* Contract can never exceed $5,000
* Contract cannot cross state fiscal years.
* No Contractor may receive over $5,000 in annual plan agreements in one **fiscal** year.

***Document templates*** *identified in* ***bold*** *can be found on the Consultant Services website [*[*www.dot.state.mn.us/consult*](file:///C%3A%5CUsers%5Cmcgi1mel%5CDesktop%5Cwww.dot.state.mn.us%5Cconsult)*] under the* ***Contract Documents*** *tab. Forms are in alphabetical order.*

Obtain a Contract Number from CAATS

1. Navigate to CAATS to <http://CAATS>.
2. Click on the Contracts link. CAATS will redirect from the Home Page to the New Contract tab.
3. Click Yes for ‘Is this a Professional/Technical Contract?’.
4. Fill in the required information to request a New Contract Number.
	1. Contract Requestor Details:
		1. Requestor Nameis:
* The employee filling out the request for a new contract number, or
* Another employee who is not available to initiate the request.
	+ 1. Enter the Requestor Name (Last Name,FirstNameMiddleName). This is a type ahead field. Type in first few letters, a drop down menu of MnDOT employees will appear. Note: there is not a space after the comma after the last name.
		2. Select the appropriate Requestor’s Name from the Dropdown Menu. Requestor Phone Number, Email Address*and* Requesting Office/District *will automatically populate.*
	1. Contract Details:
		1. The Requested Date will automatically populate with the current date.
		2. In the Contract Description field type in a brief contract description. The character limit for this field is 256 characters.
		3. Contract Statuswill automatically populate with a status of ‘Requested’.
		4. Enter the Estimated Contract Cost.
		5. Contract Type will default to Professional/Technical based on the previous selection of Professional/Technical.
		6. For Receivable/Payable select Payable for a P/T Contract.
		7. Type any other notes or comment about the contract in the Notes/Commentsfield.
	2. Federal Funding [Not Required]:
		1. The Federal Funding selection defaults to ‘No’.
		2. If the contract is being paid for with federal funding, click yes and additional fields will display.
		3. Select the Funding Type from the drop down menu. Options are:
* FAA (Federal Aviation Administration)
* FHWA (Federal Highway Administration)
* FMCSA (Federal Motor Carrier Safety Administration)
* FRA (Federal Railroad Administration)
* FTA (Federal Transit Administration)
* NHTSA (National Highway Traffic Safety Administration)
* Other
	+ 1. Enter the Federal Project Number.
		2. Enter the Federal Funds Approval Date.
		3. Enter the Federal Funds Amount.
		4. Enter the Federal Funds End Date.
		5. Select the CFDA Number from the drop down menu.
		6. Once the CFDA Number is selected the CFDA Name will populate.
	1. State Project (SP) Numbers [Not Required]:
		1. Click on Add SP Number.
		2. Search the SP Number. This is a type ahead field. Type in first few letters, a drop down menu of SPs will display. Click on an SP that is displayed. Click on Search SP Number.
		3. Search results will display in a grid format. Information displayed will include:
* SP Number
* SP Description
* Route Name
* Bridge Number
* Control Section
	+ 1. Find the appropriate SP, click on Add. Up to 3 SPs can be added through this search screen. Once searched and added, click Close.
		2. The SP(s) will be added to the State Project Number grid of the New Contract tab.
		3. Click Removeto remove any of the added SPs from the State Project Number grid.
1. Click Submit at that bottom of the screen. CAATS will display a popup box that identifies the MnDOT Contract Number and indicates that an email has been sent to the Requestor with additional details.
2. CAATS generates an automated confirmation email that populates with the data that was previously entered in CAATS.

##

## Define Scope of Work

The most important aspect of a contract is the scope of work. The scope of work must include the Who, What, Where, When, and How of the project. Clearly identify the tasks, schedule, deliverables/due dates, and key personnel. Keep the following in mind while developing the scope of work:

1. Language and Format:
	1. Use “will” or “must” instead of “shall”
	2. Use declarative sentences
	3. Avoid passive-voice
	4. Use outline format; avoid ‘non-outlined’ lists
	5. No legalese or technical jargon
	6. Define technical terms and words not found in everyday vernacular
	7. Avoid ambiguity
	8. Use short sentences
	9. Spell out Acronyms the first time they appear
	10. Eliminate “gray” areas
	11. Say it once
	12. State the obvious
2. Deliverables:
3. Define and clearly state standards that apply
4. Clearly state Interim deliverables with submittal format and corresponding quantity requirements
5. Clearly state Final deliverables with submittal format and corresponding quantity requirements
6. Include deliverable due dates

##

## Select Contractor

1. For this selection method, any Contractor can be selected. However, no Contractor may receive over $5,000 in annual plan agreements per **fiscal** year.
2. Email the draft Scope of Work to the Contractor and request a cost proposal.

