



INSTRUCTIONS FOR COMPLETING Standard forms 215, 213, 213a, and Routing Instructions for OLS Review

Rev 10-08-18

Included in this package are completion instructions for:

- STD 215
- STD 213
- STD 213a (Amendment Form)
- Preparation and Routing Instructions for Office of Legal Services (OLS) Review and Approval

AGREEMENT SUMMARY (STD 215) - Completion Instructions

Form Field	What To Enter
Agreement Number or Amendment Number	Enter the agreement number. Enter the amendment number (if applicable).
(#1) Contractor's Name	Enter the full legal name of the firm/agency with whom you are contracting.
(#2) Federal I.D. Number	Enter contractor's federal tax ID number (9-digit code).
(#3) Agency Transmitting Agreement	Enter the full name of the agency transmitting the agreement.
(#4) Division, Bureau, or Other Unit	Enter name of appropriate division, bureau, or other unit within your agency.
(#5) Agency Billing Code	Enter appropriate agency billing code (6-digit DGS charge code). (DGS agency billing codes were previously 5-digit. However, with the implementation of the new Activity Based Management System (ABMS), the agency billing codes have been converted to 6-digit codes by adding a zero in front of the number (i.e. 30016 is now 030016).
(#6) Contract Analyst	Enter the name, email, and telephone number of the contract analyst who can answer questions regarding the agreement.
(#7) Prior Contract Services	Check "NO" or "YES". If "YES", enter the name of the previous contractor and the prior agreement number.

AGREEMENT SUMMARY (STD 215) - Completion Instructions

(#8) Description of Services	Enter a brief and concise description of the services being contracted. Your entry is limited to 72 characters including punctuation marks and spaces (e.g., "Claims Adjusting Services," "Copier Maintenance," "Consulting Services," "Training and Development").
(#9) Agreement Outline	<p>Provide an overview of the work or services that will be performed. Include the following:</p> <ul style="list-style-type: none">• Reason for agreement, including specific problem, administrative requirement, program need or other circumstances making the agreement necessary; and• Identify any special or unusual terms and/or conditions. <p>Attach additional sheets if necessary.</p> <p>For amendments, identify and justify the changes being made to the agreement. Do not restate the Agreement Outline described on the Summary Agreement (STD 215) that accompanied the original agreement.</p>
(#10) Payment Terms	Check all appropriate boxes that apply to the payment terms of the agreement.
(#11) Projected Expenditures	This information should be available from the awarding agency budget or accounting office.
(#12) Term, Cost, and Bidding Method of Agreement	<p>Enter term (start and end date), total cost of the transaction, and bidding method (i.e. bid, NCB/SCR, exempt), as appropriate for the original agreement. Also complete the "TOTAL" field.</p> <p>Amendments: Enter the information of the original agreement, as well as previous amendments. Following this, enter term, total cost of the amendment transaction, and legal authority that apply to current amendment. Also complete the "TOTAL" field by adding all figures in the column. Attach additional sheets if necessary.</p>

AGREEMENT SUMMARY (STD 215) - Completion Instructions

(#13) Bidding Method	<p>Check the appropriate box to indicate the bidding method used. Include a narrative explanation if the following items are checked:</p> <ul style="list-style-type: none">• "OTHER" - explain bidding method• "EXEMPT FROM BIDDING" - cite authority for exempt status• "REQUEST FOR PROPOSAL" (Secondary Method) - justify why this method was used. <p>Amendments: Cite authority for the amendment (e.g. option year, NCB, statutory exemption)</p> <p>Attach the following documentation, when applicable:</p> <ul style="list-style-type: none">• Proof of advertising if award was subject to bidding• Contract Advertising Exemption (STD 821) if an exemption for advertising was obtained• A complete copy of an approved NCB or SCR
(#14) Summary of Bids	<p>List the names of bidders, amount bid (or score earned when Secondary RFP method is used), and each bidder's small business and/or DVBE status. Attach additional sheets if necessary.</p> <p>Amendments, NCB/SCRs, and exempt contracts: Leave this item blank.</p>
(#15) Award to Other than Low Bidder	<p>Provide a narrative justification of an award to other than the low bidder (e.g., indicate if low bidder was non-responsive, non-responsible, etc.)</p> <p>Amendments, NCB/SCRs, and exempt contracts: Leave this item blank.</p>
(#16) Basis for Determining Reasonableness of Price/Rate	<p>If fewer than three bids were obtained, explain the basis for determining that the price or rates charged are reasonable (compare costs of similar services, note differences, list special factors affecting the cost, explain why costs are appropriate, etc.)</p> <p>Agreements with other state agencies: If costs were computed in accordance with S.A.M. 8752, state that as the basis.</p>

