



WSCA/NASPO PC Contracts – 2009–2014 (WSCA/NASPO III)

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Last Things, First:

If your governmental entity is interested in using the WSCA/NASPO PC Contracts, there is a process to follow to legally use these contracts. This document is intended to guide you through that process and provide copies or samples of the document you must use to legally participate.

Cooperative purchasing is based on the fact that, in a free market economy, volume is a very powerful determinate of price in the competitive environment. Therefore, WSCA and NASPO use a cooperative, competitive model to capture the best pricing possible for the volume of purchases being made. The purpose of the process defined in this document is to manage the participation in the WSCA/NASPO PC Contracts so that we all can take advantage of the volume pricing.

The Materials Management Division (MMD), of the Minnesota Department of Administration, has designated a Contract Administrator and a Procurement Manager who are responsible for the conduct of this procurement and management of the contracts.

Contract Administrator (responsible for managing the contracts, relationships with Purchasing Entities, and all actions related to the Master Price Agreements)

Name:	Bernadette Kopischke
Title:	WSCA/NASPO Contract Administrator
Agency Name:	Minnesota Department of Administration Materials Management Division
Address:	112 Administration Building 50 Sherburne Avenue St. Paul, MN 55155
Telephone:	651-201-2450
Fax Number:	651-297-3996
TTY:	MN Relay Service 1-800-627-3529
E-mail:	Bernie.Kopischke@State.Mn.US

WSCA/NASPO Cooperative Development Team (Responsible to WSCA and NASPO for supporting the contract and managing relationships with WSCA, NASPO, and Participating States/Participating Entities)

Eligibility and Participation Questions

Name:	Paul Stembler
Title:	WSCA/NASPO Cooperative Development Coordinator
Agency Name:	WSCA/NASPO
Address:	1960 Cliff Lake Road Suite 129-237 Eagan, MN 55122
Telephone:	612-284-7123
Fax Number:	952-392-4580
E-mail:	pstembler@amrms.com



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Reporting and Eligibility Questions

Name: Kathryn Offerdahl
Title: WSCA/NASPO Cooperative Development Analyst
Agency Name: WSCA/NASPO
Address: 1960 Cliff Lake Road
Suite 129-237
Eagan, MN 55122
Telephone: 612-284-4384
Fax Number: 952-392-4580
E-mail: kofferdahl@amrms.com

Please contact the WSCA/NASPO Cooperative Development Team (wnpc0914eligibility@gmail.com) if you have any questions about this document and about becoming a “Participating Entity” on the WSCA/NASPO PC Contracts.

Participating in the 2009-2014 (WSCA/NASPO III) Contracts

You should check the WSCA/NASPO PC Contracts website for the latest information on participation.

WSCA/NASPO PC Contracts websites: www.aboutwsca.org (click on “cooperative purchasing”, then “Current WSCA Contracts”, then “WSCA/NASPO PC Contracts”, then under the map on “Link to Lead State Website”) or www.mmd.admin.state.mn.us (click on “cooperative purchasing opportunities”, then on “western state contracting alliance - pc contracts”)

Then go to the 2009/2014 Contract page (in the grey bar at the top of the page)
<http://www.mmd.admin.state.mn.us/wsca/2009-2014%20contracts.htm>

At the top of the table on this page are links (PC manufacturers, Printer, Server/LAN Storage manufacturers), under each of these is a list of the states participating, and in some cases the individual entities within states that are participating.

If you have any questions about who is or is not using the contracts, contact the WSCA/NASPO Cooperative Development Team (contact information above).



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How Do We Participate?

If your state chief procurement official or state information authority (in instances where a state has a CIO (or the equivalent) with independent authority over technology purchases) has already signed a Participating Addendum (on the website as listed above): Contact the state chief procurement official or state information authority and determine if you are already covered by the existing participating addendum. You can find out how to get in touch with your state's chief procurement official through <http://www.naspo.org/directors/>.

Your state chief procurement official or his/her staff can tell you how to get in touch with your state information authority, if necessary.

Follow the directions provided by the state procurement authority and you will be able to use the contracts. Each Participating State procurement authority has a designated "contact" who will assist you in using the WSCA/NASPO PC Contracts.

