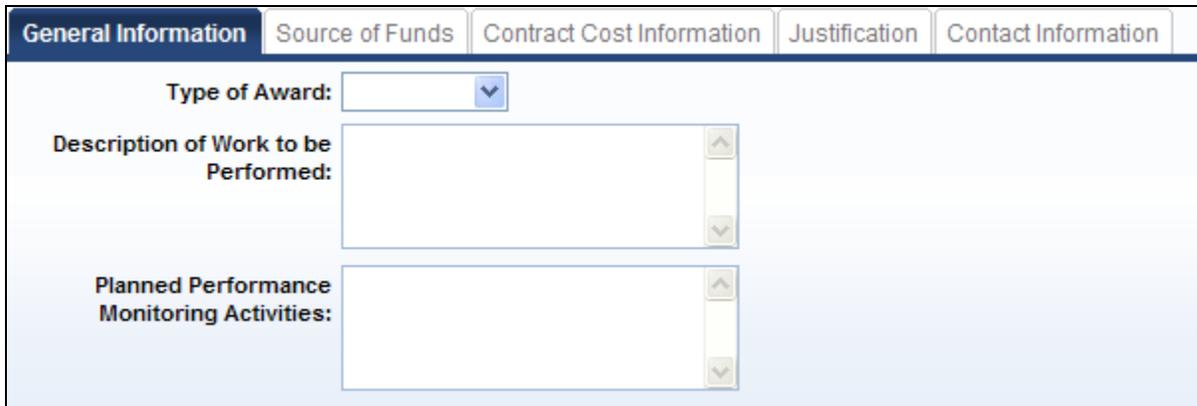
- The need for the service;
- The unavailability of state personnel or the non-feasibility of utilizing state personnel to perform the service;
- The total projected cost of the contract of agreement and source of funding;
- The total projected duration of the contract;
- Payment information in detail;
- In the case of memorandum of agreement or similar device, the reason for exchanging resources or responsibility; and
- Information on other vendors that were considered to provide the services to be rendered and the reason that the vendor being used was selected
- A description of the services being provided

- An explanation of the agency monitoring process.

NOTE: If the contract is disapproved by the GCRC, all contract activity must stop immediately.

Completing the PON

General Information Tab:



The screenshot shows the 'General Information' tab in the eMARS system. The tab is highlighted in dark blue. Below the tab are five sub-tabs: 'Source of Funds', 'Contract Cost Information', 'Justification', and 'Contact Information'. The main content area contains three fields: 'Type of Award' with a dropdown menu, 'Description of Work to be Performed' with a text area and a vertical scrollbar, and 'Planned Performance Monitoring Activities' with a text area and a vertical scrollbar.

- The **Type of Award** field identifies the Type of being filed. Users can select from the following:
 - New - for all new contracts
 - Renewal- to extend the service dates for an additional period
 - Amendment – to modify the contract within the existing service dates
- **Description of Work to be Performed** is where users will need to provide a complete, yet concise description of the services being provided. Please ensure correct spelling and grammar. Include: Description of project/Scope of Work; types(s) of service to be delivered; reports or products to be prepared; reason for duration of contact; etc.).
- The **Planned Performance Monitoring Activities** allows users to provide the name, title, office, location and telephone number of the responsible person that will be monitoring the activities or services. Describe the monitoring activities, both programmatic and fiscal, which will be performed including the manner in which monitoring needs will be addressed in the contract to facilitate this activity.

Source of Funds Tab:

General Information	Source of Funds	Contract Cost Information	Justification	Contact Information
Total Amount on Contract: <input type="text" value="\$6,500.00"/>		If federal, is there an associated grant: <input type="button" value="v"/>		
Federal: <input type="text" value="\$0.00"/>				
General: <input type="text" value="\$6,500.00"/>				
Agency: <input type="text" value="\$0.00"/>				
Capital Construction: <input type="text" value="\$0.00"/>				
Other: <input type="text" value="\$0.00"/>				

The source of Funds section allows users to identify the source of funding for the contract. The identified source must equal the contract total amount.

- **General**- Amount of 0100 Fund monies.
- **Federal**- Amount of 1200 Fund monies.
- **Agency**- Amount of 1300 Fund monies.
- **Capital Construction**- Amount of CPTL Fund monies
- **Other**- Amount of 1400 Fund or Proprietary Fund monies. If the Source of Funds is identified as "Other" then the If Other: field in the Contract Cost Information tab will need to be completed to explain the funding source.
- **If federal, is there an associated grant.** Answer yes if paid with 1200 fund monies and is associated with a federal grant.

Contract Cost Information Tab:

General Information	Source of Funds	Contract Cost Information	Justification	Contact Information
Method of Payment: External		If Other, explain:		
Frequency of Payment:				
Agency Paying FICA:				
Award cost included as a line item in the most recent budget bill for the Commonwealth:		If award cost is not included as a line item and not included in the current agency budget, explain the source of the funds:		
If the award cost is not included as a line item in the most recent budget bill for the Commonwealth, is the cost included in the current agency budget:				
Detailed Description of Projected Cost:				
Basis for Payment:				

- The **Frequency of Payment** identifies the payment frequency to which the vendor has agreed. If Other, explain provide an explanation if "Other" was selected as the Frequency of Payment
- The **Agency Paying FICA** refers to the Federal Insurance Contributions Act payroll tax. If the agency is paying Social Security and Medicare tax, then the user will need to specify Yes, if not, then specify No.
- The **Award cost included as a line item in the most recent budget bill for the Commonwealth** field identifies if this contract cost is included as a line item in the current budget bill. If answer is no, answer the agency budget question.
- **If the award cost is not included as a line item in the most recent budget bill for the Commonwealth, is the cost included in the current agency budget.** Answer yes if this contract cost is not included as a line item in the current budget bill but is included in the current agency budget. If answer is no, explain the source of funds in the space provided.
- **If award cost is not included as a line item and not included in the current agency budget, explain the source of the funds.** Explain the source of funds if this contract cost is not a line item in the current budget bill and is not included in the current agency budget.
- The **Detailed Description of Projected Cost** identifies the breakdown of the cost for the services rendered.

- **Basis of Payment-** All requests for payments referencing a Personal Service Contract must be submitted on the GCRC Invoice Form. This form can be found on the following site <http://www.lrc.ky.gov/record/10rs/HB387.htm>, or in the Terms and Conditions of the contract.

Justification Tab:

General Information	Source of Funds	Contract Cost Information	Justification	Contact Information
Work could or should be performed by state personnel: <input type="button" value="v"/>		Justification for Outside Provider: <input type="button" value="v"/>		
Name / Address of Other Providers Considered: <input type="button" value="v"/>				
Basis for Selection (PSC)/ Reason for Exchange (MOA): <input type="button" value="v"/>				

- The **Work could or should be performed by state personnel** identifies if the Services could be performed by state personnel. If answer is no, Justification for Outside Provider must be supplied.
- **Justification for Outside Provider** The following questions should be addressed at a minimum:
 - What in-house method(s) were considered and why were potential in-house method(s) rejected?
 - Is the part of such nature that: it should be done independently of the agency to avoid a conflict of interest; it requires unique or special expertise/qualifications; and/or legal or other special circumstances require use of an outside provider?
 - If services are needed on a continuing basis, describe efforts made to secure services through regular state employment channels?
 - Will agency personnel provide staff support services to the contractor?
- **Name / Address of Other Providers Considered** Lists the names and addresses of all other providers that were considered for this service. All vendor's who submitted responses to the Solicitation will need to be listed.
- **Basis for Selection /Reason for Change** Explains process used in making decision, e.g., solicitation of proposals, bids, references, and evaluation criteria applied. The RFP and EV documents will need to be listed.

Contact Information Tab:

General Information	Source of Funds	Contract Cost Information	Justification	Contact Information
Name: <input type="text"/>				
Phone Number: <input type="text"/>				

- Enter the **Name** of the agency contact who can answer questions regarding the terms and conditions of this contract.
- Record the **Phone Number** of the agency contact who can answer questions regarding the terms and conditions of this contract.

Additional Attachments to your PON2

Additional attachments may need to be included with PON2 that are not Terms and Conditions attachments. eMARS will support attachments in two sections on the **PO**.

Header Attachments:

The Header of the **PON2** will support all types of attachments i.e. .xml, .pdf,. .xls. Attachments can be uploaded by accessing the **Attachments** under the **File Menu**. Attachments in the Header will not print with the final contract.

The following must be attached to the Header of the PON2:

- Approved EO1/LOI is required for any PSC over \$1,000. Must be attached to the header as a pdf.
- Required Affidavit for Bidders or Offerors (signed and notarized). Must be attached to the header as a pdf.

Supporting Documents section:

- Only 2003 .xml documents are to be included, and will print with the final document. Each attachment included in the Supporting documents section will require a line to be inserted into the section.

Once all the required or desired information has been included in the document, users will need to **Validate** to check for errors. If there are associated errors with the document, they will be displayed on the error panel. If there are multiple errors users can select the **View All** link to show all errors/warnings/informational messages associated with the document.

If errors occur on the document, they will need to be corrected and the document will need to be re-validated.

Once the **PON2** has validated successfully, users will then need to **Assemble** the document. The assembly of the document will generate an Adobe PDF version of the Personal Service Contract. All PSC's must be assembled so signatures can be obtained. The assembly job should take 1-2 minutes. Users can follow the below steps to assemble their **PON2**:

To Assemble:

- 1 From the Header Section, select the **Related Actions** Menu
- 2 Select **Assemble Document**
- 3 Select the Form to print the PON2
- 4 Click **Submit Assemble Request**(this will initiate the document assembly process)
- 5 As the job is running, select the **Refresh** link to follow the job.

Once the Assembly job completes successfully, the generated Adobe PDF document will need to be viewed and downloaded.

To View or Download:

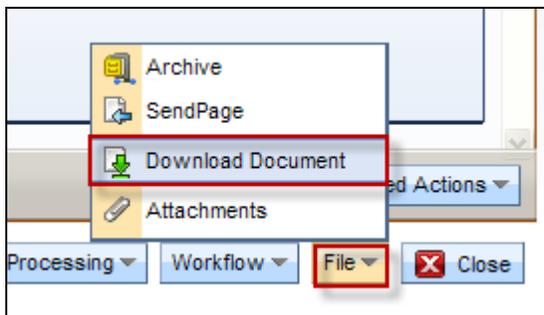
- 1 From the Header, select **Attachments** from the **File Menu**.
- 2 Identify the attachment generated from the assembly process, and select Download.

After successfully assembling the Personal Service Contract and obtaining signatures, users will be required to **Submit** the document to initiate workflow for approval and file the PSC with the GCRC.

Printing the Proof of Necessity (PON)

The Proof of Necessity (**PON**) section of the document is used by the Government Contract Review Committee and will not be incorporated into the assembled version of the Personal Service Contract. However, the **PON** section of the document can be printed and kept for office records. The printed **PON** section is created from the **File** menu of the **PON2**. Follow the bellow steps to print the Proof of Necessity section.

1. Open the **File** Menu, and select File Download Document



2. Click Generate File to create the PON printout.



Document Templates

[Browse](#) [Clear](#)

Document Department : Target Application :

Template Name : Max Download Lines :

Template File Name :

	Document Department	Template Name	Template File Name	Target Application	Max Download Lines
✓	ALL	PON Printout	PON_PROD.xls	MS-Excel	200

First Prev Next Last

[Back](#)

3. Open the spreadsheet generated from the document templates page.

NOTE: Security Macros have to be enabled in order to view the PON document properly

4. View/Print/Save the **PON** Printout for office records.

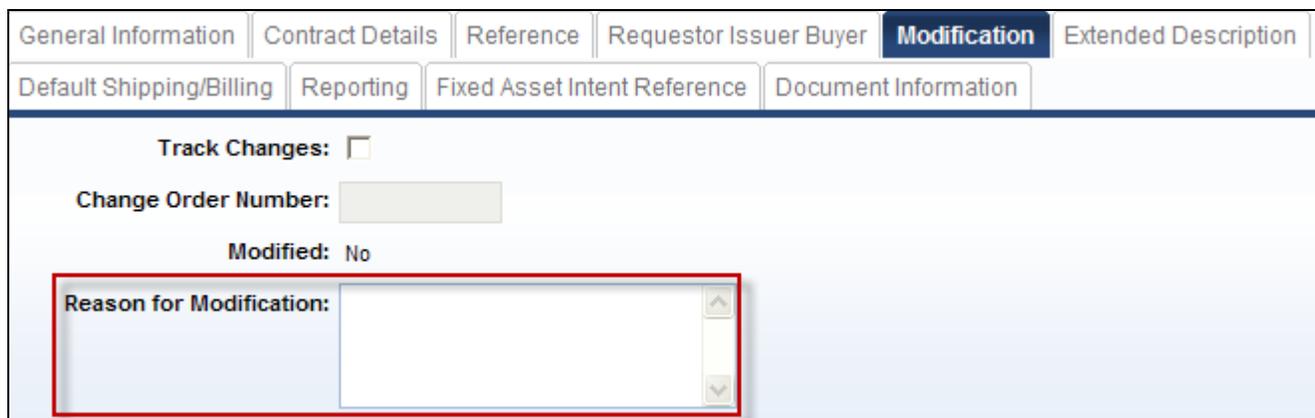
LEGISLATIVE RESEARCH COMMISSION				Contract:	POH2-758-130000027
PROOF OF NECESSITY FORM				Solicitation	RFP-758-130000026
Dept Code	Office Of The Controller			Folder ID	2281301
* Type of Award					
1 Name and Address of Vendor:					
Bluegrass Attorney					
123 Blue Street					
Frankfort		KY	40601		
US					

Modifying your PON2

A modification shall be used if the parties to an established Personal Service Contract agree to increase or decrease funds, revise the scope of work, extend the time for performance within the current biennium, or any other change.

PSC Modifications must follow the same process as the original PSC. The modification is created in eMARS, new signatures are obtained, and the contract submitted in eMARS for review and approval by the Finance and Administration Cabinet and filing with the Government Contract Review Committee.

When creating a modification to a Personal Service Contract, users will be required to include a Reason for Modification in the Header of the PON2 document. The user should identify why the contract is being modified. The Reason for Modification will become part of the contract and is reviewed by the GCRC and should provide an accurate understanding of the modification.



The screenshot shows the eMARS interface for creating a modification. The 'Modification' tab is active. Below the navigation tabs, there are several fields: 'Track Changes' (checkbox), 'Change Order Number' (text input), 'Modified' (set to 'No'), and 'Reason for Modification' (a large text area with a red border). The 'Reason for Modification' field is the focus of the document.

Some examples on how to complete the Reason for Modification field are below:

Example 1:

Original Contract Amount - \$100,000.00

Amount of Increase - \$50,000.00

New Contract Total - \$150,000.00

Provide additional funding due to increased number of clients seeking services.

Original contract amount was based on services provided in previous years.

Example 2:

Extend contract for time and balance only to provide additional time for project completion. Contract is being extended from 08-30-10 to 09-30-10. No increase or decrease in funds.

PSC Administrative Modifications:

Administration modifications are changes that do not affect the PSC. A change in the funding or typographical fixes would be considered an administrative modification. An administrative modification does not require new signatures and they are not required to go before the GCRC. The Reason for Modification will need to identify that the modification is Administrative in nature. An example on how to complete the Reason for Modification field for an Administrative Mod is below:

Example 1:

ADMINISTRATIVE MODIFICATION ONLY to correct object code. No increase or decrease in funds. No change in scope.

It is also encouraged to modify the Terms and Conditions Template to include the Reason for Modification within the Terms and Conditions. The Reason for Modification will be recorded in the xml document and then uploaded into the Terms and Conditions Free Form line. After the file has been uploaded users will need to Re-Assemble the PON2.

Users will need to select the *Modification Default Form* in the *Header* of the contract. The *Default Form* helps determine what form your assembled document should be formatted. It is important when you select a default form in the *Header* of the document, that you select the same form when you assemble the document. For example, when modifying your *PON2* document, you choose the modification default form. During the assembly, you must also choose the modification form prior to submitting the *Assemble Request*.

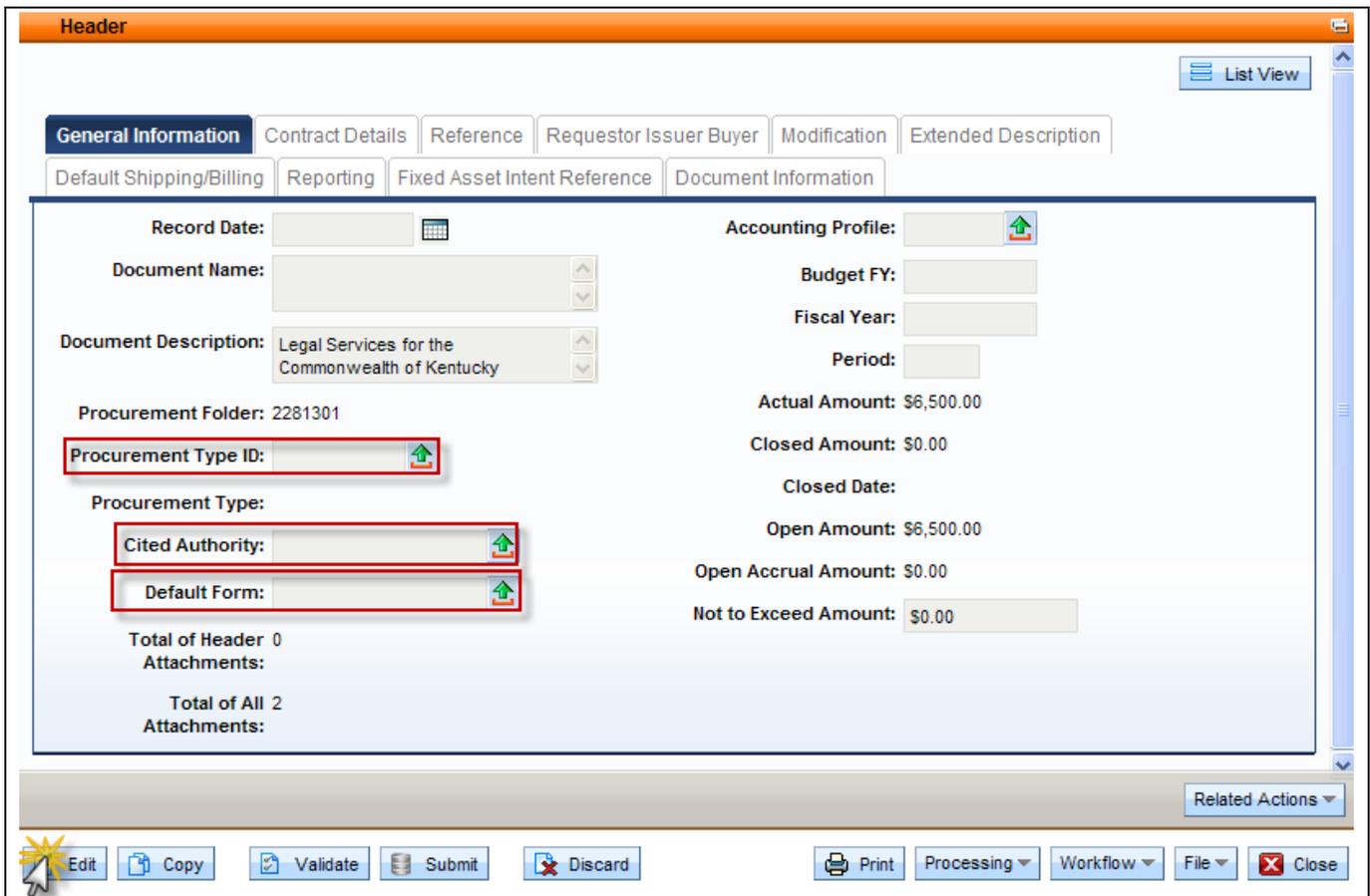
Default Form: PO_CNTRCT_MOD_FORM 
--

Exercise 4 – Create a PSC using a PON2 created from an EV

Scenario

- From the EV Awarded Items section click the **Award Link** to open the **PON2** document just created.