##

## DBE Goal Setting Process

All contracts that are funded, in whole or in part, by federal funds need to be reviewed by the Office of Civil Rights (OCR) so that a DBE goal can be established. If your contract is not federally funded, skip this step. Consultant Services (CS) will serve as the liaison between the Contract Administrator and OCR.

1. Email the following documents toPTinbox.dot@state.mn.us:
2. **DBE Goal Request Coversheet**
3. Draft Certification Form (if applicable)
4. Draft Scope of Work

**Consultant Services will start a Goal Request workflow to kick off the process with the Office of Civil Rights.**

*You may carry on with other steps while this is being processed. Once the Office of Civil Rights has reviewed the information, a Race Gender Neutral Goal or a Percentage Goal will be assigned. The Office of Civil Rights will update CAATS with the assigned goal information and obtain the appropriate approvals through the workflow process. Once the workflow is complete, workflow will send an email to the Contract Administrator and Consultant Services with the goal information. Consultant Services will save the email to contract file (eDOCS). Based on the information provided in the workflow email, the Contract Administrator should revise any applicable language in the solicitation/contract documents.*

1. If a Percentage Goal was set, email the **DBE Special Provisions** package to the Contractor immediately.

## Conduct Negotiations

1. Working with the MnDOT Project Manager and the Contractor, finalize the scope of work, including the tasks, schedule, deliverables/due dates, and team; and finalize the budget.
2. Based on the Contractor, and the work being performed, determine the method of payment:
3. Cost Plus Fixed Fee: Provide a complete breakdown for labor [i.e. personnel/hours/rates, per task], with the Overhead Rate and Fixed Fee applied to the total labor costs, expenses [units/rate, and be sure to follow current travel regulations for travel expenses] and subcontractor costs, [with labor and expenses broken down similarly to the Contractor’s].
	1. When utilizing a Fixed Fee, you must fill out the **Fixed Fee Rate Worksheet** to ensure that the Contractor uses the appropriate fee in their final budget.
	2. Always check CAATS for the most up to date overhead rate for the Contractor.
	3. Questions regarding overhead can be addressed to Danielle Plocher in the Office of Audit.
4. Unit Rate: Provide a complete breakdown for labor [i.e. personnel/hours/rates, per task], expenses [units/rate, and be sure to follow current travel regulations for travel expenses) and subcontractor costs, (with labor and expenses broken down similarly to the Contractor’s].
5. Lump Sum: Determine how that Lump Sum(s) will be paid [amount per deliverable, paid at completion of all work, etc.]. Note: Lump Sum payments are only allowable for certain types of work.

## DBE Contract Clearance

1. Was a DBE RGN goal established?
* If yes, complete the steps in this section.
* If no, skip this section.

Contracts with a RGN goal assigned DO NOT need to be cleared until after the contract has been fully executed. Once you have an executed contract, email the following to PTinbox.dot@state.mn.us:

1. Completed DBE Special Provisions Documents

***Note: For RGN contracts, a DBE Contract Clearance Memo is not issued.***

1. Was a DBE Percentage Goal established?
* If yes, complete the steps in this section.
* If no, skip this section.
1. Complete the **DBE Contract Clearance Cover Sheet**. The Cover Sheet details the DBE Special Provisions Documents that need to be submitted by the Contractor.
2. Email the completed **DBE Contract Clearance Cover Sheet** and *\*appropriate documents* **to** PTinbox.dot@state.mn.us.

*\*The appropriate documents vary based on whether the goal was or was not met. Refer to the DBE Contract Clearance Cover Sheet for the list of documents. This same list of documents needs to be sent to the* *PTinbox.dot@state.mn.us* *along with the DBE Contract Clearance Cover Sheet.*

**Consultant Services will start a Contract Clearance workflow to kick off the process with the Office of Civil Rights.**

***Note:******Contract Administrators should submit the completed cover sheet and documentation as soon as the information is readily available so that the clearance process can take place as you are drafting your contract documents. Once OCR has reviewed the information, a DBE Contract Clearance memo will be issued to the Contractor, copying the Contract Administrator and CS. CS will save this information into eDOCs.******A contract cannot be sent to the Contractor until it is cleared by OCR.***

## Request Project ID Number

1. If you do not already have a Project ID (job number) to use, complete the Project Authorization Form – TC08 and email it to appropriate District Project ID Assignment Coordinator for issuance of a Project ID. An up to date list of Project ID Assignment Coordinators can be found on the CS website [[www.dot.state.mn.us/consult](file:///C%3A%5CUsers%5Cmcgi1mel%5CDesktop%5Cwww.dot.state.mn.us%5Cconsult)] under the **Internal Resources** tab.

