OHIO DEPARTMENT of ADMINISTRATIVE SERVICES
General Services Division
OPCRP

CRP Orientation and the Contract Process

The Office of Procurement from Community Rehabilitation Programs (OPCRP)

- **OPCRP links the purchasing needs of state agencies and political subdivisions with the supplies and services offered by Ohio's work centers that employ individuals with work-limiting disabilities.**

ODAS GSD OPCRP Contacts

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OUTLINE

- CRP/State-Use Overview
- Certification of CRPs and Agent(s)
- Basic Elements of a Typical Contract
- Documents - Business Submission Forms, Specifications, Terms & Conditions
- Original Signatures
- Contract Document Submission/Timeline
- Contract Payment Process
- Complaint to Vendor (CTV)
- CRP Annual and Quarterly Reporting
- Questions?

Business Partners

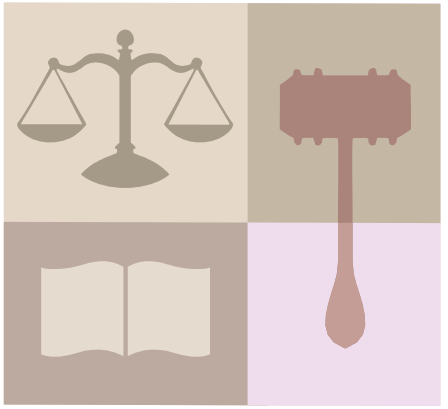
Administration = ODAS

CRPs = Vendors

Agent = Possitivity
(*Also a Vendor*)

