Bureau of Finance and Management

Procedures

SDAS Contract Maintenance
For OpenSD

Compliance with SDCL 5-18-xx

Background

Senate Bill 82, passed during the 2010 legislative session, codified as §5-18-xx, reads:

> Section 1. That chapter 1-27 be amended by adding thereto a NEW SECTION to read as follows:
>
> The state shall display on the searchable internet **website** created pursuant to § 1-27-45 copies of each written contract for **supplies**, **services**, or **professional services** of ten thousand dollars or more, each written contract filed with the state auditor pursuant to § 1-24A-1, and each written contract filed with the attorney general pursuant to § 1-11-15. Each contract shall be displayed electronically not less than sixty days after commencement of the contract term and for not less than one year following the end of the contract term.

Definitions used in this bill are:

- the **website** created by §1-27-45 is Open.SD.gov (OpenSD)
- **supplies** are any property, including equipment, materials and printing
- **services** involve the furnishing of labor, time or effort by a contractor not involving the delivery of a specific end product
- **professional services** are services arising out of a vocation, calling, occupation or employment involving specialized knowledge, labor or skill that is predominately mental or intellectual rather than physical or manual

What this means to state government is that beginning July 1, 2010, any contract for $10,000 or more, any consultant contract filed with the state auditor, and any legal contract filed with the attorney general needs to be displayed on OpenSD within 60 days of the contract start date and for one year after the end of the contract.

BFM recognizes that most agencies already have their own internal procedures for managing contracts, and that SB82 may cause some additional work and adjustment of procedures.

Functionality has been added to the SDAS PC Interface to provide state agencies the ability to link their contracts to OpenSD with the intent of trying to minimize duplication of effort, to link with the existing Register of Proposals (§5-18-60) procedures, and to avoid having to re-enter information already recorded in the state's central accounting system.

Categories of Contracts

Contracts that are covered by the statute will tend to fall into 3 categories:

- **Contracts awarded under an RFP and listed on the Register of Proposals on OpenSD**

  If a contract for professional services was awarded under an RFP as required by §5-18-57 and the agency has followed the Register of Proposals procedures (for executive branch agencies), nothing further needs to be done to comply with SB82.

- **Contracts entered on a Service Purchase Order in the central accounting system**

  If an agency has entered a contract on a Service Purchase Order on the central accounting system, the only thing the agency needs to do to comply with the statute is to follow the procedures on page 8 (making the image of the contract available.)

