



# Subcontract Monitoring Tool

1. Subcontract Monitoring Tool 01 (Standard Contract, 8.e) Is the Subcontract a written document?
2. Subcontract Monitoring Tool 02 Is the Subcontractor's name recorded?
3. Subcontract Monitoring Tool 03 (Standard Contract, 8.c.) Did the Network Service Provider receive prior written approval from the Managing Entity to subcontract with the subcontracted agency?
4. Subcontract Monitoring Tool 04 (Standard Contract, 8.a.) Does the subcontract explicitly state that the provider is obligated to follow policies and procedures as indicated within the Standard Contract with LSFHS as part of the subcontract? (Not required - mark only "Yes" or "N/A") Hint: If "Yes" mark all following questions "N/A"
5. Subcontract Monitoring Tool 05 (Standard Contract, 8.a.) Does the subcontract language communicate that the subcontractor shall not represent to others that it is an agent of LSFHS or the Department and has no authority to bind LSFHS or the Department by virtue of the subcontract, unless specifically authorized in writing to do so in LSFHS' contract with the provider?
6. Subcontract Monitoring Tool 06 (Standard Contract, 8.g.) Does the NSP make payments to subcontractors within seven (7) working days after receipt of full or partial payments from the Managing Entity in accordance with s. 287.0585, Florida Statutes (F.S.), unless otherwise stated in the contract between the Network Service Provider and subcontractor?
7. Subcontract Monitoring Tool 07 (Standard Contract, 8.b.) Does the subcontract language communicate that the subcontractor is an independent contractor and will not be considered or permitted to be an officer, employee, or agent of LSFHS or the State of Florida?
8. Subcontract Monitoring Tool 08 (Standard Contract, 8.e.) Does the NSP agree that the Managing Entity and the Department shall not be liable to the subcontractor in any way or for any reason relating to this contract?
9. Subcontract Monitoring Tool 09 (Standard Contract, 8.f.) Does the NSP include that all subcontracts (at any tier) require the substance of all clauses that mention or describe subcontract compliance contained in the LSFHS Standard Contract?
10. Subcontract Monitoring Tool 10 (Standard Contract, 18.) Does the subcontract require that the subcontractor will not offer to give or give any gift to any LSFHS or Department employee, and that this provision shall survive the contract for a period of two years?
11. Subcontract Monitoring Tool 11 (Standard Contract, 18.) Does the subcontract require that the subcontractor will not offer to give or give any gift to any LSFHS or Department employee, and that violation of this provision shall result in referral to DMS for potential inclusion on the suspended vendors list for an appropriate period?
12. Subcontract Monitoring Tool 12 (Standard Contract, 19. 287.058(1)(b), F.S.) If itemized payment for travel expenses is permitted in the subcontract, does it require that the provider submit bills for travel expenses in accordance with section 112.061, F.S., or at such lower rates as may be provided in this contract?
13. Subcontract Monitoring Tool 13 (Standard Contract, 19. 287.058(1)(a), F.S.) Does the subcontract require that bills for fees or other compensation for services or expenses be submitted in sufficient detail for a proper pre-audit and post-audit?



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14. Subcontract Monitoring Tool 14 (Standard Contract, 26, 27 & 28 287.058(1)(c), F.S.) Does the subcontract include allowing unilateral cancellation by the agency for refusal by the contractor to allow public access to all documents, papers, letters, or other public records as defined in subsection 119.011(11), F.S., made or received by the subcontractor in conjunction with this contract (except public records which are made confidential by law must be protected from disclosure)?
15. Subcontract Monitoring Tool 15 (287.058(1)(d),F.S.) Does the subcontract specify a scope of work that clearly establishes all tasks the contractor is required to perform?
16. Subcontract Monitoring Tool 16 (Standard Contract, 1. Attachment I 287.058(1)(e), F.S.) Does the subcontract include requirements to provide units of deliverables that must be received and accepted by the contract manager in writing prior to payment?
17. Subcontract Monitoring Tool 17 (Standard Contract, 1. Attachment I 287.058(1)(e), F.S.) Are units of deliverables directly related to the scope of work?
18. Subcontract Monitoring Tool 18 (Standard Contract, 1. Attachment I 287.058(1)(e), F.S.) Do units of deliverables specify a performance measure?
19. Subcontract Monitoring Tool 19 (Standard Contract,1. Attachment I 287.058(1)(e), F.S.) Do units of deliverables specify the required minimum acceptable level of service to be performed?
20. Subcontract Monitoring Tool 20 (Standard Contract,1. Attachment I 287.058(1)(e), F.S.) Do units of deliverables specify criteria for evaluating the successful completion of each deliverable?
21. Subcontract Monitoring Tool 21 (287.058(1)(f), F.S. Standard Contract 1 Attachment I) Does the subcontract specify the criteria and the final date by which such criteria must be met for completion of the contract?
22. Subcontract Monitoring Tool 22 (287.058(1)(h), F.S. Standard Contract 29) Does the subcontract specify the financial consequences that the agency must apply if the contractor fails to perform in accordance with the contract?
23. Subcontract Monitoring Tool 23 (Standard Contract, 25.b.) Does the subcontract include a records retention requirement that specifies retention of all records for a period of six years after completion of the contract or longer when required by law?
24. Subcontract Monitoring Tool 24 (Standard Contract, 25.b.) Does the subcontract require that if an audit is performed, records shall be retained a minimum of six years after the audit report is issued, or until the resolution of any audit findings or litigation based on the terms of the contract?
25. Subcontract Monitoring Tool 25 (Standard Contract, 7.) Does the subcontract language allow that subcontract records are subject at all reasonable times to inspection, review, copying or audit by all persons duly authorized by LSFHS and/or the Department?
26. Subcontract Monitoring Tool 26 (Standard Contract, 7.) Does the subcontract language allow that subcontractor employees may be interviewed by personnel duly authorized by LSFHS and/or the Department?
27. Subcontract Monitoring Tool 27 (Standard Contract 12.) Does the subcontract include requirements for incident reporting in the manner prescribed in CFOP 215-6?



