

Louisiana Office of the Lieutenant Governor
Department of Culture, Recreation & Tourism (OLG/CRT)
Guidelines and Procedures for
Contracts for Professional, Personal, and Consulting Services (Professional Services
Contracts); interdepartmental, interagency agreements, and intergovernmental agreements;
Memoranda of Understanding; and Cooperative Endeavor Agreements (CEAs)

- I. Purpose.** To establish guidelines for OLG/CRT's preparation, processing, and management of Professional Services Contracts; interdepartmental, interagency agreements, and intergovernmental agreements; Memoranda of Understanding; and CEAs (collectively, "contracts") in accordance with applicable laws, rules, regulations, executive orders, policies, and best practices. All contracts entered into by the OLG and/or CRT and its agencies must fulfill a governmental purpose which the agency has legal authority to pursue; must meet the aforementioned minimum standards; and should be processed, managed, and monitored consistently as described herein.
- II. Definitions.** For the purposes of OMF-PPM# CG-6, the following terms and abbreviations are defined as follows:
- A. Agency – An office, board, commission, division, or other public entity placed in the OLG/CRT that operates under the direction, supervision, and control of an Agency Head
 - B. Agency Head/Appointing Authority – The official with statutory or delegated authority to serve as the chief administrative executive for an agency; the Agency Head's designee
 - C. Amendment – Any modification to a contract; such modifications must be in writing and executed by signatories for the parties to the original contract
 - D. CG Reviewer – A member of the CRT-Office of Management and Finance (OMF) team responsible for reviewing and approving contracts for compliance and processing them in accordance with OMF-PPM #CG-6
 - E. Contract – A Professional Services Contract; an interdepartmental, interagency, or intergovernmental agreement; a Memorandum of Understanding; a CEA; etc.
 - F. Cooperative Endeavor Agreement (CEA) – An agreement authorized under La. Const. Art. VII, Section 14(C) and handled in accordance with Executive Order JML 24-113 (CEAs for Line Item Appropriations are handled in accordance with Executive Order JML 24-115.)
 - G. Department of Culture, Recreation & Tourism (CRT) – An executive branch department of Louisiana state government created by law and placed under the OLG
 - H. Division of Administration (DOA) – The management arm of Louisiana state government and the hub of its financial operations
 - I. General Counsel – The chief legal officer for the OLG/CRT
 - J. LaGov—A comprehensive Enterprise Resource Planning (ERP) system that integrates several applications to assist state departments in collecting, managing, and reporting information throughout the business process. CRT uses LaGov to manage financials, logistics, human resources/payroll, and business intelligence.

- K. Office of State Procurement – Professional Contracts (OSP-PC) – An office within the DOA responsible for exercising regulatory and approval oversight over contracts for professional, personal, consulting, and social services; cooperative endeavor agreements that require an expenditure of public funds; and procurement processes used by agencies to select contractors for such contracts
- L. Office of the Lieutenant Governor (OLG) – A constitutionally created office in the executive branch of Louisiana state government that is responsible for carrying out the functions assigned to the Lieutenant Governor by law or by the governor
- M. Professional Services Contract – A contract for professional, personal, consulting, or social services as defined in law (La. R.S. 39:1556). Also referred to as PPCS contracts
- N. Project – Any activity or expenditure initiated by an agency, approved in accordance with OLG/CRT policies, and which includes one or more contracts in its implementation
- O. Signatory – An OLG/CRT official authorized to sign contracts in accordance with La. R.S. 39:1595.1
- P. Solicitation – A method used to select a contractor (The selection method used depends on the type of contract. Many contracts may be entered into directly.)
- Q. Support Document—Any document required by applicable laws, rules, regulations, executive orders, or policies to provide additional information concerning the contractor or the contract. Examples of such documents include a certification letter, board resolution, Certificate of Authority, resumé, justification letter for a multi-year contract, Disclosure of Ownership, BA-22, Form R-7101 LDR Tax Clearance Exemption, transmittal letter, fiscal info sheet, routing slip, and others.
- R. Undersecretary – The official appointed by the Lieutenant Governor who directs and is responsible for the OMF within the OLG/CRT; the Undersecretary's responsibilities include accounting and budget control, procurement and contract management, data processing, management and program analysis, personnel management, and grants management for the OLG/CRT and all of its agencies.

