Directions for completing the FY'2011-FY'2012 Purchase of Service Contract and the required documents.

In an effort to reduce paperwork and streamline the contract execution process, DDS is sending the POS Contract for Day Services for July1, 2010 to June 30, 2012 electronically. As stated in the memo dated June 8,2010 from Operations Center Director Joseph Drexler, the contract is contained in multiple PDF files. These include:
1. the Day POS Contract Directions and Required Forms PDF
2. the Day POS Contract Boilerplate PDF
3. the Day POS Contract Cover Page PDF (page 1)
4. the Day POS Contract Summary Page PDF (page 39), and **5.** the Day POS Contract Signature Page PDF (page 40).

Save, open and print all documents attached to this e-mail. Review carefully the Day POS Contract Directions and Required Forms PDF for detailed instructions for filling out the forms and documents required to be submitted with your Day Master Contract.

A completed Day POS Contract must include the following:

1. Day POS Contract
2. Consulting Agreement Affidavit
3. Gift and Campaign Contribution Certificate
4. Non-Discrimination Certification
5. Corporate Resolution
6. Workforce Analysis Form
7. 2011 Operational Report
8. Staff Schedules
9. Participant List
10. Current Table of Organization
11. Smoking Policy
12. Water Safety Policy
13. DOL Certificate
14. GSE Locations
15. Day Program Calendar

In order to satisfy the legal requirement of a contract execution, DDS must receive the POS Contract Boilerplate, the POS Cover Page (page 1), the POS Summary Page (page 39), and the POS Signature Page (page 40) electronically within the same e-mail. These three documents must be scanned into a PDF File, and attached in a reply e-mail to the sender of this e-mail. If you do not have the capability to scan these documents, please send a complete hard copy of the contract to Sandy McNally at the address below.

Additionally, all must return the original hard copy of the completed signature pages of the POS Signature Page (page 40), the Consulting Agreement Affidavit, Gift and Campaign Contribution Certificate, Corporate Resolution, and Non-Discrimination Certificate to:

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

The Workforce Analysis Form, 2011 Operational Report, Staff Schedules, Participant List , Current Table of Organization, Smoking Policy, Water Safety Policy, DOL Certificate, GSE Locations, and Day Program Calendar must be sent electronically to DDS.OperationsCenter@ct.gov.

Please return all documents by **June 18, 2010** to allow for execution prior to July, 1, 2010.

Required Document Descriptions:

Documents that are colored **BLUE** are hyperlinked to the documents. They can also be found of the DDS Web-site at **http://www.ct.gov/dds/cwp/view.asp?a=3166&Q=461152**

1. **Day POS Contract** - Pages 1-40 with the Day POS Cover Page (page 1), the Day POS Summary Page (page 39), and the Day POS Signature Page (page 40) needing to be removed and replaced by the Day POS Cover Page (page 1), the Day POS Summary Page (page 39), and the Day POS Signature Page (page 40) PDF attachments. ***Must be signed by the Executive Director or other authorized individual.***

2. **Consulting Agreement Affidavit** - All agencies must complete this form. If an agency has more than one (1) consulting agreement, the provider must submit a different form for each agreement. If the agency does not have any consultant agreements, the provider must complete only the shaded section. ***The form must be signed by the Executive Director or other authorized individual and notarized***.
    a. The definition of consulting agreement as defined in Sec 4a-81 states: As used in this section "consulting agreement" means any written or oral agreement to retain the services, for a fee, of a consultant for the purposes of:
        i. Providing counsel to a contractor, vendor, consultant, or other entity seeking to conduct, or conducting, business with the state,
        ii. Contacting, whether in writing or orally, any executive, judicial, or administrative office of the state, including any department, institution, bureau, board, commission, authority, official or employee for the purpose of solicitation dispute resolution, introduction, request for information or
        iii. Any other similar activity related to such contract. Consulting agreement does not include any agreements entered into with a consultant who is registered under the provision of Chapter 10 as of the date such affidavit is submitted in accordance with the provisions of this section."
    b. Things to Review
        i. **Start Date and End Date:** This is the period of time the consultant was or is hired to conduct activity as defined above to a state contract.
        ii. **Awarding State Agency** - This should be Department of Developmental Services. It might appear to some providers that we would complete this line. This is incorrect. Once a form has been notarized, it cannot be changed.
        iii. **Notarized Date**- ***Must be signed either before or the day of the contract signature***.