AGREEMENT SUMMARY (STD 215) - Completion Instructions

(#17) Justification for Contracting Out	<p>Check the appropriate box.</p> <p>If contracting out per Government Code (GC) Section 19130(a), attach a copy of the Notice of Intent filed with the State Personnel Board (SPB) and a copy of SPB's decision if an employee organization requested review, per State Contracting Manual (SCM) Section 7.05A.1, GC Section 19131, and California Code of Regulations Section 547.69.</p> <p>If contracting out per Government Code (GC) Section 19130(b), a completed JUSTIFICATION – California Code of Regulations, Title 2, Section 547.60 must be attached (page 3).</p>
(#18) Agreements in Excess of \$5000	<p>Agencies are required to submit one Contract Award Report (STD 16) to the Department of Fair Employment and Housing (DFEH) within ten (10) days of awarding a standard agreement of \$5000 or more (see SCM 7.15B). Check the appropriate box.</p>
(#19) Conflict of Interest Codes	<p>Current state employees may not engage in paid activities or contract with the State for services which are not required as a condition of regular state employment (see Public Contracts Code (PCC) section 10410 and SCM section 7.10A). Former state employees are limited in what paid activities they may engage in with the State for specified periods after leaving state employment (see PCC section 10411 and SCM 7.10B). Check the appropriate box.</p>
(#20) Contractor Evaluations	<p>Agencies are required to prepare post evaluations on the Contract/Contractor Evaluation (STD 4) form within 60 days of completion of a consultant contract for \$5000 or more and submit them to DGS/OLS. Agencies are further required to review any applicable negative evaluations on file with DGS/OLS before awarding a consultant contract (see PCC section 10371 and SCM 3.02.3). Check the appropriate box.</p>
(#21) Contractor Certification Clauses (CCC) and Payee Data Record (STD 204)	<p>Contractors are required to have a signed copy of the Contractor Certification Clauses (CCC) and of the Payee Data Record (STD 204) on file with the state before payment against any contract can be made. These forms must be renewed every three (3) years. Check the appropriate box.</p>

AGREEMENT SUMMARY (STD 215) - Completion Instructions

(#22) Required Resolutions	<p>A board resolution may be required for authority to enter into an agreement with a local government entity, state board/commission, or joint powers agency (see SCM section 2.06B, 3.05 and 3.13). Check the appropriate box. If "NO" is checked, provide an explanation. If "YES" is checked, attach a copy of the board resolution.</p>
(#23) Disabled Veterans Business Enterprise Goals	<p>Check the appropriate box(es). If "NO" explain why Disabled Veterans Business Enterprise (DVBE) participation does not apply. If "YES" attach applicable documentation (i.e., form/list showing goal attainment, DVBE certifications, etc.) Amendments: Explain changes in participation, if any, for each amendment.</p>
(#24) Small Business Certification	<p>Check the appropriate box. If "YES" indicate the business type using Office of Small Business and Disabled Veteran Business Enterprise Services (OSDS) guidelines (i.e., Services, Contractor (Construction), Manufacturer, Non-Manufacturer), and include the small business reference number (SCM 8.20 B).</p>
(#25) Agreement Longer than Three Year Period	<p>Check the appropriate box. If "YES" justify why the agreement term is longer than three years (see SCM Section 7.80).</p>
Signature Block	<p>Provide a Signature, Name/Title and Date, of a person authorized to sign on behalf of the awarding agency.</p>

STANDARD AGREEMENT (STD 213) - Completion Instructions

Form Field	What To Enter
Agreement Number	Enter the agreement number. Enter the amendment number (if applicable). For agreements between state agencies where an additional number is required, enter the other agency's number in the margin above the "AGREEMENT NUMBER".
(#1) Contracting Agency Name	Enter your agency's full name.
(#1) Contractor Name	Enter the full legal name of the firm/agency with whom you are contracting.
(#2) Term of Agreement	Enter the term of the agreement. If fixed dates are known, enter (start date) through (end date). If fixed dates are not known, state the terms as known (i.e., performance is to commence upon receipt of written notice from the agency and shall continue through (end date), etc.
(#3) Maximum Amount of Agreement	<p>Enter the maximum amount of the agreement (numeric above and spelled out below).</p> <p>Example:</p> <p>\$1,000.00</p> <p>One thousand dollars and no cents.</p>
(#4) Exhibits	<p>List exhibits as needed (with corresponding number of pages).</p> <p>Exhibit A - Scope of Work</p> <p>All agreements shall have a Scope of Work (SOW). (Refer to State Contracting Manual (SCM) Section 5.35 for what to include in the SOW.)</p> <p>Any necessary attachments specific to Exhibit A, Scope of Work, (i.e., specifications, drawings, etc.) should be listed separately under this exhibit and identified as Attachment I, Attachment II, etc.</p> <p>Exhibit B - Budget Detail and Payment Provisions</p> <p>All agreements shall have budget detail, payment provisions, and any language specific to costs, fees, percentages, etc., listed here (see SCM Sections 7.30 through 7.33).</p>

