

Broadcast Date: June 10, 2010

**TO: Procurement and Contracting Officers (PCOs)
Purchasing Authority Contacts (PACs)
Small Business and Disabled Veteran Business Enterprise Advocates**

**RE: General Provisions and General Terms and Conditions
Revised June 8, 2010**

The State's General Provisions, for both non-information technology (non-IT) goods (GSPD-401Non-IT Commodities) and information technology (IT) goods and services (GSPD-401IT) were revised effective June 8, 2010. The revised General Provisions are available at the following Department of General Services, Procurement Division (DGS/PD) web site:

<http://www.pd.dgs.ca.gov/modellang/GeneralProvisions.htm>

In addition, the State's General Terms and Conditions for non-IT services (GTC 610) and the General Terms and Conditions for Interagency Agreement (GIA 610) were revised effective June 9, 2010. The revised GTC's and GIA's are available at the following DGS, Office of Legal Services web site:

<http://www.ols.dgs.ca.gov/Standard%20Language/default.htm>.

GSPD-401Non-IT Commodities

Specifically, the following revision was made:

- Item 7(b): Compliance with Statutes and Regulations: This item was revised to reflect the new dollar threshold of \$554,000.

And the following items were added:

- Item 55: Small Business Participation and DVBE Participation Reporting Requirements: For specific language, refer to the GSPD-401Non-IT Commodities located at the web site above.
- Item 56: It is unlawful for any person engaged in business within this state to sell or use any article or product as a "loss leader" as defined in Section 17030 of the Business and Professions Code. (PCC 10302(b).) *

GSPD-401IT

Specifically, the following revision was made:

- Item 7(d): Compliance with Statutes and Regulations: This item was revised to reflect the new dollar threshold of \$554,000.

And the following items were added:

- Item 59: Small Business Participation and DVBE Participation Reporting Requirements: For specific language, refer to the GSPD-401IT located at the web site above.
- Item 60: It is unlawful for any person engaged in business within this state to sell or use any article or product as a “loss leader” as defined in Section 17030 of the Business and Professions Code. (PCC 12104.5(b).) *

GTC 610 Non-IT Services

Specifically, the following items were added:

- Item 19: Small Business Participation and DVBE Participation Reporting Requirements. For specific language, refer to the State’s General Terms and Conditions located at the website above.
- Item 20: If this contract involves the furnishing of equipment, materials, or supplies then the following statement is incorporated: It is unlawful for any person engaged in business within this state to sell or use any article or product as a “loss leader” as defined in Section 17030 of the Business and Professions Code. (PCC 10344(e).) *

GIA 610 Interagency Agreements

Specifically, the following item was added:

- Item 9: Non-Payment of Invoices – Fund Transaction Request is being added pursuant to Budget Letter 10-10. For specific language, refer to the State’s General Interagency Agreement terms located at the website above.

State agencies must immediately incorporate the General Provisions, GTC’s, or GIA’s, as applicable, into all new and in-process solicitations and all new purchase documents and/or contracts.

*If your solicitation incorporates the applicable General Provisions or GTC’s, this meets the requirement of the Loss Leader statement in your solicitation.

Questions or concerns regarding this Broadcast should be addressed to:

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