If your state has not already signed a Participating Addendum: You need to do two things to be able to use the contract.

First, you will have to receive acknowledgment from your state's chief procurement official that your entity has the legal authority to participate in a cooperative and that the state's chief procurement official understands you will be using the WSCA/NASPO PC contracts. This acknowledgment can be in the form of an e-mail or letter (see Attachment A). The e-mail or letter should be sent to the WSCA/NASPO Cooperative Development Team at wnpc0914eligibility@gmail.com.

Second, once you have received the acknowledgement from the WSCA/NASPO Cooperative Development Team, you need to enter into a Participating Addendum with the contractor(s) you wish to use. A sample is attached below (see Attachment B) but you need to go to <http://www.mmd.admin.state.mn.us/wsca/2009-2014%20contracts.htm> and click on each individual manufacturer to be able to download the actual draft Participating Addendum for each manufacturer. Remember, you need to send a fully executed copy of the Participating Addendum to the WSCA/NASPO Cooperative Development Team who will create the final document that will make your participation effective.



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Some More Background to Help Understand the Cooperative Process:

NASPO - The National Association of State Procurement Officials is a non-profit association dedicated to strengthening the procurement community through education, research, and communication. It is made up of the directors of the central purchasing offices in each of the 50 states, the District of Columbia, and the territories of the United States. NASPO is an organization through which the member purchasing officials provide leadership in professional public purchasing, improve the quality of purchasing and procurement, exchange information, and cooperate to attain greater efficiency and economy.

In 1993, the 15 states from NASPO's western region came together to establish a means by which states may join together in cooperative multi-state contracting in order to achieve cost-effective and efficient acquisition of quality products and services. This group is better known as **WSCA**, the Western States Contracting Alliance. State included in this group are Alaska, Arizona, California, Colorado, Hawaii, Idaho, Minnesota, Montana, Nevada, New Mexico, Oregon, South Dakota, Utah, Washington, and Wyoming. WSCA is a national leader in facilitating cooperative purchasing that benefits the states, cities, counties, public schools, and institutions of higher education. These contracting initiatives are administered by a western region state and follow a review process managed by the state directors from the western region.

As a result of the great success in the western region, NASPO leaders initiated the NASPO Cooperative Purchasing Committee in 2002 to assist member states both in and outside of the western region in establishing cooperative multi-state contracts. Similar to the original WSCA model, NASPO assists member states in all regions in establishing cooperative multi-state contracts.

All **authorized** governmental entities are welcomed to use WSCA/NASPO approved agreements.

CONTRACTING MODEL - A "lead state" model in undertaking cooperative multi-state contracts.

1. During the development of an initiative, a "lead state" has volunteered to accept the responsibility for creating, competing, evaluating, awarding, and managing the specific initiative.
2. The lead state develops a plan during the approval process, and that plan is used as the basis for getting members to sign an "Intent to Participate" in the initiative. While an Intent to Participate can be signed at any time by a member state, those signed prior to announcement of the solicitation are directly listed as participating and become the source of volunteers to assist in the development and evaluation of the Request for Proposal.
3. The lead state publishes the Request for Proposal for the initiative using its statutory and regulatory requirements. Evaluation, award, and execution of the contracts must comply with the statutory and regulatory requirements of the lead state.



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4. The final recommendation for approval of the actual award of contracts is made by the lead state to the appropriate board. The “master price agreements” are then executed by the lead state and the awarded contractors.

Participation then uses the same general model outlined above for the WSCA/NASPO PC Contracts 2009-2014, states sign participating addenda, which gives local units of government access to those contracts, just like any other “state” contract. Or, with the permission of the state chief procurement official, an individual governmental entity signs its own individual participating addenda with manufacturers. The details of this process are established separately for each cooperative contract. You should check with the WSCA/NASPO Cooperative Development Team at wncoopdt@gmail.com if you have questions about participating in WSCA or NASPO cooperative contracts.



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Attachment A

Acknowledgment by State Chief Procurement Official (or State Technology Official) of Authority to Participate

An email, sent to: wnpc0914eligibility@gmail.com with the following statement will satisfy the requirements for acknowledgment and providing the legal conditions for participating.