STANDARD AGREEMENT (STD 213) - Completion Instructions

<p>(#4) Exhibits (continued)</p>	<p>List exhibits as needed (with corresponding number of pages).</p> <p>Exhibit A - Scope of Work</p> <p>All agreements shall have a Scope of Work (SOW). (Refer to State Contracting Manual (SCM) Section 5.35 for what to include in the SOW.)</p> <p>Any necessary attachments specific to Exhibit A, Scope of Work, (i.e., specifications, drawings, etc.) should be listed separately under this exhibit and identified as Attachment I, Attachment II, etc.</p> <p>Exhibit B - Budget Detail and Payment Provisions</p> <p>All agreements shall have budget detail, payment provisions, and any language specific to costs, fees, percentages, etc., listed here (see SCM Sections 7.30 through 7.33).</p> <p>Any necessary attachments specific to Exhibit B, Budget Detail and Payment Provisions, (i.e., cost detail, cost sheets, cost analysis, etc.) should be listed separately under this exhibit and identified as Attachment I, Attachment II, etc</p> <p>Exhibit C - General Terms and Conditions</p> <p>General Terms and Conditions can be found on the OLS website. For non-Information Technology service contracts, there are two types of standard General Terms and Conditions:</p> <ul style="list-style-type: none">• General Terms and Conditions for agreements with non-state agencies (GTC);• General Terms and Conditions for Interagency Agreements with state agencies (GIA). <p>The current version of the GTC or GIA may be incorporated by reference into the agreement (e.g., GTC 04/2017 or GIA - 610), but do not attach a hard copy to the agreement. To determine the correct version of the GTC or GIA, use the contract effective date as your reference point.</p> <p>NOTE: If any of the GTC or GIA language is modified by the parties, they can no longer be incorporated by reference, and must be attached in full as Exhibit C. The header on the document must be removed to indicate that the standard GTC or GIA language is not being used.</p>
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STANDARD AGREEMENT (STD 213) - Completion Instructions

	<p>General Provisions for Information Technology service contracts can be found on the DGS Procurement Division website.</p> <p>Exhibit D - Special Terms and Conditions (Optional)</p> <p>Special Terms and Conditions are terms and conditions that are specific to your agency and that are included in all your agreements.</p> <p>Agencies may not have contract language to place in this exhibit. If no such contract language is in use by your agency, Exhibit D can be eliminated.</p> <p>Note: An agency may choose to have their Exhibit D reviewed and approved by their DGS/OLS attorney and placed on the Internet website (hyperlink) for incorporation by reference.</p> <p>Exhibit E - Additional Provisions (Optional)</p> <p>This exhibit should contain those terms and conditions that are specific to the type of service being performed (i.e., program requirements, etc.). For examples, please refer to <u>Samples of alternate "Additional Provisions."</u> These approved provisions are optional. They may be used as written, or an agency may choose to omit or replace with their own language.</p> <p>If no additional provisions are used by your agency, Exhibit E can be eliminated.</p> <p>Other Exhibits</p> <p>Other exhibits may be added as required by the agreement if they cannot be classified within the subject matter of the exhibits listed above.</p> <p>NOTE: All rows in field #4 can be renamed, revised, and expanded as needed. Rows can be added to or subtracted from this field, as appropriate. The column for Pages is only intended for page number totals for each Exhibit.</p>
Signature Block	Complete as noted except for signatures and dates. Original signatures and dates should be provided by the contractor and the authorized agency representative.

STANDARD AGREEMENT (STD 213) - Completion Instructions

General Services Approval Box	If the agreement is exempt from DGS approval, list the exemption and insert the appropriate authority citation (i.e., State Administrative Manual (SAM) section, statutes, or exemption letter number). Please refer to Chapter 4 of the SCM for exemption requirements.
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STANDARD AGREEMENT - AMENDMENT (STD 213 A)**Completion Instructions**

Form Field	What To Enter
Agreement Number or Amendment Number	Enter the original agreement number. Enter the applicable amendment number. For agreements between state agencies where an additional number is required, enter the other agency's number in the margin above the "AGREEMENT NUMBER".
(#1) State Agency's Name	Enter your agency's full name as shown on the original agreement.
(#1) Contractor's Name	Enter the contractor's full legal name as shown on the original agreement. Name change amendments: When processing an amendment to reflect a contractor's name change, enter the contractor's new full legal name as shown on the Payee Data Record (STD 204). Refer to State Contracting Manual (SCM) Section 3.09.A.13 for the back-up documentation needed to substantiate a name change. Remember to collect a new Payee Data Record (STD 204) for all non-governmental contractors.
(#2) Term of Agreement	Enter the term of the agreement unless the amendment is extending the contract term. If the contract term is being extended, enter the new ending date. If fixed dates were shown on original agreement, enter original start date through ending date (or new ending date, if applicable). If fixed dates are not known, state the terms as shown on the original agreement (i.e., performance is to commence upon receipt of written notice from the agency and shall continue through ending date (or new ending date, if applicable). etc.
(#3) Maximum Amount of Agreement	Enter the maximum amount of the agreement (numeric above and spelled out below). Example: \$1,000.00 One thousand dollars and no cents. If maximum amount is being amended, enter the new maximum amount in the same format shown above.