Processing Contracts

III. The Agency Obtains Preliminary Approvals

- A. In accordance with the OLG/CRT General Administrative Guidelines, all projects should be approved in concept prior to implementation. Such approval may be verbal or in writing. Should the agency's strategy to implement an approved project include a contract, the agency must obtain approval for the proposed contract through OnBase.
- B. To obtain approval for the proposed contract and prior to drafting a contract, the agency should submit through OnBase a "Permission to Enter into Contract" request. The request must be approved by the agency's budget manager (or equivalent position within an agency), the agency head, and the Undersecretary. The request should include at a minimum:
 - 1. A summary of the proposed contract
 - 2. A cost estimate
 - 3. The estimated contract start date and end date
 - 4. Proposed contractor(s) and/or proposed contractor selection method
 - 5. Any other relevant facts and analysis (e.g., type of contract, justification for late submission, etc.)

- C. Once the agency's request is approved by the Agency Budget Manager, the agency head, and the Undersecretary (or Chief of Staff for LSPMB), the OnBase system issues an email notification of approval to the agency and the CG Reviewers.
- D. Should the agency seek to amend a contract, the agency must request and obtain an approval of the proposed amendment through OnBase if the proposed amendment will modify the contract's:
 - 1. Payment Terms and/or Maximum Amount Payable, or
 - 2. Scope of Services and/or Deliverables.
- E. The agency should follow this same procedure to obtain prior approval of proposed sponsorship agreements. See PPM-CG #1.

IV. The Agency Drafts the Contract

- A. Each agency is responsible for drafting its own contracts and amendments.
- B. In the event the agency has doubt about whether a transaction should be handled as a Professional Services Contract (PPCS), CEA, or something else (e.g., grant, sponsorship, purchase, etc.), the agency should request guidance from a CG Reviewer and/or the General Counsel before preparing a draft contract or solicitation.
- C. Because applicable laws, forms, policies, requirements, and guidance from DOA-PC change frequently, the agency should request updated templates and contract language from the CG Reviewer prior to drafting a contract or solicitation. Many of our forms and templates are posted on Channel Z under E-Forms.
- D. Before drafting a contract, an agency should gather all essential information to be included in the contract itself, e.g., the information necessary to answer the questions who (including the contractor's legal name, address, signatory, Federal Tax Identification Number, Louisiana Department of Revenue (LDR) number, etc.) what, where, when, why, for how much, in accordance with what terms, etc.
- E. During the drafting process, the agency also collects all documentation that must be included in the contract packet (see support documents, Section VI, below).
- F. Once the agency has completed its draft contract and circulated and obtained all necessary and appropriate approvals of the draft contract from within the agency, the agency e-mails an electronic copy in MS Word to the CG Reviewer for a complete review.

V. The CG Reviewer Provides Feedback

- A. The CG Reviewer uses "track changes" in MS Word to provide recommended edits and comments.
- B. The CG Reviewer reviews the draft for: compliance with applicable laws, rules, and policies; use of the correct form (PPCS contract; CEA; sponsorship; grant; etc.); inclusion of a clearly defined purpose, goals, objectives, and deliverables; and inclusion of all clauses and language required by law and the OSP-PC. As a courtesy, the CG Reviewer may correct grammatical and typographical errors. However, agencies are responsible for proofreading their own documents prior to submitting any document for review, routing for signatures, and/or uploading to LaGov.
- C. Once this review is complete, the CG Reviewer returns the draft with feedback indicating one of the following:

1. **Approved**—The draft is approved with no further revising needed. The CG Reviewer e-mails the review to the agency and the General Counsel is copied for the legal review.
 2. **Approved subject to addressing the edits and comments in the review**—The draft is approved conditionally. The agency must address the feedback from the CG Reviewer; the draft does not need to be returned to the CG Reviewer. The General Counsel is copied on this e-mail.
 3. **Not Approved**—Some major issues must be addressed, such as insufficient information, missing clauses, a lack of clarity or cohesion; the agency addresses the issues then submits the revision to the CG Reviewer. The General Counsel is not copied on this e-mail.
- D. After the draft is approved by the CG Reviewer, the General Counsel reviews the draft to ensure the agency is acting within its governmental purpose and that the draft is otherwise in accordance with all applicable laws, rules, and best practices. Once this review is complete, the General Counsel forwards the draft to the agency and copies the CG Reviewer on the e-mail. The General Counsel indicates whether the draft is approved, approved with conditions, or not approved. If not approved, the agency addresses the concerns of the General Counsel and returns the revised draft to the General Counsel for further review. This is repeated until the General Counsel approves the draft.
- E. After receiving final approval of the draft Contract from the CG Reviewer and the General Counsel, the agency addresses all comments, incorporates all edits, and deletes all comments to create a final, clean version of the Contract. Once completed, **DO NOT CHANGE THE FINAL APPROVED DRAFT**.
- F. The agency should follow this same procedure of reviews and approvals for sponsorship agreements. See PPM CG #1.

