

## AGO Certification Checklist FAQs

### 1. Why must we do this? It is required by law.

**Title 3: Executive**  
**Chapter 014: Standards For Contracts Including Privatization Contracts**  
**(Cite as: 3 V.S.A. § 342)**  
**§ 342. Contracting standards; contracts for services**

Each contract for services valued at \$25,000.00 or more per year shall require certification by the Office of the Attorney General to the Secretary of Administration that such contract for services is not contrary to the spirit and intent of the classification plan and merit system and standards of this title. A contract for services is contrary to the spirit and intent of the classification plan and merit system and standards of this title and shall not be certified by the Office of the Attorney General as provided in this section, unless the provisions of subdivisions (1), (2), and (3) of this section are met, or one or more of the exceptions described in subdivision (4) of this section apply.

See also AOA Bulletin 3.5, Section V

### 2. Who Completes the checklist?

- Each Agency or Department may designate a person who is authorized to complete the checklist for the organization. This person should understand the underlying factual and legal basis for the information they are providing.

### 3. What contracts require the checklist?

- The checklist pertains to contracts for services valued at \$25,000 or more. Construction is considered a service.

### 4. When do you complete this Checklist?

- Required at time of award process. The checklist will be routed to the AGO through the AA-14 process.

### 5. How do I fill out the checklist? When answering the questions, ask yourself the following:

- Look at the statement and determine:
  - Is this true? Check Yes.
  - Is this false? Check No.

### 6. Is the checklist required for projects longer than 2 years?

- Yes

### 7. Does the checklist apply to Retainer Contracts?

- Yes. Always consider at the retainer level whether you can answer the questions. If you have the necessary information, then you can certify at that stage. This will usually be the case when you can answer “Yes” to all of the test in Part I, for every service covered by the retainer and every agency that may use the retainer. If not, then you will need to certify when work is assigned under the contract for \$25K per year or more. This will require a case-by-case analysis, and the determination should be indicated on the checklist.

**8. What about Contract Amendments/Change Orders?**

- The checklist is required to be signed by the AGO for any amendment to a contract that is valued at \$25K or more per year. This includes an amendment that increases the contract value to \$25K or more per year

**9. If you have additional comment or information, where do you add that to the checklist?**

- Add in the comment section on page 2.

**10. Must the document be signed?**

- The authorized representative of the agency or department must fill in their name and date. The AGO will sign the document to certify the services in accordance with 3 V.S.A. § 342.