

STATE CONTROLLER POLICY

CONTRACT MANAGEMENT SYSTEM

Under the Fiscal Rules, this is a State Controller Contract, Grant, and Purchase Order Policy. This Policy applies to all Personal Services Commitment Vouchers entered into by any State Agency or Institution of Higher Education (IHE).

1) Definitions.

- a. **CMS Administrator.** The individual or individuals within the Central Contracts Unit responsible for administering CMS, as designated on the CMS webpage of the Office of the State Controller's website available at <https://www.colorado.gov/pacific/osc/cms> (CMS Webpage).
- b. **CMS Record.** An individual entry into CMS that is assigned a unique CMS number by the system. The CMS Record includes all fields shown on that record, all notes and tasks associated with that record, and all attachments to that record.
- c. **Contract Management System (CMS).** The system developed by the Department of Personnel & Administration to centralize information about Personal Services Commitment Vouchers under §24-106-103, C.R.S.
- d. **Existing Record.** A CMS Record previously created in CMS for a Personal Services Commitment Voucher.
- e. **Personal Services.** The provision of labor, time, or effort for the benefit of the State.
- f. **Program Manager.** The individual within the State who is responsible for the day-to-day management of the Personal Services Commitment Voucher, as the designated contract manager with subject matter expertise required under §24-106-107(3), C.R.S.

2) Required Commitment Vouchers Entered into CMS.

- a. All of the following Commitment Vouchers shall be considered Personal Service Commitment Vouchers and State Agencies and IHEs shall enter all such Personal Services Commitment Vouchers to which they are a party into CMS within 30 days following their execution if their total maximum value is \$100,000.00 or greater:
 - i. State Contracts for Personal Services.
 - ii. Master Task Order Contracts.
 - iii. Purchase Orders for Personal Services.
 - iv. Information Technology Contracts.
 - v. Construction Contracts.
 - vi. Intergovernmental Agreements.
 - vii. Modifications of any Personal Services Commitment Voucher described in this section, including amendments, assignments, option letters, task orders, or any other modification permitted under the State Controller Contract, Grant, and Purchase Order Policy entitled "Modification of Contracts and Grants".
- b. If any modification increases the total maximum value of a Personal Services Commitment Voucher to \$100,000.00 or more, then the State Agency or IHE that is a party to that Personal Services Commitment Voucher shall enter the original Personal Services Commitment Voucher and all modifications to such Commitment Voucher into CMS within 30 days following the execution of the modification that increased the maximum value to \$100,000.00 or greater.

3) Commitment Vouchers and other Agreements not entered into CMS. The following Commitment Vouchers are not required to be entered into CMS, but may be entered at the discretion of the State Agency or IHE that is a party to the Commitment Voucher or agreement:

- a. Any Commitment Voucher to which the State is a party under Medicare including any contract involving the "Colorado Medical Assistance Act", the "Children's Basic Health Plan Act" or the "Colorado Indigent Care Program".
- b. Grant Agreements and Small Dollar Grant Awards, regardless of amount or funding source.
- c. Interagency Agreements.
- d. Non-Expenditure Contracts, including Revenue Contracts.

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- e. Real Property Lease/License Agreements and Real Property Purchase Agreements
- f. State Contracts for Personal Services that have a total contract maximum that is below \$100,000.00.

4) CMS Record Requirements

- a. **New Personal Services Commitment Voucher Records.** CMS users shall fill out all of the following fields for each CMS Record for a new Personal Services Commitment Voucher the user creates:
 - i. Contract Title – A short title used to identify the Personal Services Commitment Voucher.
 - ii. Contract Purpose – A description of the Personal Services Commitment Voucher that is made available to the public.
 - iii. Contractor/Vendor – The person or entity that the State Agency or IHE is contracting with under the Personal Services Commitment Voucher.
 - iv. FEIN – The Contractor's Federal Employer Identification Number.
 - v. Contract Administrator – The person within the State who is responsible for the maintenance of the record in CMS.
 - vi. Agency/IHE (Department) Name – The name of the State Agency or IHE that entered into the Personal Services Commitment Voucher.
 - vii. Agency/IHE (Department) Code – The 4-digit agency code assigned to the State Agency or IHE that entered into the Personal Services Commitment Voucher.
 - viii. Effective Date – The date on which the Personal Services Commitment Voucher was executed, unless a later date was included in the Personal Services Commitment Voucher.
 - ix. Expiration Date – The date on which the Personal Services Commitment Voucher will currently expire. This date shall be modified when the expiration date is modified as permitted under the State Controller Contract, Grant, and Purchase Order Policy entitled "Modification of Contracts and Grants", such as through the use of an amendment or option letter.
 - x. Number of Renewal Periods – The number of remaining renewal periods left on the Personal Services Commitment Voucher. This number shall be changed as modifications that exercise the right to use renewal periods are completed, such as when an amendment or option letter extends the Personal Services Commitment Voucher into a new or additional renewal period.
 - xi. Contract Group/Type – The general contract type, such as personal services, leases, and intergovernmental. "Exempt" shall be used for any contract that is included at the discretion of the State Agency or IHE under §3).
 - xii. Contract SubType – PS – The specific service type of the contract if "Personal Services" was chosen as the "Contract Group/Type".
 - xiii. Maximum Amount – The current maximum amount shown in the Personal Services Commitment Voucher, including the amount for any optional renewal years that are included in the Personal Services Commitment Voucher. This number shall be changed as modifications are executed that increase the maximum amount shown on the Personal Services Commitment Voucher.
 - xiv. Solicitation/Selection Method Used – The solicitation type that was used to select the vendor. If the selection method is permitted under the Procurement Code and the Procurement Rules but is not listed in CMS, then the CMS user shall select "OTHER" and enter the method used in the field named "If selected OTHER, enter Method used".
 - xv. Are Services ANTICIPATED to occur outside of Colorado – a yes or no question on whether the contractor or vendor will likely perform some or all of the services under the Personal Services Commitment Voucher in a location that is outside of the State of Colorado.
 - xvi. Are Services ANTICIPATED to occur outside of the United States – a yes or no question on whether the contractor or vendor will likely perform some or all of the services under the Personal Services Commitment Voucher in a location that is outside of the United States.

