

**GOVERNOR'S ADDITIONAL CONTRACT QUESTIONS
FOR PROFESSIONAL AND PERSONAL SERVICES CONTRACTS**

PART I. Procurement method. Mark boxes as appropriate.

- Competitive sealed bids/ITBs (§ 41-4-132)**
 - This is a professional-services contract; CPO approval for use of ITB is attached.
Alabama Buys/STAARS solicitation number, including agency number: _____
 - This is not a professional-services contract; no CPO approval for use of ITB required.
 - Adequate public notice of ITB was given for a reasonable time prior to bid opening.
 - Bids were opened publicly in the presence of one or more witnesses at time and place designated in the ITB.
- Competitive sealed proposals/RFPs (§ 41-4-133)**
 - Number of providers the RFP was distributed to: _____
 - Number of responses/proposals the agency reviewed: _____
 - RFP was posted to online database as required by § 41-4-66.
Alabama Buys/STAARS solicitation number, including agency number: _____
 - A written determination was made that accepted proposal is "most advantageous to the state."
 - Public notice of award was given promptly after contract award.
 - This is a contract for services governed by a DCM fee schedule.
 - Contract fees are within the approved DCM fee schedule.
 - DCM Director's approval for exceeding DCM fee schedule is attached.
 - This is a contract for an architect, landscape architect, engineer, land surveyor, or geoscientist.
 - A competitive, qualifications-based process was used per § 41-4-133(j).
- Small purchases (§ 41-4-134)**
 - Contract fees are below the small-purchase thresholds set forth in [Rule 355-4-3-.05](#).
 - Lowest acceptable quote chosen from three written quotes solicited.
Alabama Buys/STAARS solicitation number, including agency number: _____
 - Per [Rule 355-4-3-.05](#), no quotes required because: _____
- Sole-source procurements (§ 41-4-135)**
 - Written determination by CPO that there is only one source for the required service is attached.
- Emergency procurements (§ 41-4-136)**
 - Written determination of basis of the emergency and selection of the contractor attached.
- Special procurements (§ 41-4-137)**
 - Written determination of basis of the special procurement and selection of the contractor attached.
- Attorneys (§ 41-4-125)**
 - Litigation (Hourly)
 - DAG appointment letter attached.
 - Governor's rate approval letter attached. (See [EO 726](#), ¶ 3.b.)
 - Litigation (Contingency Fee)
 - DAG appointment letter attached.
 - Written determination attached as required by § 41-4-125(d)(1).
 - Fee within limits prescribed by § 41-4-125(d)(2)-(3) or AG/Governor written authorization for exceeding limits is attached as required by § 41-4-125(d)(5).
 - AG's standard contract addendum attached per § 41-4-125(d)(7).
 - Non-litigation
 - Justification letter attached for not using in-house counsel or AG.
 - Governor's approval attached. (See [EO 726](#), ¶ 3.b.)
 - Attorney's scope of services is described with particularity. (See [EO 726](#), ¶ 3.c.)
- Litigation experts (§ 41-4-125(b))** – retained for litigation or avoidance of litigation.

- Physicians (§ 41-4-125.01)** – provider selected from Medical Licensure Commission list.
- Exempt Contracts.** Explanation of the exemption and citation to statutory authority:

PART II. Information technology (IT) questions. Check one.

- Contract is for IT supplies or services and written approval of OIT attached per § 41-4-285.
- Contract is not for IT supplies or services.
- If exemption from OIT approval is claimed, please explain basis and cite statutory authority:

PART III. Personal services (employer-employee relationship) questions. Check one.

- Approved by State Personnel Department or its Board in accordance with the Alabama Fiscal Policy and Procedures Manual.
- Contract is not for personal services.

PART IV. Fiscal Policy and Procedures Manual requirements and additional questions. Complete for all contracts.

- Contract does not contain a waiver of sovereign immunity.
- Contract does not require the state to indemnify.
- Contract does not require a COVID-19 vaccination. (See [EO 724](#), ¶ 4.)
- Contract contains all required clauses (see [FPPM Chapter 5-4](#)):
 - Early termination clause on page: _____
 - Alternative Dispute Resolution clause on page: _____
 - Merit System Exclusion clause on page: _____
 - Non-Appropriation and Proration clause on page: _____
 - Beason-Hammon (immigration) clause (per § 31-13-9(k)) on page: _____
 - No-boycott (free trade) clause (per § 41-16-5(b)) on page: _____
 - Economic boycott clause (per § 41-16-161(b)) on page: _____
 - If exempt from economic boycott clause, explain and cite statutory authority:

- Contract is for administrative services.
 - Ethics/nepotism clause (per [EO 726](#), ¶ 4) on page: _____
- Disclosure statement required by § 41-16-82 is attached (or contract is for \$5,000 or less).
- Immigration documentation attached (e.g., E-Verify/Certificate of Compliance). (See [FPPM](#).)
- Contract signed by CPO (except for attorney, litigation expert, physician services or exempt contracts).

I certify that all the information provided on this form is true, correct, and complete to the best of my knowledge.

 Agency/Department Head Signature

 Name of Agency/Department

Name and phone number of agency contact: _____