**Administration Division**

**Louisiana Board of Regents**

Administrative Procedures

AP – 1.3

Effective Date: 3/26/04

Updated: 7/1/2020

**SUBJECT**

Procedures for Executing Amendments to Consulting, Personal, Professional or Social Services (PPCS) Contracts.

**DEFINITIONS**

1. Individual Authorized to Sign Contracts for the Board of Regents is the Commissioner of Higher Education. However, the Associate Commissioner for Finance and Administration has been given delegation of authority by the Commissioner of Higher Education to sign contracts on behalf of the Board of Regents. All contracts should be forwarded to the Associate Commissioner for Finance and Administration for signature.
2. Office of State Procurement’s (OSP) Procedures for Submitting Contracts is a guide available to all staff containing the procedures that should be followed when submitting a contract to OSP for approval. This guide can be found at <http://www.doa.la.gov/Pages/osp/PC/procedure.aspx> .
3. Consulting Services means possessing specialized knowledge, experience, and expertise to investigate assigned problems or projects and to provide counsel, review, design, development, analysis, or advice in formulating or implementing programs or services.
4. Personal Services means work rendered by individuals which require use of creative or artistic skills.
5. Professional Services means work rendered by an independent Contractor who has a professed knowledge of some department of learning or science. For contracts with a total amount of $50,000 or more, the definition of “professional services” shall be limited to lawyers, doctors, dentists, psychologists, certified advanced practice nurses, veterinarians, architects, engineers, land surveyors,

landscape architects, accountants, actuaries, claims adjusters, and any other profession that may be added by regulations adopted by the OSP per Louisiana Revised Statute 39:1556(42).

1. Social Services means work rendered by any person, etc., in furtherance of the general welfare of the citizens of Louisiana.
2. Initiating Division means a division within the Board of Regents responsible for initiating the contracts under their authority, and ensuring division compliance with all applicable policies and procedures pursuant to said contracts.
3. Administration Division means the division of the Board of Regents responsible for the internal operations of the Board.
4. Division of Administration means the State of Louisiana Division of Administration under the direction of the Commissioner of Administration.
5. Signature-Signature means a manual or electronic signature. Electronic signature means an electronic sound, symbol or process attached to or logically associated with a record and executed or adopted by a person with the intent to sign the record. For contracts/agreements, the Board of Regents accepts electronic signatures interchangeably and consistently with how it accepts traditional ink signatures.

**GENERAL POLICY**

All grants or contracts proposed must be initiated and approved by the division of the Board of Regents that would be involved if the contract was approved. Typically this will require the Head of the Division initiating the grant or contract; the BOR Program and Contract Manager and, the Associate Commissioner for Finance and Administration review and approve the contract before it leaves the Board of Regents’ premises as an executed grant or contract.

**PROCEDURE**

An amendment to an existing contract will be prepared, approved, and routed as follows:

1. The initiating division prepares the amendment under their authority. Before the amendment is sent to the Contractor, it is forwarded to the BOR Program and Contract Manager to determine correct content, format and availability of funds (if applicable). The amendment should be accompanied by:

 (a) a completed and signed contract status form, and (b) a spreadsheet showing a list of the previously obligated contracts to match the amount on the BA-22 (if applicable). These forms are for internal use only and should remain in the files of the division that initiated the contract. If the amount of the contract compensation will change, the amendment should also be accompanied by (c) a properly drawn and signed BA-22.

1. The BOR Program and Contract Manager will review the amendment for content

and availability of funds (if applicable). If approved, the BOR Program and Contract Manager will record the changes to the contract in the contracts database.

1. After the BOR Program and Contract Manager has approved the amendment, it will be returned to the initiating division and that division will be responsible for forwarding the amendment to the contractor for the appropriate signatures.
2. Once the amendment returns and has been signed by the Contractor, the initiating division has the responsibility to obtain the signature of the Associate Commissioner for Finance and Administration and to send a fully executed copy of the amendment to the Contractor and a copy to Liz Jones at LOSFA if the amendment does not require OSP approval. A copy of the amendment with original signatures must be retained in the contract file.
3. The amendment must go to OSP for review if:
	* the original contract required OSP approval
	* the amendment increases the total compensation above the amount of BOR’s delegation of authority ($20,000)
4. Amendments that do require OSP approval should be submitted to the BOR Program and Contract Manager with the following items:
	* A transmittal letter
	* Original of the amendment
	* A copy of the completed and signed BA-22 if the amendment changes the amount of compensation

Once approval is received from OSP, a copy of the fully executed amendment should be sent to the Contractor and a copy should be sent to Liz Jones at LOSFA. A copy of the amendment with original signatures and OSP approval must be retained in the contract file