3. **Gift and Campaign Contribution Certificate**
    a. All the information must be completed. ***The form must be signed by the Executive Director or other authorized individual and notarized***.
    b. Things to review:
        i. **Initial Certification** - This is the initial year of the contract and this must be checked.
        ii. **Campaign Gifts-** All the information must be detailed for each gift. Providers may need to use more than one form.
        iii. **Notarized Date**- ***Must be signed either before or the day of the contract signature***.

4. **Non-Discrimination Certification** -The Non-Discrimination Resolution must be adopted by the Board of Directors before the Contract is signed. If the agency had passed the resolution last year, all that is needed is the Non-Discrimination Certification signed by the Secretary of the Board. ***This must have the corporate seal, or encircled LS with the signature to indicate that the corporation does not have a seal. This must be signed by the Secretary of the Board of Directors and dated after the POS Contract is signed.***

a. **Acceptable -** The Board of Directors of XYZ Corporation adopted the Non-Discrimination Resolution on August 8, 2009. The Executive Director signs the POS Contract on June 16, 2010. The Secretary of the Board signs the Non-Discrimination Certification on June 17, 2010)
b. **Not acceptable -** The Executive Director signs the POS Contract on August 8, 2009. The Board of Directors of XYZ Corporation adopted the Non-Discrimination Resolution on June 16, 2010. The Secretary of the Board signs the Non-Discrimination Certification on June 17, 2010.

5. **Corporate Resolution –** A Corporate Resolution giving the executive director or whoever is designated by the board to sign contracts on behalf of the organization. A copy must be attached to the contract. Agencies may decide to do a new resolution each year or use an existing one from a previous year. The Corporate Resolution signed by the Secretary of the Board attesting that the resolution is still in effect. If the Secretary is not available, then a member of the Board's executive committee may sign it. ***This must have the corporate seal, or encircled LS with the signature to indicate that the corporation does not have a seal. This must be signed by the Secretary of the Board of Directors and dated after the POS Contract is signed.***

6. **Workforce Analysis Form**

7. **2011 Operational Report**

8. **Staff Schedules**

9. **Participant List –** This must match the DDS e-CAMRIS**.**

10. **Current Table of Organization**

11. **Smoking Policy**

12. **Water Safety Policy**

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

14. **GSE Locations**

15. **Day Program Calendar**

Form	When Signed	When Signed	When Signed	Who Signs	Seal/Notarized
Consulting Affidavit	Before the Contract			Executive Director	Notarized
Gift and Campaign Contribution Cert.	Before the Contract			Executive Director	Notarized
POS Contract		The Contract		Executive Director	
Non-Discrimination Cert.			After the Contract	Secretary of the Board of Directors	Corp. Seal or the encircled LS if there is no Corp. Seal.
Corporate Resolution			After the Contract	Secretary of the Board of Directors	Corp. Seal or the encircled LS if there is no Corp. Seal.

STATE OF CONNECTICUT
CONSULTING AGREEMENT AFFIDAVIT

Affidavit to accompany a State contract for the purchase of goods and services with a value of $50,000 or more in a calendar or fiscal year, pursuant to Connecticut General Statutes §§ 4a-81(a) and 4a-81(b)

INSTRUCTIONS:

If the bidder or vendor has entered into a consulting agreement, as defined by Connecticut General Statutes § 4a-81(b)(1): Complete all sections of the form. If the bidder or vendor has entered into more than one such consulting agreement, use a separate form for each agreement. Sign and date the form in the presence of a Commissioner of the Superior Court or Notary Public. **If the bidder or vendor has not entered into a consulting agreement, as defined by Connecticut General Statutes § 4a-81(b)(1):** Complete only the shaded section of the form. Sign and date the form in the presence of a Commissioner of the Superior Court or Notary Public.