  ** see the FAQ about putting Service POs on the web

- **Contracts not falling into the first two categories**

  Any contracts that an agency determines fall within the scope of SB82 which were not recorded on the Register of Proposals and were not entered as a Service Purchase Order on the central accounting system will need to be posted on OpenSD using the procedures contained in the remainder of this document.
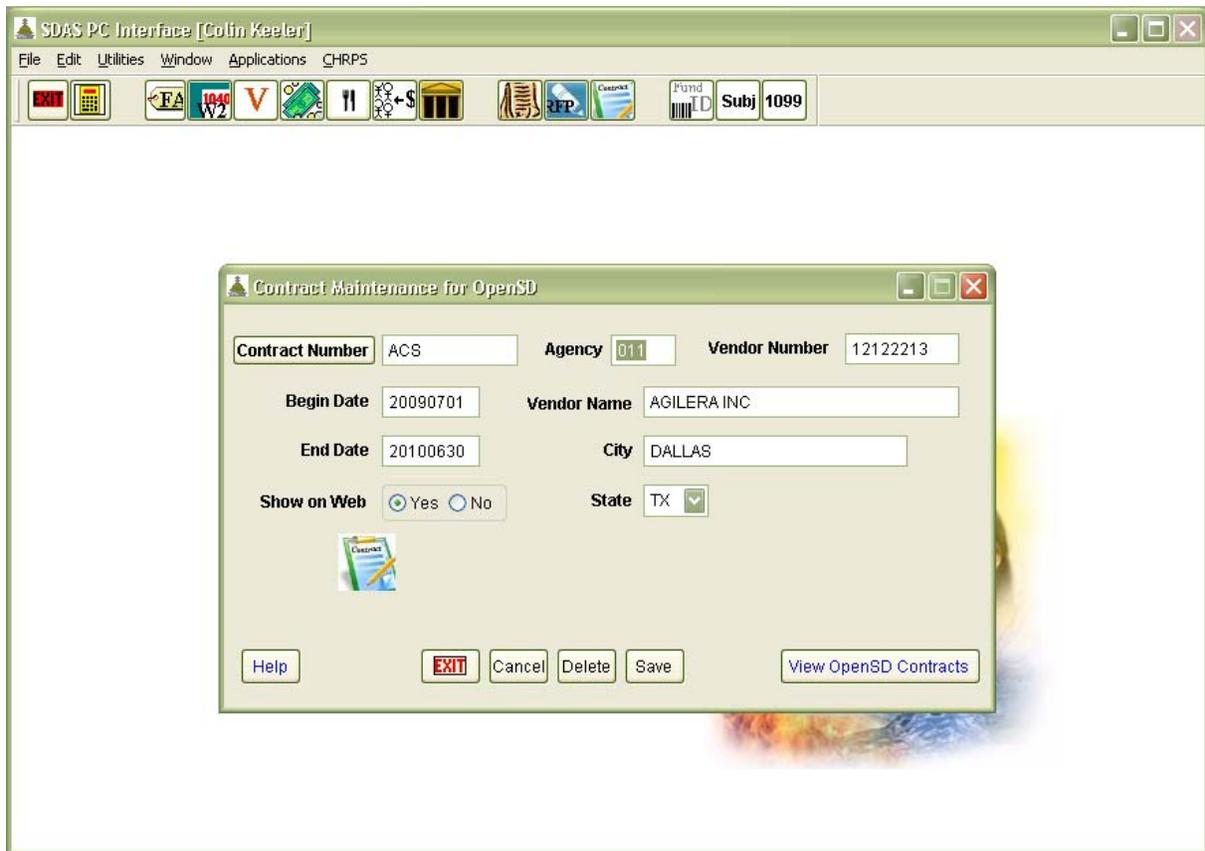
Accessing the OpenSD Contracts Module
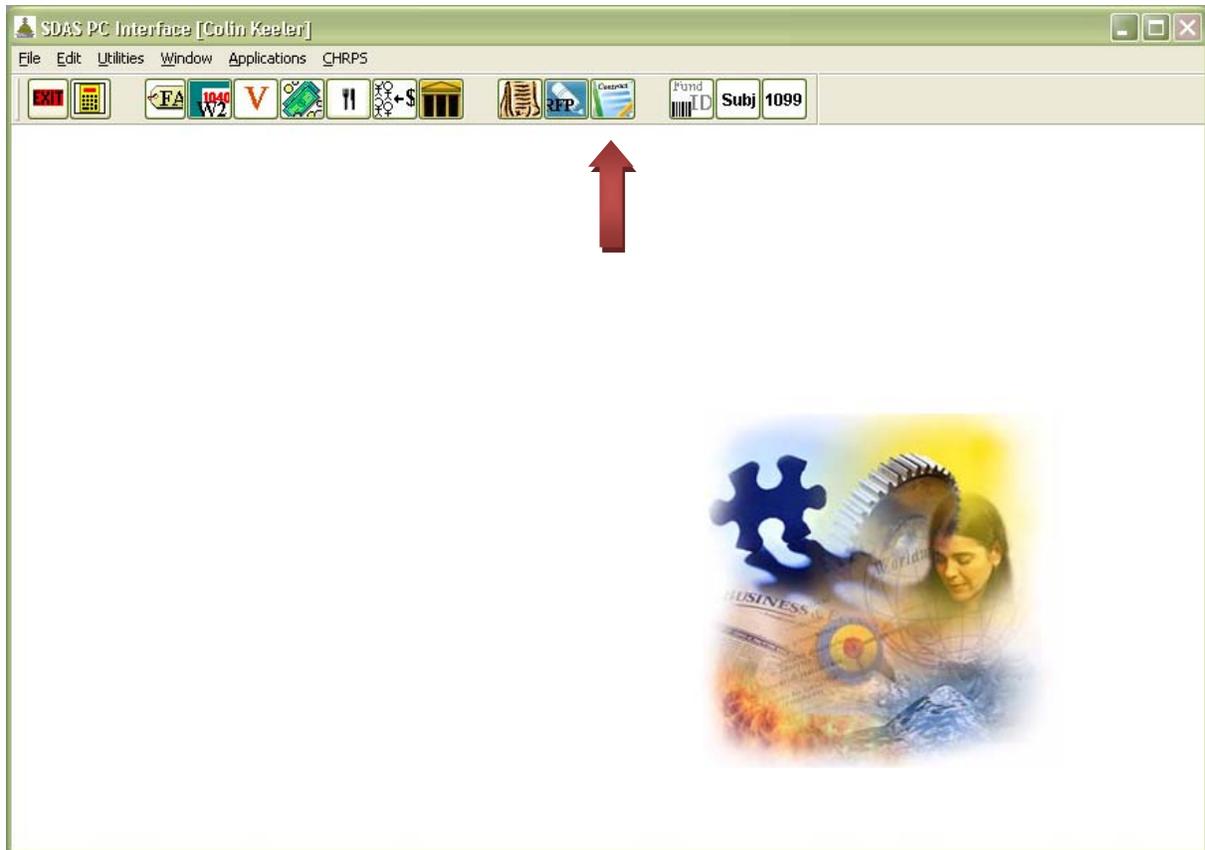
Any SDAS user with access to the RFP Register module will automatically have access to the Contract Maintenance for OpenSD module.

