Guidelines for Reporting and Review

§19-61-210 Reporting Requirements

- All executed contracts for services with an annual contract value between $25,000 - $49,999.99 or a total projected contract amount of three hundred fifty thousand ($350,000) must be reported on the OSP Website at: (Services Contract Resources - Arkansas Department of Shared Administrative Services
- This applies when the annual contract amount or total projected cost including any amendments or possible extensions place the contract in this value range.
- All fields must be complete.

§19-61-116 Review Requirements

- Service contracts with an annual contract amount $50,000 or if the total projected contract amount (including any amendments or possible extensions) is at least $350,000 must be presented to the Legislative Council or Joint Budget Committee for review prior to execution of the contract.
- Amendments that does NOT include a "material change" does NOT go for review but is entered into the portal for reporting purposes.
- Material Change includes:
  - An increase in the contract amount
  - An increase in the total projected contract amount
  - A change in any of the essential terms of the contract
  - A change in any performance-based standards
  - The imposition of financial consequences as a result of a failure to satisfy performance-based standards under § 19-61-517 during the year preceding the renewal or extension of the contract; and
  - The submission of a vendor performance report during the year preceding the renewal or extension of the contract

    Note: An agency may elect to submit a contract for review if it is uncertain whether the contract has a material change.

Definitions

§19-60-105 (a)(4) Professional Services

- Professional Consulting Services (PCS): The contract specifies the performance standards expected from the rendering of the services, rather than detailing the manner the services shall be rendered. State agencies do not have direct managerial control over the day to day activities of the individual providing the service

§19-60-105 (7)(A); 19-61-103 (34)(A) Technical Services

- Technical and General Services (TGS): involve time & labor and are evaluated based on the quality of work and the results produced. Contract specifies the performance standards expected in the rendering of the services. State agencies have managerial control over the day to day activities of the individual providing the service

§19-61-103 (27)(C)

- The definition of services does not include exempt commodities and services. This means the procurements that are Exempt by Law do not require reporting or review. However, an agency may elect to submit an exempt by law contract for reporting or review.

§19-61-508 Emergency Procurements

- Critical Emergency means an emergency in which human life or health is imminently endangered.
- Critical emergency procurements must receive a written determination from the State Procurement Director, the head of a procurement agency, or a designee to authorize emergency procurements.
- These contracts are entered into the portal for reporting purposes.