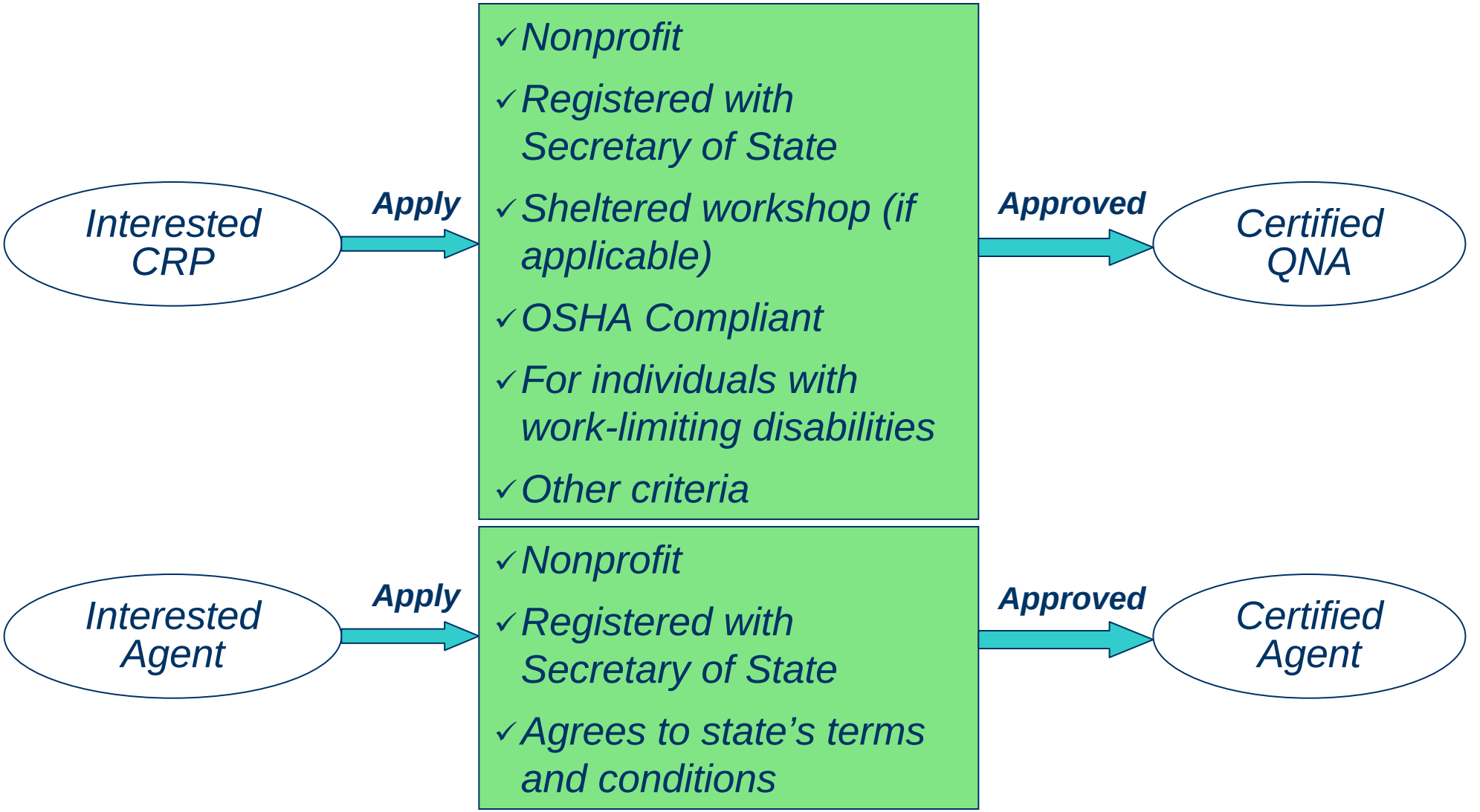
Customers = Government Ordering Offices

Administration = Office of Procurement from CRPs (OPCRP)



- Certify CRPs (QNAs) and agents.
- Receive and process contracts.
- Establish fair-market pricing (only when agreement cannot be reached).
- Structure competition (if necessary).
- Establish, maintain, and update procurement list.
- Monitor.

