

Common Mistakes Made on Amendments

Below is a list of common mistakes that are made on contract amendments. Please check that amendments are prepared correctly before they are signed by the parties, and sent to State Purchasing.

1. **Signatures Missing:** Vendor or agency signatures are missing, or are only on some of the copies.
2. **Renewal Options:** Contracts should be renewed timely, or the renewal options may be denied by State Purchasing. On existing contracts, please renew the contract for all remaining renewal options, or send a Memo to State Purchasing explaining why the contract should be renewed for a shorter period. **The original contract governs how many years the contract can be renewed.** Generally, the contract period must not be renewed for longer than the time approved on the original contract. If the agency is requesting an extra renewal period, the agency should contact State Purchasing for approval.
3. **Contract Totals and Math Errors:** The ending contract total from the original or the last amendment should be carried forward as the “current contract amount” on the current amendment. Then add the additional funds for the current amendment on the “amendment amount” line. Add the two amounts and list the sum on the “new contract amount.” Double check the math on contracts.
4. **Cost Detail:** Contracts need to have reasonable cost detail for any money added in an Amendment. If the costs are the same as the original contract, such as a price list or hourly rates, then no additional information would need to be identified.
5. **Attachments not Listed:** All attachments should have a title on the attachment. Attachments specific to the amendment need to be listed on the amendment in the “Other changes” section.
6. **Attachments need to be Attached:** If an attachment is listed, then make sure that the attachment is attached to each copy of the amendment.
7. **Effective Date:** Check that the Effective Date of the amendment is listed. On an amendment, the Effective Date should be the date the amendment period starts and before work listed in the amendment begins.
8. **Handwritten/Visible Changes:** Handwritten and visible changes should be initialed by both parties, except for minor changes, such as accounting code corrections or contract number corrections. Sometimes, during the signature process, a Contractor makes a handwritten change to the contract, and the agency is unaware that the change was made.
9. **White-Out:** White-out should not be used on contracts. One cannot tell whose white-out changes are the last changes, or who actually made the changes. Changes to contracts should be visible changes and initialed by both parties.
10. **Sole Source:** If there is a new Sole Source processed to cover additional products or services in an existing contract, the approved Sole Source Request Form must be included with the amendment when the amendment is sent to State Purchasing. The Sole Source Form does not need to be an attachment to the contract, but it should be included as backup information with the contract. The contract total and/or the contract period should not go over the dollar amount or contract period approved in the Sole Source Request, unless approved in writing by State Purchasing.
11. **Standard Terms and Conditions:** For most amendments, there should NOT be changes to the State Terms and Conditions (State T&Cs) that were listed in the original contract. If an agency requests changes to the original terms and conditions, they should contact State Purchasing for guidance.
12. **Vendor Terms and Conditions:** Generally, there should NOT be changes to any Vendor Terms and Conditions in an amendment. If an agency requests changes to the original terms and conditions, they should contact State Purchasing for guidance.
13. **Confidential or Proprietary Information:** The following cannot be listed as confidential or proprietary in State Contracts: contracts, terms and conditions, pricing, sales orders, or invoices. Watch for headers, footers, cover page notes, or clauses that identify the documents as confidential or proprietary, and have the notation deleted or changed.