The **PON2** document opens to the **Header** section.



Header

List View

General Information | Contract Details | Reference | Requestor Issuer Buyer | Modification | Extended Description

Default Shipping/Billing | Reporting | Fixed Asset Intent Reference | Document Information

Record Date:

Accounting Profile:

Document Name:

Budget FY:

Document Description: Legal Services for the Commonwealth of Kentucky

Fiscal Year:

Period:

Procurement Folder: 2281301

Actual Amount: \$6,500.00

Procurement Type ID:

Closed Amount: \$0.00

Procurement Type:

Closed Date:

Cited Authority:

Open Amount: \$6,500.00

Default Form:

Open Accrual Amount: \$0.00

Not to Exceed Amount: \$0.00

Total of Header 0 Attachments:

Total of All 2 Attachments:

Related Actions

Edit Copy Validate Submit Discard Print Processing Workflow File Close

- Click **Edit**
- Enter the following in the **General Information** tab:

Required Fields	Values
Procurement Type ID	Select "17" from the pick list.
Cited Authority	Select FAP 111-43-00-L from the pick list.
Default Form	Select: PO_CNTRCT_FORM

4. Review the **Requestor Issuer Buyer** tab.
5. Inspect the **Vendor** section.

Vendor		Discount	
Vendor Customer:	VC1000000087	Vendor Contact ID:	PC001
Legal Name:	Bluegrass Attorney	Vendor Contact Name:	Joe Legal
Alias/DBA:		Vendor Contact Phone:	502-69509865
Address Code:	AD001	Vendor Contact Phone Ext.:	
	123 Blue Street	Vendor Contact Email:	Joe@Bluegrass.com
	Frankfort	Fax:	
	KY	Fax Extension:	
	40601	Web Address http://:	
	US		

6. Review the **Commodity** section (If there is reference made to the RFP, this language will need to be modified to reflect the award.)

CL Description:	Legal Services	Accounting Profile:	
Commodity:	96149	Accounting Template:	
	Legal Services, Attorneys	Inactive Line:	<input type="checkbox"/>
Extended Description:	The Office is seeking Legal Services.....	Non-Reserved Funding	\$0.00
		Open Amount Total:	
Line Type:	Service	Item Sub Total:	\$6,500.00
Quantity:	0.00000	Line Amount:	\$6,500.00
Unit:		Closed Amount:	\$0.00
Unit Price:	\$0.00	Open Amount:	\$0.00
List Price:	\$0.00	Open Accrual Amount:	\$0.00
Contract Amount:	\$6,500.00	Closed Quantity:	0.00000
Service From:	04/29/2012	Open Quantity:	0.00000
Service To:	05/29/2012	Closed Contract Amount:	\$0.00
		Open Contract Amount:	\$6,500.00
		Warehouse:	

7. Click on **Accounting** in the Secondary Navigation Panel.

Accounting Line: none Line Amount: none Line Open Amount: none Line Closed Amount: none

Line	Line Amount	Line Open Amount	Line Closed Amount	Referenced Line Amount	Event Type
From 0 to 0 Total: 0					

First Previous Next Last

List View

General Information Reference Fixed Asset Intent Reference Fund Accounting Detail Accounting Payment Details

Event Type: 

Accounting Template: 

Line Description:

Line Amount:

Reserved Funding:

Roll Indication 1:

Roll Indication 2:

Budget FY:

Fiscal Year:

Period:

Freight %:

Modified:

Number of Attachments:

Line Closed Amount:

Line Closed Date:

Line Open Amount:

Referenced Line Amount:

8. Click **Insert New Line** and enter the following required information:

Required Fields	Values
Accounting Template	Enter the Accounting Template from your Student Card.
Line Amount	Enter the contract amount. Enter 6500 .

9. Open the **Fund Accounting** tab and enter the following:

General Information Reference Fixed Asset Intent Reference **Fund Accounting** Detail Accounting Payment Details

Fund: 

Object: E141 

Revenue: 

Department: 

Sub Object: E141 : Legal Services-1099 Rept 

Sub Revenue: 

Unit: 

Dept Object: 

Dept Revenue: 

Appr Unit: 

Required Fields	Values
Object	Enter "E141"

10. Open the **Terms and Conditions** section.

The Terms and Conditions section will default with the RFP Terms and Conditions Template attachment that was attached in the RFP. You will need to delete this attachment and upload a modified copy of the PSC Award Template. In order to incorporate the PSC template you will need to download a copy of the Template from the eMARS website and modify it to appropriately reflect the PON2.

11. Navigate to the eMARS website at <http://finance.ky.gov/internal/eMARS> and click on the **Procurement Functional Area**.

eMARS - Enhanced Management Administrative Reporting System

Applications	Training	Functional Areas
<ul style="list-style-type: none"> ■ eMARS (Financial Production) ■ eProcurement ■ Financial Analysis System 2 (FAS²) ■ Vendor Self Service (VSS) <p>Upgrade Information</p> <ul style="list-style-type: none"> • Financial Upgrade - 3.6.0.3 to 3.9 (12/19/2011) <p>Year-End Info</p> <ul style="list-style-type: none"> ■ Fiscal Year 2012 Monthly Closing Schedule [PDF, 30KB] (06/16/11) ■ Closing Memo - Fiscal Year 2011 [PDF, 607KB] (03/15/11) ■ 2011 Year-End Information Links related to year-end documentation such as allotment listings; pending transactions in 	<ul style="list-style-type: none"> • eMARS End-User Training <ul style="list-style-type: none"> ▫ Training Course Catalog ▫ Independent Study Guides (ISG) and Recordings ▫ Training Manuals ▫ Training Schedule (11/03/11) <p>Support Orgs</p> <ul style="list-style-type: none"> ■ Controller's Office ■ Commonwealth Office of Technology ■ Customer Resource Center ■ Office of Procurement Services ■ Statewide Accounting Services <p>Agency Reports</p> <ul style="list-style-type: none"> ■ AD EFT Exception Reports (on-going as needed) 	<ul style="list-style-type: none"> • Cash Receipts (11/25/09) • Cost Accounting (08/23/06) • Chart of Accounts (COA) Plan (08/02/10) • Financial (08/03/06) <ul style="list-style-type: none"> ▫ Banking Contract Transition (06/17/11) • Fixed Assets (02/27/12) <ul style="list-style-type: none"> ▫ Smart Government Initiative (SGI) Vehicle Information (08/02/11) • Interfaces (08/01/06) • Procurement (i.e. Personal Service Templates) (01/01/2012) <ul style="list-style-type: none"> ▫ Procurement How-To's (04/29/11) • Procurement Card Program (01/05/12) • Reporting (09/09/10) <ul style="list-style-type: none"> ▫ infoAdvantage Payroll spreadsheets • Vendor Self Service (VSS) • Security/Workflow Approvals (05/19/06)

Terms and Conditions Templates

The following templates have been created by the Office of Procurement Services to replace the PSC1 Terms and Conditions.

- [Professional Services \(RFP\)](#) [DOC, 61KB] (01/01/2012)
- [Personal Service Contracts \(PSC\)](#) [DOC, 36KB] (01/01/2012)

12. Select the **Personal Service Contracts (PSC)** template and **Open** a copy of the template that we will then modify.

13. Modify only the highlighted sections of the document to make it specific to the agency and the RFP

Required Fields	Values
RFP Title	Legal Services for the Commonwealth of KY
Cabinet/Agency	Office of Procurement Services
Vendor Name	Bluegrass Attorney
Scope of Contract	“The purpose of this contract would allow the Finance and Administration Cabinet to engage this law firm in providing legal advice and representation to the Kentucky…….”

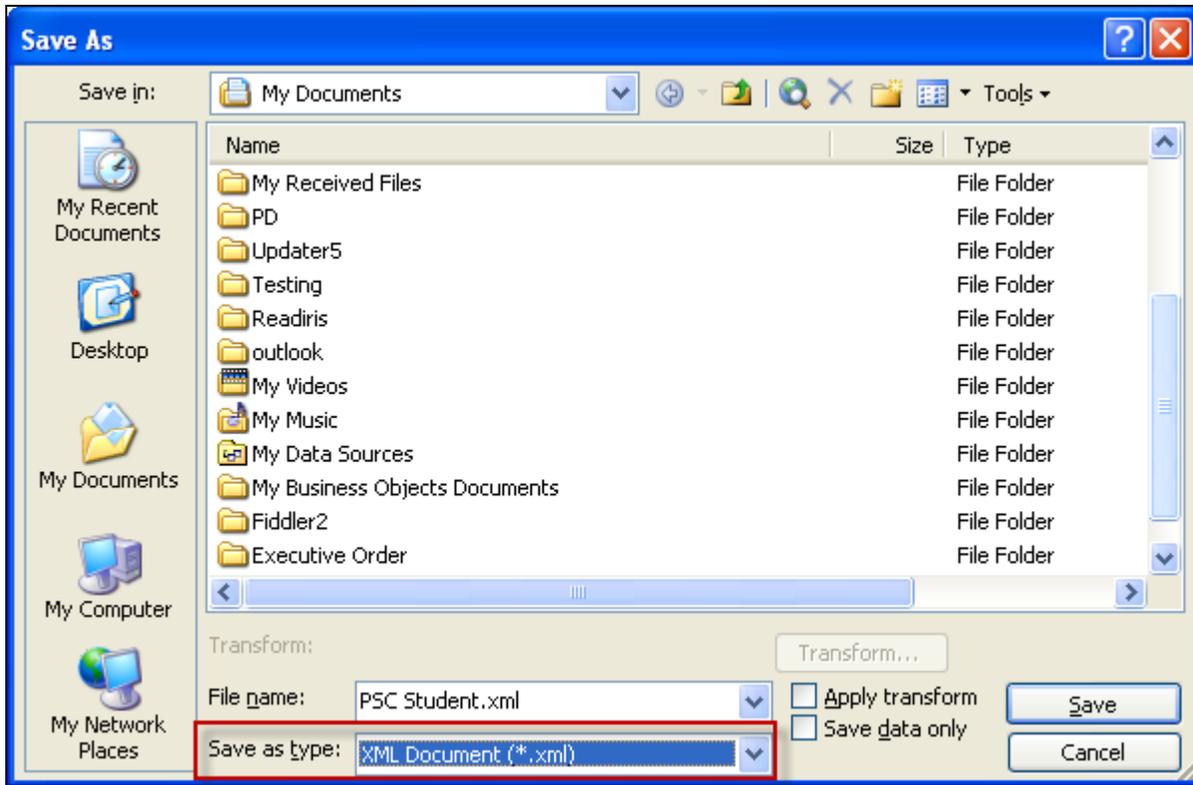
PERSONAL SERVICE CONTRACT FOR
Legal Services for the Commonwealth of KY
 BETWEEN
 THE COMMONWEALTH OF KENTUCKY
Office of Procurement Services
 AND
Bluegrass Attorney

This Personal Service Contract (PSC) is entered into, by and between the Commonwealth of Kentucky, **Office of Procurement Services** ("the Commonwealth") and **Bluegrass Attorney** to establish a Contract for **Legal Services**. This PSC is effective **04/01/2012** and expires **06/30/2013**.

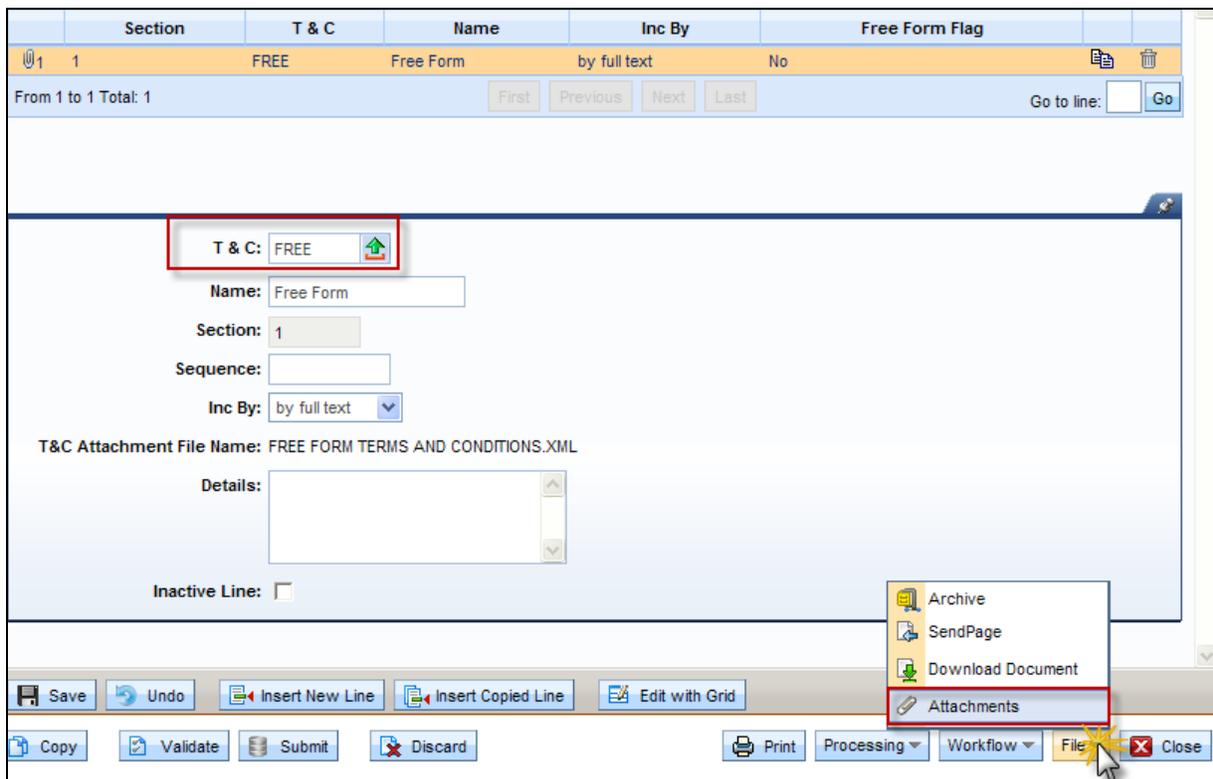
The Commonwealth and Contractor agree to the following:

I. Scope of Contract
 Agency shall provide a detailed description of **ALL** the services the vendor is providing. If using the same scope from the RFP, **change** any solicitation language to contract language.

14. After modifying the information in the Template remove all Highlighting from the document by selecting all text (Ctrl + A) and remove the highlight.
15. Delete all instructions at the beginning of the template
16. Save the document to your local desktop as **.XML** and close your document.



17. Navigate back to the **Terms and Conditions** section your **PON2**

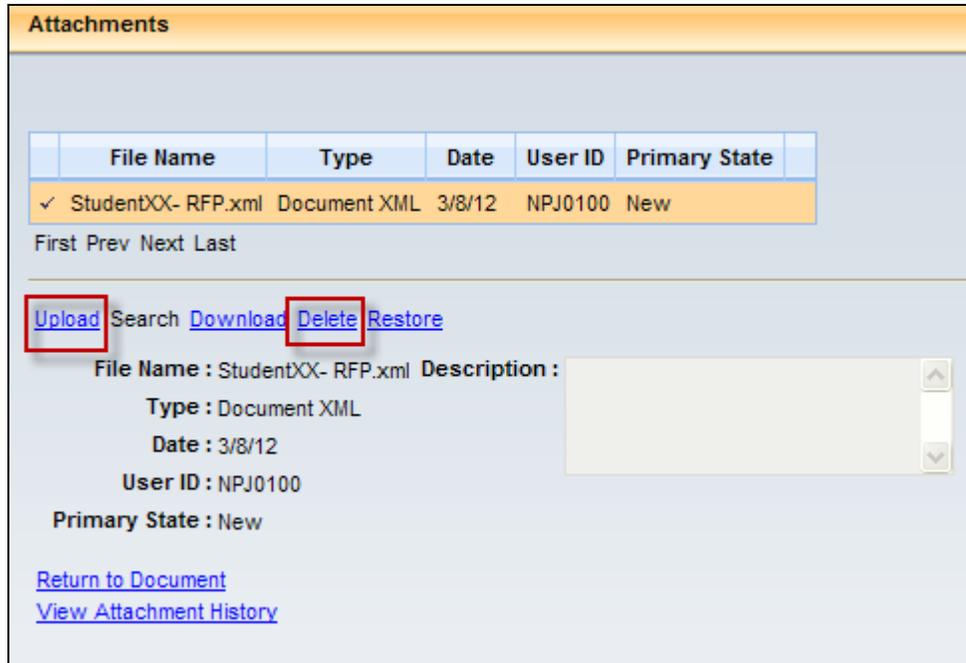


18. Open the **File** Menu and select **Attachments**.

The **Attachment** page opens.

19. Click **Delete** to discard the RFP Terms & Conditions Template document brought in from the RFP.

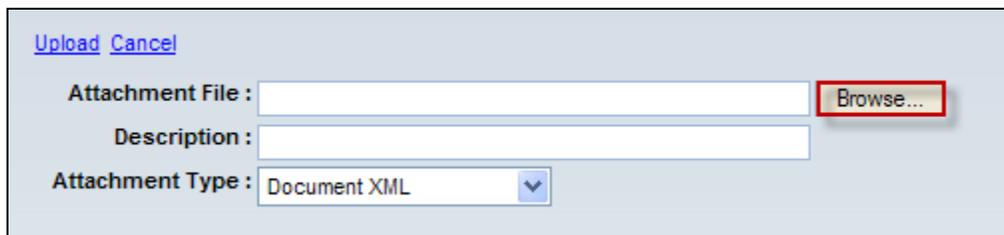
NOTE: It is important that you delete the RFP Terms attachment. If the default is not deleted it may cause problems during the assembly process.



The screenshot shows the "Attachments" page. At the top is a table with the following columns: File Name, Type, Date, User ID, and Primary State. The table contains one row: StudentXX- RFP.xml, Document XML, 3/8/12, NPJ0100, New. Below the table are navigation links: First, Prev, Next, Last. Below these are action buttons: Upload, Search, Download, Delete, and Restore. The "Delete" button is highlighted with a red box. Below the buttons, the details for the selected attachment are shown: File Name: StudentXX- RFP.xml, Description: (empty), Type: Document XML, Date: 3/8/12, User ID: NPJ0100, and Primary State: New. At the bottom are two links: Return to Document and View Attachment History.

20. Click **Upload**.

21. **Browse** your local hard files for the RFP Template created in Step 34.



The screenshot shows the "Upload" form. At the top are links: Upload and Cancel. Below are three fields: Attachment File: (empty), Description: (empty), and Attachment Type: Document XML (dropdown menu). The "Browse..." button next to the Attachment File field is highlighted with a red box.

22. Select your Template and click **Open**.

Once the upload has completed successfully, click on the **Return to Document** link to be transitioned back to the Terms and Conditions section of the PON2.

- 23. Complete the **Proof of Necessity** component.
- 24. Click **Proof of Necessity** from the Secondary Navigation Panel.

The page opens to the **General Information** section.