"The Bureau of Procurement through this email authorizes the University of xxxx System Office of Procurement to Participate in the WSCA/NASPO PC Contracts.

Authority for this authorization resides in Laws of XXXX, Chapter 20, Section 15 (or Bureau of Procurement Policy and Procedure PRO - A -3, Delegation and PRO-D-25, Collective Purchasing With Other States)."

In some cases states have provided us with either a blanket list of authorized entities or a specific list of entities authorized, under the statutes of that state, to use the WSCA/NASPO PC contracts. You will find this information on the web site, under the **State Link to Participating Entities** column of the "tables linked on this page one for PC manufactures , Printer manufacturers, and Server/LAN Storage manufacturers." This link will provide all the details we have on any blanket lists or individual entities that are participating in any state.



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Attachment B

Sample Participating Addenda for WSCA/NASPO PC Contracts 2009-2014

Attached is a sample Participating Addenda for the 23 WSCA/NASPO PC Contracts 2009-2014. **YOU NEED TO GO TO THE 2009-2014 CONTRACTS web page and then click on each individual contract to download (<http://www.mmd.admin.state.mn.us/wsc/2009-2014%20contracts.htm>) a copy of the actual draft Participating Addendum you need to fill out, execute and forward to the appropriate contractor contact.** Listed on the website are the primary contractor representatives with whom you will deal in executing a Participating Addendum. Contact them with any questions. **REMEMBER - you must send a copy of the fully executed Participating Addendum to the WSCA/NASPO Cooperative Development Team (address below) before the Participating Addendum becomes effective.**

Email a scanned copy of the fully executed Participating Addendum to:
wnpc0914eligibility@gmail.com

or, mail to:

WSCA/NASPO PC Contracts
c/o Kathryn Offerdahl
1960 Cliff Lake Rd
Suite 129-237
Eagan, MN 55122

In general, each Participating Addendum takes the following format. Authorized Governmental Unit may add, at its option, additional terms and conditions to meet its own requirements.



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PARTICIPATING ADDENDUM

COMPUTER EQUIPMENT, SOFTWARE, PERIPHERALS AND RELATED SERVICES
MASTER PRICE AGREEMENT
XXX Computer, Inc.
Contract Number B27xxx

1. Scope This Addendum covers the WSCA/NASPO PC Contracts 2009-2014 (Computer Equipment, Peripherals and Related Services) lead by the State of Minnesota for use by state agencies and other entities located in the Participating State authorized by that state’s statutes to utilize state contracts.

or

This Addendum covers the WSCA/NASPO PC Contracts 2009-2014 (Computer Equipment, Peripherals and Related Services) lead by the State of Minnesota for use by (briefly describe the jurisdiction of the governmental entity). This entity has been authorized by the State Chief Procurement Official of the state within which it is located to use the WSCA/NASPO PC Contracts 2009-2014.

2. Participation Use of specific WSCA/NASPO cooperative contract by state agencies, political subdivisions and other entities (including cooperatives) authorized by an individual state’s statutes to use state contracts are subject to the approval of the respective State Chief Procurement Official. Issues of interpretation and eligibility for participation are solely within the authority of the State Chief Procurement Official.

3. Changes:

(Insert specific changes or a statement that “No Changes Are Required”)

4. Continuation of Participation from WSCA/NASPO PC Contracts 2004-2009: To the extent permitted by the laws and rules of the state in which an individual participating entity is located, valid participating addenda for the WSCA/NASPO PC Contracts 2004-2009 are hereby extended to include participation in the WSCA/NASPO PC Contracts 2009-2014 under the same terms and conditions in the current participating addendum.

If re-execution of a participating addendum or amendment to an existing participating addendum is required by a participating entity, the authorization to participate in the WSCA/NASPO PC Contracts 2004-2009 is sufficient to permit participation in the WSCA/NASPO PC Contracts 2009-2014, unless specifically denied by the appropriate chief state procurements official.



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5. Lease Agreements

No Leasing Is Authorized Under this Addendum.