Submit completed form to the awarding State agency with bid or proposal. For a sole source award, submit completed form to the awarding State agency at the time of contract execution.

This affidavit must be amended if the contractor enters into any new consulting agreement(s) during the term of the State contract.

AFFIDAVIT: [Number of Affidavits Sworn and Subscribed On This Day: _____]

I, the undersigned, hereby swear that I am the chief official of the bidder or vendor awarded a contract, as described in Connecticut General Statutes § 4a-81(a), or that I am the individual awarded such a contract who is authorized to execute such contract. I further swear that I have not entered into any consulting agreement in connection with such contract, **except for the agreement listed below**:

_____ _____
Consultant's Name and Title Name of Firm (if applicable)

_____ _____ _____
Start Date End Date Cost

Description of Services Provided: _____

_____

_____

Is the consultant a former State employee or former public official? ☐ YES ☐ NO

If YES: _____ _____
Name of Former State Agency Termination Date of Employment

Sworn as true to the best of my knowledge and belief, subject to the penalties of false statement.

_____ _____ _____
Printed Name of Bidder or Vendor **Signature of Chief Official or Individual** **Date**

_____ _____
Printed Name (of above) Awarding State Agency

Sworn and subscribed before me on this _____ day of _____, 20___.

_____
Commissioner of the Superior Court or Notary Public

STATE OF CONNECTICUT
GIFT AND CAMPAIGN CONTRIBUTION CERTIFICATION

Certification to accompany a State contract with a value of $50,000 or more in a calendar or fiscal year, pursuant to C.G.S. §§ 4-250 and 4-252(c); Governor M. Jodi Rell's Executive Orders No. 1, Para. 8, and No. 7C, Para. 10; and C.G.S. §9-612(g)(2), as amended by Public Act 07-1

INSTRUCTIONS:

Complete all sections of the form. Attach additional pages, if necessary, to provide full disclosure about any lawful campaign contributions made to campaigns of candidates for statewide public office or the General Assembly, as described herein. Sign and date the form, under oath, in the presence of a Commissioner of the Superior Court or Notary Public. Submit the completed form to the awarding State agency at the time of initial contract execution (and on each anniversary date of a multi-year contract, if applicable).

CHECK ONE: ☐ Initial Certification ☐ Annual Update (Multi-year contracts only.)

GIFT CERTIFICATION:

As used in this certification, the following terms have the meaning set forth below:

1) "Contract" means that contract between the State of Connecticut (and/or one or more of it agencies or instrumentalities) and the Contractor, attached hereto, or as otherwise described by the awarding State agency below;
2) If this is an Initial Certification, "Execution Date" means the date the Contract is fully executed by, and becomes effective between, the parties; if this is an Annual Update, "Execution Date" means the date this certification is signed by the Contractor;
3) "Contractor" means the person, firm or corporation named as the contactor below;
4) "Applicable Public Official or State Employee" means any public official or state employee described in C.G.S. §4-252(c)(1)(i) or (ii);
5) **"Gift"** has the same meaning given that term in C.G.S. § 4-250(1);
6) "Planning Start Date" is the date the State agency began planning the project, services, procurement, lease or licensing arrangement covered by this Contract, as indicated by the awarding State agency below; and
7) "Principals or Key Personnel" means and refers to those principals and key personnel of the Contractor, and its or their agents, as described in C.G.S. §§ 4-250(5) and 4-252(c)(1)(B) and (C).

I, the undersigned, am the official authorized to execute the Contract on behalf of the Contractor. I hereby certify that, between the Planning Start Date and Execution Date, neither the Contractor nor any Principals or Key Personnel has made, will make (or has promised, or offered, to, or otherwise indicated that he, she or it will, make) any **Gifts** to any Applicable Public Official or State Employee.

