

FY 2024–25 Master Contract List Eligibility and Submission Requirements

All contracts, including any amendments or renewals, included on the Master Contract List (“MCL” or “List”) must meet the requirements stated below.

Requirements for All Contracts on the Master Contract List

1. All contracts must comply with Chapter 5 of the Board of Supervisors’ Policy Manual and the Administrative Guidelines on Contracting. All contracts and amendments must include the County’s standard budget contingency language as required by Chapter 5.
2. All contracts must have been approved by the Board of Supervisors during the previous five fiscal years to qualify for the MCL.
3. Contract amendments/renewals can only be executed if funds are included in the FY 2024-25 approved budget and any subsequent fiscal year budgets, if applicable.
4. Pursuant to the Board of Supervisor’s approved MCL Delegation of Authority, the terms of expenditure contracts may not be extended for more than one year. For expenditure contract term extensions beyond one year a separate Board approval must be obtained outside of the MCL process. Pursuant to the MCL Delegation of Authority the term of revenue and grant agreements may not be extended for more than five years. For revenue and grant agreement term extensions beyond five years a separate Board approval must be obtained outside of the MCL process.

The following dates are the latest end dates for contract term extensions under the MCL Delegation of Authority:

- a. Expenditure Contracts – June 30, 2026
 - b. Revenue Agreements – June 30, 2029
 - c. Grant Agreements – June 30, 2029
5. Department staff must be in attendance at the Board of Supervisors meeting(s) where the MCL is on the agenda in order to respond to any questions from Board members about the contract(s) submitted.
 6. All submissions must contain complete information and satisfy the applicable requirements below to be considered for the MCL. Items with incomplete information will be disqualified from the MCL.
 7. Contractors must have submitted to the County the completed *Levine Act Contractor Form: Identification of Subcontractors and Agents*, and if applicable, any *Levine Act Subcontractor Form: Identification of Agents* (“*Levine Act Identification Forms*”). A submission will be disqualified from the MCL if these forms are not included with the submission.
 8. Additional requirements for specific categories of contracts are as follows:

A. Specific Requirements for Expenditure Contracts

- i. Amendments to expenditure contracts originally executed by the Director of Procurement are eligible for the MCL only if another amendment to the same contract was subsequently approved by the Board of Supervisors.
- ii. Expenditure contract amendments/renewals must be for a term no greater than one year and within the term described in section (4) above.
- iii. Expenditure contracts exceeding \$5,000,000 annually are not eligible under the MCL.

B. Specific Requirements for Grant Agreements

- i. The cumulative value of amendments under the delegation cannot exceed \$5,000,000 per year.

- ii. Grant agreements where the contract term extension does not exceed 5 years (and within the term described in section (4) above).
- iii. To be eligible for the MCL, grant agreements must fall into one of the following categories:
 - a. Grant agreements where the grant previously required Board approval, the County is the recipient of the funds under the grant agreement, the term extension does not exceed 5 years, and the term is within the limits described in section (4) above.; or
 - b. Grant agreements that renew annually as new agreements pursuant to funding requirements are eligible for the MCL if the cumulative value of the original grant agreement and any amendments or renewals thereto will exceed \$250,000. Such agreements are eligible only if they are for routine business and a prior grant agreement has been previously approved by the Board of Supervisors for the same scope of services, from the same funding source, and with the same vendor.

C. Specific Requirements for Revenue Agreements

- i. The cumulative value of amendments under the delegation cannot exceed \$5,000,000 per year.
- ii. Revenue agreements where the contract term extension does not exceed 5 years (and within the term described in section (4) above).
- iii. Revenue agreements that renew annually as new agreements pursuant to funding requirements are eligible for the MCL if the cumulative value of the original grant agreement and any amendments or renewals thereto will exceed \$300,000. Such agreements are eligible only if they are for routine business and a prior revenue or grant agreement has been previously approved by the Board of Supervisors for the same scope of services, from the same funding source, and with the same vendor.

Contracts not eligible for inclusion on the MCL include but are not limited to the following:

- Contracts not previously approved by the Board of Supervisors.
- Contracts for goods and/or services within the delegated authority of the Director of Procurement.
- No-Cost Agreements within the delegated authority of the County Executive or designee.
- Contracts for which the Board has already delegated authority and the delegation has not expired.
- Contracts where the County Counsel or the County Executive recommends direct submission to the Board of Supervisors.
- Contracts or Grant Agreements requiring a specific Board resolution or requires Board signature.
- Contracts for which the Board has requested more detailed information.
- Contracts where questions or concerns were raised by the Board or that are considered politically sensitive.
- Public works contracts.
- Real property transactions.

Additional guidelines for approved use of the MCL program

- The delegation of authority in the MCL resolution allows the County Executive or designee to take the actions described in the resolution during the term set forth in the delegation.
- The delegation of authority may be exercised if the amendment:
 - Increases or decreases the quantity of services in proportion to the proposed amendment value.

- Does not substantially change the scope of services or purpose of the contract.
- Increases the maximum financial obligation of the expenditure contract by no more than the total projected value of the FY2024-25 amendment under the delegation, plus a contingency that does not exceed 10% of the approved projected value of the amendment. For example, if a projected amendment value of \$500,000 is approved for the FY25 MCL, the maximum value of an amendment executed under the MCL delegation is \$550,000 (which includes the 10% contingency).
- Increases the total contract value received from grants or revenue agreements by no more than \$5,000,000 per fiscal year.
- The MCL **cannot be used to retroactively amend an agreement.**
- For tracking and monitoring purposes, contracts on the MCL cannot be combined with any other existing contracts. Where practicable, departments must maintain the same purchase order or contract number if one already exists. A unique line-item number will be required in all respective SAP purchase orders for the tracking and monitoring of contracts under an MCL delegation.
- Electronic copies of all contracts and contract documents will be attached to the purchase order in SAP or Ariba.
- The “Short Text” field in SAP will lead with “FY2024-25 MCL#” and the corresponding MCL Item number.
- As with all contracts, departments must designate a specific location for the retention of all the original copies of the contracts and amendments.
- All amendments executed pursuant on MCL delegation must include an approved MCL DOA Coversheet.
- Completed MCL DOA Coversheets and executed agreements must be shared with both OCCM and The Clerk of the Board.