QNA & Agent Certification



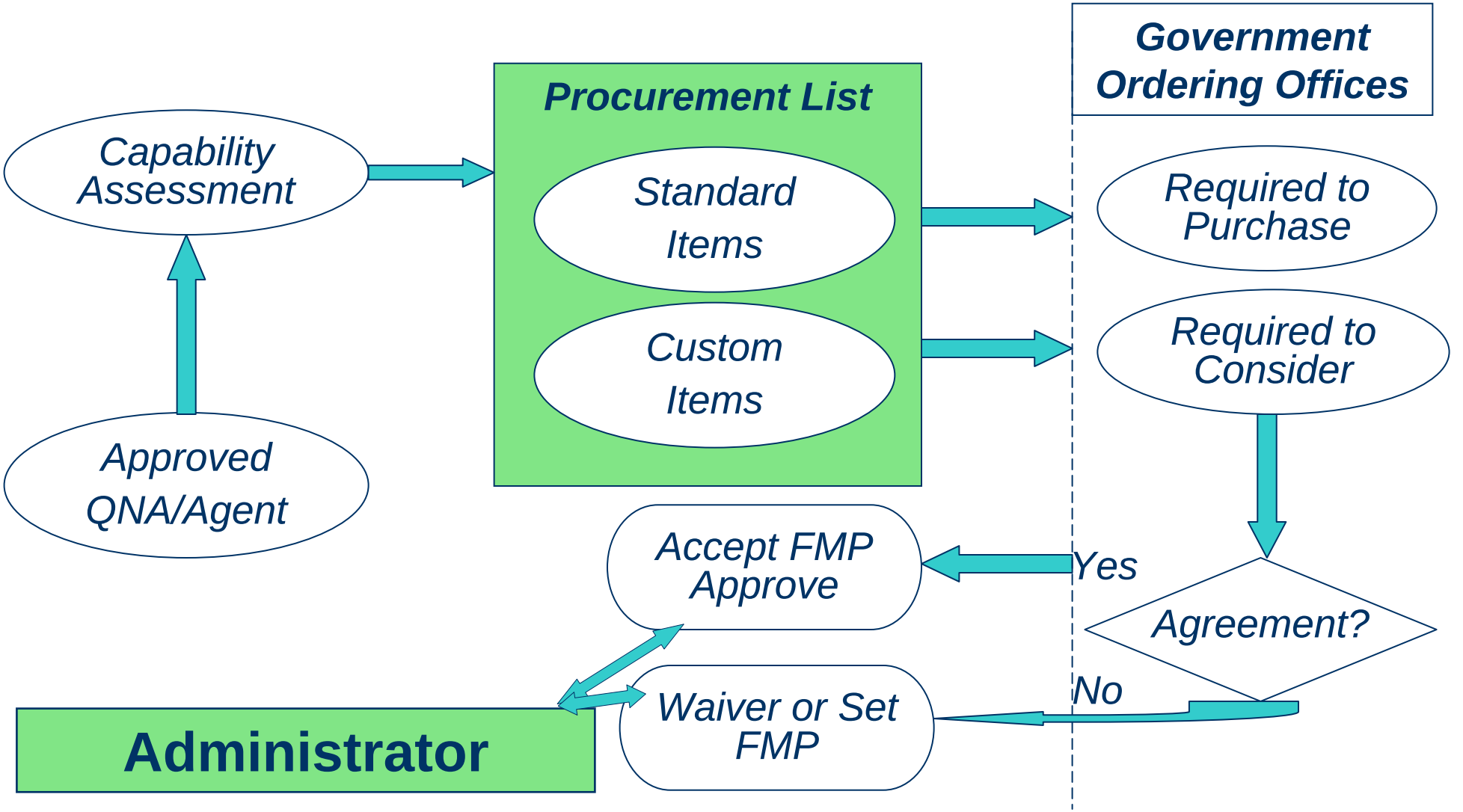
BASIC CONTRACT ELEMENTS

- OFFER
- ACCEPTENCE
- CONSIDERATION
- COMPENTENCY OF THE PARTIES
- LEGAL SUFFICIENCY
- DEFINITENESS (ENFORCEABLE TERMS)
- MUTUALITY OF OBLIGATION

GENERAL DISTRIBUTION CONTRACTS (GDC)

- General Distribution Contracts are state contracts set up similar to an ordering catalog. Items are assigned a (catalog/part) number and given a brief description (form, fit, & function). Any quantity/price breaks are described.
- Any state agency or political subdivision that is a co-op member can order from a GDC contract.

Contracts


Government Ordering Offices
Procurement List
Capability Assessment
Standard Items
Custom Items
Required to Purchase
Required to Consider
Approved QNA/Agent
Accept FMP Approve
Yes
Agreement?
No
Waiver or Set FMP
Administrator

Contracting Process

- CRP or its agent approaches government ordering office.
- CRP or its agent advises OPCRP.
- OPCRP gives approval to proceed.
- CRP or its agent completes paperwork with government ordering office.
- CRP or its agent forwards paperwork to OPCRP.
- OPCRP approves and processes contract.

Contract Submission

What Do I Submit to OPCRP for Contract Approval?

- **Contract Approval Form with Terms & Conditions (T&Cs) attached, including Special T&Cs if applicable.**

  CRP must submit the ORIGINAL, SIGNED document to OPCRP. (Facsimiles of any type cannot be approved.) Special T&Cs are applicable whenever the item or service is/can be purchased by a political subdivision or OBA.

- **Business Submission Form (Shell).**
- **Contract Specifications.**

Keep a Copy of All Documents for Your Records

Contracting Forms

Contract Approval Form (CAF):

- CRP/agent completes the CAF with ODAS Terms and Conditions (T&Cs) attached.
- CRP/agent signs the CAF.
- CRP/agent presents the CAF (along with specifications) to the government ordering office.
- Government ordering office reviews all information and signs the CAF.
- Government ordering office returns all documents to CRP/Agent.

Contracting Forms (continued)

Business Submission Form (Shell):

- CRP/agent completes the Business Submission Form, filling in each box. Any information (box) that is not specific to this contract should be completed using: N/A.
- If it is available, include the index number on the Business Submission Form. The index number does not change from year to year.
- CRP/Agent includes the Business Submission Form with the CAF and specifications then forwards all documents to OPCRP for processing.

Contracting Forms (continued)

Specifications:

The specifications are a written description of the work (service) that is going to be provided to the government ordering office or a statement of work to produce a product.

- **Specifications cannot include any contracting language.***
- **Specifications can be a simple but complete description or list of the item(s) or work to be performed.**
- **Normally, specifications are provided by the government customer. Attach the customer's specifications as discussed earlier.**

Do not include contract language such as: (1) words such as "shall/may, must, abide, indemnify, compliance, failure, require"; (2) statements referring to termination; (3) statements requiring authorization of any type; (3) statements regarding payment information or requirements; (4) statements referring to liability; (5) statements regarding payment information; (6) any other binding language.