General Information	Source of Funds	Contract Cost Information	Justification	Contact Information
<p>Type of Award: <input type="text" value=""/></p> <p>Description of Work to be Performed: <input type="text"/></p> <p>Planned Performance Monitoring Activities: <input type="text"/></p>				

25. Enter the following required fields:

NOTE: You are not required to enter in all the information noted in the field below.

Required Fields	Values
Type of Award	Select "New"
Description of Work to be Performed	"The purpose of this contract would allow the Finance and Administration Cabinet to engage this law firm in providing legal advice and representation to the Commonwealth of Kentucky....."
Planned Performance Monitoring Activities	Enter "The Office of Procurement Services (or its designees) shall monitor progress of job tasks and make payments to the vendor in accordance with the terms detailed in the contract clauses. All phone, email and private meetings will be logged and reviewed for billing..."

26. Open the **Source of Funds** tab and enter the following required fields:

General Information	Source of Funds	Contract Cost Information	Justification	Contact Information
Total Amount on Contract: <input type="text" value="\$6,500.00"/>		If federal, is there an associated grant: <input type="button" value="v"/>		
Federal: <input type="text" value="\$0.00"/>				
General: <input type="text" value="\$6,500.00"/>				
Agency: <input type="text" value="\$0.00"/>				
Capital Construction: <input type="text" value="\$0.00"/>				
Other: <input type="text" value="\$0.00"/>				

Required Fields	Values
General	Enter 6500.00

27. Open the **Contract Cost Information** and enter the following required fields:

General Information	Source of Funds	Contract Cost Information	Justification	Contact Information
Method of Payment: External		If Other, explain: <input type="text"/>		
Frequency of Payment: <input type="text"/>		If award cost is not included as a line item and not included in the current agency budget, explain the source of the funds: <input type="text"/>		
Agency Paying FICA: <input type="text"/>				
Award cost included as a line item in the most recent budget bill for the Commonwealth: <input type="text"/>				
If the award cost is not included as a line item in the most recent budget bill for the Commonwealth, is the cost included in the current agency budget:: <input type="text"/>				
Detailed Description of Projected Cost: <input type="text"/>				
Basis for Payment: <input type="text"/>				

Required Fields	Values
Frequency of Payment	Select Upon Invoice.
Agency Paying FICA	Select No.
Agency cost included as a line item in the most recent budget bill for the Commonwealth	Select Yes.
Detailed Description of Projected Cost	Enter “On an as requested/needed basis: \$125.00 per hour for Partners \$100.00 per hour for Associates \$40.00 per hour for Paralegals”
Basis for Payment	“Vendor must submit Invoice every ninety (90) days. Invoice must be sent in using the GCRC form”

28. Open the **Justification** tab and enter the following required fields.

General Information	Source of Funds	Contract Cost Information	Justification	Contact Information
Work could or should be performed by state personnel:		Justification for Outside Provider:		
Name / Address of Other Providers Considered:				
Basis for Selection (PSC)/ Reason for Exchange (MOA):				

Required Fields	Values
Work could or should be performed by state personnel	Select No.
Name / Address of Other Providers Considered	Enter “Thoroughbred Attorney at Law, Lexington, KY, 40457” .
Basis for Selection (PSC)/Reason for exchange (MOA)	Enter “RFP (enter full RFP number) was placed on the Commonwealth's Web-site. The vendor submitted the highest ranked proposal and was awarded the contract via EV (enter full EV number). ”
Justification for Outside Provider	Enter “At the present time, the Office of the Governor does not have the resources to perform these legal services. Bluegrass Attorney has advanced legal experience and will represent the interests of the Commonwealth of Kentucky.”

29. Open the **Contact Information** and enter the following required fields.

General Information	Source of Funds	Contract Cost Information	Justification	Contact Information
<p style="text-align: center;">Name: <input type="text"/></p> <p style="text-align: center;">Phone Number: <input type="text"/></p>				

Required Fields	Values
Name	Enter "Your Name"
Phone Number	Enter 502-564-9641

- 30. Print the **PON** section of the document.
- 31. Open the **File** Menu and select **Download Document**
- 32. Click **Generate File**
- 33. **Open** the Excel (Macro's must be Enabled)
- 34. Click **Validate**. Review and correct any errors.
- 35. Make Additional Attachments to the **PON2** Header.
Attach the Required Affidavit.

To Assemble:

- 1 From the Header Section, select the **Related Actions** Menu
- 2 Select **Assemble Document**
- 3 Select the Form to print the PON2
- 4 Click **Submit Assemble Request**(this will initiate the document assembly process)
- 5 As the job is running, select the **Refresh** link to follow the job.

Once the Assembly job completes successfully, the generated Adobe PDF document will need to be viewed and downloaded.

To View or Download:

- 1 From the Header, select **Attachments** from the **File Menu**.
- 2 Identify the attachment generated from the assembly process, and select Download.

- 36. Send the **PON2** out for signatures.
- 37. **Submit** the document to initiate workflow for approval and write down your document number on your student card.

NOTE: In production, the **PON2** will be submitted after signatures are obtained.

38. **Close** to return to the **EV** document.
39. Click **Validate** to check for errors
40. **Submit** to complete the **EV** document and finalize the Procurement Folder.



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8 – Performance Evaluation (PE)

The Performance Evaluation document allows users to evaluate a Vendor’s performance based upon the terms of the award document. The Performance Evaluation is generated with criteria established from the award document, and allows documentation for instances of good and/or poor performance. In order to document a Vendor’s record at meeting their contractual obligations, users should complete the Vendor Performance Evaluation (PE) document. The data entered on the PE document may be used to determine if Vendors should receive future Awards or have their existing Contracts renewed.

- Evaluations are standardized based on the **Procurement Type** of the award document.
- Evaluations can only be performed with reference to awards established in the system.

To complete an Evaluation complete the following steps:

From the **Document Catalog** search for and locate the award being evaluated.

Open the award and click **Copy Forward**.

The **Copy Forward** page opens.

On the **Copy Forward** page enter the **Doc. Department Code** and **Unit Code** for which the **PE** should be created. Select the **Auto Numbering**. Select the target document code of **PE** and click **OK** to create the **PE** document.

Copy Forward

From Document

Category : PROC Doc Dept : 758
 Type : PO Doc Unit : D758
 Code : PO ID : 1300000010
 Select Entire Document : Version : 1

To Document

Doc. Department Code : XXX Document Id :
 Unit Code : XXX Auto Numbering :

Target Doc Type	Target Doc Code	Description
<input checked="" type="checkbox"/> PE	PE	Evaluate Purchase Order
<input type="checkbox"/> TM	TM	Terminate Purchase Order
<input type="checkbox"/> PR	PRC	Pay for Order
<input type="checkbox"/> PR	PRCI	Pay for Order Internal

First Prev Next Last

OK  Cancel

Complete the Header section:

Header

Evaluator ID:

Evaluator First Name:
Evaluator Last Name:

Award Document Code:
Award Department:
Award Number:
Award Title:

Vendor Code:
Vendor:
Alias/DBA:

Procurement Type:
Procurement Folder:
Award Begin Date:
Award End Date:
Award Date:
Award Amount:

Evaluation Date:

Period Begin Date:

Period End Date:

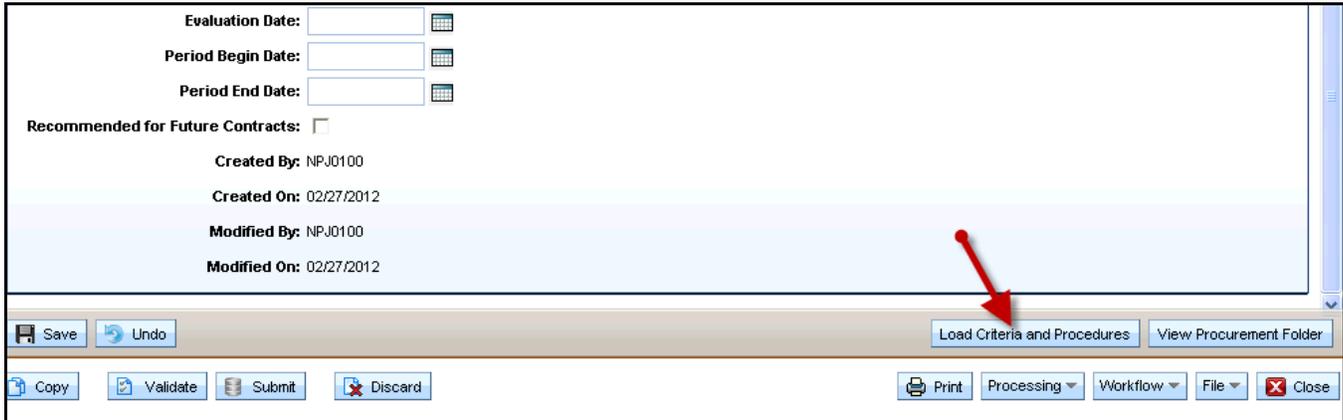
Recommended for Future Contracts:

Created By: NPJ0100
Created On: 02/27/2012
Modified By: NPJ0100
Modified On: 02/27/2012

- The **Evaluator ID** is used to identify the individual who is evaluating the vendor's performance. The Evaluator must be set up on the Vendor Performance Evaluator (PEEVALR) table prior to the creation of the PE. Type in your User ID or find your ID from the **Evaluator ID** pick list. When a valid **Evaluator ID** is selected, the **First** and **Last Name** will infer.
- The following fields will infer from the award document and should not be changed:
 - Award Document Code
 - Award Department
 - Award Number
 - Award Title
 - Vendor Code
 - Vendor
 - Alias/DBA
 - Procurement Type
 - Procurement Folder
 - Award Begin Date
 - Award End Date
 - Award Date
 - Award Amount
- The **Evaluation Date** is used to identify the date in which the evaluation took place.

- **Period Begin Date/ Period End Date.** Identifies the period of time where the vendor's performance is being evaluated. The period must begin and end prior to the Evaluation Date.

Use the **Load Criteria and Procedures** located in the **Menu** bar to load the standardized Evaluation Criteria and Procedures into the **PE**.



The screenshot shows a form with the following fields and buttons:

- Evaluation Date: [] [Calendar icon]
- Period Begin Date: [] [Calendar icon]
- Period End Date: [] [Calendar icon]
- Recommended for Future Contracts:
- Created By: NPJ0100
- Created On: 02/27/2012
- Modified By: NPJ0100
- Modified On: 02/27/2012

Buttons at the bottom include: Save, Undo, Load Criteria and Procedures (highlighted with a red arrow), View Procurement Folder, Copy, Validate, Submit, Discard, Print, Processing, Workflow, File, and Close.

Open the Procedures tab:

The Procedures section will be populated with the Procedures established for the Procurement Type used on the award/contract and will list the recommended tasks that to part of the performance evaluation process. Each required procedure will need to have an associated Completion date. The Completion date will correspond to the date in which the procedure was completed.

Procedure Completed	Procedure Name	Required	Completion Date
No	Delivery Statistics Review	No	

Evaluation Procedures

Procedure Completed: No

Procedure Name: Delivery Statistics Review

Required: No

Completion Date: [] [Calendar icon]

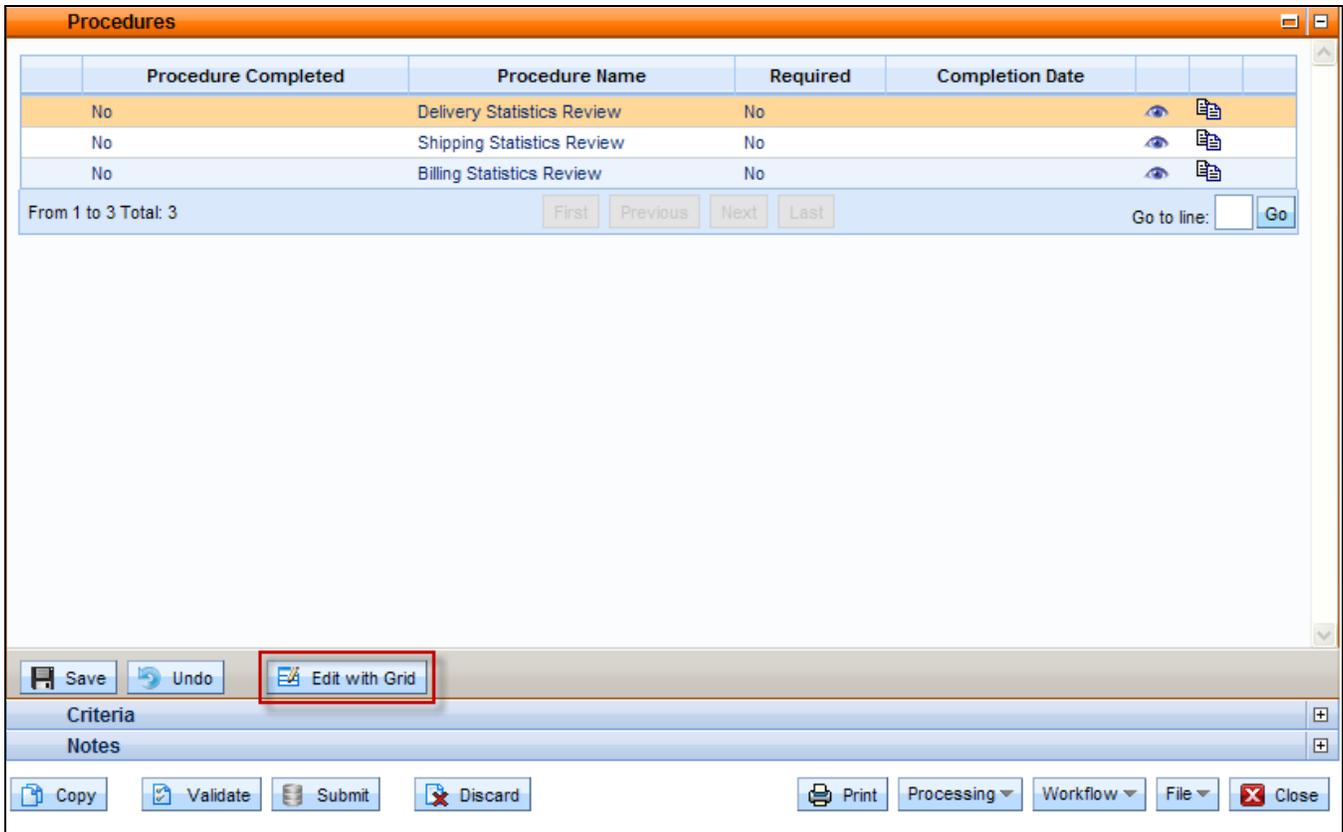
- The **Completion Date** should correspond to the date in which the Procedure was completed. The completion date can be selected from the calendar or entered manually using the MM/DD/YYYY format. The completion date will be required on all required procedures.

To enter a Completion Date, users have two options:

- Edit with Grid

- Edit showing details

Edit with Details allows users to identify the completion date in a spreadsheet type view. This is the preferred and quickest method to enter the Completion Dates.



Procedure Completed	Procedure Name	Required	Completion Date
No	Delivery Statistics Review	No	
No	Shipping Statistics Review	No	
No	Billing Statistics Review	No	



Procedure Completed	Procedure Name	Required	Completion Date
<input type="checkbox"/>	Delivery Statistics Review	<input type="checkbox"/>	3/20/2012
<input type="checkbox"/>	Shipping Statistics Review	<input type="checkbox"/>	
<input type="checkbox"/>	Billing Statistics Review	<input type="checkbox"/>	

The Edit with Grid view will allow the user to enter all completion dates on a single screen without having to click on multiple areas,

Users can also edit using the View Details:

To edit using the details view users must select the Details (eye) to view the information associated with the line.



Procedure Completed	Procedure Name	Required	Completion Date
No	Delivery Statistics Review	No	
No	Shipping Statistics Review	No	
No	Billing Statistics Review	No	

To record the Completion date for the remaining Procedures, users can select the push pin to view all lines and their corresponding details:

Procedures

Procedure Completed	Procedure Name	Required	Completion Date
No	Delivery Statistics Review	No	
No	Shipping Statistics Review	No	
No	Billing Statistics Review	No	

From 1 to 3 Total: 3

First
Previous
Next
Last

Go to line: Go

Evaluation Procedures

Procedure Completed: No

Procedure Name:

Required: No

Completion Date:

Criteria

Notes

Edit
 Copy
 Validate
 Submit
 Discard

Print
Processing ▾
Workflow ▾
File ▾
 Close



Open the **Criteria** section to:

Criteria Name	Rank	Description	
BILLING		Were items billed accurately? "Bill to" proper agency/customer, billing reflects accurate discounts if applicable, and invoice discrepancies resolved in a timely manner?	
DELIVERY		Were items delivered within the time indicated in the contract terms.	
SPECIFIED		Were items to the specifications as detailed in the contract description?	

From 1 to 3 Total: 3

First Previous Next Last

Go to line: Go

The Criteria section will display the criteria associated with the Procurement Type used on the award/contract. Users will be required to evaluate the vendor on each of the associated criteria that defaults in the **PE** document.

To record the rank for each criterion, users can either Edit with Grid

Criteria Name	Rank	Description
BILLING	<input type="text"/>	Were items billed accurately? "Bill to" proper agency/customer, billing reflects accurate discounts if applicable, and invoice discrepancies resolved in a timely manner?
DELIVERY	<input type="text"/>	Were items delivered within the time indicated in the contract terms.
SPECIFIED	<input type="text"/>	Were items to the specifications as detailed in the contract description?

OR

Select the View Details (eye)

Criteria Name	Rank	Description	
BILLING		Were items billed accurately? "Bill to" proper agency/customer, billing reflects accurate discounts if applicable, and invoice discrepancies resolved in a timely manner?	
DELIVERY		Were items delivered within the time indicated in the contract terms.	
SPECIFIED		Were items to the specifications as detailed in the contract description?	

From 1 to 3 Total: 3

First Previous Next Last

Go to line: Go

Criteria Name	Rank	Description
BILLING		Were items billed accurately? "Bill to" proper agency/customer, billing reflects accurate discounts if applicable, and invoice discrepancies resolved in a timely manner?