VI. The Agency Obtains Signatures

- A. The agency completes a Routing Slip for the Contract.
- B. The agency creates a DocuSign envelope and inserts the following:
 1. a completed routing slip, to be initialed and dated by the CG Reviewer, the Chief-of-Staff, the Agency Head, and the Undersecretary;
 2. the final, clean version of the contract, to be viewed by the CG Reviewer and the Chief-of-Staff and to be signed and dated by the contractor, the Agency Head, and the Undersecretary;
 3. any other documents necessary.
- C. DocuSign will turn Word and Excel documents into PDFs.
- D. The agency inputs the recipients of the DocuSign envelope in the following order:
 1. the CG Reviewer
 2. the Chief of Staff
 3. the Contractor (the signatory for the Contractor)
 4. the Agency Head
 5. the Undersecretary or the OLG (the signatory for the CRT)Others may be listed to receive copies after the contract is executed.

- E. In the transmittal e-mail to the contractor, the agency requests any required support documents or information needed, such as a signed W-9, board resolution, resumé, LDR number, etc. and instructs the contractor to send these via a separate email.
- F. The CG Reviewer checks that all the changes specified by the reviewers were made. If the CG Reviewer can verify that the agency made all changes, the CG Reviewer initials the routing slip and sends the DocuSign envelope to the Chief of Staff.

If the CG Reviewer cannot verify that the agency made all changes, the CG Reviewer does nothing in DocuSign and sends an email to the agency explaining the problem. The agency (using the "Correct" button in DocuSign) makes the noted changes, replaces the contract in the DocuSign envelope with this revision, and resends the DocuSign envelope. The agency repeats this step until the contract is acceptable; the CG Reviewer initials the routing slip and sends the envelope to the Chief of Staff via DocuSign.

- G. The Chief of Staff reviews the deliverables listed in the contract. If the Chief of Staff approves the deliverables, she initials the routing slip and sends the envelope to the contractor via DocuSign.

If the Chief of Staff does not approve the deliverables, she does not initial the routing slip. She sends the agency an email identifying the problem. The agency makes the adjustments noted by the Chief of Staff, replaces the contract in the DocuSign envelope with this revision, and resends the DocuSign envelope. The agency repeats this step until the contract is acceptable and the Chief of Staff initials the routing slip and sends the envelope to the contractor via DocuSign.

- H. The contractor receives the contract via DocuSign. A request for any required support documents, such as a signed W-9, board resolution, etc., is included in the transmittal e-mail. The contractor e-signs the contract, sends it to the Agency Head (if necessary, or to the CRT signatory), and e-mails any requested support documents to the agency.
- I. The Agency Head e-signs and dates the Contract. This signature indicates that the Agency Head approves the Contract; it does not have binding authority. Only those Agency Heads designated in the OLG/CRT's certification letter to OSP-PC per La. R.S. 39:1595.1 are authorized to execute Contracts on behalf of the OLG/CRT. The Agency Head also initials and dates the routing slip then sends the envelope to the Undersecretary (or Chief of Staff or Lieutenant Governor) via DocuSign.
- J. The Undersecretary (or Chief of Staff or Lieutenant Governor) reviews the contents of the DocuSign envelope, initials and dates the routing slip, and e-signs the contract.
- K. All signatures must be electronic, i.e. all signatories must sign digitally. Witnesses are not necessary for electronic signatures. For more information, refer to the CRT E-Policy at <https://www.crt.state.la.us/channelz/e-forms.asp#contracts>.
- L. [The contractor, the agency, and the CG Reviewer will receive a copy of the DocuSign envelope when the signature route is finished.](#)
- M. The agency should follow this same procedure to obtain signatures for sponsorship agreements. See PPM CG #1.

