



This guide has been prepared to assist agencies in the preparation of contracts for Professional Services exempt from the competitive bidding process. See Title 18 O.S. § 803 for those professions exempt from competitive bidding. See Title 74 O.S. § 85.4 & §85.41 for requirements pertaining to professional services.

I. The following is representative (not all inclusive) of criteria/requirements of a contract document:

- A. Parties to the contract stated as one of the following:
 - 1. When contracting with an individual, name of licensed contractor
 - 2. When contracting with a company for the services of an individual(s) name of company, including name(s) of licensed employee(s) conducting contract work
- B. Contract Requirements/Scope
- C. Compensation rate, e.g.: per hour rate, rate for various assignments, etc.
- D. Method of payment
- E. Performance measures
- F. Contract administrator/agency contact
- G. Terms and Conditions, i.e.:
 - 1. Contract Period
 - 2. Renewal Clause (state option(s), if considering multiple years)
 - 3. Termination Clause
 - 4. Oral Agreements Clause
 - 5. Audit/Retention of Records Clause
 - 6. Insurance Clause (if applicable)
 - 7. Equal Employment Opportunity Clause (if applicable)
 - 8. Workers Compensation Clause (if applicable)
 - 9. Liability Clause (if applicable) Default Clause
 - 10. Inspection of Services
 - 11. Any additional terms required by the agency
- H. Signature of both parties
- I. At least one original of the contract (when submitting to Central Purchasing), and any additional originals required by your agency

II. Documentation required for agency file:

- A. Executed original copy of contract containing the above requirements
- B. Contract Non-Collusion Certification https://www.ok.gov/dcs/searchdocs/app/manage_documents.php?id=276
- C. Copy of license of individual(s) performing service
- D. Attorney General's approval when contracting with an attorney. See Title 74 O.S. § 20i
- E. Work Plan
- F. Professional or nonprofessional service statutory language included pursuant to Title 74 O.S. § 85.4

III. If Central Purchasing is required to process the acquisition, the following is to be submitted to Central Purchasing:

- A. Executed original of contract containing the above requirements
- B. Requisition to Central Purchasing
- C. Professional or nonprofessional service statutory language included pursuant to Title 74 O.S. § 85.4
- D. Contract Non-Collusion Certification https://www.ok.gov/dcs/searchdocs/app/manage_documents.php?id=276
- E. Attorney General's approval when contracting with an attorney
- F. Work Plan

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