##

## Prepare Contract Documents

1. Prepare the contract, using the **Contract Annual Plan** contract template.
2. Prepare contract exhibits, which may include:
3. A finalized Scope of Work Exhibit:
* Follow the tips in the Define Scope of Work section when finalizing the scope of work.
1. A finalized Budget Exhibit:
* Make sure all math is calculated correctly.
* Make sure that budget tasks align with the scope of work tasks.
* Do not include the Contractor’s name or logo.
* Do not round numbers.
* Do not use an extremely large budget exhibit. Larger, more detailed budgets can be used for project management purposes but do not need to be included in the contract.
* Budget should be easy to read and understand. If your font is so small you cannot read it, it should not be used in the contract.
1. **Travel Regulations**
2. **Invoice Form**
3. **Progress Report Form**
4. **Contractor Payment Form Exhibit – DBE** [if applicable]
5. Based on the DBE Goal Memo previously received, revise any applicable language in the contract documents [include federal language as applicable].

## Submit Contract for Review

This is a VERY important step. Having another set of eyes look at your contract is very helpful!

1. Review/check your entire contract using the **Contract Check List**.
2. Email the complete contract, with exhibits, to Ashley Duran for review.
3. Following review, incorporate any corrections/changes into the contract.

##

## Signature Process [Contractor]

* **If a DBE percentage goal was established, the contract must be cleared before moving to this step.**
1. Address an email to the Contractor’s Project Manager, CC PTinbox.dot@state.mn.us [for the contract file].
2. Copy and paste the text from the **Contractor Signature Letter** into the body of the email.
3. Make the appropriate revisions/fill in the blanks.
4. Attach a .pdf version of the contract, and its exhibits [in one .pdf file].
5. If a RGN DBE Goal was assigned, attach the **DBE Special Provisions**.

## Submit to Consultant Services for Processing [Contract Package]

Email the following information to PTinbox.dot@state.mn.us, once the contract is returned from the Contractor:

1. Signed Contract
2. **Contract Process Start Form** (CPS). The CPS collects the following information that is necessary to process the documentation and to enter into the database. Make sure the following information is filled in on the form:
	1. General Information
	2. Project/Services to be Contracted
	3. Funding Information
	4. TTAA Information
	5. Work Type Identification for Pre-Qualification Program projects
	6. Obtain approval from the Consultant Coordinator, or person in charge of the funds. An up to date list of Consultant Coordinators can be found on the CS website [[www.dot.state.mn.us/consult](file:///C%3A%5CUsers%5Cmcgi1mel%5CDesktop%5Cwww.dot.state.mn.us%5Cconsult)] under the **Internal Resources** tab.
3. **Encumbrance Form**. Make sure the following information is filled in on the form:
	1. MnDOT Contract Number
	2. Contract Type **[be sure to check the “Annual Plan” box**]
	3. Fiscal Year
	4. Total Contract Amount
	5. Amount of Contract for Current Fiscal Year
	6. Accounting Lines with the following information:
* Fund Code
* Approp ID
* FinDept ID
* Project ID
* Source Type
* Amount to encumber
	1. Contract Expiration Date
	2. Contract Administrator
	3. Project Manager Office
	4. Contract Service Type [old Work Type]
	5. Contractor Name

***Once the contract is fully executed, CS will:***

* ***Save the signed executed contract to the contract file.***
* ***Send an email to the Contract Administrator notifying them the contract is executed.***

## Notice to Proceed

1. Once you receive the executed contract from CS, email the executed contract to the Contractor for their records, as follows:
2. Address an email to your Contractor’s Project Manager, CC the MnDOT Project Manager and PTinbox.dot@state.mn.us [for the contract File].
3. Copy and paste the text from the **Notice to Proceed** letter into the body of the email.
4. Make the appropriate revisions/fill in the blanks.
5. Attach a .pdf version of the executed contract, along with a Word version of the Invoice and Progress Report forms, as applicable, for their use.

##

## File Documentation

1. The following documentation is necessary for the contract file. CS will have scanned and saved the following documents to the Contract File:
2. CPS Form
3. DBE Goal Setting Cover Sheet
4. DBE Goal Setting Email (from workflow)
5. DBE Goal Clearance Cover Sheet [if applicable]
6. DBE Goal Clearance Email (from workflow) [if applicable]
7. Contractor Signature Letter
8. Executed Contract
9. Notice to Proceed
10. Executed 16A/16C Violation Form [if applicable]
11. Contract Administrators are responsible for ensuring that all remaining documentation is submitted to PTinbox.dot@state.mn.us to be saved to the contract file [as soon as available]. This may include:
12. Completed Fixed Fee Rate Worksheet
13. Insurance Certificate(s)
14. Subcontractor Agreement(s)
15. Approval of Rate Changes [i.e. annual rate increases]
16. Approval of out-of-state travel expenses
17. Approval of direct expenses not listed in the contract
18. Approval of change in Key Personnel