VII. The Agency Prepares Support Documents and Submits to the CG Reviewer

- A. After all signatures have been obtained, the agency compiles the contract packet in order to submit to the CG Reviewer for further processing. The agency secures from the contractor the required support documents from the following list:

1. Board Resolution – if the contractor is a corporation either for profit or non-profit; must be signed and dated within the past 2 years
[OSP Professional Contracts - Louisiana Division of Administration \(la.gov\)](https://www.la.gov/osp-professional-contracts)
2. Disclosure of Ownership - to be found at the Louisiana Secretary of State website:
<https://coraweb.sos.la.gov/commercialsearch/commercialsearch.aspx>
3. Sole Proprietor Letter – if the contractor is the sole proprietor of a company. The signed letter must be on company letterhead with a statement that the contractor is a sole proprietor and is authorized to sign the contract for the company.
4. Certification of Authority to do Business in Louisiana – if the contractor is an out-of-state business and will be physically in Louisiana doing work **in excess of 30 days**.
5. Thirty-Day Letter – if the contractor is an out-of-state business and will be physically in Louisiana doing work for **less than 30 days**. These contractors **do not** need to register with the Secretary of State's Office.
6. Résumé for Consultants – for all individuals and sole proprietors. For LLCs and corporations, résumés are required of employees assigned to work on the account. Company resumes are not acceptable replacements. **(Résumés are only required for Consulting Services Contracts.)**
7. Vendor Profile Data form—ALL vendors are required to complete this form each year the contractor starts or amends a contract.
<https://www.doa.la.gov/media/u0qljdhs/vendorregistration.pdf>

B. The Agency creates the following Support Documents:

1. Certification Letter – if the contract amount is between \$5,000 and \$20,000
[OSP Professional Contracts - Louisiana Division of Administration \(la.gov\)](https://www.la.gov/osp-professional-contracts)
2. Fiscal Information Sheet (FIS) – provides financial information for BA-22 and data entry in LaGov.

VIII. LaGov Basics

The LaGov system is an electronic payment and document tracking system. The OLG/CRT uses LaGov to manage its financial systems. The OLG/CRT enters contracts into LaGov in accordance with DOA guidelines.

A. The Agency creates a LaGov Shopping Cart

1. The OLG/CRT's LaGov entries usually begin with the agency creating a shopping cart, naming the CG Reviewer as the buyer. LaGov routes the shopping cart through a series of electronic approvals including the agency's business director, the agency's budget analyst, and the CRT Undersecretary. Once approved, LaGov generates an automatic notice to the CG Reviewer and the agency stating that the shopping cart is approved.

2. The agency submits the shopping cart number, FIS, and any other support documents listed above via e-mail to the CG Reviewer.

B. CG Reviewer Creates Purchase Order

1. The CG Reviewer creates from the shopping cart in LaGov an electronic purchase order (PO) for the Contract. The PO number is automatically generated by the LaGov system. The CG Reviewer inputs all required data as prompted by LaGov and submits the PO for approval.
2. If the total amount payable is within the OLG/CRT's delegated authority (in-house approval, \$20,000), then the Contract receives automatic approval in LaGov and the PO is not routed to OSP-PC or others listed below.
3. If the total amount payable is above the OLG/CRT's delegated authority, then the contract is routed to the LDR, the Civil Service Commission (CSC), the OSP-PC budgetary unit, and an OSP-PC analyst for review and approval. In addition to approvals listed herein, all contracts for professional legal services, regardless of the dollar amount, require approval by the Office of the Attorney General.

IX. CG Reviewer Provides Support Documents to OSP-PC

- A. After the PO is generated, the CG Reviewer completes any support documents required for contracts over \$20,000. These are submitted electronically through LaGov to the OSP-PC for approval.
 1. Certification Letter – for contracts \geq \$20,000, addressed to the Assistant Director of OSP-PC
 2. Civil Service Form – signed by either the Agency Head or the Undersecretary; CSC approval is acquired through LaGov
 3. Multi-year Letter – for contracts that exceed 12 months in duration
 4. Late Letter – for contracts submitted to OSP-PC 60 days or more after the starting date of the contract, or for CEAs that are submitted to OSP-PC later than 45 days prior to the starting date of the agreement
 5. Advanced Payment Justification – only required if the contract calls for advanced payment. Any exceptions would be pre-approved by the Chief of Staff or the Undersecretary on a case-by-case basis.
 6. Transmittal Letter
 7. BA-22 – account coding required by the Office of Planning and Budget; approval is acquired through LaGov
- B. The CG Reviewer types the relevant support documents, have them signed, then attaches them to the PO in LaGov.

