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STATE *of* NEBRASKA
EXECUTIVE OFFICE
LINCOLN

EXECUTIVE ORDER

No. 00-04

Selection of Contractual Services

- 1.0 **Establishment.** The Governor of the State of Nebraska, through Executive Order 00-04, hereby orders that State agencies shall immediately utilize an open competitive process for selecting recipients for contracted services.
- 2.0 **Purpose.** The purpose of this order is to establish a standardized, open and fair process for selection of contractual services and to create an accurate reporting of expended funds for such services. This process shall promote a standardized method of selection in State contracts for services, assuring a fair assessment of qualifications and capabilities for project completion. There will also be an accountable, efficient reporting method of all expenditures for these services.
- 3.0 **Charge.** Each agency director shall be responsible for utilizing a process for selecting contractual services. For those contracts not currently covered by state or federal law, each agency shall follow the process prescribed by the *Procedure for the Procurement of Contractual Services* manual of the Department of Administrative Services - Materiel Division or an alternate process approved by the Director of Administrative Services.
 - 3.1 All services in excess of \$25,000 for a contract period shall be subject to the order.

- 3.2 Agency directors will be responsible for maintaining an accurate accounting of the process used for selection of all contracts, which shall include:
 - (a) A clear scope of work;
 - (b) Cost comparisons to ensure reasonable fees;
 - (c) A defined work product expected;
 - (d) Coding to the appropriate line of coding. This will enable DAS Accounting to provide a report upon demand of all service expenditures.
- 3.3 Agency directors shall assure that each contract in excess of \$25,000 shall follow the DAS Materiel *Procedures for the Procurement of Contractual Services* manual or a process approved by the DAS Director.
- 3.4 Agency directors shall be responsible for adequate public notice of an impending project.
- 3.5 Agency directors shall be responsible for ensuring preparation of a request for contractual services to be filed with the DAS Materiel Division for dissemination or website access to vendors interested in competing for services.
- 3.6 DAS Materiel Division shall provide a procedural manual for procurement of contractual services to all agencies.
- 3.7 DAS Materiel Division shall be available to all agencies for assistance in providing vendor lists for specific services, for consultation, and for guidance in the process for the procurement of contractual services.
- 3.8 DAS Materiel Division shall provide procedures to grant limited exemptions for "sole source," "specialized sources," "emergency," and other unique requirements, subject to review by the DAS Director.
- 3.9 DAS Accounting shall be able to provide a report to the Director of Administrative Services on all service contract expenditures, upon demand.
- 3.10 The Department of Administrative Services shall work with agency personnel to continually assess the process to ensure it is open, fair, standardized, and expedites delivery of a work product.

4.0 **Powers.**

- 4.1 The DAS Materiel Division will update and modify the *Procurement* manual to address change in scope defined by purchasing standards, state law and economic necessity.
- 4.2 The DAS Materiel Division may issue reports, recommendations and communications as necessary.

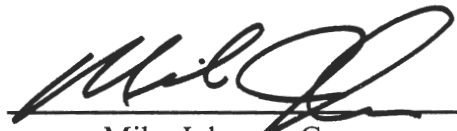
5.0 **Governance.**

5.1 Each agency director shall have the responsibility and be held accountable for adherence to this procedure.

5.2 The Department of Administrative Services and its divisions shall be responsible for a timely response to agency requests, monitoring procedure compliance and reporting same to the Governor.

6.0 **Sunset.** This Executive Order becomes effective on December 21, 2000, and remains effective until rescinded. This Executive Order supercedes Executive Order 95-4.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Nebraska to be affixed this 21st day of December, in the year of our Lord Two Thousand.



Mike Johans, Governor
State of Nebraska

Attest:



John A. Gale, Secretary of State
State of Nebraska