STANDARD AGREEMENT - AMENDMENT (STD 213 A)

Completion Instructions

(#4) Exhibits	If changing any contract exhibits (i.e., adding new exhibits, deleting previously listed exhibits, or changing the number of pages), please refer to SCM section 3.09 for standard amendment language and procedures.
Signature Block	Complete as noted except for signatures and dates. Original signatures and dates will be provided by the contractor and the authorized agency representative.
General Services Approval Box	If the agreement is exempt from Department of General Services approval, check the exemption box and insert the appropriate authority citation (i.e., State Administrative Manual (SAM) section, statutes, or exemption letter number). Please refer to Chapter 4 of the SCM for exemption requirements.

STANDARD AGREEMENT PACKAGE PREPARATION AND OLS ROUTING PROCEDURES

Below is a guide outlining the steps to follow in preparing the forms and agreement package for routing, review, and approval. The order of the steps may vary for each department.

Step	Action To Be Taken
1	Complete the Standard Agreement (STD 213) according to instructions provided in the Standard Agreement (STD. 213) Completion instructions. Be sure to include all necessary exhibits.
2	Complete the Agreement Summary (STD 215) according to instructions provided in the Standard Agreement (STD. 215) Completion instructions. Be sure to include required additional documentation: (California State Contracts Register (CSCR) advertisement, Disabled Veteran Business Enterprise (DVBE) required documents, complete copy of approved NCB/SCR, Invitation for Bid (IFB) or Request for Proposal (RFP), Board Resolutions etc. (see State Contracting Manual (SCM) section 4.08).
3	Obtain authorized signatures on the STD 213 (i.e., department contract officer/official and contractor) and STD 215 (i.e., department contract analyst or contract officer, as appropriate). In addition, obtain an authorized signature on the first page of the Contractor's Certification Clauses (CCC) found on the Internet at http://www.dgs.ca.gov/ols/Resources/StandardContractLanguage.aspx , if one is not currently on file with your agency. (CCCs are good for three (3) years.)
4	Route two (2) copies of the STD 215 through your departmental accounting office for encumbrance and signature along with a complete copy of the STD 213 package, or a face sheet of the STD 213 (whichever your individual accounting office accepts/requires).
5	Prepare the package for routing to the Department of General Services, Office of Legal Services (DGS/OLS) for review and approval (refer to State Contracting Manual (SCM) for approval requirements). DGS/OLS will require: For New Contracts:
How Many	What To Include
1	Complete STD 213 package, including exhibits and backup documentation as required. (Photocopy signature okay)
3	STD 213 face sheets. (Two (2) must have signatures designated as originals.)*
2	STD 215s, including any backup documentation or attachments. (One (1) copy must have a signature designated as original.)*
	*Signature stamps are <u>not</u> acceptable.

STANDARD AGREEMENT PACKAGE PREPARATION AND OLS ROUTING PROCEDURES

For Amendments:	
1	Complete STD 213a package for the amendment, including exhibits and backup documentation (Photocopy signatures okay)
3	STD 213a face sheets for the amendment. (Two (2) must have signatures designated as originals.)*
2	STD 215s, including any backup documentation or attachments for the amendment. (One (1) copy must have a signature designated as original.)*
	*Signature stamps are <u>not</u> acceptable.
1	Complete STD 213 package for the original contract. (Photocopy signature okay)
1	STD 215, for the original contract. (Photocopy signature okay)
1	Complete STD 213a for each previous amendment to the contract (Photocopy signatures okay)
1	STD 215, for each previous amendment to the contract. (Photocopy signature okay)

STANDARD AGREEMENT PACKAGE PREPARATION AND OLS ROUTING PROCEDURES

6	<p>After approval, DGS/OLS will:</p> <ul style="list-style-type: none">(a) Keep one (1) original signed STD 215 (and STD 213 package at OLS discretion)(b) Send one (1) photocopy signed STD 213 face sheet and one (1) photocopy signed STD 215 to the State Controller's Office (SCO); Claims Audit Unit, and(c) Return all other documents to your department.
7	<p>Upon receipt of the STD 213 face sheets from DGS/OLS, reassemble the agreement to add all exhibits, then distribute the copies according to departmental procedures (i.e., department file, contractor (plus any other copies specific to your department)).</p>