

DHHS Agreement Templates – Summary of Changes

What is Changing

Vendors and DHHS partners will see changed agreement templates and revised terms in their agreements with DHHS. Most agreement language and terms and conditions, however, remain the same.

Agreement Templates – Overview of Changes

Look and Feel

At first glance, DHHS agreements will look quite different. DHHS has employed mainly tables to capture many essential requirements of each contract, such as the example below, which captures the start and end dates:

| Term | |
|-----------------|---------------|
| Contract Begins | Contract Ends |
| | |
| | |

This approach is generally carried through all revised agreement templates. Sections in the Scope of Work or Work Plan, for example, will generally continue the numbering pattern (1, 1.1, 1.1.1, etc.) present in previous DHHS agreements.

Terms Changes

A few example major terms changes or language changes are included below. Vendors and partners are encouraged to review DHHS terms and conditions for additional modifications. Overall, DHHS has tried to further accord its terms with the standard terms used by the Department of Administrative Services in statewide contracts; this includes, for example, reorganizing the terms by broad categories, such as payment or contractor duties.

Service Contracts

- Notices, payment, deliverable approvals, acknowledgements, and termination have been standardized and moved to the General Terms addendum.
- The Order of Preference clause has been updated to reflect new agreement structure.
- For direct services to third parties, a standard “Direct Services Standards” template has been devised. For deliverable-based contracts, a Scope of Work is employed instead.

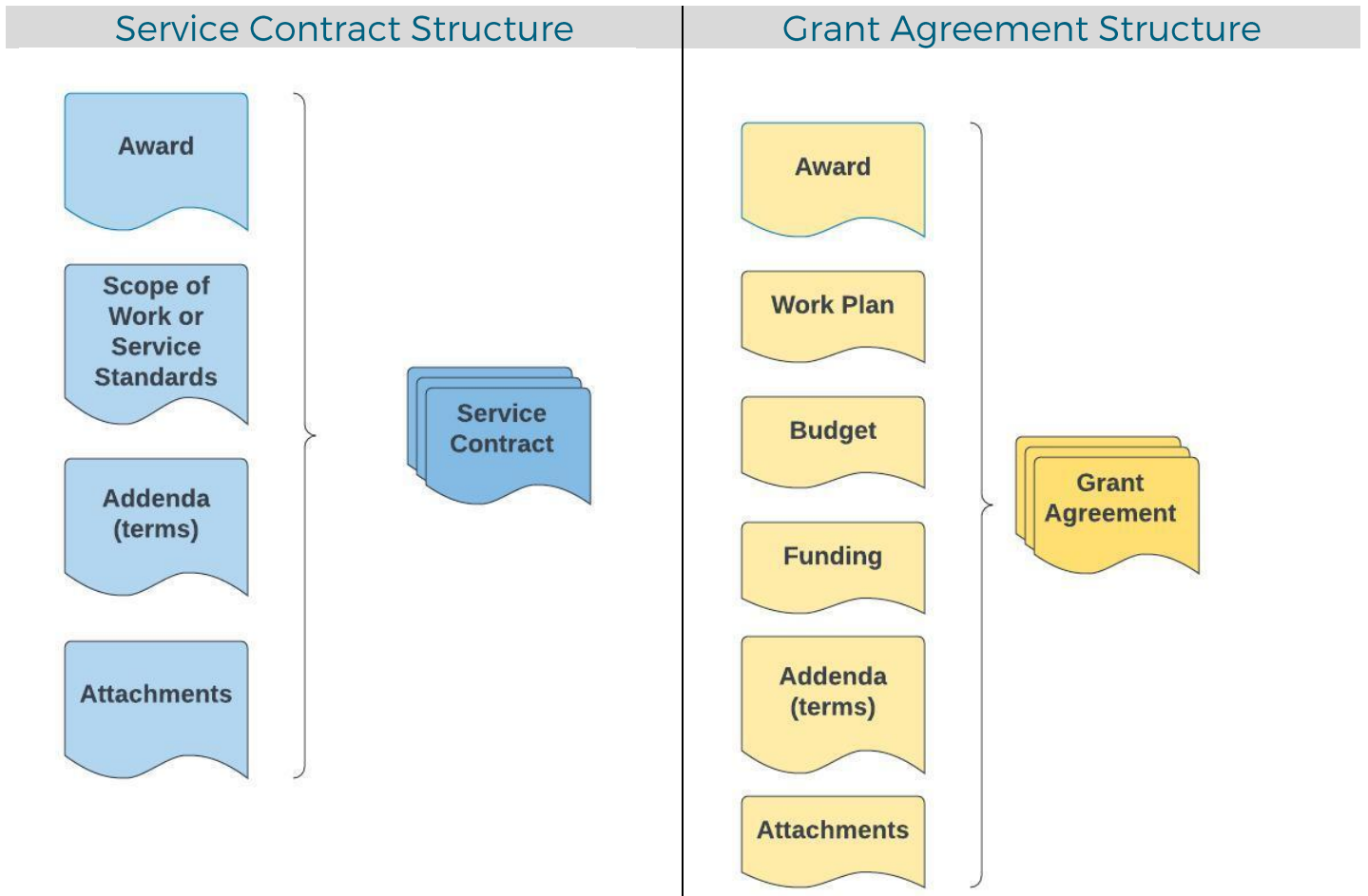
Grant Agreements

- Separate terms have been devised based on the funding (federal, federal/state, or state only). See note below “Nomenclature Change: Grant Agreements.”
- Insurance addendum and specific insurance requirements have been removed, and replaced with a general obligation by DHHS subrecipients (except governmental entities) to carry basic levels of insurance.
- Additional clause has been added regarding management decisions from Single Audits.
- Standard provisions for advance payments (if applicable) have been added.
- Notices and payment language has been standardized and moved to the General Terms addendum.

- The Order of Preference clause has been updated to reflect new agreement structure.

Structure Changes

Generally, service contracts and grant agreement will be composed of several different documents that, taken together, constitute the entirety of the agreement between DHHS and the other entity. This structure is similar to existing templates.



Nomenclature Change: Grant Agreements

DHHS formerly included “Subawards” and “State Funds Grant Agreements” to distinguish between the two types of funding for a grant-based relationship. Now, they have been merged into a single “Grant Agreement.” Different terms will apply depending on whether federal funding is included.

Questions

General questions on terms or templates may be directed to:

- For services contracts and other types of agreements: DHHS.Procurement@Nebraska.gov
- For grant agreements: DHHS.Grants@Nebraska.gov
- For how your specific agreement may look in the future, or how these changes may impact your particular agreement, the best contact is the named contract or grant manager on your agreement