SECTION 15: CHECKLIST FOR PROFESSIONAL/TECHNICAL SERVICE CONTRACTS VALUED OVER $50,000

This section outlines procedures for contracts over $50,000. As with contracts for $5,001-$50,000, the final contract must be approved by the Commissioner of Administration. There are several additional steps required for these contracts. Before seeking approval for a contract of more than $50,000, an agency head or designee must certify to the commissioner of Administration, through MMD, that it is following specific laws and policies.

Requirements Unique to Contracts more than $50,000

The following must be considered before beginning the contracting process:

Certification: Before an agency seeks approval of a professional/technical services contract in excess of $50,000, it must complete a Department of Administration Certification form. A notice of an RFP will not be published in the State Register until the Department of Administration's Professional/Technical Services Contract Section approves the certification form.

Formal RFP: A notice for publication and an RFP must be prepared along with the certification form. See the appropriate section of this manual for a discussion of RFPs.

• Contracts of more than $100,000: No agency of the state may ACCEPT any proposal for a contract over $100,000 unless the firm or business, having more than 40 full-time employees within this state on a single working day during the previous 12 months, has an affirmative action plan that has been received by the commissioner of Human Rights for approval prior to the due date and time of the proposals. The necessary documentation to accept a proposal is a letter or affidavit certifying that the Department of Human Rights has received the affirmative action plan or affirmative knowledge by the state agency that the responder has a certificate of compliance issued by the commissioner of Human Rights.

Further, no agency of the state will EXECUTE any contract over $100,000 unless the firm or business, having more than 40 full-time employees within this state on a single working day during the previous 12 months, has a certificate of compliance which signifies that they have an affirmative action plan approved by the commissioner of Human Rights. The necessary documentation to execute a contract is affirmative knowledge by the state agency that the contractor has a certificate of compliance issued by the commissioner of Human Rights.

This process can be extremely complex, and potential contractors should be encouraged to seek a certificate of compliance very early in the RFP process. The Affirmative Action Data Page found on the MMD web page will help contractors determine which documents are needed to submit a proposal and enter into a contract with the state.

If a responder, contractor or state agency staff have any questions about certification or whether someone has a certification, they can contact the Minnesota Department of Human Rights at 651-296-5663.

Contracting Checklist

The Contract Checklist $50,000+ is available on the MMD website at:

http://www.mmd.admin.state.mn.us/pdf/clist50kplus.pdf
http://www.mmd.admin.state.mn.us/Doc/clist50kplus.doc