EvaluationCriteria

Criteria Name: BILLING

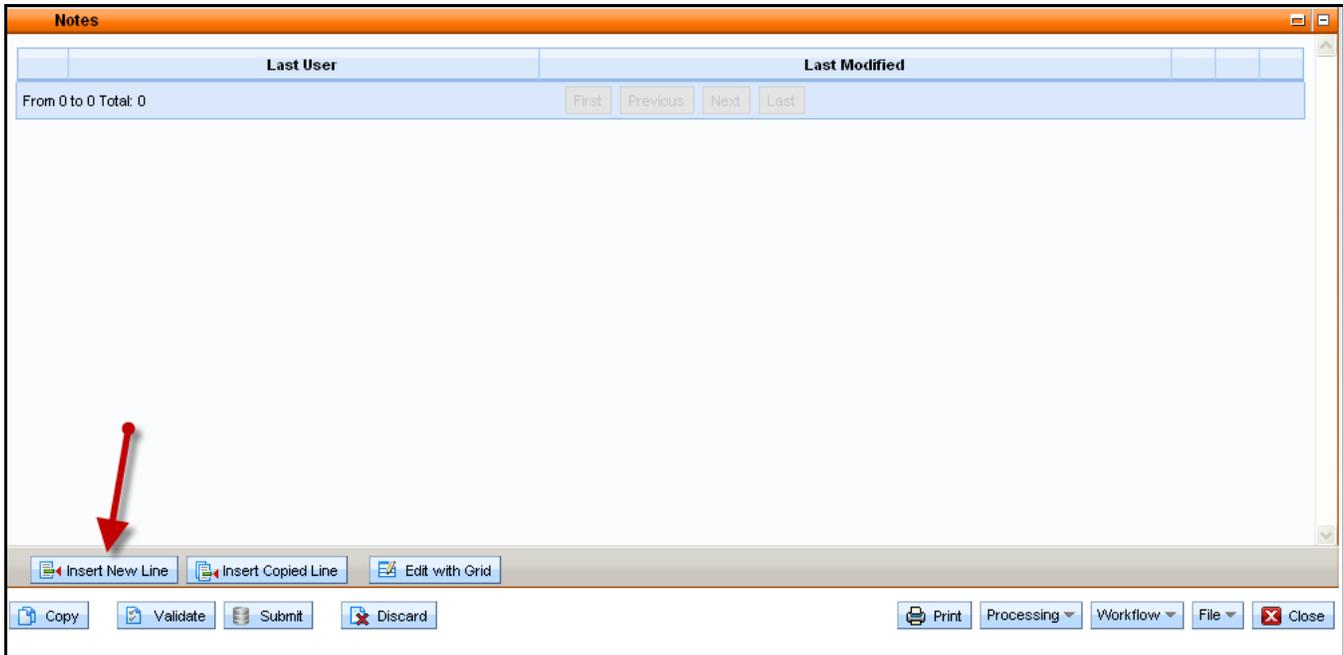
Rank:

Description: Were items billed accurately? "Bill to" proper agency/customer, billing reflects accurate discounts if applicable, and invoice

- The **Rank** field is used to record the opinion of the Vendors service levels. Users must record a rank for each criterion that was loaded from the template. Users can select from the following
 - Unsatisfactory

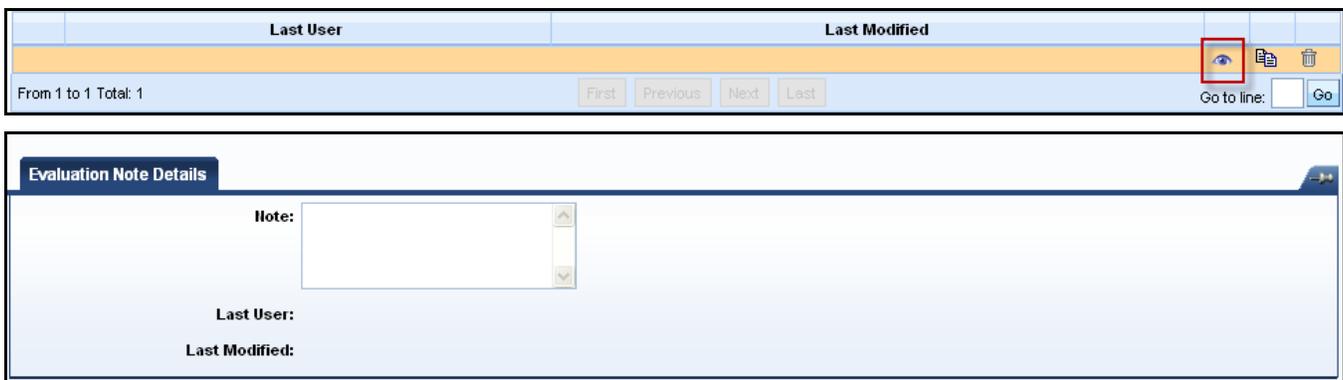
- Poor, Fair
- Good
- Excellent
- Not applicable

Select the Notes section:



The Notes section allows users to provide additional details or information about their evaluation of the vendor’s performance. This section is optional for the Performance Evaluation, and will allow for 1500 characters.

To insert a note on the PE document, users must **Insert New Line**, and select view details (eye) to view the Note field:



Once all the required/optional information has been recorded the document will need to be **Validated**.



By selecting **Validate**, eMARS will check the document for errors. Any errors returned will be viewable in the errors displayed at the top of the screen. Users can use the **View All** link to view all the errors associated with the document if there are multiple errors on the **PE**.

After correcting any errors and when the document validates successfully, Users will need to **Submit** the document.

NOTE: There are no approvals required for the Performance Evaluation document. The PE will submit straight to final.

Exercise 5 – Record a Vendor’s Performance (PE)

Scenario

You have contracted with a Vendor, under your Department’s small purchase authority, to archive old files in a secure off-site location. Unfortunately, the Vendor’s team shows up late and when they do show up they are observed leaving secret files in a public place.

Task Overview

As the agency buyer you will set-up an evaluator on the Evaluator Table. You will **Copy Forward** from the **PO** to the **Performance Evaluator (PE)** document. You will complete the **Document Procedures**, respond to the defaulted **Evaluation Criteria**, and record a **Note**.

Procedures

1. Open the **Document Catalog**
2. In the **Code** field type “PO2”.
3. In the **Dept** field type “758”.
4. In the **Unit** field type “D758”.
5. In the **ID** field type “1200003259”, Click **Browse**.
6. Open the award by clicking and click **Copy Forward**.

The **Copy Forward** page opens.

7. Complete the following information:

Required Fields	Values
Doc. Department Code	See Student Card
Unit Code	UNIT
Auto Numbering	Select
Target Doc Type	PE

8. Click **OK**.

The **PE** document opens.

Complete the Header section of the PE.

Evaluator ID:

Evaluator First Name:

Evaluator Last Name:

Award Document Code:

Award Department:

Award Number:

Award Title:

Vendor Code:

Vendor:

Alias/DBA:

Procurement Type:

Procurement Folder:

Award Begin Date:

Award End Date:

Award Date:

Award Amount:

Evaluation Date:

Period Begin Date:

Period End Date:

Recommended for Future Contracts:

Created By: NPJ0100

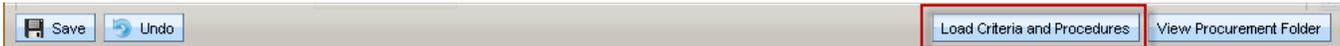
Created On: 12/28/2011

Modified By: NPJ0100

Modified On: 12/28/2011

Required Fields	Values
Evaluator ID	Enter your Student ID
Evaluation Date	Enter Today's date. This is the date the evaluation is being completed.
Period Begin Date	Enter Yesterday's date.
Period End Date	Enter Yesterday's date.

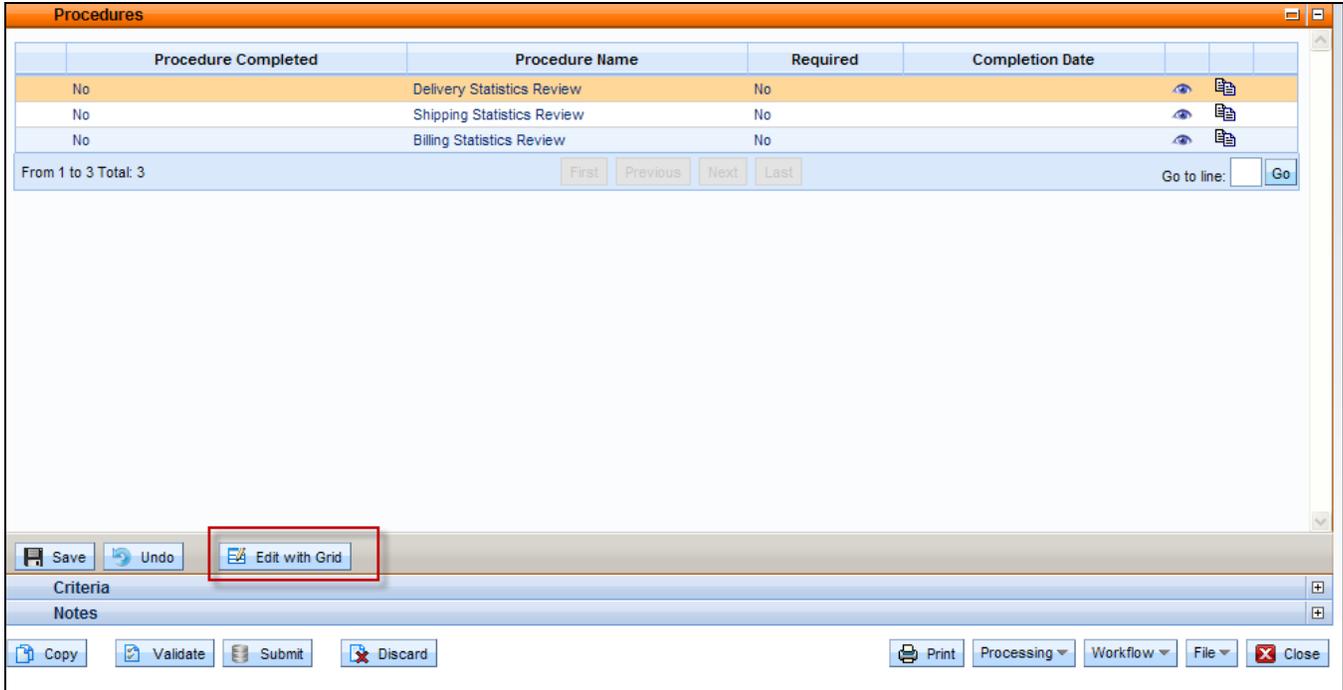
9. Click **Load Criteria and Procedures**



Complete the Procedures Section:

10. Click on **Procedures** section:

11. Select **Edit with Grid**



Enter the following for each Procedure:

Required Fields	Values
Completion Date	Enter Today's date.

Complete the Criteria Section:

12. Open the **Criteria** section:

13. Select **Edit with Grid**

Criteria

Criteria Name	Rank	Description
BILLING		Were items billed accurately? "Bill to" proper agency/customer, billing reflects accurate discounts if applicable, and invoice discrepancies resolved in a timely manner?
QUALITY OF SERVICE		Comment on quality of services received.
RESPONSIVENESS		Comment on contractor's responsiveness to Contracting Officer, communication links at project and technical levels, response to work scope changes, response to special requests, ability to address and resolve problems, other aspects of responsiveness
SRVC SPEC		Were the services to the specifications as detailed in the contract description?

From 1 to 4 Total: 4

First Previous Next Last

Go to line: Go

Save Undo **Edit with Grid**

Notes

Copy Validate Submit Discard Print Processing Workflow File Close

Criteria

Criteria Name	Rank	Description
BILLING	<input type="text" value="2"/>	Were items billed accurately? "Bill to" proper agency/customer, billing reflects accurate discounts if applicable, and invoice discrepancies resolved in a timely manner?
QUALITY OF SERVICE	<input type="text" value=""/>	Comment on quality of services received.
RESPONSIVENESS	<input type="text" value=""/>	Comment on contractor's responsiveness to Contracting Officer, communication links at project and technical levels, response to work scope changes, response to special requests, ability to address and resolve problems, other aspects of responsiveness
SRVC SPEC	<input type="text" value=""/>	Were the services to the specifications as detailed in the contract description?

Enter the following for each Criteria:

Required Fields	Values
Rank	2 - Poor

14. Open **Notes** section

15. Click **Insert New Line.**

16. Click on **Edit with Grid**

Save Undo **Insert New Line** Insert Copied Line **Edit with Grid**

Notes

Note	Last User	Last Modified
<input type="text"/>		

Enter the following:

Required Fields	Values
Note	The vendor's deliveries were consistently late and files were not archived in a confidential manner.

- 17. Click **Validate** to check for errors.
- 18. **Submit** the Document.



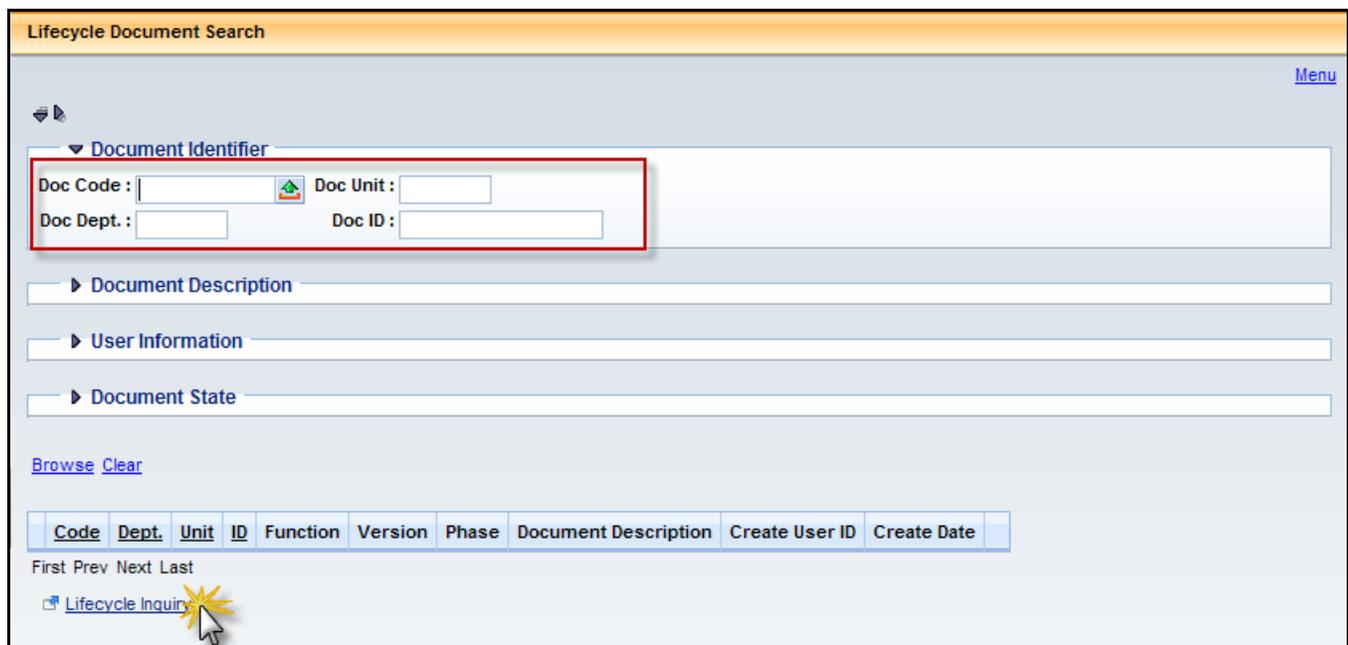
This page intentionally blank.

10 – Online Inquiries

Lifecycle

The **Lifecycle Inquiry** page allows users to view the complete chain of documents associated with a procurement chain. When a search is performed, the document entered as the search criteria must have a **Phase** of *Final* or *Historical Final*.

The Lifecycle Inquiry page may be accessed directly from one of two places: **Procurement Document Inquiry** or the **Lifecycle Document Search** within the Procurement Folder Quick Links. The **Procurement Document inquiry (PRCUDOC)** allows the user to search by **Procurement Folder ID**, **Procurement Title**, or **Document Department**, or **Document ID**. The **Lifecycle Document Search Inquiry (LFDOCSCH)** provides similar search capabilities to the Document Catalog with the addition of being able to search by Document Description.



Lifecycle Document Search

[Menu](#)

Document Identifier

Doc Code :  Doc Unit :

Doc Dept. : Doc ID :

Document Description

User Information

Document State

[Browse](#) [Clear](#)

Code	Dept.	Unit	ID	Function	Version	Phase	Document Description	Create User ID	Create Date
------	-------	------	----	----------	---------	-------	----------------------	----------------	-------------

First Prev Next Last

[Lifecycle Inquiry](#)

Select a Row in the Results Grid and click **Lifecycle Inquiry**.

Clear

Document Search

Document Code :

Document Department :

Document ID :

Document Filter

Results for Search Document: PON2 - 758- 1300000014

	Document ID	Function	Version	Document Description	Create User ID	Acceptance Date
✓	AD.758.AD13000000128.1	New	1		PGZ0001	02/24/2012
	PON2.758.1300000014.1	New	1	Testing modification with no changes	NPJ0100	02/24/2012
	PRC.660.1300000109.1	New	1	Testing modification with no changes	JPX0015	02/24/2012

First Prev Next Last

Forward

Backward

Download To Excel

Users may choose how they wish to view the lifecycle of the document. Select **Forward** to view all the documents that have been processed against the original document. If users select **Backward**, they will see all the documents that were created prior to the subject document.

Users can also download the query to Excel to take advantage of the functionality such as sort.

Matching Status (MATA)

The **Matching Status Inquiry (MATA)** is used to track all receipt, and payment activity that has occurred against award transactions. Users can search for the award and see summary matching information and also drill down to see matching activity at the Commodity line level.

The Matching Status Inquiry can be found within the Procurement Folder Quick Links Menu.

The results returned will show all Receiving Reports (**RC**) and all Payment Request (**PRC**) documents that have processed against a particular award or contract.

Matching Status

[Copy](#) [Search](#) First Prev Next Last

Doc Code : PO Vendor Line : 1
 Doc Dept : 758 Vendor : VC0000109452
 Doc ID : 1300000010 Vendor Name : BLUEGRASS CANOES INC
 Award Title : Requestor Name : NPJ0100
 Award Date : 02/24/2012

[Top](#)

Award Line	Comm	Qty	Unit Price	SC Amt	Tax	Item Total	Match Type	Partial Receipts	Matched Qty	Matched SC Amt	Inverse Matched Qty	Inverse Matched SC Amount	Hold PR
✓ 1	12070	10.00000	\$35.00	\$0.00	\$0.00	\$350.00	Order - Receipt - Invoice	<input checked="" type="checkbox"/>	0.00000	\$0.00	0.00000	\$0.00	<input type="checkbox"/>

[Override](#) [Copy](#) First Prev Next Last

Matching Status for only Selected Award Line

Invoice Document	IN Vend Line No	IN Line	Qty	Unit Price	SC Amt	Tax	Total Inv Amt	P/F Indicator	Partial Payment	Pd Qty	Pd SC Amt	Gen

[Copy](#) First Prev Next Last

Receiver Document	RC Vend Line No	RC Line	Qty	SC Amt	P/F Indicator

[Copy](#) First Prev Next Last

Payment Request Document	PR Doc Phase	PR Doc Status	PR Vend Line	PR Comm Line	Pd Qty	Unit Price	Pd SC Amt	Tax	Total Pd Amt	P Indic
✓ PRC 660 1300000108	Final	Submitted	1	1	5.00000	\$35.00	\$0.00	\$0.00	\$175.00	Partial

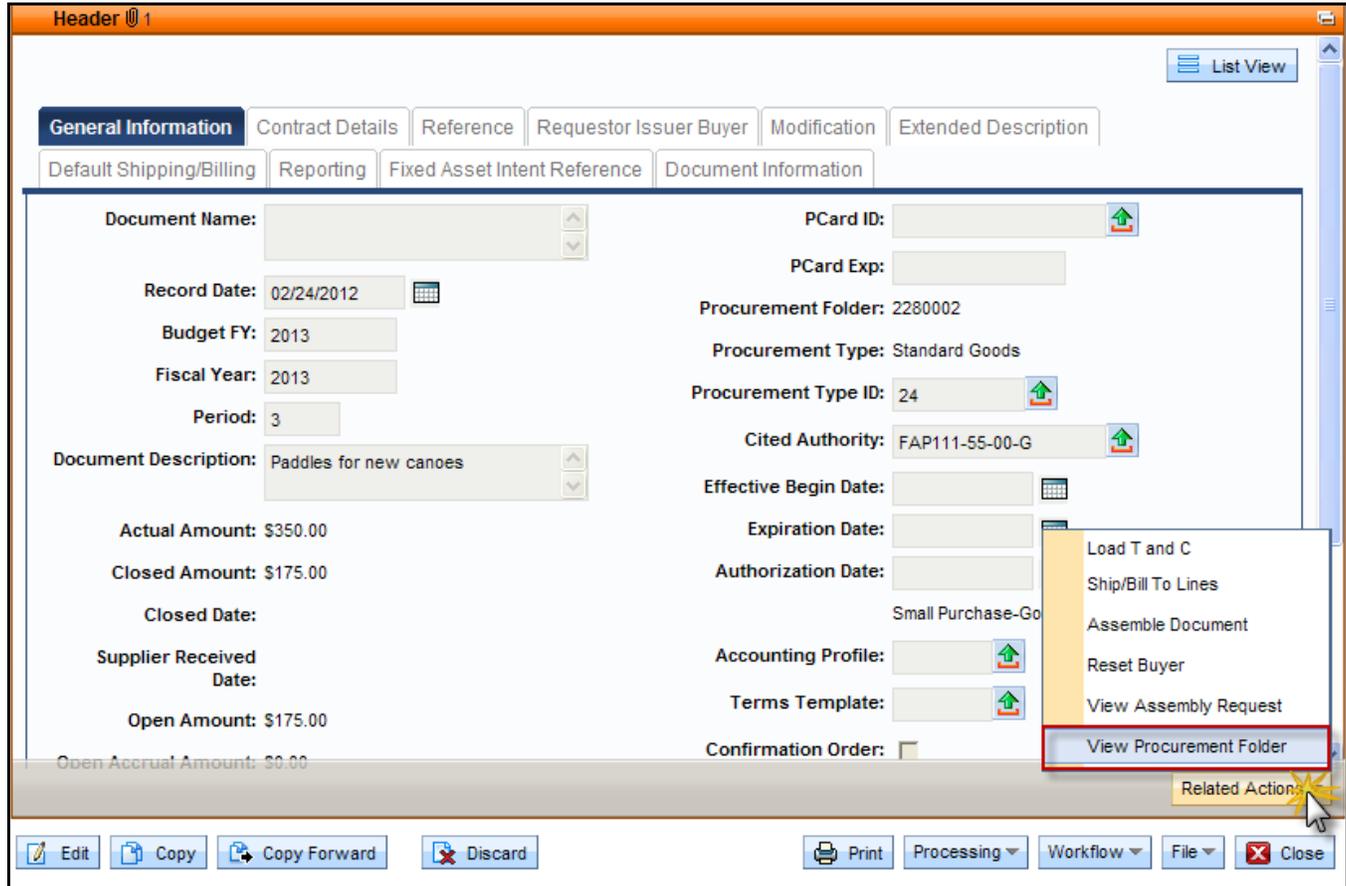
[Copy](#) First Prev Next Last

Procurement Folder (PRCUID)

The Procurement Folder is the central repository for documents related to a single procurement. eMARS compiles all activities, documents, and related correspondence for a procurement into a virtual Procurement Folder that ties multiple procurement documents and documentation items together. The Procurement Folder provides a single point for tracking, assigning, and reporting during the procurement life cycle. Each procurement document will belong to a specific Procurement Folder.