Access is requested through the person in your agency designated to submit security requests to BFM through CAPS (http://www.state.sd.us/bfm/caps/).

Adding/Editing Contract Information

To add a new contract, simply type the contract number in the field and press <TAB>. If the contract already exists the information will be brought up, otherwise you simply continue to enter the other fields and then click (SAVE).

The fields are:

Contract Number: Whatever unique contract number is assigned by the agency. This could be the state auditor contract number, the service PO number, or any other number chosen by the agency.

Agency: This field will contain the 2 or 3 digit agency code assigned to your department or bureau. Typically you will not be able to enter this information; it will be displayed for you in a read-only format.

Vendor Number: This is the vendor number (no vendor group) assigned by the central accounting system. Typically this is an 8 digit number. The Vendor Name, City and State fields will default to the values on the first vendor (if there are multiple groups) found in the accounting system that matches.

Begin Date: Enter the beginning date of the contract in CCYYMMDD format.

End Date: Enter the ending date of the contract in CCYYMMDD format.

Show on Web: Click "Y" to enable this contract to be available on the OpenSD search list. "N" will prevent this record from showing up on the search list. This flag is not dependent upon whether or not a .PDF image of the contract exists on the M:\ drive. In other words, the image may not exist but if you set this flag to "Y" the contract record will still show up. At that point, if somebody attempts to view the contract from OpenSD they will get a "Page Not Found" error until you place the image of the contract on the M:\ drive.

The picture below the "Show on Web" field will look like the first icon above if the contract .PDF is present, or like the second with the red X on it if the contract image is not present.

Vendor Name: This field will default to the name on the accounting system associated with the first vendor group found matching the vendor number entered. You may freely change this name here in Contract Maintenance with no effect to the vendor at all. This is simply the name used to search for contracts and shown on the web.

City: The vendor's city, shown on the web.

State: The vendor's state, shown on the web.

The buttons on the bottom of the Contract Maintenance form have the following functions:

(Help)   Brings up this procedure document.
(Exit)   Exits the Contract Maintenance form.
(Cancel)   Clears all the information on the Contract Maintenance form.
(Delete)   After confirmation, deletes the contract record (not the .PDF).
(Save)   Saves the existing record.
(View OpenSD Contracts)   Opens a browser window with the contract search page.