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28. Subcontract Monitoring Tool 28 (Standard Contract, 27. & 28.) If services purchased through the contract involve exchange of protected health information and if the provider defines itself as subject to HIPAA, does the subcontract document include requirements for data security and/or confidentiality?
29. Subcontract Monitoring Tool 29 (Standard Contract, 28.e.) Info Security: Has the Network Service Provider agreed to notify the Network Manager as soon as possible, but no later than three (3) working days following the determination of any breach or potential breach of personal and confidential departmental data?
30. Subcontract Monitoring Tool 30 (Standard Contract, 34.a.iv.) Finance E-verify 42/43: If the subcontract includes federal funds, does the contract state no federal funds may be used by the subcontractor to influence legislation or appropriations at state or federal level?
31. Subcontract Monitoring Tool 31 ((check completed forms) Standard Contract, 34.a.iv.) Finance E-verify 42/43: If the subcontract contains federal funds over \$100,000, prior to contract execution, is the subcontractor required to complete Certification Regarding Lobbying form, and that if necessary, subcontractor will complete Disclosure of Lobbying Activities forms, and that all forms or documents required by the Certification Regarding Lobbying Form are provided to provider contract manager prior to contract execution?
32. Subcontract Monitoring Tool 32 (Part 92 applies to state, local, tribal gov't and Part 74 applies to Universities, Hospitals, Nonprofits, and Commercial Organizations. Standard Contract, 34.a.i.) Finance E-verify 42/43: If the subcontract contains federal funds, does the provider comply with 45 CFR Part 74 and/or 45 CFR Part 92?
33. Subcontract Monitoring Tool 33 (Standard Contract, 34.a.v.) Finance E-verify 42/43: If the subcontract contains federal funds and provides services to children up to age 18, does the subcontract require compliance with the Pro-Children Act of 1994 (20 U.S.C. 6081)?
34. Subcontract Monitoring Tool 34 (Standard Contract, 36.h.) Whistleblower's Act: Did the subcontract include requirement that the subcontractor may not retaliate against an employee for reporting violations of law, rule, or regulation that create substantial and specific danger to the public's health, safety, or welfare to the appropriate agency?
35. Subcontract Monitoring Tool 35 (Standard Contract, 36.h.) Whistleblower's Act: Did the subcontract include requirements for the subcontractor to inform its employees of the Whistleblower's Act including rights and remedies?
36. Subcontract Monitoring Tool 36 (OR, if the subcontractor is a member of the State University System of Florida, section 1004.23, F.S. shall apply. Standard Contract, 14.) Intellectual Property: Does the subcontract specify that all intellectual property, inventions, written or electronically created copyrightable materials arising from the performance of the contract are works of hire for the benefit of LSFHS and the Department, paid for in full by the contract amount, and the subcontractor may not claim any interest in the intellectual property rights?
37. Subcontract Monitoring Tool 37 (OR if the subcontractor is a member of the State University System of Florida, then section 1004.23, F.S. applies. Standard Contract, 14.b.) Intellectual Property: If applicable, does the subcontract include a provision that the Federal awarding agency reserves all patent rights with respect to any discovery or invention that arises or is developed in the course of or under the subcontract?
38. Subcontract Monitoring Tool 38 (Attachment I Exhibit A) Does the subcontract include requirements for mandatory reporting?



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39. Subcontract Monitoring Tool 39 (Attachment I Exhibit A) Does the subcontract require that subcontractor employees providing services under this contract are informed of requirements for mandatory reporting?

40. Subcontract Monitoring Tool 40 (Attachment I , B.,1.a.(14)) Does the subcontract require compliance with the provisions of CFOP 180-4 with respect to reporting requirements to the Office of the Inspector General?