



# OREGON DEPARTMENT OF FISH & WILDLIFE POLICY

## Administrative Services Division

<b>Title: Contract Administration</b>		<b>ASD_231_PO</b>
<b>Supersedes:</b>	N/A	
<b>Applicability:</b>	Applicable to all ODFW employees responsible for monitoring contractor and grantee performance under an ODFW-issued contract or outgoing grant agreement.	
<b>Reference:</b>	<a href="#">ORS 279A.159</a> ; <a href="#">OAR 125-246-0140</a>	
<b>Current Policy Effective Date:</b>	May 15, 2023	<b>Approved:</b>
<b>Original Policy Effective Date:</b>	July 1, 2018	

### I. PURPOSE

The purpose of this policy is to set forth the Oregon Department of Fish and Wildlife's (ODFW) policy on contract administration. This policy applies to the administration of ODFW's goods, services, and public improvement/public works contracts with contractors and outgoing grant agreements.

### II. DEFINITIONS

#### **CONTRACT:**

A written agreement between two or more parties that creates a legally enforceable obligation to do or not do a particular thing, and with requisite characteristics of competent parties, subject matter, a legal consideration, mutuality of agreement, and mutuality of obligation. The term "contract" in this policy applies to both contracts and outgoing grant agreements.

#### **CONTRACT ADMINISTRATION:**

The act of monitoring activities that occur during a contract to ensure compliance with the contract requirements as well as the contract terms and conditions. This includes managing and monitoring the performance and obligations of, and approving payment to, ODFW contractors. Administration occurs from the time the contract is awarded until all goods are received, all services are completed and accepted, final payment has been made to the contractor, any disputes have been resolved, and the contract is closed or terminated.

#### **CONTRACT ADMINISTRATOR:**

An ODFW employee who is assigned the duties of, and is responsible for, providing contract administration, either as a part of the employee's position description or as assigned within a particular contract. A contract administrator may delegate in writing a portion of the contract administrator's responsibilities to a technical representative for specific day-to-day administrative activities, including communications with the contractor.

#### **CONTRACT ADMINISTRATION TRAINING CERTIFICATE:**

Training certificate issued by the Oregon Department of Administrative Services (DAS) Procurement Services (PS) required for all state employees responsible for administering a contract with a value of \$150,000 or greater.

**DPO:**

ODFW's Designated Procurement Officer. This is the Contract Services Manager.

**OUTGOING GRANT AGREEMENT:**

A contract under which ODFW provides money, property, or other assistance to a recipient for the purpose of supporting or stimulating a program or activity of the recipient.

**III. POLICY**

It is the policy of ODFW to maintain the integrity of its contract management activities associated with monitoring the performance and obligations of ODFW contractors and grantees. As such, ODFW employees responsible for contract administration must have adequate education and training. This includes the requirement for all ODFW employees responsible for administering a contract to complete required training, and for those responsible for administering a contract with a value of \$150,000 or greater to complete required training and obtain a DAS PS Contract Administration Training Certificate in compliance with ORS 279A.159.

**IV. DUTIES AND RESPONSIBILITIES****A. Contract Services Manager/DPO**

1. The Contract Services Manager/DPO is responsible for developing and maintaining procedures to ensure effective and efficient administration of ODFW's goods, services, and public improvement/public works contracts and outgoing grant agreements in compliance with applicable laws and best practices.
2. The Contract Services Manager/DPO is responsible for tracking ODFW contract administrator compliance with the certification and training requirements of ORS 279A.159.
3. The Contract Services Manager/DPO shall ensure ODFW contract templates include a space to identify the ODFW contract administrator.

**B. Contract administrators**

1. Contract administrators responsible for administering contracts of any value shall complete the required training modules specified in the Contract Administration Duties and Training Guide.
2. Contract administrators responsible for administering contracts with a value of \$150,000 or greater shall complete the required training and obtain a DAS PS Contract Administration Training Certificate prior to the first assignment of contract administration duties.
  - a. Contract administrators shall keep their certification current as long as they continue to be responsible for administering contracts with a value of \$150,000 or greater.
3. Contract administrators shall conduct contract administration duties in accordance with the procedures developed by the Contract Services Manager/DPO.

**C. Managers who designate individuals as contract administrators or otherwise assign contract administration duties to ODFW employees**

1. Managers shall ensure all staff assigned contract administration duties, at any level, perform effective contract administration in accordance with ODFW Contract Administration Policy and Procedures, including completion of the required training and obtaining a DAS PS Contract Administration Training Certificate (when required).