



Department of General Services
Procurement Division
707 Third Street, 2nd Floor
West Sacramento, CA
95605-2811

State of California
Western States Contracting Alliance
Master Price Agreement
Small Package Delivery Services
Non-Mandatory
User Instructions
(Incorporate Supplement #5)

| | |
|-------------------------------|--|
| CONTRACT NUMBERS: | 7-11-99-10 FedEx 7-11-99-11 GSO 7-11-99-12 OnTrac 7-11-99-13 UPS |
| DESCRIPTION: | Small Package Delivery Services |
| CONTRACTOR(S): | FedEx , GSO, OnTrac and UPS |
| CONTRACT TERM: | 8/27/2011 through 8/27/2014 |
| STATE CONTRACT ADMINISTRATOR: | Cynthia Okoroike, 916/375-4389 Cynthia.okoroike@dgs.ca.gov |

The most current User Instructions and California General Provisions, products and/or services and pricing are included herein. All purchase orders issued under this contract incorporate the following User Guide and California General Provisions.

Original Signature on File

Cynthia Okoroike, State Contract Administrator

8/14/2013

Effective Date

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| Summary of changes | | |
|--------------------|--|-----------------|
| Supplement No. | Description | Supplement Date |
| 4 | <ul style="list-style-type: none"> List all available delivery services as shown on page 7 of this user instructions | 7/3/2013 |
| 5 | <ul style="list-style-type: none"> Extend OnTrac's contract to reflect the lead state time extension through August 27, 2014 | 8//13/2013 |
| | <ul style="list-style-type: none"> Revised attachment-A, Contract Ordering Information to reflect changes to contract term and update contractor's phone number | |

American Recovery and Reinvestment Act (ARRA) - Supplemental Terms and Conditions

Ordering departments executing purchases using ARRA funding must attach the ARRA Supplemental Terms and Conditions document to their individual purchase documents. Departments are reminded that these terms and conditions supplement, but do not replace, standard State terms and conditions associated with this leveraged procurement agreement.

Click here to access the [ARRA Supplemental Terms and Conditions](#).

Note: Additional information regarding ARRA is available by clicking here to access the email broadcast dated 08/10/09, titled [Supplemental Terms and Conditions for Contracts Funded by the American Recovery and Reinvestment Act](#).

1. SCOPE

The State of California (hereafter referred to as the "State") has established Participating Agreement with contractors on the State of Utah, Western States Contracting Alliance (WSCA) contract for Small Package Delivery Services. Contracts were awarded on a competitive basis to qualified Carriers who provide small package delivery services. Participating Addenda are in place with four carriers; FedEx Corporate Services, Inc. and United Parcel Service, Inc. have agreed to provide Intrastate and Interstate delivery services to the contiguous 48 States, Alaska, Hawaii, Puerto Rico and international locations. Golden State Overnight and OnTrac have agreed to provide California's intrastate ground and/or pouch delivery services.

The purpose of this WSCA Master Price Agreement is to provide a purchasing vehicle for Small Package Delivery Services for all State Agencies and local government agencies, which are any city, county, district or other governmental body, empowered to spend public funds per California Public Contract Code Section 10299.

While the State of California makes this WSCA Master Price Agreement available to local governmental agencies, each local agency should make its own determination of whether using this WSCA Master Price Agreement is consistent with its procurement policies and regulations.

The contract term is 8/27/2011 through 8/27/2014 with an option to extend the contract for one (1) additional one (1) year period(s). The terms, conditions, and prices for the contract extension option shall be by mutual agreement between the contractor(s) and the State. If a mutual agreement cannot be met, the contract may be terminated at the end of the current contract term.

This MPA offers the following benefits to State and Local Agencies:

- a. Carriers have agreed to hold firm pricing for first year of contract;
- b. Carriers have agreed to waive weekly service charges and on demand pickup fees;

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- c. No advertising, bidding and contracting procedures by using the less formal standardized MSA ordering process;
- d. Ability to choose the carrier best suited for specific department requirements/needs;
- e. Streamlined ordering process via a Standard 65 ordering document;