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- xvii. Percentage of work ACTUALLY performed outside of Colorado – the percentage amount of the services under the Personal Services Commitment Voucher actually performed by the contractor or vendor in a location outside of the State of Colorado.
 - xviii. Percentage of work ACTUALLY performed outside of the United States – the percentage amount of the services under the Personal Services Commitment Voucher actually performed by the contractor or vendor in a location outside of the United States.
 - xix. Any other field on the CMS Record that is required under the policies or procedures of that CMS user's State Agency or IHE.
- b. Records for Modifications to Existing Records.** CMS users shall fill out all of the following fields for each CMS Record for a modification to Existing Records:
- i. Contract Title – A short title used to identify the modification.
 - ii. Contractor/Vendor – The person or entity that the State Agency or IHE is contracting with under the Personal Services Commitment Voucher.
 - iii. Contract Administrator – The person within the State who is responsible for the maintenance of the record in CMS.
 - iv. Agency/IHE (Department) Name – The name of the State Agency or IHE that entered into the Personal Services Commitment Voucher.
 - v. Agency/IHE (Department) Code – The 4-digit agency code assigned to the State Agency or IHE that entered into the Personal Services Commitment Voucher.
 - vi. Effective Date – The date on which the modification was executed, unless a later date was included in the Personal Services Commitment Voucher.
 - vii. Contract Group/Type – For all modifications to an existing Personal Services Commitment Voucher, the user shall select "Modification".
 - viii. Any other field on the CMS Record that is required under the policies or procedures of that CMS user's State Agency or IHE.

5) Retention of CMS Records.

- a. Required Records.** State Agencies and IHEs shall maintain the CMS Record for a Personal Services Commitment Voucher that is required to be entered into CMS under §2) of this Policy for the same period of time that the State Agency or IHE is required to maintain the official agreement file for that Commitment Voucher under the State Controller Contract, Grant, and Purchase Order Policy entitled "Record Retention for Commitment Vouchers" (the later of six years from the date the Commitment Voucher Expiration term ends or the date of resolution for any controversies relating to the Personal Services Commitment Voucher), except that the State Agency or IHE shall not remove the CMS Record for a Personal Services Commitment Voucher prior to destroying or deleting the official agreement file for that Personal Services Commitment Voucher.
- b. Discretionary Records.** State Agencies and IHEs may maintain the CMS Record for any Commitment Voucher or agreement that is entered into CMS at the State Agency's or IHE's discretion under §3) of this Policy for any period determined appropriate by the State Agency or IHE, and may delete those records at any time.

6) User Access and Permissions

- a. Single Point of Contact.** Each State Agency and IHE shall designate at least one "Single Point of Contact" (SPC) who is responsible for approving all requests for user access and changes to permissions. State Agencies and IHEs may designate more than one SPC at the State Agency's or IHE's discretion. State Agencies and IHEs shall notify the CMS Administrator of any changes to that State Agency's or IHE's SPC.
- b. User Access Requests.** When a State Agency or IHE needs to add, remove, or modify a user in CMS, the SPC of that State Agency or IHE shall submit a User Request Form (URF) to the CMS Administrator following the process and using the URF shown on the CMS Webpage. The CMS Administrator will only accept a URF submitted by a SPC or that otherwise documents the approval of the change by the State Agency or IHE. A State Agency or IHE may only request

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user access for CMS for State employees unless the State Agency or IHE has received prior approval from the CMS Administrator.

c. Access Levels. The following access levels are available for CMS users:

- i. Program Manager (PM). This level has the following permissions: view all CMS Records, create reports for personal use, and complete assigned tasks.
- ii. Contract Writer (KW). This level has the following permissions: view all CMS Records, create new contract records, edit records created by the user, create reports for personal use, and complete assigned tasks.
- iii. Contract United Director (KD). This level has the following permissions: view all CMS Records, create new contract records, edit any records created by any user in their State Agency or IHE, delete any records created by any user in their State Agency or IHE, create reports for personal use, and complete assigned tasks.
- iv. Custom. This level allows specialized permissions for any existing user that may include any of the permissions allowed under any other level. To request special permissions, the SPC of the State Agency or IHE requesting the permissions shall work directly with the CMS Administrator to determine the appropriate permissions for the user.

7) Vendor Requests. Any CMS user may submit a request to have a vendor added to CMS unless that user's State Agency or IHE has a more restrictive policy on who is permitted to submit such requests. When an authorized user needs to add a vendor to CMS, the user shall submit a Vendor Request Form to the State Purchasing and Contracts Office following the process and using the Vendor Request Form shown on the CMS Webpage.

8) Monitoring Vendor Performance. State Agencies and IHEs may choose, in their discretion, to use CMS to facilitate the monitoring of vendor performance as required by §24-106-107, C.R.S., and Fiscal Rule 3-3. Unless required by State Agency or IHE policy, CMS users are not required to complete vendor performance evaluations in CMS.



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