Locating an Existing Contract
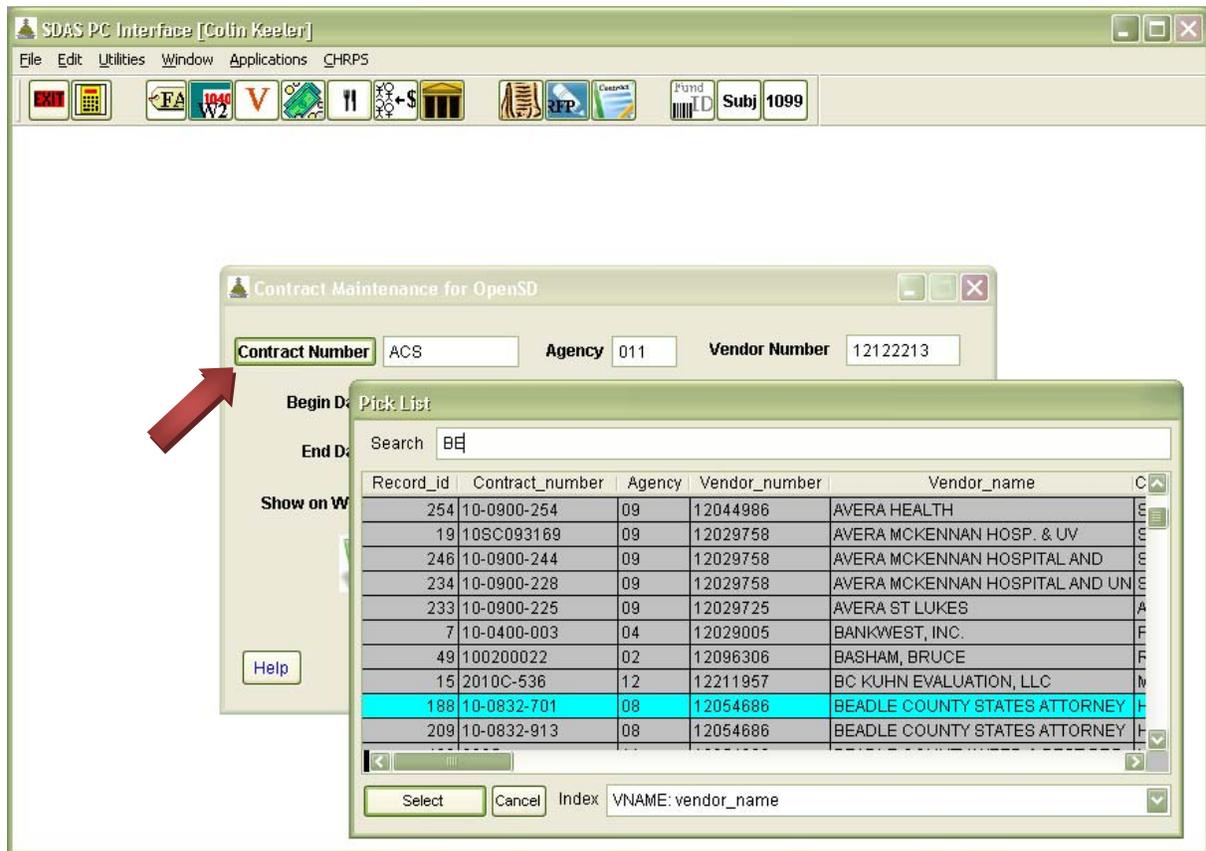
If you've entered contract information in the RFP Register of Proposals module, or if a service contract has already been entered on the central accounting system, your basic contract information will already be entered for you. You can select the contract from a list by clicking on the (Contract Number) button, or simply type in the contract number in the field and the information will be retrieved.

From the pick list you can search for a contract by Vendor Name by simply starting to type the vendor name in the search field. You can also change the search index at the bottom of the pick list to be by contract number instead of vendor name.