Each folder has a unique identification number generated by eMARS which allows users to identify the procurement documents and documentation that apply to a particular purchase. Each folder also has a **Procurement Title** to easily identify the Procurement Folder. The Procurement Title is displayed on various procurement related pages to aid in identifying the proper folder for a specific procurement. The Procurement Folder can be accessed directly from the document using the related actions menu, or through the Page Search functionality.

The Procurement Folder is accessed from the Award Document's Related Action Menu.



Header 1

List View

General Information | Contract Details | Reference | Requestor Issuer Buyer | Modification | Extended Description

Default Shipping/Billing | Reporting | Fixed Asset Intent Reference | Document Information

Document Name: [Field]

Record Date: 02/24/2012

Budget FY: 2013

Fiscal Year: 2013

Period: 3

Document Description: Paddles for new canoes

Actual Amount: \$350.00

Closed Amount: \$175.00

Closed Date:

Supplier Received Date:

Open Amount: \$175.00

Open Accrual Amount: \$0.00

PCard ID: [Field]

PCard Exp: [Field]

Procurement Folder: 2280002

Procurement Type: Standard Goods

Procurement Type ID: 24

Cited Authority: FAP111-55-00-G

Effective Begin Date: [Field]

Expiration Date: [Field]

Authorization Date: [Field]

Accounting Profile: [Field]

Terms Template: [Field]

Confirmation Order:

Related Actions

- Load T and C
- Ship/Bill To Lines
- Assemble Document
- Reset Buyer
- View Assembly Request
- View Procurement Folder**

Edit | Copy | Copy Forward | Discard | Print | Processing | Workflow | File | Close

The Procurement Folder is broken into different sections:

The General Information section displays information pertaining to the selected Procurement Folder. Information such as the document totals, and the assigned Buyer will be displayed in the General Information section:



eMARS Course 603 – Personal Services Contracts

Procurement Folder	Procurement Title	Procurement Type ID	Buyer	Manager	Procurement Total	Last Completed State	Status	Estimated Completion
✓ 2280002	Paddles for new canoes	24		HGS0001	\$350.00	Post Award	OK	02/24/2012

[First](#) [Prev](#) [Next](#) [Last](#)
[All Procurements](#)
[Assigned To Me](#)
[Assigned To My Team](#)
[Procurements I Manage](#)
[Procurements My Team Manages](#)

[Search](#)
[Update Procurement](#)

General Information

Procurement Folder : 2280002	Dollar Range :
Procurement Title : Paddles for new canoes	Manager : HGS0001
Procurement Type ID : 24	Manager Team : No
Procurement Type : Standard Goods	Buyer :
Procurement Total : \$350.00	Buyer Team : FOAS
Original Procurement Total : \$350.00	Total Deadline Extended By Days : 0
Number of States : 6	Estimated Completion : 02/24/2012
Complexity Code : 3	Closed Date :
Last Completed State : Post Award	Discarded : <input type="checkbox"/>
Status : OK	Historical Procurement Folder : <input type="checkbox"/>

The Procurement Folder will also display the Available States and the Documents found within the folder:

Available States

Procurement State	State Complete	State Amount	Issuing Office	Procurement Created
✓ All States				
Award	Yes	\$350.00	Office Of The Controller	02/24/2012
Post Award	Yes			

[First](#) [Prev](#) [Next](#) [Last](#)

Milestones

Procurement State	Description	Required	Estimated Completion	Completed	Complete

[Save](#) [Undo](#) [First](#) [Prev](#) [Next](#) [Last](#)

Documents

Procurement State	Document	Function	Phase	Vendor	Description	Created
✓ Post Award	AD.758.AD13000000114.1	New	Final			02/24/2012
Award	PO.758.1300000010.1	New	Final	VC0000109452	Paddles for new canoes	02/24/2012
Post Award	PO.758.1300000010.1	New	Final	VC0000109452	Paddles for new canoes	02/24/2012
Post Award	PRC.660.1300000108.1	New	Final		Paddles for new canoes	02/24/2012



Available States

<u>Procurement State</u>	State Complete	State Amount	Issuing Office	Procurement Created
✓ All States				
Award	Yes	\$350.00	Office Of The Controller	02/24/2012
Post Award	Yes			

First Prev Next Last

Milestones

<u>Procurement State</u>	Description	Required	Estimated Completion	Completed	Complete
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[Save](#) [Undo](#) First Prev Next Last

Documents

<u>Procurement State</u>	Document	Function	Phase	Vendor	Description	Created
✓ Post Award	AD.758,AD13000000114.1	New	Final			02/24/2012
Award	PO.758.1300000010.1	New	Final	VC0000109452	Paddles for new canoes	02/24/2012
Post Award	PO.758.1300000010.1	New	Final	VC0000109452	Paddles for new canoes	02/24/2012
Post Award	PRC.660.1300000108.1	New	Final		Paddles for new canoes	02/24/2012

Appendix:

Approval and Workflow for the EO1:

Description	Threshold	Final approval at agency?	Action Status on Final Approval	Threshold	Final Approval	Action Status on Final Approval
Architectural & Engineering PSC	\$0	No	N/A	\$0	Finance DECA is the final approver after all agency approvals are applied.	Approved
Architectural & Engineering PSC Sole Source	\$0	No	N/A	\$0	Finance DECA is the final approver after all agency approvals are applied.	Approved
Architectural & Engineering PSC Not Practicable to Bid	\$0	No	N/A	\$0	Finance DECA is the final approver after all agency approvals are applied.	Approved
Personal Service Contract	\$0-\$9999.99	Yes	Approved	\$10,000	Finance OPS is the final approver after all agency approvals are applied.	Approved
Personal Service Contract Sole Source	\$0	No	N/A	\$0	Finance OPS is the final approver after all agency approvals are applied.	Approved
Personal Service Contract Not Practicable to Bid	\$0	No	N/A	\$0	Finance OPS is the final approver after all agency approvals are applied.	Approved
Memorandum of Agreement (MOA)	\$0-\$24999.99	Yes	Approved	\$25,000	Agency applies final approval.	Pending Review - placed on the EO1 agenda for EO1 Review Committee meeting.



eMARS Course 603 – Personal Services Contracts

Grant	\$0-\$24999.99	Yes	Approved	\$25,000	Agency applies final approval.	Pending Review - placed on the EO1 agenda for EO1 Review Committee meeting.
University Agreement	\$0-\$24999.99	Yes	Approved	\$25,000	Agency applies final approval.	Pending Review - placed on the EO1 agenda for EO1 Review Committee meeting.
Construction Services	\$0- \$999.99	Yes	Approved	\$1,000	Agency applies final approval.	Pending Review - placed on the EO1 agenda for EO1 Review Committee meeting.
Postal Services & Equipment	\$0- \$999.99	Yes	Approved	\$1,000	Finance Postal Services is the final approver after all agency approvals are applied.	Pending Review - placed on the EO1 agenda for EO1 Review Committee meeting.
Printing	\$0- \$999.99	Yes	Approved	\$1,000	COT Printing is the final approver after all agency approvals are applied.	Pending Review - placed on the EO1 agenda for EO1 Review Committee meeting.
Real Property Lease	\$0- \$999.99	Yes	Approved	\$1,000	Agency applies final approval.	Pending Review - placed on the EO1 agenda for EO1 Review Committee meeting.
Temp Labor Task Order (Non-IT)	\$0-\$24999.99	Yes	Approved	\$25,000	State Personnel is the final approver after all agency approvals are applied.	Pending Review - placed on the EO1 agenda for EO1 Review Committee meeting.
Other Services, Non-Professional	\$0-\$24999.99	Yes	Approved	\$25,000	Agency applies final approval.	Pending Review - placed on the EO1 agenda for EO1 Review Committee meeting.
Furniture	\$0-\$24999.99	Yes	Approved	\$25,000	Agency applies final approval.	Pending Review - placed on the EO1 agenda for EO1 Review Committee meeting.



eMARS Course 603 – Personal Services Contracts

Equipment (Not IT)	\$0-\$24999.99	Yes	Approved	\$25,000	Agency applies final approval.	Pending Review - placed on the EO1 agenda for EO1 Review Committee meeting.
Other Goods	\$0-\$24999.99	Yes	Approved	\$25,000	Agency applies final approval.	Pending Review - placed on the EO1 agenda for EO1 Review Committee meeting.
Vehicles	\$0- \$999.99	Yes	Approved	\$1,000	Fleet Management is the final approver after all agency approvals are applied.	Pending Review - placed on the EO1 agenda for EO1 Review Committee meeting.
Vehicle repairs and parts	\$0-\$4999.99	Yes	Approved	\$5,000	Agency applies final approval.	Pending Review - placed on the EO1 agenda for EO1 Review Committee meeting.
IT Hardware	\$0- \$999.99	Yes	Approved	\$1,000	Agency applies final approval.	Pending Review - placed on the EO1 agenda for EO1 Review Committee meeting.
IT Software	\$0- \$999.99	Yes	Approved	\$1,000	Agency applies final approval.	Pending Review - placed on the EO1 agenda for EO1 Review Committee meeting.
IT Services	\$0- \$999.99	Yes	Approved	\$1,000	Agency applies final approval.	Pending Review - placed on the EO1 agenda for EO1 Review Committee meeting.
IT Maintenance	\$0- \$999.99	Yes	Approved	\$1,000	Agency applies final approval.	Pending Review - placed on the EO1 agenda for EO1 Review Committee meeting.
IT Task Orders	\$0- \$999.99	Yes	Approved	\$1,000	Agency applies final approval.	Pending Review - placed on the EO1 agenda for EO1 Review Committee meeting.



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ARRA - Federal Stimulus	\$0- \$999.99	Yes	Approved	\$1,000	Agency applies final approval.	Pending Review - placed on the EO1 agenda for EO1 Review Committee meeting.
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Appendix A- RFP Terms and Conditions Template

PSC RFP TEMPLATE
REVISED January 2012

INSTRUCTIONS TO AGENCY ARE HIGHLIGHTED IN YELLOW AND **MUST BE REMOVED** FROM THE RFP BEFORE IT IS POSTED ON THE VENDOR SELF SERVICE WEBSITE

ASSEMBLY TIP: REMOVE HIGHLIGHTING BEFORE DELETING THE INSTRUCTIONS: THEN DELETE INSTRUCTIONS AND/OR REVISE TEXT AS NEEDED.

CHANGE ONLY THE **GREEN HIGHLIGHTED** AREAS

DO NOT CHANGE ANY LANGUAGE IN THE PSC STANDARD TERMS AND CONDITIONS OR IN THE **SECRETARY'S ORDER**

REMOVE ALL INSTRUCTIONS AND HIGHLIGHTING BEFORE ASSEMBLING THE FINAL SOLICITATION

SAVE THE SOLICITATION AS AN XML DOCUMENT
TABLES MUST BE FORMATTED AS TABLE GRID
DO NOT USE SECTION BREAKS OR PAGE BREAKS

UPLOAD COMPLETED DOCUMENT IN EMARS RFP TERMS AND CONDITIONS

COST SCORE SHOULD BE A MINIMUM OF 40% OF TOTAL POINTS

DO NOT DELETE OR ALTER ANY LANGUAGE THAT IS NOT HIGHLIGHTED

DELETE THIS INSTRUCTION PAGE AND OTHER INSTRUCTIONS AND HIGHLIGHTING LOCATED WITHIN THE TEMPLATE BEFORE ASSEMBLING THE FINAL SOLICITATION

REVIEW ASSEMBLED SOLICITATION FOR CONTENT & FORMAT BEFORE SUBMISSION IN eMARS

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Attachments

Attachment A - Secretary's order 11-004

Attachment B – Cost Proposal Form(if applicable)

Agency should list any other attachments to the RFP in the order in which they are attached and identify them in lettered sequence

**REQUEST FOR PROPOSAL
FOR
PERSONAL SERVICE CONTRACT**

Cabinet/Agency

Title of the RFP

Solicitation number

This document constitutes a Request for Proposal for Personal Service Contract from qualified individuals and organizations to furnish those services as described herein for the Commonwealth of Kentucky, **Cabinet/Agency.**

Offerors are advised that any personal service contract resulting from the Request for Proposals for Personal Service Contract must comply with all applicable provisions of KRS 45A and KRS 12.210 prior to becoming effective.

A contract, based on this RFP, may or may not be awarded. Any contract award from this RFP is invalid until properly approved and executed by the Finance and Administration Cabinet and filed with the Legislative Research Commission, Government Contract Review Committee.

SECTION 1 – ADMINISTRATIVE OVERVIEW

1.00 Purpose and Background

Agency must provide a brief description of the reason for the RFP and background information.

1.05 Issuing Office

The **Cabinet/Agency** is issuing this RFP for **Title of the RFP**. The Agency Contact is the only person authorized to change, modify, amend, alter or clarify the specifications and the terms and conditions of this RFP.



1.10 Restrictions on Communications

The Agency Contact named below shall be the **sole point of contact** throughout the procurement process. All communications, oral and written (regular mail, express mail, electronic mail or fax), concerning this procurement shall be addressed to:

AGENCY CONTACT NAME

AGENCY CONTACT ADDRESS

AGENCY CONTACT TELEPHONE NUMBER

AGENCY CONTACT FAX NUMBER

AGENCY CONTACT EMAIL ADDRESS

From the issue date of this RFP until a Contractor(s) is selected and the selection is announced, Offerors are not allowed to communicate with any Commonwealth Staff concerning this RFP except:

The Agency Contact cited in this RFP; or
Via written questions submitted to the Agency Contact

For violation of this provision, the Commonwealth shall reserve the right to reject their proposal response.

1.15 Schedule of RFP Activities

The following schedule presents the major activities associated with the RFP distribution, written questions and proposal submission. While there is no guaranteed date for the award of a contract, an anticipated date of award is also given. The Commonwealth reserves the right at its sole discretion to change the Schedule of Activities, included the associated dates and times.

Written questions and Vendor conference are optional. Agency may choose to do either, both or none. Revise the schedule accordingly

Release of RFP	Date
Written Questions Due by time	Date
Anticipated Commonwealth Response to Written Questions	Date
Vendor Conference	Date
Anticipated Commonwealth Response to Vendor Conference Written Questions	Date
Proposals Due by time	Date
Agency shall complete this section as applicable.	
All bidders are cautioned to be aware of the security in the Name of Building located at Street Address in City, KY. All bids shall be time stamped in the Name of Office/Department, etc. no later than the due date and time defined in this Solicitation. In person or courier delivered bids in response to this Solicitation shall be delivered to Name of Office/Department, etc. Room Number. Delays due to building security checks shall not be justification for acceptance of a late bid.	
Anticipated Date of Award	Date
Anticipated Contract Effective Date	Date

***NOTE: All time referenced are Eastern Time Zone.**

Vendor’s Conference is optional. It may be mandatory if appropriate. If attendance is mandatory it must be stated, If no vendor conference is held, delete this section.

1.20 Vendor’s Conference

The Vendor’s Conference will be held date at Location Address. Attendance is highly encouraged/mandatory. This will be the only opportunity to ask oral questions. The Commonwealth shall not be bound by oral answers to the questions presented at the Conference or oral statements made at any other time by any member of the Commonwealth’s staff. Salient questions asked at the

Vendor's Conference and the responses will be reduced to writing and issued in an Addendum that shall be posted to the eProcurement website.

1.25 Questions Regarding this RFP

Questions must be submitted in writing to the Agency contact named in this RFP. The Commonwealth will respond to salient questions in writing by issuing an Addendum to the Solicitation. The Addendum shall be posted to the Commonwealth's eProcurement page.

1.30 Access to Solicitation, RFP and Addenda

The Solicitation, the RFP and attachments and any Addenda shall be posted to the eProcurement directory at <https://eprocurement.ky.gov>

It is the vendors' responsibility to assure they have obtained copies of all information and forms.

1.35 Notification of Award

To view the Award of Contract(s) and the Contractor(s) receiving the Award(s) for this Solicitation, access the eProcurement Directory at <https://eprocurement.ky.gov>. The Award(s) information can be accessed by clicking on the View Awards link under the Procurement area located on the top of the center column of the eProcurement Directory homepage. It is the vendor's responsibility to review this information in a timely fashion. No other notification of the results of an Award of Contract will be provided.

END OF SECTION 1

SECTION 2 – SCOPE OF WORK

2.00 Scope of Work

Scope of Work: Agency must describe in detail what it wants, specifications, timelines, deliverables, etc. Agency must be sure this section completely and accurately reflects its needs and requirements. Do Not ask the vendor to submit any information, documents, etc. in this section.

END OF SECTION 2

SECTION 3 – TERMS AND CONDITIONS

3.00 Beginning of Work

This Contract is not effective and binding until approved by the Secretary of the Finance and Administration Cabinet and filed with the Legislative Research Commission's Government Contract Review Committee. The Contractor shall not commence any billable work until a valid Contract has been fully executed. The Contract shall represent the entire agreement between the parties. Prior negotiations, representations, or agreements, either written or oral, between the parties hereto relating to the subject matter hereof shall be of no effect upon this Contract.

