



**In accordance with Minn. Stat. § 16C.08, subdivisions 2 and 3, provide the following:** (attach additional pages if necessary)

- 1) Describe how the proposed contract is necessary and reasonable to advance the statutory mission of your agency: ***The Commissioner of the Dept of Administration has delegated the Real Estate and Construction Services the authority to provide state agencies with services for design and construction. Minn. Stat. 16B.30.***
- 2) Describe your plan to notify firms or individuals who may be available to perform the services called for in the solicitation other than advertising in the *State Register* or on the MMD Web site: **RFP was sent to .** Each was selected from the RECS list of qualified Consultants that responded to the RFP published in the State Register. RFP selection procedure requires solicitation of proposals as follows:

- |   |   |
|---|---|
| <input type="checkbox"/> Up to \$25,000         | Choose one appropriate CONSULTANT on the M-Contract list.             |
| <input type="checkbox"/> \$25,000 to \$100,000  | Send written RFP to at least three (3) CONSULTANTS on M-Contract List |
| <input type="checkbox"/> Greater than \$100,000 | Send written RFP to all qualified CONSULTANTS on M-Contract List      |

, **Master Contract No. was selected because .**

- 3) Describe the performance measures or other tools that will be used to monitor and evaluate master contractor performance and how the results of the work will be used: *RECS project managers set milestones and monitor the consultant's progress throughout the project for compliance with the articles of the contract and the services and deliverables required in the contract. The contract identifies the major project phases. Upon completion of each phase the RECS project manager will review the consultants work for compliance with the contract articles and the services and deliverables required in the contract. The consultant will not proceed to the next phase until authorized by the project manager. During each phase the RECS project manager will also monitor the work via review documents, periodic design and /or construction progress meetings. During the construction phase the RECS project manager will review/approve all pay requests and supplemental agreements.*

**Single Source Request** [Complete this section only if you are required to get more than one proposal and do not do so.]

- Identity of Consultant and justification memo is attached. A sample can be found at [www.mmd.admin.state.mn.us/](http://www.mmd.admin.state.mn.us/)
- Not Applicable

**Agency Certifications.** Pursuant to Minn. Stat. § 16C.08, I certify:

1. *No state employee is (a) able and (b) available to perform the services called for by the contract*
  - A. **How did you reach this conclusion:**  
RECS Staff were considered; however, no one is available to perform services.
  - B. **List other methods considered for accomplishing the work:** Services are required to be performed by individuals or firms with special expertise and special equipment generally not available in state government. To the best of our knowledge, no other method is available.
2. *The normal competitive bidding mechanisms (low bid) will not provide for adequate performance of the service.*
3. *Reasonable efforts will be made to publicize the availability of the contract to the public.*
4. *The agency will develop and implement a written plan providing for the assignment of specific agency personnel to manage the contract, including a monitoring and liaison function, the periodic review of interim reports or other indications of past performance, and the ultimate utilization of the final product of the services. The following person has been assigned to manage the contract as well as monitor and act as liaison for the*

contract: .

5. *No one in or on behalf of the agency will authorize the contractor to begin work before the contract is fully executed unless an exception has been granted by the Commissioner of Administration under Minn. Stat. § 16C.05, subd. 2a and funds are fully encumbered.*
6. *The contract will not establish an employer-employee relationship between the state or the agency and any person performing under the contract.*
7. *In the event the results of the contract work will be carried out or continued by state employees upon completion of the contract, the agency will require the contractor to include state employees in development and training, to the extent necessary to ensure that after completion of the contract, state employees can perform any ongoing work related to the same function.*
8. *No current state employee will engage in the performance of the contract.*
9. *Reasonable efforts will be made to avoid conflicts of interest throughout the selection and performance of this contract. All potential or actual conflicts of interest will be reported to MMD.*
10. *The agency will not contract out its previously eliminated jobs for four years without first considering the same former employees who are on the seniority unit layoff list who meet the minimum qualifications determined by the agency. The seniority unit layoff list was reviewed on (date).*

#### **ADMINISTRATION RECS Approvals**

Project Manager:	Date
Authorized Certification/Officer (Person authorized to sign contracts):	Date:

#### **ADMINISTRATION Office of Enterprise Technology Approvals**

(Required for information and communications technology contracts over \$100,000). Obtain approval of Certification Form and RFP prior to sending them to MMD.

Technology Policy Office	Date:
<b>Not applicable</b>	

#### **ADMINISTRATION Materials Management Division Approval**

Professional Technical Section:	Date
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