Click (Select) from the pick list to retrieve that contract information.

Placing the Contract Image on OpenSD

Agency personal who are given security to the RFP Register of Proposals and the Contract Maintenance for OpenSD modules are also provided access to your agency's directory on the shared M:\ drive to store copies of your contracts.

This process involves:

1. Scan (and then electronically redact as necessary);
   -or-
   Photocopy, (manually redact as necessary), then scan.

2. Save the scan as a .PDF document, with the file name the same as the contract number that was entered in SDAS or as the Service PO number in the central accounting system.

3. Copy the .PDF file into the **M:\All_SD\Contracts\XXX** directory (where XXX is your agency department number.)

4. Verify that the link works from Open.SD.gov. You can use the button on Contract Maintenance form to bring up the contract search page.

Deleting Contracts and Images

If you wish to delete a contract from the OpenSD Contracts table, simply select the contract on the form and click the (Delete) button. You will be asked to confirm the deletion.

Deleting the record from the table does not delete the image from the web, however the image will no longer be able to be searched and won't be linked from anywhere.

You do not need to delete contracts one year after they have ended. The contract record and the image of the contract will both be automatically deleted during month-end processing one year after the ending date of the contract.

Special notes regarding deletions:

- If you delete a contract record for a Service Purchase Order entered on the accounting system, it will be automatically re-added during the next accounts payable cycle.
- If the image of the Service PO contract is still on the M:\ drive, the "Show on Web" flag will be automatically set to "Y" and your contract will re-appear on OpenSD.
- If the image of the Service PO is not on the M:\ drive, the "Show on Web" flag will be set to "N".

- If you delete a contract record that was entered as part of the Register of Proposals, it will automatically be re-added during the next accounts payable cycle.

Frequently Asked Questions

Q: Who is responsible for complying with SB82?
A: **The state agency entering into a contract is responsible for determining if the contract falls under the statute.**

Q: What contracts have to be shown on the "searchable website created pursuant to §1-27-45?
A: **Any contract for services, professional services, or supplies that has an amount greater than $10,000 or is for consulting or legal services.**

Q: What constitutes services, professional services, or supplies?
A: **These terms are defined in the procurement code in §5-18.**

> "Services," furnishing of labor, time, or effort by a contractor not involving the delivery of a specific end product other than reports which are merely incidental to the required performance;
>
> "Professional services," services arising out of a vocation, calling, occupation, or employment involving specialized knowledge, labor, or skill, and the labor or skill involved is predominantly mental or intellectual, rather than physical or manual;
>
> "Supplies," any property, including equipment, materials, and printing;

Q: I deleted a service purchase order from the contract table and it keeps coming back, but I don't want it to appear on OpenSD because the statute doesn't apply to it. How do I make sure it doesn't show up on the web?
A: **Delete, or don't create, the .PDF on the M:\ drive. Then when the service PO re-appears the "Show on Web" flag will be set to "N".**

Q: What's the easiest way to get my Service POs listed on the web, and flagged so they show up on OpenSD?
A: **Scan the image and place it on the M:\ drive at the time you enter your service PO on the accounting system. Then the next time an AP payment cycle is run everything will be automatically set up for you.**

SDAS PC Interface

FY2017 Revisions

Contracts and Grants

Background:

- During the 2016 legislative session, SB162 passed, creating a Board of Internal Control. This legislation also contained a requirement that:

  The grant agreement for each grant, pass-through grant, or any other award granted by a state agency to a nonstate agency after July 1, 2016, shall be displayed on the website created pursuant to § 1-27-45.

- Also during the 2016 legislative session, SB163 was introduced. This bill required certain changes to contracts posted on Open SD, however the bill was ultimately tabled after discussions with the prime sponsor to make some alternative improvements. Specifically, the administration agreed to add fields for "amount" and "description of the contract" to the website. The addition of these fields would make searching for documents much easier.