3.05 Contract Components and Order of Precedence

The Commonwealth's acceptance of the Contractor's offer in response to the Solicitation, indicated by the issuance of a Contract Award, shall create a valid contract between the Parties consisting of the following:

1. Any written Agreement between the Parties;
2. Any Addenda to the Solicitation;
3. The Solicitation and all attachments hereto;
4. PSC Standard Terms and Conditions;
5. Any Best and Final Offer;
6. Any clarifications concerning the Contractor's proposal in response to the Solicitation;
7. The Contractor's proposal in response to the Solicitation.



In the event of any conflict between or among the provisions contained in the Contract, the order of precedence shall be as enumerated above.

3.10 Contract Term and Renewal Option delete all renewal information and references if no Renewal Option is provided

The initial term of the Contract is anticipated to be from DATE through DATE. Expiration date must be no later than the end of the biennium in which the contract is entered into.

This agreement is not effective until the Secretary of the Finance and Administration Cabinet or his authorized designee has approved the contract and until the contract has been filed with the Legislative Research Commission, Government Contract Review Committee.

The Agency may choose to include a renewal option. If a renewal option is provided, the number of renewals and renewal periods must be clearly stated. Typically no more than 2 renewals are allowed.

The Commonwealth reserves the right to renew this contract for up to one (1) additional two (2) year period OR two (2) additional two (2) year periods OR one (1) additional one (1) year period OR two (2) additional (1) year periods.

Renewal shall be subject to prior approval from the Secretary of the Finance and Administration Cabinet or his authorized designee and the LRC Government Contract Review Committee in accordance with KRS 45A.695 and KRS 45A.705

3.15 Changes and Modifications to the Contract

Pursuant to 200 KAR 5:311, no modification or change of any provision in the Contract shall be made, or construed to have been made, unless such modification is mutually agreed to in writing by the Contractor and the Commonwealth, and incorporated as a written amendment by the Cabinet/Agency prior to the effective date of such modification or change. Modification shall be subject to prior approval from the Secretary of the Finance and Administration Cabinet or his authorized designee and the LRC Government Contract Review Committee. Memoranda of Understanding, written clarification, and/or correspondence shall not be construed as amendments to the Contract.

3.20 Notices

Unless otherwise instructed, all notices, consents, and other communications required and/or permitted by the Contract shall be in writing.

After the award of the Contract, all programmatic communications are to be made to the Agency Contact listed below, with a copy to the Buyer listed below. After the award of the Contract, all communications of a contractual or legal nature are to be made to the Buyer listed below.

Agency Contact: Program Contact's Name
Cabinet/Agency
Department
Address
Address
Email address

Buyer: Buyer's Name
Cabinet/Agency
Department
Address
Address
Email address

END OF SECTION 3

SECTION 4 – PROCUREMENT RULES AND REQUIREMENTS

4.00 Rules of Procurement

To facilitate this procurement, various rules have been established. These are described in the following paragraphs.

Vendors should also review and comply with the general bidding requirements listed under “Laws, Policies and Procedures” and “Standard Attachments and General Terms” located on the eProcurement web page at <https://eprocurement.ky.gov>.

The procurement process will provide for the evaluation of proposals and selection of the winning proposal in accordance with State law and regulations. KRS Chapter 45A of the Kentucky Model Procurement Code provides the regulatory framework for the procurement of services by State agencies.

4.05 Waiver of Minor Irregularities

The Commonwealth reserves the right to reject any offers and to waive informalities and minor irregularities in offers received.

4.10 Clarification of Proposals

The Commonwealth reserves the right to request additional information as may reasonably be required for selection, and to reject any proposals for failure to provide additional information on a timely basis.

The Commonwealth reserves the right to conduct discussions with any offeror who has submitted a proposal to determine the offeror’s qualifications for further consideration. Discussions shall not disclose any information derived from proposal submitted by other offerors.

4.15 Best and Final Offers

The Commonwealth reserves the right at its discretion to request a Best and Final Offer (BAFO) for technical and/or cost proposals. Offerors are cautioned to propose their best possible offers at the outset of the process, as there is no guarantee that any Offeror will be allowed an opportunity to submit a Best and Final technical and/or cost offer.

4.20 Certification Regarding Debarment and Suspension

In accordance with Federal Acquisition Regulation 52.209-5, the Vendor shall certify, by signing the Solicitation, that to the best of its knowledge and belief, the Vendor and/or its Principals is (are) not presently debarred, suspended, proposed for debarment, or declared ineligible for the award of contracts by any State or Federal agency.

“Principals”, for the purposes of this certification, means officers, directors, owners, partners, and persons having primary management or supervisory responsibilities within a business entity (e.g., general manager, plant manager, head of subsidiary, division, or business segment, and similar positions).

4.25 Vendor Response and Public Inspection

The RFP specifies the format, required information and general content of proposals submitted in response to the RFP. The **Agency/Cabinet/Department** shall not disclose any portions of the proposals prior to contract award to anyone outside the **Agency/Cabinet/Department**, representatives of the agency for whose benefit the contract is proposed, representatives of the Federal government, if required, and the members of the evaluation committees. After a contract is awarded in whole or in part, the Commonwealth shall have the right to duplicate, use, or disclose all proposal data submitted by Vendors in response to this RFP as a matter of public record.

Any and all documents submitted by a Vendor in response to the RFP shall be available for public inspection after contract award. No such documents shall be exempt from disclosure under the Kentucky Open Records Act regardless of the vendor’s designation of the information contained therein as proprietary, confidential, or otherwise. Therefore, the Commonwealth will not redact or withhold any documents submitted in response to the RFP if a request to inspect these records is made.

The Commonwealth of Kentucky shall have the right to use all system ideas, or adaptations of those ideas, contained in any proposal received in response to this RFP. Selection or rejections of the proposal will not affect this right.

4.30 Reciprocal Preference for Kentucky Resident Bidders and Preferences for a Qualified Bidder

The scoring of bids/proposals is subject to **Reciprocal preference for Kentucky resident bidders and Preferences for a Qualified Bidder or the Department of Corrections, Division of Prison Industries (KAR 200 5:410).**

Vendors not claiming resident bidder or qualified bidder status need not submit the corresponding affidavit.

KRS 45A.490 Definitions for KRS 45A.490 to 45A.494.

As used in KRS 45A.490 to 45A.494:

- (1) “Contract” means any agreement of a public agency, including grants and orders, for the purchase or disposal of supplies, services, construction, or any other item; and
- (2) “Public agency” has the same meaning as in KRS 61.805.

KRS 45A.492 Legislative declarations.

The General Assembly declares:

- (1) A public purpose of the Commonwealth is served by providing preference to Kentucky residents in contracts by public agencies; and
- (2) Providing preference to Kentucky residents equalizes the competition with other states that provide preference to their residents.

KRS 45A.494 Reciprocal preference to be given by public agencies to resident bidders – List of states – Administrative regulations.

- (1) Prior to a contract being awarded to the lowest responsible and responsive bidder on a contract by a public agency, a resident bidder of the Commonwealth shall be given a preference against a nonresident bidder registered in any state that gives or requires a preference to bidders from that state. The preference shall be equal to the preference given or required by the state of the nonresident bidder.
- (2) A resident bidder is an individual, partnership, association, corporation, or other business entity that, on the date the contract is first advertised or announced as available for bidding:
 - (a) Is authorized to transact business in the Commonwealth; and
 - (b) Has for one (1) year prior to and through the date of the advertisement, filed Kentucky corporate income taxes, made payments to the Kentucky unemployment insurance fund established in KRS 341.490, and maintained a Kentucky workers’ compensation policy in effect.
- (3) A nonresident bidder is an individual, partnership, association, corporation, or other business entity that does not meet the requirements of subsection (2) of this section.
- (4) If a procurement determination results in a tie between a resident bidder and a nonresident bidder, preference shall be given to the resident bidder.
- (5) This section shall apply to all contracts funded or controlled in whole or in part by a public agency.
- (6) The Finance and Administration Cabinet shall maintain a list of states that give to or require a preference for their own resident bidders, including details of the preference given to such bidders, to be used by public agencies in determining resident bidder preferences. The cabinet shall also promulgate administrative regulations in accordance with KRS Chapter 13A establishing the procedure by which the preferences required by this section shall be given.
- (7) The preference for resident bidders shall not be given if the preference conflicts with federal law.
- (8) Any public agency soliciting or advertising for bids for contracts shall make KRS 45A.490 to 45A.494 part of the solicitation or advertisement for bids.

The reciprocal preference as described in KRS 45A.490-494 above shall be applied in accordance with 200 KAR 5:400.

Determining the residency of a bidder for purposes of applying a reciprocal preference



Any individual, partnership, association, corporation, or other business entity claiming resident bidder status shall submit along with its response the attached Required Affidavit for Bidders, Offerors, and Contractors Claiming Resident Bidder Status. The BIDDING AGENCY reserves the right to request documentation supporting a bidder's claim of resident bidder status. Failure to provide such documentation upon request shall result in disqualification of the bidder or contract termination.

A nonresident bidder shall submit, along with its response, its certificate of authority to transact business in the Commonwealth as filed with the Commonwealth of Kentucky, Secretary of State. The location of the principal office identified therein shall be deemed the state of residency for that bidder. If the bidder is not required by law to obtain said certificate, the state of residency for that bidder shall be deemed to be that which is identified in its mailing address as provided in its bid.

Preferences for a Qualified Bidder or the Department of Corrections, Division of Prison Industries (KAR 200 5:410).

Pursuant to 200 KAR 5:410, and KRS 45A.470, Kentucky Correctional Industries will receive a preference equal to twenty (20) percent of the maximum points awarded to a bidder in a solicitation. In addition, the following "qualified bidders" will receive a preference equal to fifteen (15) percent of the maximum points awarded to a bidder in a solicitation: Kentucky Industries for the Blind, any nonprofit corporation that furthers the purposes of KRS Chapter 163 and any qualified nonprofit agencies for individuals with severe disabilities as defined in KRS 45A.465(3). Other than Kentucky Industries for the Blind, a bidder claiming "qualified bidder" status shall submit along with its response to the solicitation a notarized affidavit which affirms that it meets the requirements to be considered a qualified bidder- affidavit form included. If requested, failure to provide documentation to a public agency proving qualified bidder status may result in disqualification of the bidder or contract termination.

4.35 Proposal Submission

Each qualified Offeror shall submit only one (1) proposal. Alternate proposals shall not be accepted. Failure to submit as specified may result in the proposal's rejection.

All submitted technical and cost proposals shall remain valid for a minimum of six (6) months after the proposal due date.

In the event of any conflict or variation between the Solicitation or modification as issued by the Commonwealth and the vendor's response, the version as issued shall prevail.

Proposals shall be submitted in two (2) parts: the technical proposal and the cost proposal. The RFP technical response shall include one (1) marked original and **number** copies under sealed cover and one (1) cost proposal marked original under **separate** sealed cover. All proposals must be received **no later than close time and date.**

Proposals shall be submitted to:

ATTN: Buyer's Name
Cabinet/Agency
Department
Address
Address

The outside cover of the package containing the technical proposal shall be marked:

Title of RFP
RFP number

TECHNICAL PROPOSAL
Name of Offeror

The outside cover of the package containing the cost proposal shall be marked:

Title of RFP
RFP number
COST PROPOSAL
Name of Offeror

4.40 Format of Technical Proposal

The Technical Proposal must be arranged and labeled in the manner set forth below. Failure to arrange and label your submittal in this manner may result in rejection of your proposal.

Do not include any Cost Proposal information in the Technical Proposal.

Electronic or Facsimile proposals shall not be considered.

1. **TRANSMITTAL LETTER** on Vendor's letterhead and signed by an agent authorized to bind the Vendor. If the Transmittal Letter is not signed, the proposal may be deemed non-responsive. The Transmittal Letter shall include the following:
 - A statement that **deviations** are included, if applicable;
 - A statement that **proprietary information** is included, if applicable;
 - A statement that, if awarded a contract as a result of this Solicitation, the Vendor shall comply in full with all the requirements of the **Kentucky Civil Rights Act**, and shall submit all data required by KRS 45.560 to 45.640;
 - A sworn statement pursuant to KRS 11A.040 that the Vendor has not knowingly violated any provisions of the **Executive Branch Code of Ethics**.
 - A statement certifying that the price in this proposal was arrived at **independently** without collusion, consultation, communication, or agreement as to any matter relating to such prices with any other Offeror or with any competitor;
 - A statement affirming that the Vendor is properly authorized under the laws of the Commonwealth of Kentucky to conduct business in this state and will remain in **good standing** with the office of the Kentucky Secretary of State for the duration of any awarded contract resulting from this Solicitation;
 - The name, address, telephone number, fax number and email address and website address, if available, of the **contact person** to service as a point of contact for day-to-day operations.
 - **Subcontractor** information to include name of company, address, telephone number and contact name, if applicable.

2. Completed and Signed Solicitation and Addenda
 - An authorized representative of the agency **MUST** complete and sign the Solicitation form. **Failure to sign shall render bid invalid.**
 - "Vendor" box and "Remit To" box must be completed.

- Vendor shall indicate ownership type and “Additional Vendor Information”
- Vendor shall complete “FEIN” if applicable.
- Vendor shall provide date the form is completed and signed.
- Signed face of most recent Addenda, if applicable.

3. Signed and Notarized Required Affidavit for Bidders or Offerors (available at the following link)
https://eprocurement.ky.gov/NR/rdonlyres/04CCFB6B-690B-4069-BDA4-9AEA3FBAAAD3/0/Revised_Affidavit_Final_102009.doc

4. Signed and Notarized Required Affidavit for Bidders, Offerors and Contractors Claiming Resident Bidder Status (if applicable) (available at the following link)

Vendors not claiming Resident Bidder Status need not submit the affidavit.

<http://finance.ky.gov/NR/rdonlyres/99F81F8C-C7D4-4804-B956-C1737B65DFCF/0/AffidavitforClaimingResidentBidderStatus.doc>

5. Signed and Notarized Required Affidavit for Bidders, Offerors and Contractors Claiming Qualified Bidder Status (if applicable) (available at the following link)

Vendors not claiming Qualified Bidder Status need not submit the affidavit.

<http://finance.ky.gov/NR/rdonlyres/51DEF520-C7F6-4175-8652-B0656294E245/0/AffidavitforQualifiedBidderStatus1.doc>

6. Certificate of Authority to Transact Business in the Commonwealth (if applicable)

7. Response to the Technical Portion of the RFP.

The following list is not applicable to every procurement, nor is the list all inclusive. It is intended to be an example of the types of information that might be required. The Cabinet/Agency must revise the list to accurately reflect the information required from the Vendor.

1. Name, Social Security Number or Federal Identification Number (FEIN), address and telephone number. Provide email address and website address if available.

2. Mandatory Requirements List any Specifics that the Vendor shall provide or be deemed non responsive.

3. Professional References. Include names and addresses of organizations with whom the Offeror has previously contracted to provide similar services. References from agencies or employees of the Commonwealth shall not be accepted. If a reference is unable to be reached, or does not respond to the Commonwealth within the designated time frame, that reference shall receive a score of zero (0). Agency may choose to require alternate or additional reference information. Agency may require the Vendor to provide a specific number of references.

4. **Previous experience.** Agency should state the number of years of experience and describe the type of experience required.

5. **Qualifications and Expertise.** Agency must describe the qualifications and expertise that are required. Agency must state if resumes are required and list any other types of documentation required.

6. Agency should list any other requirements, documentation, etc it wants here.

4.45 Format of Cost Proposal

The Cost Proposal must be submitted under separate cover from the Technical Proposal and must be arranged and labeled in the manner specified.

Failure to submit the Cost Proposal under separate cover may result in rejection of your proposal.

END OF SECTION 4

SECTION 5 – RFP TECHNICAL EVALUATION

5.00 Technical Proposal Evaluation

The Commonwealth shall conduct a comprehensive, fair, and impartial evaluation of all proposals. The Commonwealth may reject any proposal that is incomplete or in which there are significant inconsistencies or inaccuracies. The Commonwealth reserves the right to reject all proposals.

Each Vendor is responsible for submitting all relevant, factual and correct information with their offer to enable the evaluator(s) to afford each vendor the maximum score based on the available data submitted by the Vendor. This information must be attached with cross-references to the appropriate in the Solicitation (i.e. page number, paragraph, subject, etc.).

Past Vendor Performance may be considered in the award of this Contract. Vendors with a record of poor performance in the last twelve (12) months may be found non-responsible and ineligible for award.

Agency reserves the right to conduct discussions with any Offeror who has submitted a proposal to determine the Offeror’s qualifications for further consideration. Discussions shall not disclose any information derived from proposals submitted by other Offeror’s.

5.05 Technical Proposal Scoring Criteria

After determining that a proposal includes all required information and data, the Agency will evaluate the proposal based on the following evaluation factors:

Agency must list the evaluation factors and points assigned to each. Agency may add/subtract rows from the table if necessary.

Evaluation Criteria	Points Possible
Criteria	Points

Criteria	Points
Total Points Possible	Total # of Points

Total Points Possible for Technical Proposal – xxxx pts.

END OF SECTION 5

SECTION 6 – COST PROPOSAL EVALUATION

6.00 Cost Proposal Evaluation

The Proposal with the lowest Price receives the maximum score. The Proposal with the next lowest Price receives points by dividing the lowest Price by the next lowest price and multiplying that percentage by the available points.

For example: Assume 40 points is allocated to the lowest Price criteria for this procurement. Proposal “A” bids \$300 as the lowest price and receives the maximum 40 points ($\$300/\$300 = 1.00 \times 40 = 40$). Assume Proposal “B” is the next lowest Price at \$400. Then “B” receives 30 points. ($\$300/\$400 = .75 \times 40 = 30$).

Total Points Possible for Cost Proposal – xxxxx pts.

6.05 Cost Proposal Scoring Criteria

Agency must describe the cost the vendor is to provide. List what the vendor is to include/exclude in the cost. Agency may choose to provide a Cost Proposal Form for the vendor to complete. If a Cost Proposal Form is provided, the following language should be included here:

Vendor shall only provide cost on the attached **Cost Proposal Form**, otherwise the proposal may be deemed non responsive.

END OF SECTION 6

SECTION 7 – ORAL PRESENTATIONS/DEMONSTRATIONS

7.00 Right to Use Oral Presentations to Verify/Expand on Proposal

The Commonwealth reserves the right to require Oral Presentations to verify or expand on the Technical or Cost Proposals.

7.05 Right to Reject Based on Oral Presentations

The Commonwealth reserves the right to reject any or all proposals in whole or in part based on the Oral Presentations.

7.10 Oral Presentation Evaluation Criteria

The top [redacted] highest ranking Vendors may be requested to provide oral presentations/demonstrations to answer questions or to clarify the understanding of the evaluators in accordance with the requirements of this RFP. The oral presentations shall be scheduled at the discretion of the Commonwealth. The Commonwealth reserves the right to not require oral presentations/demonstrations if they do not affect the final rankings.

Do not include criteria, requirements or agenda for oral presentations in the RFP. If Oral presentations are required it will be based on areas in the proposals that need further clarification. However, points for Orals do need to be assigned in the RFP. Total points should be 25% of the technical and cost score combined.

END OF SECTION 7

SECTION 8 - NEGOTIATION

8.00 Negotiation

After determining the best proposal received, the **Cabinet/Agency** reserves the right to negotiate a fair and reasonable compensation based on the pricing submitted in the offeror's proposal. If the negotiations fail to reach an agreement on a fair and reasonable compensation rate, the **Cabinet/Agency** reserves the right to proceed to the next highest rated proposal.