THE TIMELINE

- **All Contract Documentation Must Be Submitted to OPCRP 45 Days Before the Contract Start Date.**

  Rationale: This allows the OPCRP Staff enough time to review all documentation & specifications, input information into the OAKS database, assign the Contract Number and Item Number(s), forward for review and signature of the ODAS Director or his designee, and post the Contract on the State Procurement Website (www.procure.ohio.gov) – all of which must be completed before government customers can buy.

CONTRACT DOCUMENTATION REVIEW

- Contract Approval Form (Original Document with Original Signatures - No Photocopies Are Acceptable)
- Terms and Conditions (T&C) and Special T&Cs When Applicable
- Business Submission Form (Shell)
- Specifications

NOTE: Forms Must Be Completely Filled In. If an Item on a Form Does Not Apply, Type “N/A” in the Box or Space. Forms for ODOT Service Contracts Vary Slightly.

OAKS

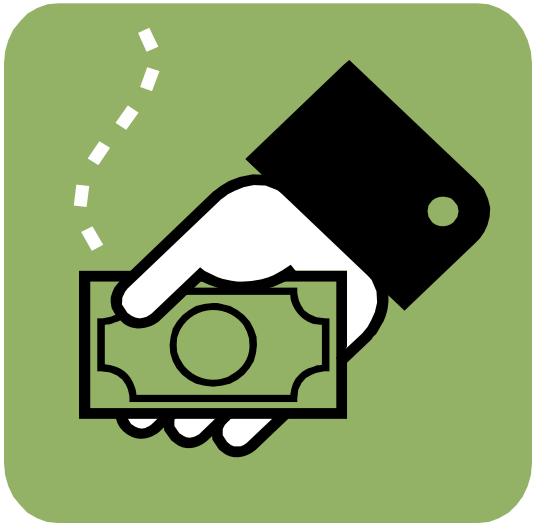
- OAKS: Ohio Administrative Knowledge System is the State of Ohio's administrative database
- The information submitted on the contract documents is entered into the OAKS database. Government ordering offices use OAKS to issue Purchase Orders (POs), which allow for payment of the CRP/Vendor's invoices.

IMPORTANT POINTS TO REMEMBER

- **CRPs/Agents are to provide all original forms and documents to OPCRP.**
- **45 days are needed to process the documents, enter information into the OAKS Database, have the final contract signed, and forwarded for display on the State Procurement Website.**
- **State agencies cannot issue PO's or pay invoices unless the contract is entered into the OAKS database.**
- **ODAS Director, or his designee, will not sign any contract after the negotiated start date.**

Payment Processes

The payment processes after processing an invoice are different for state agencies and political subdivisions.

