

Ratification Process

When is a ratification needed?

In any contract situation where an agency or vendor seeks or requests:

- (1) permission to pay (or receive payment) outside of a contract's terms and conditions;
- (2) permission to pay/proceed (or receive payment) where no legally recognized contract exists;
- (3) permission to pay/proceed when the agency did not have proper approval from OSP and entered into a contract to procure goods or services;
- (4) to address any other contractual relief controlled by R.S. 39:1671 – 1679

What should I include?

A ratification packet will include, at a minimum:

- A draft letter or memorandum (unsigned explaining the circumstances and what process or procedures were followed (or not followed). This should be on current Office of Management & Finance (OMF) letterhead, and the Undersecretary will be the signatory. Also in the memo, please include:
 - What measures have been implemented to prevent recurrence
 - Whether in the agency's opinion the vendor acted in good faith or has reasonable grounds to proceed
 - That the vendor is unwilling to accept the return of the goods (if applicable), or that the goods or services have already been used or provided
 - Whether sufficient funds are in the budget to cover the expense
 - A copy of the order, invoice, contract, solicitation or any other documentation applicable
 - The vendor's or contractor's representative (name and title) who has the legal authority to execute a settlement on behalf of the company
 - Agency contact information
- Copies of all invoices you are requesting to pay (or erroneously paid) outside of the approved contract T&C's. All invoices will require supporting documentation for each line of the reimbursement request. For example, if the contract is cost reimbursement, you would need supporting documentation for each charge (i.e. salary, travel, supplies, etc.)
- Draft LDH routing slip in WORD, using the DSSAS template. The file can also be found here: <https://ldh.la.gov/page/division-of-safetysecurity-administrative-services>. **OMF Procurement will route and obtain routing slip and Undersecretary signature(s) once we have approval to proceed.**

Where do I send the draft packet?

Submit the completed packet to the OMF Procurement team at OMFContractReview@la.gov. OMF Procurement will review the packet for accuracy and completeness before forwarding to Legal review. Once Legal gives OMF approval to proceed, we will initiate the routing slip and ratification packet. The Undersecretary will be the last to review and sign. OMF Procurement will submit directly to the OSP Chief Procurement Officer for consideration of approving payments outside of the approved contract terms. Based on recent timelines, the agency can anticipate it will be around 6+ weeks before we hear back from OSP at that point. The Contractor cannot be paid anything other than what was in their fully-approved contract, until OSP approves the ratification request.

For any questions, please email OMFContractReview@la.gov .