8.05 Items to be Negotiated

Terms and conditions that may be negotiated at the sole discretion of the Commonwealth include but are not limited to issues related to the Technical and/or Cost proposals.

END OF SECTION 8

SECTION 9 – RANKING OF PROPOSALS AND AWARD OF CONTRACT

9.00 Best Interest of the Commonwealth

The Commonwealth will rank the proposal in the manner set forth within this Solicitation. However, the Commonwealth reserves the right to reject any or all proposals in whole or in part based on the best interest of the Commonwealth.

9.05 Total Points Possible for Proposal

Criteria	Points Possible
Technical Proposal	Pts
Cost Proposal	Pts
Total Points Possible	Pts
Oral Presentations/Demonstrations, if required	Pts
Total Points Possible With Oral Presentations/Demonstrations	Pts.

END OF SECTION 9

**PSC STANDARD TERMS AND CONDITIONS
Revised January 2012**

Whereas, the first party, the state agency, has concluded that either state personnel are not available to perform said function, or it would not be feasible to utilize state personnel to perform said function; and

Whereas, the second party, the contractor, is available and qualified to perform such function; and

Whereas, for the abovementioned reasons, the state agency desires to avail itself of the services of the second party;

NOW THEREFORE, the following terms and conditions are applicable to this contract:

010.00 Effective Date:

This agreement is not effective until the Secretary of the Finance and Administration Cabinet or his authorized designee has approved the contract and until the contract has been submitted to the Legislative Research Commission, Government Contract Review Committee (“LRC”).

Payments on personal service contracts and memoranda of agreement shall not be authorized for services rendered after government contract review committee disapproval, unless the decision of the committee is overridden by the Secretary of the Finance and Administration Cabinet or agency head, if the agency has been granted delegation authority by the Secretary.

010.05 Renewals:

Upon expiration of the initial term, the contract may be renewed in accordance with the terms and conditions in the original solicitation. Renewal shall be subject to prior approval from the Secretary of the Finance and Administration Cabinet or his authorized designee and the LRC Government Contract Review Committee in accordance with KRS 45A.695 and KRS 45A.705, and contingent upon available funding.

010.10 LRC Policies:

Pursuant to KRS 45A.725, LRC has established policies which govern rates payable for certain professional services. These are located on the LRC webpage (<http://www.lrc.ky.gov/Statcomm/Contracts/homepage.htm>) and would impact any contract established under KRS 45A.690 et seq., where applicable.

010.15 Choice of Law and Forum:

All questions as to the execution, validity, interpretation, construction and performance of this agreement shall be governed by the laws of the Commonwealth of Kentucky. Furthermore, the parties hereto agree that any legal action which is brought on the basis of this agreement shall be filed in the Franklin County Circuit Court of the Commonwealth of Kentucky.

010.20 Cancellation:

The state agency shall have the right to terminate and cancel this agreement at any time not to exceed thirty (30) days' written notice served on the contractor by registered or certified mail.

010.25 Funding Out Provision:

The state agency may terminate this contract if funds are not appropriated to the contracting agency or are not otherwise available for the purpose of making payments without incurring any obligation for payment after the date of termination, regardless of the terms of the contract. The state agency shall provide the contractor thirty (30) calendar days written notice of termination of the contract.

010.30 Reduction in Contract Worker Hours

The Kentucky General Assembly may allow for a reduction in contract worker hours in conjunction with a budget balancing measure for some professional and non-professional service contracts. If under such authority the agency is required by Executive Order or otherwise to reduce contract hours, the contract will be reduced by the amount specified in that document.

010.35 Authorized to do Business in Kentucky:

The contractor affirms that it is properly authorized under the laws of the Commonwealth of Kentucky to conduct business in this state and will remain in good standing to do business in the Commonwealth of Kentucky for the duration of any contract awarded.

The Contractor shall maintain certification of authority to conduct business in the Commonwealth of Kentucky during the term of this Contract. Such registration is obtained from the Secretary of State, who will also provide the certification thereof.

010.40 Registration with the Secretary of State by a Foreign Entity.

Pursuant to KRS 45A.480(1)(b), an agency, department, office, or political subdivision of the Commonwealth of Kentucky shall not award a state contract to a person that is a foreign entity required by [KRS 14A.9-010](#) to obtain a certificate of authority to transact business in the Commonwealth (“certificate”) from the Secretary of State under [KRS 14A.9-030](#) unless the person produces the certificate within fourteen (14) days of the bid or proposal opening. Therefore, foreign entities should submit a copy of their certificate with their solicitation response. If the foreign entity is not required to obtain a certificate as provided in [KRS 14A.9-010](#), the foreign entity should identify the applicable exception in its solicitation response. Foreign entity is defined within [KRS 14A.1-070](#).

For all foreign entities required to obtain a certificate of authority to transact business in the Commonwealth, if a copy of the certificate is not received by the contracting agency within the time frame identified above, the foreign entity’s solicitation response shall be deemed non-responsive or the awarded contract shall be cancelled.

Businesses can register with the Secretary of State at <https://secure.kentucky.gov/sos/ftbr/welcome.aspx> .

010.45 Invoices for fees:

The contractor shall maintain supporting documents to substantiate invoices and shall furnish same if required by state government.

Pursuant to KRS 45A.695, no payment shall be made on any personal service contract unless the individual, firm, partnership, or corporation awarded the personal service contract submits its invoice for payment on a form established by the committee.

*Invoice form is available on the Legislative Research Commission, Government Contract Review Committee website: <http://www.lrc.ky.gov/Statcomm/Contracts/homepage.htm>

010.50 Travel expenses, if authorized:

The contractor shall be paid for no travel expenses unless and except as specifically authorized by the specifications of the contract.

010.55 Other expenses, if authorized herein:

The contractor shall be reimbursed for no other expenses of any kind, unless and except as specifically authorized within the specifications of the contract.

If the reimbursement of such expenses is authorized, the reimbursement shall be only on an out-of-pocket basis. Request for payment of same shall be processed upon receipt from the contractor of valid, itemized statements submitted periodically for payment at the time any fees are due. The contractor shall maintain supporting documents that substantiate every claim for expenses and shall furnish same if requested by state government.

- Invoicing for fee: the contractor’s fee shall be original invoice(s) and shall be documented by the contractor. The invoice(s) must conform to the method described in the specifications of the contract.
- Invoicing for travel expenses: the contractor must follow instructions described in the specifications of the contract. Either original or certified copies of receipts must be submitted for airline tickets, motel bills, restaurant charges, rental car charges, and any other miscellaneous expenses.
- Invoicing for miscellaneous expenses: the contractor must follow instructions prescribed in the specifications of the contract. Expenses submitted shall be documented by original or certified copies.

010.60 Purchasing and specifications:

The contractor certifies that he will not attempt in any manner to influence any specifications to be restrictive in any way or respect nor will he attempt in any way to influence any purchasing of services, commodities or equipment by the Commonwealth of Kentucky. For the purpose of this paragraph and the following paragraph that pertains to conflict-of interest laws and principles, "he" is construed to mean "they" if more than one person is involved and if a firm, partnership, corporation, or other organization is involved, then "he" is construed to mean any person with an interest therein.

010.65 Conflict-of-interest laws and principles:

The contractor certifies that he is legally entitled to enter into this contract with the Commonwealth of Kentucky, and by holding and performing this contract will not be violating either any conflict of interest statute (KRS 45A.330-45A.340, 45A.990, 16A.390), or KRS 11A.040 of the executive branch code of ethics, relating to the employment of former public servants.

010.70 Campaign finance:

The contractor certifies that neither he/she nor any member of his/her immediate family having an interest of 10% or more in any business entity involved in the performance of this contract, has contributed more than the amount specified in KRS 121.056(2), to the campaign of the gubernatorial candidate elected at the election last preceding the date of this contract. The contractor further swears under the penalty of perjury, as provided by KRS 523.020, that neither he/she nor the company which he/she represents, has knowingly violated any provisions of the campaign finance laws of the Commonwealth, and that the award of a contract to him/her or the company which he/she represents will not violate any provisions of the campaign finance laws of the Commonwealth.

01.075 Access to Records:

The contractor, as defined in KRS 45A.030 (9) agrees that the contracting agency, the Finance and Administration Cabinet, the Auditor of Public Accounts, and the Legislative Research Commission, or their duly authorized representatives, shall have access to any books, documents, papers, records, or other evidence, which are directly pertinent to this contract for the purpose of financial audit or program review. Records and other prequalification information confidentially disclosed as part of the bid process shall not be deemed as directly pertinent to the contract and shall be exempt from disclosure as provided in KRS 61.878(1)(c). The contractor also recognizes that any books, documents, papers, records, or other evidence, received during a financial audit or program review shall be subject to the Kentucky Open Records Act, KRS 61.870 to 61.884.

In the event of a dispute between the contractor and the contracting agency, Attorney General, or the Auditor of Public Accounts over documents that are eligible for production and review, the Finance and Administration Cabinet shall review the dispute and issue a determination, in accordance with Secretary's Order 11-004. (See attachment)

010.80 Protest

Pursuant to KRS 45A.285, The Secretary of the Finance and Administration Cabinet, or his designee, shall have authority to determine protests and other controversies of actual or prospective Vendors in connection with the solicitation or selection for award of a Master Agreement or Contract.

Any actual or prospective Vendor, who is aggrieved in connection with the solicitation or selection for award of a Master Agreement or Contract, may file protest with the Secretary of the Finance and Administration Cabinet. A protest or notice of other controversy must be filed promptly and in any event within two (2) calendar weeks after such aggrieved person knows or should have known of the facts giving rise thereto. All protests or notices of other controversies must be in writing and shall be addressed to

Lori H. Flanery, Secretary
Commonwealth of Kentucky
Finance and Administration Cabinet
Room 383, New Capitol Annex
702 Capitol Avenue
Frankfort, KY 40601
Phone #: (502) 564-4240
Fax #: (502) 564-6785

The Secretary of Finance and Administration Cabinet shall promptly issue a decision in writing. A copy of that decision shall be mailed or otherwise furnished to the aggrieved party and shall state the reasons for the action taken.

The decision by the Secretary of the Finance and Administration Cabinet shall be final and conclusive.

010.85 Social security: (check one)

_____ the parties are cognizant that the state is not liable for social security contributions pursuant to 42 U.S. Code, section 418, relative to the compensation of the second party for this contract.

_____ the parties are cognizant that the state is liable for social security contributions pursuant to 42 U.S. Code, section 418, relative to the compensation of the second party for this contract.

010.90 Violation of tax and employment laws:

KRS 45A.485 requires the contractor to reveal to the Commonwealth, prior to the award of a contract, any final determination of a violation by the contractor within the previous five (5) year period of the provisions of KRS chapters 136, 139, 141, 337, 338, 341, and 342. These statutes relate to the state sales and use tax, corporate and utility tax, income tax, wages and hours laws, occupational safety and health laws, unemployment insurance laws, and workers compensation insurance laws, respectively.

To comply with the provisions of KRS 45A.485, the contractor shall report any such final determination(s) of violation(s) to the Commonwealth by providing the following information regarding the final determination(s): the KRS violated, the date of the final determination, and the state agency which issued the final determination.

KRS 45A.485 also provides that, for the duration of any contract, the contractor shall be in continuous compliance with the provisions of those statutes which apply to the contractor's operations, and that the contractor's failure to reveal a final determination as described above or failure to comply with the above statutes for the duration of the contract, shall be grounds for the Commonwealth's cancellation of the contract and the contractor's disqualification from eligibility for future state contracts for a period of two (2) years.

Contractor must check one:

_____ The contractor has not violated any of the provisions of the above statutes within the previous five (5) year period.

_____ the contractor has violated the provisions of one or more of the above statutes within the previous five (5) year period and has revealed such final determination(s) of violation(s). A list of such determination(s) is attached.

010.95 Discrimination:

Discrimination (because of race, religion, color, national origin, sex, age, or disability) prohibited. This section applies only to contracts utilizing federal funds, in whole or in part. During the performance of this contract, the contractor agrees as follows:

1. The contractor will not discriminate against any employee or applicant for employment because of race, religion, color, national origin, sex or age. The contractor further agrees to comply with the provisions of the Americans with Disabilities Act (ADA), Public Law 101-336, and applicable federal regulations relating thereto prohibiting discrimination against otherwise qualified disabled individuals under any program or activity. The contractor agrees to provide, upon request, needed reasonable accommodations. The contractor will take affirmative action to ensure that applicants are employed and that employees are treated during employment without regard to their race, religion, color, national origin, sex, age or disability. Such action shall include, but not be limited to the following; employment, upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensations; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices setting forth the provisions of this non-discrimination clause.

2. The contractor will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to race, religion, color, national origin, sex, age or disability.

3. The contractor will send to each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding, a notice advising the said labor union or workers' representative of the contractor's commitments under this section, and shall post copies of the notice in conspicuous places available to employees and applicants for employment. The contractor will take such action with respect to any subcontract or purchase order as the administering agency may direct as a means of enforcing such provisions, including sanctions for noncompliance.

4. The contractor will comply with all provisions of Executive Order No. 11246 of September 24, 1965 as amended, and of the rules, regulations and relevant orders of the Secretary of Labor.

5. The contractor will furnish all information and reports required by Executive Order No. 11246 of September 24, 1965, as amended, and by the rules, regulations and orders of the Secretary of Labor, or pursuant thereto, and will permit access to his books, records and accounts by the administering agency and the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations and orders.

6. In the event of the contractor's noncompliance with the nondiscrimination clauses of this contract or with any of the said rules, regulations or orders, this contract may be cancelled, terminated or suspended in whole or in part and the contractor may be declared ineligible for further government contracts or federally-assisted construction contracts in accordance with procedures authorized in Executive Order No. 11246 of September 24, 1965, as amended, and such other sanctions may be imposed and remedies invoked as provided in or as otherwise provided by law.

7. The contractor will include the provisions of paragraphs (1) through (7) of section 202 of Executive Order 11246 in every subcontract or purchase order unless exempted by rules, regulations or orders of the Secretary of Labor, issued pursuant to section 204 of Executive Order No. 11246 of September 24, 1965, as amended, so that such provisions will be binding upon each subcontractor or vendor. The contractor will take such action with respect to any subcontract or purchase order as the administering agency may direct as a means of enforcing such provisions including sanctions for noncompliance; provided, however, that in the event a contractor becomes involved in, or is threatened with, litigation with a subcontractor or vendor as a result of such direction by the agency, the contractor may request the United States to enter into such litigation to protect the interests of the United States.

END OF PSC STANDARD TERMS AND CONDITIONS

END OF RFP

SECRETARY'S ORDER 11-004

FINANCE AND ADMINISTRATION CABINET**Vendor Document Disclosure**

WHEREAS, in order to promote accountability and transparency in governmental operations, the Finance and Administration Cabinet believes that a mechanism should be created which would provide for review and assistance to an Executive Branch agency if said agency cannot obtain access to documents that it deems necessary to conduct a review of the records of a private vendor that holds a contract to provide goods and/or services to the Commonwealth; and

WHEREAS, in order to promote accountability and transparency in governmental operations, the Finance and Administration Cabinet believes that a mechanism should be created which would provide for review and assistance to an Executive Branch agency if said agency cannot obtain access to documents that it deems necessary during the course of an audit, investigation or any other inquiry by an Executive Branch agency that involves the review of documents; and

WHEREAS, KRS 42.014 and KRS 12.270 authorizes the Secretary of the Finance and Administration Cabinet to establish the internal organization and assignment of functions which are not established by statute relating to the Finance and Administration Cabinet; further, KRS Chapter 45A.050 and 45A.230 authorizes the Secretary of the Finance and Administration Cabinet to procure, manage and control all supplies and services that are procured by the Commonwealth and to intervene in controversies among vendors and state agencies; and

NOW, THEREFORE, pursuant to the authority vested in me by KRS 42.014, KRS 12.270, KRS 45A.050, and 45A.230, I, Lori H. Flanery, Secretary of the Finance and Administration Cabinet, do hereby order and direct the following:

Upon the request of an Executive Branch agency, the Finance and Administration Cabinet ("FAC") shall formally review any dispute arising where the agency has requested documents from a private vendor that holds a state contract and the vendor has refused access to said documents under a claim that said documents are not directly pertinent or relevant to the agency's inquiry upon which the document request was predicated.

Upon the request of an Executive Branch agency, the FAC shall formally review any situation where the agency has requested documents that the agency deems necessary to conduct audits, investigations or any other formal inquiry where a dispute has arisen as to what documents are necessary to conclude the inquiry.

Upon receipt of a request by a state agency pursuant to Sections I & II, the FAC shall consider the request from the Executive Branch agency and the position of the vendor or party opposing the disclosure of the documents, applying any and all relevant law to the facts and circumstances of the matter in controversy. After FAC's review is complete, FAC shall issue a Determination which sets out FAC's position as to what documents and/or records, if any, should be disclosed to the requesting agency. The Determination shall be issued within 30 days of receipt of the request from the agency. This time period may be extended for good cause.

If the Determination concludes that documents are being wrongfully withheld by the private vendor or other party opposing the disclosure from the state agency, the private vendor shall immediately comply with the FAC's Determination. Should the private vendor or other party refuse to comply with FAC's Determination, then the FAC, in concert with the requesting agency, shall effectuate any and all options that it possesses to obtain the documents in question, including, but not limited to, jointly initiating an action in the appropriate court for relief.

Any provisions of any prior Order that conflicts with the provisions of this Order shall be deemed null and void.

Appendix B- Personal Service Contract Terms & Conditions Template

PSC AWARD TEMPLATE
Revised January 2012

Instructions to Agency are Highlighted in Yellow

Change only the Green Highlighted Areas

Do Not Delete or Alter any language that is not highlighted.

DO NOT Alter any portion of the PSC Standard Terms and Conditions

Document Must Be Saved as .XML
Tables must be formatted as Table Grid.
Do not use section breaks or page breaks.

DELETE THIS INSTRUCTION PAGE AND OTHER INSTRUCTIONS AND HIGHLIGHTING LOCATED WITHIN THE TEMPLATE BEFORE ASSEMBLING THE FINAL CONTRACT

ASSEMBLY TIP: REMOVE HIGHLIGHTING BEFORE DELETING THE INSTRUCTIONS: THEN DELETE INSTRUCTIONS AND/OR REVISE TEXT AS NEEDED.

Review final ASSEMBLED contract for content and format PRIOR to printing, obtaining signatures and filing for FAC review/approval

PERSONAL SERVICE CONTRACT FOR

RFP TITLE

BETWEEN

THE COMMONWEALTH OF KENTUCKY

CABINET/AGENCY

AND

VENDOR NAME /ADDRESS/CONTACT INFO

This Personal Service Contract (PSC) is entered into, by and between the Commonwealth of Kentucky, **Agency** (“the Commonwealth”) and **Vendor** to establish a Contract for **RFP Title**. This PSC is effective **MM/DD/YYYY** and expires **MM/DD/YYYY**.

The Commonwealth and Contractor agree to the following:

I. Scope of Contract

Agency shall provide a detailed description of **ALL** the services the vendor is providing. If using the same scope from the RFP, **change** any solicitation language to contract language.

Example: RFP language, “the xyz Agency is seeking a vendor to provide abc services”.....Contract language, “ the vendor shall provide abc services for the xyz Agency”.