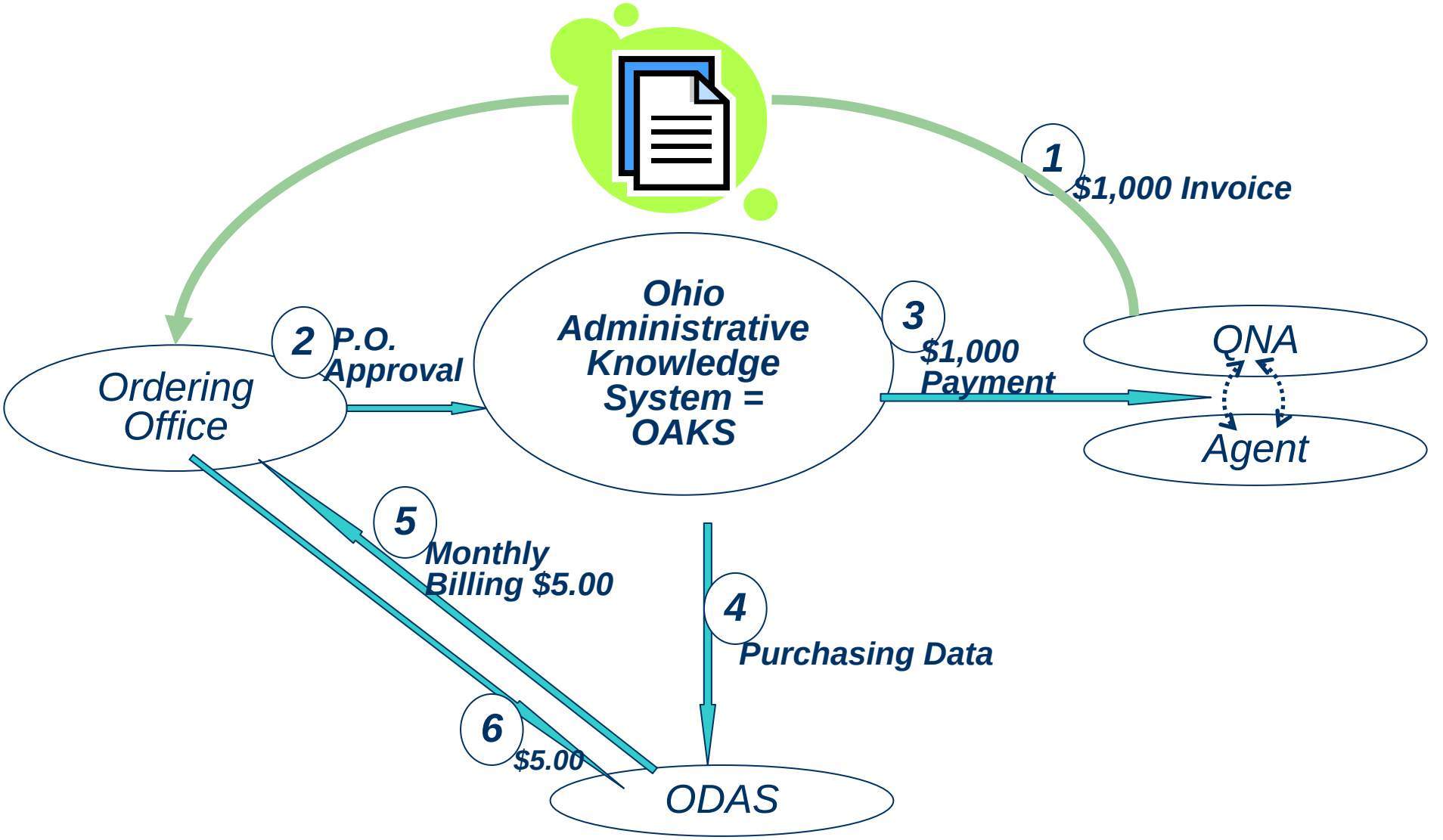


- **State agency payment by check within 30 days.**
- **State agency payment by electronic data interchange (EDI) within five days.**
- **State agency payment by p-card within 48 hours.**
- **Poli-subs vary.**

