

April 22, 2022

**GENERAL LETTER NO. 23-F-1**

ISSUED BY: Bureau of Services Contract Support, Division of Fiscal Management

SUBJECT: Employees' Manual, Title 23, Chapter F, **Services Contracting**, Title page, new; Contents Page 1, new; and pages 1 and 2, new.

**Summary**

This letter transmits the addition of content to Title 23, Chapter F, in the Employees' Manual. Content has been added to reflect current contracting practices.

**Effective Date**

December 31, 2019.

**Material Superseded**

None.

**Additional Information**

Refer questions about this general letter to your division administrator.

# **Services Contracting**

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## **Overview**

DHS adheres to applicable federal and state regulations and policies regarding Services Contracting under the authority of the Department of Administrative Services, Central Procurement Bureau, 11 IAC 118.5.

### **DHS Quick Guide to Services Contracting**

**Legal reference:** IAC 11.118, 11.119 and 11.120

The DHS Quick Guide to services contracting is managed by the Bureau of Service Contract Support (BSCS), Division of Fiscal Management. This guides DHS Divisions through all functions that pertain to services contracts, including determination to contract, requirements, solicitations, evaluations, contract award and all phases of contract administration and closeout. The Quick Guide provides links and resources to Contracting staff, along with technical assistance and information about training provided by BSCS to DHS staff on the services contracting procurement process and requirements, including state and general federal regulations impacting service contracting.

The Quick Guide is available at the Division of Fiscal Management [SharePoint](#) site, Service Contract Support page.

## **Prohibited Practices**

### **Conflict of Interest**

**Legal reference:** Iowa Code Section 721.11

Any officer or employee of the state or of any subdivision thereof who is directly or indirectly interested in any contract to furnish anything of value to the state or any subdivision thereof where such interest is prohibited by statute commits a serious misdemeanor. This section shall not apply to any contract awarded as a result of open, public and competitive bidding.

Goods and services shall not be purchased from state employees or members of their households except through open, public, and competitive bidding. Any questions of potential conflict of interest must be referred to the director of the Department of Human Services. The appearance of impropriety is to be avoided in all procurement operations. See Iowa Code Chapter 68B.2A

### **Gifts and Gratuities**

Employees of the Department of Human Services shall not accept any gift, gratuity, favor, or advantage from any vendor. Advertising giveaways of trivial value are not included in this prohibition, but money, discounts, special credit arrangements, travel or entertainment expenses, gifts at seasonal or special occasions (Christmas or birthdays), tickets to sporting or entertainment events, and any other favors of monetary value are prohibited. It is not necessary for an attempt to be made to influence an official action. Persistent attempts by a vendor to provide gifts and gratuities after this policy is explained shall be reported to the chief purchasing officer in DAS-GSE.

Employees of the Department of Human Services shall not solicit or knowingly accept anything (including money, items of monetary value, any other benefit, or any promise of the previously mentioned items) given with an understanding or arrangement it will influence the public service rendered by you or a decision by you or by your agency. As a general rule, you and your immediate family members may not receive gifts (including food or beverages) which are valued at more than \$3.00 from any person, lobbyist, or entity doing business with or lobbying DHS. You are prohibited from accepting honoraria or loans from lobbyists. If anyone attempts to influence you through a gift or gratuity, you must report it to your supervisor immediately. For further clarification or exceptions, see Iowa Code Chapter 68B.