- Finally, as a result of review of information related to contracts and RFPs it was decided to implement some changes to make it more clear the reasons that a contract may have been awarded without an RFP. When viewing contracts that had no link to a Register of Proposals there was no way to ascertain if or why they were exempt from the RFP process.

Approach:

All three of the items listed above impacted the posting of (contract) documents on OpenSD. Essentially, grants are simply a different type of an agreement but are very similar to a contract. In addition, the public may not know if they should be searching for a grant award or a contract, so having two separate search functions and databases would have been very confusing.

The final result is that grant awards and contracts are posted on OpenSD using the same process and data entry screen that has been used for many years by state agencies, only with a few new fields added.

Updated Contract/Grant Screen and Fields

Fields with BLUE labels are shown on the OpenSD website.

Document Number: This field is the key for the record. It should be whatever unique contract number assigned by the agency, or the grant award number. This could be the state auditor contract number, the service PO number, or any other number chosen by the agency. The Document Number must correspond to the name of the .PDF file saved on the M:\ drive unless you are providing an external document link. *Please avoid using special characters like "%$/*@#" in your document numbers as they can cause problems in file names. Spaces are also not recommended.*

Agency: For most users, this value will default in from their security setup.

Vendor Number: This is the vendor number (no vendor group) assigned by the central accounting system. This is an 8 digit number. The Vendor Name, City and State fields will default to the values on the first vendor (if there are multiple vendor groups) found in the accounting system that matches. You may override these items.

Record Type: This radio button defaults to "Contract" but is used to denote whether a document is a contract or a grant award. The state of this radio button determines the edits related to some of the other fields.

Amount: This field should contain the not-to-exceed amount of a contract, or the amount of a grant award. Should the agreement/contract in question not have a set amount, there is a checkbox which allows you to denote that. If the box is checked, the numeric field will be disabled and on the web "No Set Amount" will be displayed. You should explain why there is no set amount in your description. There are no-doubt many unique situations, but some examples where there may not be a "set amount" might be:

      Commodity contracts which are $X per item

      Stand-alone change orders which may have a $0 or negative value (like a credit to the state)

      Grants or awards based on performance or volume of work.

Description: Enter a brief description of the purpose of the contract or grant award. This will be searchable on OpenSD so use a meaningful description that contains words the public might search for if looking for this document.

Begin Date: Enter the beginning date of the contract or award in CCYYMMDD format.

End Date: Enter the end date of the contract or award in CCYYMMDD format. Currently neither date field is displayed on OpenSD. The dates are used to drive how long a document is displayed. Contracts, by law, must be shown for 1 year past the end date. For the time being the same logic is applied to grant awards although there is no specific requirement for how long a grant award is displayed.

Show on Web: Click "Y" to enable this document on the OpenSD search. "N" will prevent this record from showing up on the search list. This flag is not dependent upon wither or not a .PDF image of the contract exists on the M:\ drive. In other words, the image may not exist but if you set theis flag to "Y" the contract record will still show on the web. At that point a user would get a "Page not found" error if they click on the link.

Vendor Name: This field will default to the name on the accounting system associated with the first vendor group found matching the vendor number entered. You may freely change this name here with no effect to the vendor at all. This is simply the name used to search for contracts on the web. Vendor city and state are the same way.

Solicitation Type: If the document is a "Contract", a drop-down list of solicitation types is provided and one must be selected. A contract either has an RFP or another solicitation type, or is exempt from that process through a statute which must be specified.

Solicitation Link: For contracts, this field will default to the Office of Procurement Management's e-procurement Bid/RFP board. By statute, RFPs must be posted there. If you post your RFP at some other location you may use the URL field to point OpenSD to your copy of the RFP.

** If your contract is exempt from the RFP process, you will need to select the statute exempting it from the drop-down list. **

CFDA: Optional field if you want to enter the Catalogue of Federal Domestic Assistance number of a grant.

External Document Link: If you have an image of your contract or award elsewhere, you can provide a direct link to it here and that link will be used instead of the link and file stored on M:\.

There are several other fields on this form which are currently disabled but might be used for future expansion.