X. OSP-PC Reviews and Approves the Contract

- A. OSP-PC reviews the contract and support documents to verify compliance with applicable law and other requirements. During the review process, the CG Reviewer is the point of contact for the OSP-PC. The CG Reviewer receives all LaGov notifications and is available to answer questions and provide additional documentation that may be required by OSP-PC.
- B. When the contract is approved by OSP-PC, LaGov sends an approval notice via e-mail to the CG Reviewer. The CG Reviewer sends the PO to either the Undersecretary or the

Agency Head for signature then files it electronically and sends an e-copy to the Agency as verification.

XI. CG Reviewer Creates and Maintains Contract Files

- A. OMF maintains all documents pertaining to the contract approval process, including but not limited to the contract, any support documents obtained in the process, internal forms (routing slip, fiscal info sheet, etc.), and relevant email correspondence, in accordance with the formal records retention schedule developed and approved by the state archivist. The CG Reviewer bears no responsibility for maintaining and preserving documents pertaining to proof of deliverables, invoices, or payments. The CG Reviewer is not responsible for grant records.
- B. Electronic Files – The CG Reviewer converts paper documents into scans or otherwise electronically digitized documents (“converted documents”) and saves the born-digital and converted documents relevant to the contract approval process in an electronic folder located on the CRT network.

XII. Contract Distribution

Electronic Files—The agency e-mails the executed contract to the CG Reviewer, and a copy of the contract to the contract monitor. The agency also e-mails to the CG Reviewer all pertinent support documents, such as the routing slip, the Certificate of Authority, etc.

XIII. Contract Oversight and Monitoring

- A. The CG Reviewer is responsible for the following:
 - 1. Create purchase orders in LaGov for approved shopping carts, attach support documents to the PO, track approval process in LaGov, respond to any requests for corrections or additional documentation from OSP-PC, print the approved PO.
 - 2. Advise on procurement regulations and procedures.
 - 3. Contact the Agency regarding contracts nearing their termination dates to confirm that deliverables are on track and to determine if an amendment to extend the contract is needed.
 - 4. Submit all performance evaluations to OSP-PC on time. Performance evaluations are required only for PPCS contracts.
- B. The contract monitor, who must be an employee of the contracting agency, is responsible for overseeing the management of the contract. Responsibilities include:
 - 1. Maintain communication with the contractor.
 - 2. Track progress of the project to ensure the contractor is meeting the deadlines, providing the services, and submitting the deliverables as specified in the contract.
 - 3. Review any progress reports to determine that goals and objectives are achieved.
 - 4. Review and approve the contractor’s invoices, deliverables, and conformational data before submitting payment requests to the OMF.
 - 5. Inform the CG Reviewer of germane errors with the contract and/or support documents so the CG Reviewer can assist with effecting a solution. For example, the contractor changes its name, or the installation of artwork cannot be carried out as described in the contract.

6. Provide the agency head and the DCRT Undersecretary with updates on problems, successes, opportunities, and changes.
7. Keep track of the termination date, and when necessary, draft contract amendments for submission to the CG Reviewer and the General Counsel.
8. Submit a performance evaluation to the CG Reviewer within 45 days after the completion of the services performed under the contract. (OMF is required to submit the information within 60 days following termination or expiration of the contract.)

XIV. Performance Evaluations

- A. The agency's contract monitor completes and signs the performance evaluation (PE) within 45 days after completion of performance of all services rendered under the contract, obtains the signature of the Agency Head, and submits the evaluation to the CG Reviewer.
- B. The CG Reviewer reviews and edits, when necessary, the PE. Once approved, the CG Reviewer submits the PE to OSP-PC within 60 days after the completion of all services rendered under the contract.
- C. The hard copy is scanned and converted to an electronic copy (PDF) and saved on the server (I-Drive).

NOTE: OSP-PC will not approve any new contracts with a contractor if the previous contract's PE has not been submitted to and approved by the OSP-PC.