6. Primary Contacts

The primary government contact individuals for this Addendum are as follows (or their named successors):

Lead State

Name: Bernadette Kopischke
Address: 50 Sherburne Ave., 112 Admin Bldg, St Paul, MN 55155
Telephone: (651) 201-2450
Fax: (651) 297-3996
E-mail: bernie.kopischke@state.mn.us

Contractor

Name:
Address:
Telephone:
Fax;
Cell:
E-mail:

Participating State/Entity

Name:
Address:
Telephone:
Fax:
E-mail:

7. Servicing Subcontractors:

Xxx is not proposing any Subcontractors at this time, but reserve the right to add Subcontractors who are part of Xxx’s Channel (Reseller) Program at a later date, upon execution of an addendum to the Participating Addendum.

All orders are to be issued directly to: Xxx Corporation, xxxx Flying Cloud Drive, Eden Prairie, MN 55344

And all payments are to be issued to: Xxx Corporation, Dept. Ch. xxxxx, Palatine, IL 60055-7326

8. Compliance with reporting requirements of the “American Recovery and Reinvestment Act of 2009” (“ARRA”):

If or when contractor is notified by ordering entity that a specific purchase or purchases are being made with ARRA funds, contractor agrees to comply with the data element and reporting requirements as currently defined in Federal Register Vol 74



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#61, Pages 14824-14829 (or subsequent changes or modifications to these requirements as published by the Federal OMB). Ordering entity is responsible for informing contractor as soon as the ordering entity is aware that ARRA funds are being used for a purchase or purchases. Contractor will provide the required report to the ordering entity with the invoice presented to the

ordering entity for payment. The contractor, as it relates to purchases under this contract, is not a subcontractor or subgrantee, but simply a provider of goods and related services.

All purchase orders issued by purchasing entities with the jurisdiction of this Addendum must include the Participating State contract number: [insert appropriate number]; and the Master Price Agreement Number: B27xxx.

This Addendum and the Price Agreement together with its exhibits, set forth the entire agreement between the parties with respect to the subject matter of all previous communications, representations or agreements, whether oral or written, with respect to the subject matter hereof. Terms and conditions inconsistent with, contrary or in addition to the terms and conditions of this Addendum and the Price Agreement, together with its exhibits, shall not be added to or incorporated into this Addendum or the Price Agreement and its exhibits, by any subsequent purchase order or otherwise, and any such attempts to add or incorporate such terms and conditions are hereby rejected. The terms and conditions of this Addendum and the Price Agreement and its exhibits shall prevail and govern in the case of any such inconsistent or additional terms. This Addendum applies only in the jurisdiction of the Participating State or Participating Entity which has executed this Addendum.

IN WITNESS WHEREOF, the parties have executed this Addendum as of the date of execution by Contractor below.

SIGNED BY GOVERNMENTAL ENTITY AND CONTRACTOR
(based on signatures required by governmental entity)

Some guidance that might help:

The numbered paragraphs are fairly uniform across the 23 manufacturers, however there are some differences. So, we have only used the "subject" for reference.

Scope:

(Briefly describe the jurisdiction of the governmental entity. If the jurisdiction includes all the governmental entities within an entire state, a statement to that effect will suffice - for instance, a county health department or city parks department – these are handled differently in different jurisdictions.)



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Changes:

(Insert specific changes or a statement that no changes are required)

Lease Agreements:

(Insert a specific statement whether or not the lease agreement terms and conditions have been approved for use by the governmental entity)

Primary Contact: The primary contact individual for this participating addendum is as follows:

(Name: Address: Telephone: Fax: E-mail: - this is very important it is who we will deal with.)

Price Agreement Number: All purchase orders issued by procuring agencies within the jurisdiction

of this participating addendum shall include the following price agreement number: A633xx
(If you use your own numbering scheme, insert that number as necessary. The MPA number should remain in the participation addendum and on the order as a way of directly connecting the purchase with the WSCA/NASPO PC Contracts)

Certified Education Partners: (if offered)

(If offered, procuring agencies that qualify for educational products and discounts may assign a certified education partner to a purchase order.)

Servicing Subcontractors: The following servicing subcontractors are authorized:

(If you intend to use servicing subcontractors, insert servicing subcontractor name(s) otherwise leave it as it is.)