I further certify that no Principals or Key Personnel know of any action by the Contractor to circumvent (or which would result in the circumvention of) the above certification regarding **Gifts** by providing for any other principals, key personnel, officials, or employees of the Contractor, or its or their agents, to make a **Gift** to any Applicable Public Official or State Employee. I further certify that the Contractor made the bid or proposal for the Contract without fraud or collusion with any person.

CAMPAIGN CONTRIBUTION CERTIFICATION:

I further certify that, on or after December 31, 2006, neither the Contractor nor any of its principals, as defined in C.G.S. § 9-612(g)(1), has made any **campaign contributions** to, or solicited any contributions on behalf of, any exploratory committee, candidate committee, political committee, or party committee established by, or supporting or authorized to support, any candidate for statewide public office, in violation of C.G.S. § 9-612(g)(2)(A). I further certify that **all lawful campaign contributions** that have been made on or after December 31, 2006 by the Contractor or any of its principals, as defined in C.G.S. § 9-612(g)(1), to, or solicited on behalf of, any exploratory committee, candidate committee, political committee, or party committee established by, or supporting or authorized to support any candidates for statewide public office or the General Assembly, are listed below:

STATE OF CONNECTICUT
GIFT AND CAMPAIGN CONTRIBUTION CERTIFICATION

Lawful Campaign Contributions to Candidates for Statewide Public Office:

Contribution Date	Name of Contributor	Recipient	Value	Description

Lawful Campaign Contributions to Candidates for the General Assembly:

Contribution Date	Name of Contributor	Recipient	Value	Description

Sworn as true to the best of my knowledge and belief, subject to the penalties of false statement.

_____ _____
Printed Contractor Name **Signature of Authorized Official**

Subscribed and acknowledged before me this _____ day of _____, 20___.

_____
Commissioner of the Superior Court (or Notary Public)

For State Agency Use Only

_____ _____
Awarding State Agency Planning Start Date

_____
Contract Number or Description

WORKFORCE ANALYSIS

Contractor Name: _____

Address: _____

_____

_____

Total number of CT employees: _____

Full-time _____ Part-time _____

Complete the following Workforce Analysis for employees on Connecticut work sites who are:

JOB CATEGORIES	OVERALL TOTALS (SUM OF ALL MALE & FEMALE)	WHITE (NOT OF HISPANIC ORIGIN)		BLACK (NOT OF HISPANIC ORIGIN)		HISPANIC		ASIAN OR PACIFIC ISLANDER		AMER. INDIAN OR ALASKAN NATIVE		PEOPLE WITH DISABILITIES	
M-Male F-Female		M	F	M	F	M	F	M	F	M	F	M	F
Officials & Managers													
Professionals													
Technicians													
Sales Workers													
Office & Clerical													
Craft Workers (skilled)													
Operatives (semi-skilled)													
Laborers (unskilled)													
Service Workers													
TOTALS ABOVE													
TOTALS ONE YEAR AGO													
FORMAL, ON-THE-JOB TRAINEES (Enter figures for the same categories as shown above.)													
Apprentices													
Trainees													
EMPLOYMENT FIGURES WERE OBTAINED FROM: ___ VISUAL CHECK; ___EMPLOYMENT RECORDS; ___OTHER:													

1. Have you successfully implemented an Affirmative Action Plan? Yes___ No___
Date of implementation _____ If the answer is "NO", explain.

1a. Do you promise to develop and implement a successful Affirmative Action Plan?
Yes ___ No ___ Not Applicable ___ Explanation:

2. Have you successfully developed an apprenticeship program complying with Sec. 46a-68-1 to 46a-68-17 of the Connecticut Department of Labor Regulations, inclusive: Yes ___ No ___ Not Applicable ___ Explanation:

3. According to EEO-1 data, is the composition of your work force at or near parity when compared with the racial and sexual composition of the work force in the relevant labor market area? Yes ___ No ___ Explanation:

If you plan to subcontract, will you set aside a portion of the contract for legitimate minority business enterprises?
Yes ___ No ___ Explanation:

_____ _____

Contractor's Authorized Signature Date