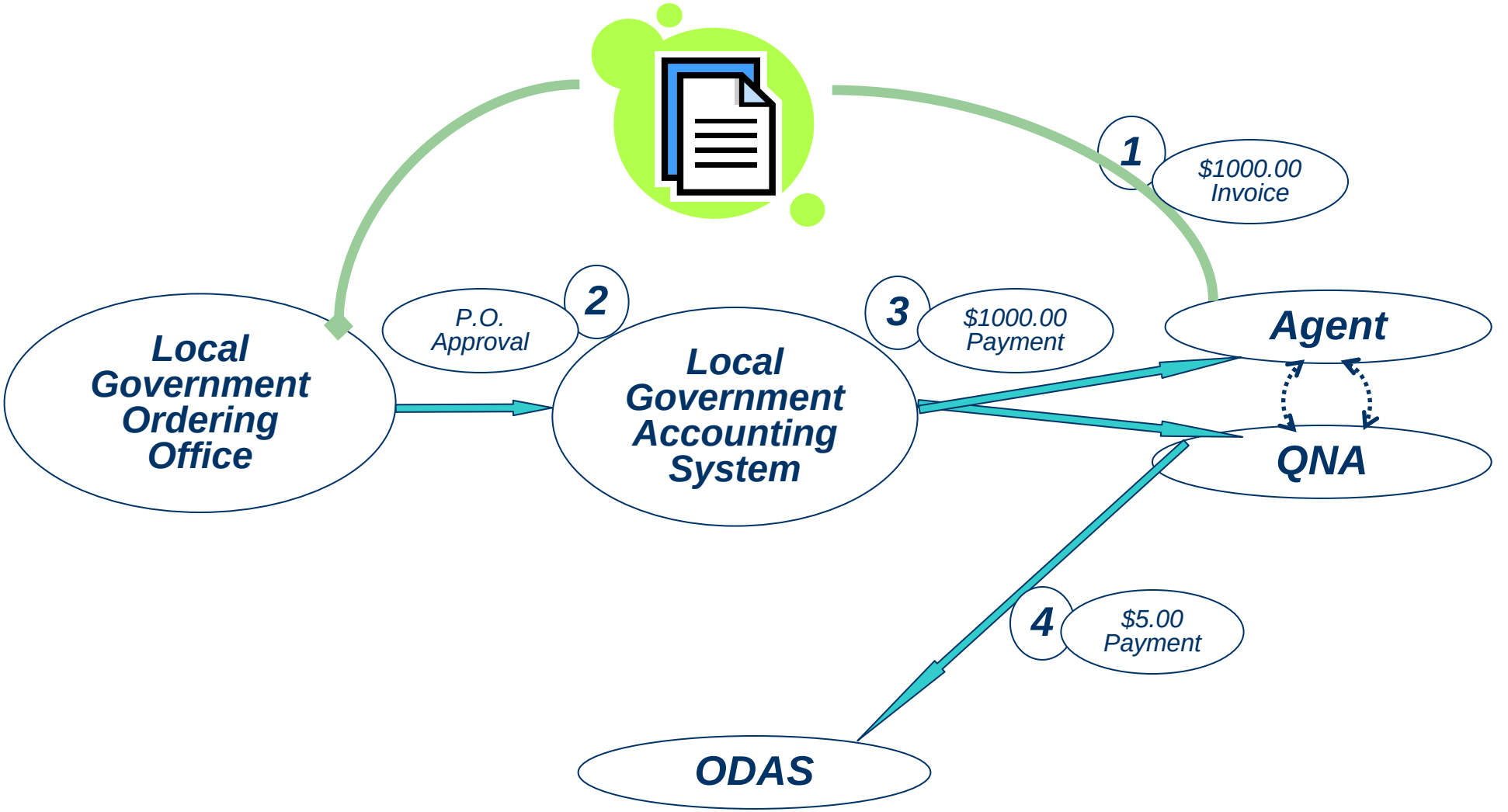
Revenue Share/User Fee

- All ODAS contracts have attached to them a user fee paid by the buying agency or a revenue share paid by the vendor. On CRP/Agent contracts that fee or share is .5% (1/2 of 1%). All sales on contracts to state agencies that are entered into OAKS have a user fee automatically assessed to the buying agency. All sales on contracts to political subdivisions and OBA require the vendor to pay a revenue share. OPCRP will request payment of the revenue share from the CRPs/Agents with the Quarterly Report.

Funding Flow: State Agencies



Funding Flow: Local Government



Quarterly Report +$5.00

Complaint to Vendor (CTV)

- Government ordering office determines that the CRP is failing to perform its contract obligations.
- Government ordering office provides OPCRP a detailed noticed of deficiencies.
- Government ordering office and OPCRP agree to an appropriate period of time to correct the deficiencies.

Complaint to Vendor (Continued)

- After the designated time has passed, the government ordering office provides OPCRP a detailed report on the results of the CRP's attempt to correct the deficiencies.
- Government ordering office requests OPCRP that they be released from the contract obligation if they feel justified. However, the government ordering office is not released if:
    1. CRP corrects the deficiencies.
    2. OPCRP feels that the deficiencies have been corrected.

QUARTERLY REPORTING

- **Due October 15, January 15, April 15, July 15**
- Total dollar value of purchases made by state government ordering offices where the CRP was contractor of record.
- Total dollar value of purchases made by political subdivisions where the CRP was the contractor of record.
- Payment for .5% of the total sales to political subdivision and OBA where the CRP was the contractor of record.

ANNUAL REPORTING
Due August 15

- **Total number of individuals who worked to manufacture products or provide services to government ordering offices.**
- **Total number of individuals with work-limiting disabilities who worked to manufacture products or provide services to government ordering offices.**

ANNUAL REPORTING (continued)

- **Total number of all direct labor hours worked to manufacture products or provide services to government ordering offices.**
- **Total number of all direct labor hours worked by individuals with work-limiting disabilities in the manufacture of products or the provision of services to government ordering offices.**
- **Total wages paid to individuals with work-limiting disabilities on total sales to <u>all</u> government ordering offices.**

ANNUAL REPORTING (continued)

- Total number of individuals with work-limiting disabilities who worked to manufacture products or provide services to government ordering offices and subsequently transitioned to competitive employment.
- **This information is to be provided whether the products or services are furnished directly, or through an agent, to government ordering offices.**

QUESTIONS?