II. Contract Components and Order of Precedence

The Commonwealth’s acceptance of the Contractor’s offer in response to the Solicitation, indicated by the issuance of a Contract Award shall create a valid Contract between the Parties consisting of the following:

- Any written Agreement between the Parties;
- Any Addenda to the Solicitation;
- The Solicitation and all attachments thereto; including PSC Standard Terms and Conditions;
- Any Best and Final Offer;
- Any clarifications concerning the Contractor’s proposal in response to the Solicitation;
- The Contractor’s proposal in response to the Solicitation.

In the event of any conflict between or among the provisions contained in the Contract, the order of precedence shall be as enumerated above.

III. Negotiated Items

If any items in the RFP were negotiated, or if the vendor made any exceptions that the Commonwealth agreed to, it must be described here. **IT MUST BE WRITTEN TO BE ENFORCED.** If there are no negotiated items, state Not Applicable.

IV. Pricing

Insert Contract Amount and applicable payment information such as hourly rate and number of hours, not to exceed amounts or Budget Information. Provide as much information as necessary to clearly explain the amount and method of payment for the service(s) being provided.

Example 1: if a contract is established for a not to exceed amount of \$10,000 for legal services, the agency should also state the hourly rate being paid.

Example 2: if a contract is established for an amount based on a budget, the budget should be provided.

V. Personal Service Contract Standard Terms and Conditions

Whereas, the first party, the state agency, has concluded that either state personnel are not available to perform said function, or it would not be feasible to utilize state personnel to perform said function; and

Whereas, the second party, the contractor, is available and qualified to perform such function; and

Whereas, for the abovementioned reasons, the state agency desires to avail itself of the services of the second party;

NOW THEREFORE, the following terms and conditions are applicable to this contract:

010.00 Effective Date:

This agreement is not effective until the Secretary of the Finance and Administration Cabinet or his authorized designee has approved the contract and until the contract has been submitted to the Legislative Research Commission, Government Contract Review Committee ("LRC").

Payments on personal service contracts and memoranda of agreement shall not be authorized for services rendered after government contract review committee disapproval, unless the decision of the committee is overridden by the Secretary of the Finance and Administration Cabinet or agency head, if the agency has been granted delegation authority by the Secretary.

010.05 Renewals:

Upon expiration of the initial term, the contract may be renewed in accordance with the terms and conditions in the original solicitation. Renewal shall be subject to prior approval from the Secretary of the Finance and Administration Cabinet or his authorized designee and the LRC Government Contract Review Committee in accordance with KRS 45A.695 and KRS 45A.705, and contingent upon available funding.

010.10 LRC Policies:

Pursuant to KRS 45A.725, LRC has established policies which govern rates payable for certain professional services. These are located on the LRC webpage (<http://www.lrc.ky.gov/Statcomm/Contracts/homepage.htm>) and would impact any contract established under KRS 45A.690 et seq., where applicable.

010.15 Choice of Law and Forum:

All questions as to the execution, validity, interpretation, construction and performance of this agreement shall be governed by the laws of the Commonwealth of Kentucky. Furthermore, the parties hereto agree that any legal action which is brought on the basis of this agreement shall be filed in the Franklin County Circuit Court of the Commonwealth of Kentucky.

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The state agency shall have the right to terminate and cancel this agreement at any time not to exceed thirty (30) days' written notice served on the contractor by registered or certified mail.

010.25 Funding Out Provision:

The state agency may terminate this contract if funds are not appropriated to the contracting agency or are not otherwise available for the purpose of making payments without incurring any obligation for payment after the date of termination, regardless of the terms of the contract. The state agency shall provide the contractor thirty (30) calendar days written notice of termination of the contract.

010.30 Reduction in Contract Worker Hours

The Kentucky General Assembly may allow for a reduction in contract worker hours in conjunction with a budget balancing measure for some professional and non-professional service contracts. If under such authority the agency is required by Executive Order or otherwise to reduce contract hours, the contract will be reduced by the amount specified in that document.

010.35 Authorized to do Business in Kentucky:

The contractor affirms that it is properly authorized under the laws of the Commonwealth of Kentucky to conduct business in this state and will remain in good standing to do business in the Commonwealth of Kentucky for the duration of any contract awarded.

The Contractor shall maintain certification of authority to conduct business in the Commonwealth of Kentucky during the term of this Contract. Such registration is obtained from the Secretary of State, who will also provide the certification thereof.

010.40 Registration with the Secretary of State by a Foreign Entity.

Pursuant to KRS 45A.480(1)(b), an agency, department, office, or political subdivision of the Commonwealth of Kentucky shall not award a state contract to a person that is a foreign entity required by [KRS 14A.9-010](#) to obtain a certificate of authority to transact business in the Commonwealth ("certificate") from the Secretary of State under [KRS 14A.9-030](#) unless the person produces the certificate within fourteen (14) days of the bid or proposal opening. Therefore, foreign entities should submit a copy of their certificate with their solicitation response. If the foreign entity is not required to obtain a certificate as provided in [KRS 14A.9-010](#), the foreign entity should identify the applicable exception in its solicitation response. Foreign entity is defined within [KRS 14A.1-070](#).

For all foreign entities required to obtain a certificate of authority to transact business in the Commonwealth, if a copy of the certificate is not received by the contracting agency within the time frame identified above, the foreign entity's solicitation response shall be deemed non-responsive or the awarded contract shall be cancelled.

Businesses can register with the Secretary of State at <https://secure.kentucky.gov/sos/ftbr/welcome.aspx>.

010.45 Invoices for fees:

The contractor shall maintain supporting documents to substantiate invoices and shall furnish same if required by state government.

Pursuant to KRS 45A.695, no payment shall be made on any personal service contract unless the individual, firm, partnership, or corporation awarded the personal service contract submits its invoice for payment on a form established by the committee.

*Invoice form is available on the Legislative Research Commission, Government Contract Review Committee website: <http://www.lrc.ky.gov/Statcomm/Contracts/homepage.htm>

010.50 Travel expenses, if authorized:

The contractor shall be paid for no travel expenses unless and except as specifically authorized by the specifications of the contract.

010.55 Other expenses, if authorized herein:

The contractor shall be reimbursed for no other expenses of any kind, unless and except as specifically authorized within the specifications of the contract.

If the reimbursement of such expenses is authorized, the reimbursement shall be only on an out-of-pocket basis. Request for payment of same shall be processed upon receipt from the contractor of valid, itemized statements submitted periodically for payment at the time any fees are due. The contractor shall maintain supporting documents that substantiate every claim for expenses and shall furnish same if requested by state government.

- Invoicing for fee: the contractor's fee shall be original invoice(s) and shall be documented by the contractor. The invoice(s) must conform to the method described in the specifications of the contract.
- Invoicing for travel expenses: the contractor must follow instructions described in the specifications of the contract. Either original or certified copies of receipts must be submitted for airline tickets, motel bills, restaurant charges, rental car charges, and any other miscellaneous expenses.
- Invoicing for miscellaneous expenses: the contractor must follow instructions prescribed in the specifications of the contract. Expenses submitted shall be documented by original or certified copies.

010.60 Purchasing and specifications:

The contractor certifies that he will not attempt in any manner to influence any specifications to be restrictive in any way or respect nor will he attempt in any way to influence any purchasing of services, commodities or equipment by the Commonwealth of Kentucky. For the purpose of this paragraph and the following paragraph that pertains to conflict-of interest laws and principles, "he" is construed to mean "they" if more than one person is involved and if a firm, partnership, corporation, or other organization is involved, then "he" is construed to mean any person with an interest therein.

010.65 Conflict-of-interest laws and principles:

The contractor certifies that he is legally entitled to enter into this contract with the Commonwealth of Kentucky, and by holding and performing this contract will not be violating either any conflict of interest statute (KRS 45A.330-45A.340, 45A.990, 164.390), or KRS 11A.040 of the executive branch code of ethics, relating to the employment of former public servants.

010.70 Campaign finance:

The contractor certifies that neither he/she nor any member of his/her immediate family having an interest of 10% or more in any business entity involved in the performance of this contract, has contributed more than the amount specified in KRS 121.056(2), to the campaign of the gubernatorial candidate elected at the election last preceding the date of this contract. The contractor further swears under the penalty of perjury, as provided by KRS 523.020, that neither he/she nor the company which he/she represents, has knowingly violated any provisions of the campaign finance laws of the Commonwealth, and that the award of a contract to him/her or the company which he/she represents will not violate any provisions of the campaign finance laws of the Commonwealth.

010.75 Access to Records:

The contractor, as defined in KRS 45A.030 (9) agrees that the contracting agency, the Finance and Administration Cabinet, the Auditor of Public Accounts, and the Legislative Research Commission, or their duly authorized representatives, shall have access to any books, documents, papers, records, or other evidence, which are directly pertinent to this contract for the purpose of financial audit or program review. Records and other prequalification information confidentially disclosed as part of the bid process shall not be deemed as directly pertinent to the contract and shall be exempt from disclosure as provided in KRS 61.878(1)(c). The contractor



also recognizes that any books, documents, papers, records, or other evidence, received during a financial audit or program review shall be subject to the Kentucky Open Records Act, KRS 61.870 to 61.884.

In the event of a dispute between the contractor and the contracting agency, Attorney General, or the Auditor of Public Accounts over documents that are eligible for production and review, the Finance and Administration Cabinet shall review the dispute and issue a determination, in accordance with Secretary's Order 11-004. (See attachment)

010.80 Protest

Pursuant to KRS 45A.285, The Secretary of the Finance and Administration Cabinet, or his designee, shall have authority to determine protests and other controversies of actual or prospective Vendors in connection with the solicitation or selection for award of a Master Agreement or Contract.

Any actual or prospective Vendor, who is aggrieved in connection with the solicitation or selection for award of a Master Agreement or Contract, may file protest with the Secretary of the Finance and Administration Cabinet. A protest or notice of other controversy must be filed promptly and in any event within two (2) calendar weeks after such aggrieved person knows or should have known of the facts giving rise thereto. All protests or notices of other controversies must be in writing and shall be addressed to:

Lori H. Flanery, Secretary
Commonwealth of Kentucky
Finance and Administration Cabinet
Room 383, New Capitol Annex
702 Capitol Avenue
Frankfort, KY 40601
Phone #: (502) 564-4240
Fax #: (502) 564-6785

The Secretary of Finance and Administration Cabinet shall promptly issue a decision in writing. A copy of that decision shall be mailed or otherwise furnished to the aggrieved party and shall state the reasons for the action taken.

The decision by the Secretary of the Finance and Administration Cabinet shall be final and conclusive.

010.85 Social security: (check one)

_____ the parties are cognizant that the state is not liable for social security contributions pursuant to 42 U.S. Code, section 418, relative to the compensation of the second party for this contract.

_____ the parties are cognizant that the state is liable for social security contributions pursuant to 42 U.S. Code, section 418, relative to the compensation of the second party for this contract.

010.90 Violation of tax and employment laws:

KRS 45A.485 requires the contractor to reveal to the Commonwealth, prior to the award of a contract, any final determination of a violation by the contractor within the previous five (5) year period of the provisions of KRS chapters 136, 139, 141, 337, 338, 341, and 342. These statutes relate to the state sales and use tax, corporate and utility tax, income tax, wages and hours laws, occupational safety and health laws, unemployment insurance laws, and workers compensation insurance laws, respectively.

To comply with the provisions of KRS 45A.485, the contractor shall report any such final determination(s) of violation(s) to the Commonwealth by providing the following information regarding the final determination(s): the KRS violated, the date of the final determination, and the state agency which issued the final determination.

KRS 45A.485 also provides that, for the duration of any contract, the contractor shall be in continuous compliance with the provisions of those statutes which apply to the contractor's operations, and that the contractor's failure to reveal a final determination as described above or failure to comply with the above statutes for the duration of the contract, shall be grounds for the Commonwealth's cancellation of the contract and the contractor's disqualification from eligibility for future state contracts for a period of two (2) years.

Contractor must check one:

_____ The contractor has not violated any of the provisions of the above statutes within the previous five (5) year period.

_____ the contractor has violated the provisions of one or more of the above statutes within the previous five (5) year period and has revealed such final determination(s) of violation(s). A list of such determination(s) is attached.

010.95 Discrimination:

Discrimination (because of race, religion, color, national origin, sex, age, or disability) prohibited. This section applies only to contracts utilizing federal funds, in whole or in part. During the performance of this contract, the contractor agrees as follows:

1. The contractor will not discriminate against any employee or applicant for employment because of race, religion, color, national origin, sex or age. The contractor further agrees to comply with the provisions of the Americans with Disabilities Act (ADA), Public Law 101-336, and applicable federal regulations relating thereto prohibiting discrimination against otherwise qualified disabled individuals under any program or activity. The contractor agrees to provide, upon request, needed reasonable accommodations. The contractor will take affirmative action to ensure that applicants are employed and that employees are treated during employment without regard to their race, religion, color, national origin, sex, age or disability. Such action shall include, but not be limited to the following; employment, upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensations; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices setting forth the provisions of this non-discrimination clause.
2. The contractor will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to race, religion, color, national origin, sex, age or disability.
3. The contractor will send to each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding, a notice advising the said labor union or workers' representative of the contractor's commitments under this section, and shall post copies of the notice in conspicuous places available to employees and applicants for employment. The contractor will take such action with respect to any subcontract or purchase order as the administering agency may direct as a means of enforcing such provisions, including sanctions for noncompliance.
4. The contractor will comply with all provisions of Executive Order No. 11246 of September 24, 1965 as amended, and of the rules, regulations and relevant orders of the Secretary of Labor.
5. The contractor will furnish all information and reports required by Executive Order No. 11246 of September 24, 1965, as amended, and by the rules, regulations and orders of the Secretary of Labor, or pursuant thereto, and will permit access to his books, records and accounts by the administering agency and the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations and orders.
6. In the event of the contractor's noncompliance with the nondiscrimination clauses of this contract or with any of the said rules, regulations or orders, this contract may be cancelled, terminated or suspended in whole or in part and the contractor may be declared ineligible for further government contracts or federally-assisted construction contracts in accordance with procedures authorized in Executive Order No. 11246 of September 24, 1965, as

amended, and such other sanctions may be imposed and remedies invoked as provided in or as otherwise provided by law.

7. The contractor will include the provisions of paragraphs (1) through (7) of section 202 of Executive Order 11246 in every subcontract or purchase order unless exempted by rules, regulations or orders of the Secretary of Labor, issued pursuant to section 204 of Executive Order No. 11246 of September 24, 1965, as amended, so that such provisions will be binding upon each subcontractor or vendor. The contractor will take such action with respect to any subcontract or purchase order as the administering agency may direct as a means of enforcing such provisions including sanctions for noncompliance; provided, however, that in the event a contractor becomes involved in, or is threatened with, litigation with a subcontractor or vendor as a result of such direction by the agency, the contractor may request the United States to enter into such litigation to protect the interests of the United States.



VI. Approvals

This contract is subject to the terms and conditions as stated. By affixing signatures below, the parties agree that electronic approvals may serve as electronic signatures. In addition, the parties verify that they are authorized to bind this agreement between parties and that they accept the terms of the agreement.

1st Party:

Signature

Title

Printed Name

Date

2nd Party:

Signature

Title

Printed Name

Date

Other Party

Signature

Title

Printed Name

Date

Approved as to form and legality:

Attorney

Attachment A

SECRETARY'S ORDER 11-004

FINANCE AND ADMINISTRATION CABINET

Vendor Document Disclosure

WHEREAS, in order to promote accountability and transparency in governmental operations, the Finance and Administration Cabinet believes that a mechanism should be created which would provide for review and assistance to an Executive Branch agency if said agency cannot obtain access to documents that it deems necessary to conduct a review of the records of a private vendor that holds a contract to provide goods and/or services to the Commonwealth; and

WHEREAS, in order to promote accountability and transparency in governmental operations, the Finance and Administration Cabinet believes that a mechanism should be created which would provide for review and assistance to an Executive Branch agency if said agency cannot obtain access to documents that it deems necessary during the course of an audit, investigation or any other inquiry by an Executive Branch agency that involves the review of documents; and

WHEREAS, KRS 42.014 and KRS 12.270 authorizes the Secretary of the Finance and Administration Cabinet to establish the internal organization and assignment of functions which are not established by statute relating to the Finance and Administration Cabinet; further, KRS Chapter 45A.050 and 45A.230 authorizes the Secretary of the Finance and Administration Cabinet to procure, manage and control all supplies and services that are procured by the Commonwealth and to intervene in controversies among vendors and state agencies; and

NOW, THEREFORE, pursuant to the authority vested in me by KRS 42.014, KRS 12.270, KRS 45A.050, and 45A.230, I, Lori H. Flanery, Secretary of the Finance and Administration Cabinet, do hereby order and direct the following:

- I. Upon the request of an Executive Branch agency, the Finance and Administration Cabinet ("FAC") shall formally review any dispute arising where the agency has requested documents from a private vendor that holds a state contract and the vendor has refused access to said documents under a claim that said documents are not directly pertinent or relevant to the agency's inquiry upon which the document request was predicated.
- II. Upon the request of an Executive Branch agency, the FAC shall formally review any situation where the agency has requested documents that the agency deems necessary to conduct audits, investigations or any other formal inquiry where a dispute has arisen as to what documents are necessary to conclude the inquiry.
- III. Upon receipt of a request by a state agency pursuant to Sections I & II, the FAC shall consider the request from the Executive Branch agency and the position of the vendor or party opposing the disclosure of the documents, applying any and all relevant law to the facts and circumstances of the matter in controversy. After FAC's review is complete, FAC shall issue a Determination which sets out FAC's position as to what documents and/or records, if any, should be disclosed to

the requesting agency. The Determination shall be issued within 30 days of receipt of the request from the agency. This time period may be extended for good cause.

- IV. If the Determination concludes that documents are being wrongfully withheld by the private vendor or other party opposing the disclosure from the state agency, the private vendor shall immediately comply with the FAC's Determination. Should the private vendor or other party refuse to comply with FAC's Determination, then the FAC, in concert with the requesting agency, shall effectuate any and all options that it possesses to obtain the documents in question, including, but not limited to, jointly initiating an action in the appropriate court for relief.
- V. Any provisions of any prior Order that conflicts with the provisions of this Order shall be deemed null and void.

Appendix C: PSC Checklist

- Approved EO1/LOI attached
- Signed and Notarized Required Affidavit for Bidders or Offerors attached
- Correct Default Form selected
- Correct Cited Authority selected
- Reason for Modification is completed (if applicable)
- Applicable Commodity Code(s) selected
- Contract service dates – Service From Date allows time for review, approval and filing with the GCRC and Service To Date is within the current biennium
- Vendor – if vendor is a Foreign (out of state) corporation, the Organization number from the SOS database verifying they are Active and in Good Standing is entered on the PON.
- Terms and Conditions – all required terms and conditions (most recently updated) are included in the assembled PON2.
- PON – Description of Work to be Performed is brief and contains an accurate description of services provided. If PSC is for Legal services the court case number is provided.
- PON- Planned Performance Monitoring Activities contains accurate description of how the agency will monitor the services being provided
- PON- Source of Funds is accurate. If “other”, the source is identified
- PON - Agency Paying FICA is checked yes (if applicable)
- PON – Detailed Description of Projected Cost is completed and includes hourly rate(s) if contract is for Legal or Auditing Services
- PON – Basis for Payment is completed
- PON - Name/Address of Other Providers Considered are listed (if applicable) if no solicitation was issued, provide explanation of method of award
- PON – Basis for Selection/PSC is completed with the RFP number, EV number (if applicable) and Sec. of State Org number (if applicable) included.
- PON – Justification for Outside Provider is completed
- PON – Contact information is provided for the person the GCRC should contact if the agency is required to appear before the GCRC or if additional information is required