2. CONTRACT USAGE/RULES

- a. Ordering state agencies must follow all applicable state mandated guidelines, e.g., State Administrative Manual, Management Memos, Agency Directives, California Acquisition Manual and California Codes. State agencies are prohibited from purchasing services not in compliance with technical specification of **WSCA Participating Addendum**.
- b. Carriers are responsible for all damages and lost while delivery is still in transit. It is recommended for ordering agencies to declare value for all shipped packages.
- c. Prior to placing orders against this contract, departments must have been granted purchasing authority by the Department of General Services, Procurement Division (DGS/PD) for the use of this statewide contract. The department's current purchasing authority number must be entered in the appropriate location on each purchase document. Departments that have not been granted purchasing authority by DGS/PD may access the Purchasing Authority Application at http://www.documents.dgs.ca.gov/pd/poliproc/v2Chapt01_10_0730.doc, Section A, Topic 5, or may contact DGS/PD's Purchasing Authority Management Section by email at pams@dgs.ca.gov.
- d. State and local government agency use of **WSCA contracts** is optional. A local government is any city, county, city and county, district or other local governmental body or corporation, including UC, CSU, K-12 schools and community colleges that is empowered to expend public funds. While the state makes this contract available, each local government agency should make its own determination whether the WSCA program is consistent with its procurement policies and regulations.
- e. Local government agencies must have a DGS agency billing code prior to placing orders against this contract. DGS agency billing codes may be obtained by emailing marilyn.ebert@dgs.ca.gov or wilson.lee@dgs.ca.gov with the following information:
 - Local government agency
 - Contact name
 - Telephone number
 - Mailing address
 - Facsimile number and email address
- f. Unless otherwise specified within this document, the term "ordering agencies" will refer to all State departments and/or local government agencies eligible to utilize this contract. Ordering and/or usage instructions exclusive to State departments or local government agencies shall be identified within each article.

3. AGREEMENT SUMMARY (STD 215)

State agencies are required to complete the STD 215 for all contracts, regardless of dollar amount. The justification for contracting based on Government Code Section 19130 (see #17) is an important component of the contract documentation. The STD 215 should be maintained in the contract file with other purchase documents. Click on the following link to download the 215 document:
<http://www.documents.dgs.ca.gov/ols/CONTRACTING%20INFO/STD215%20Rev%204-2002.doc>

4. DGS ADMINISTRATIVE FEE

The agency will not be charged the DGS Administrative fee and agencies will not be invoiced by the contractor for the use of this contract.

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5. STATE CONTRACT ADMINISTRATOR

Department of General Services, Procurement Division
Multiple Award Program - WSCA
707 Third Street, 2nd Floor, MS #202
West Sacramento, CA 95605-2811

Contact: Cynthia Okoroike
Phone: 916/375-4389
Fax: 916/375-4663
E-Mail: cynthia.okoroike@dgs.ca.gov

6. PROBLEM RESOLUTION/CONTRACTOR PERFORMANCE

Ordering agencies and/or contractors shall inform the State Contract Administrator in a timely manner of any technical or contractual difficulties encountered during contract performance in a timely manner. This includes and is not limited to informal disputes, contractor performance, outstanding deliveries, etc.

To report contractor performance issues, ordering agencies must submit a completed Contract/Contractor Evaluation. If the performance by the contractor was unsatisfactory, a copy of the Contract/Contractor Evaluation form must also be sent to Office of Legal Services. The following link has instructions for this process <http://www.documents.dgs.ca.gov/osp/pdf/std004.pdf>.

7. CONTRACT ITEMS

All available service categories, contractor information and associated pricing may be viewed at the following site: www.bidsync.com.

8. CONFIDENTIALITY STATEMENTS

State of California, Requesting Agencies must obtain signed Confidentiality Statements from Contractor, and any subcontractors employed by Contractor, as mandated by SAM, section 5310.

9. WSCA CONTRACT INFORMATION

See Attachment A for list of awarded contracts and contract Terms and Conditions.

10. DOLLAR THRESHHOLDS (Local Governments are Exempt)

WSCA Program Limitation: \$500,000.00.

All orders are subject to the most current Management Memo (Currently MM 08-05 including supplements, or whichever Management Memo is in effect at the time a purchase order is issued.) Go to DGS/PD web site at www.dgs.ca.gov/pd to obtain a copy of the most current Management Memo.

Departments executing WSCA/NASPRO orders over \$500,000 for non-IT goods must obtain DGS/PD approval prior to executing the purchase documents. The following information must be documented by the department and submitted to DGS/PD:

- Identify the needs for the goods and/or services and the dollar value of the impending purchase document.
- Explain how the department has determined that issuance of a purchase document to this particular contractor makes good business sense and how best value for the department has been achieved.

Upon review and approval of the documentation submitted, DGS/PD will issue an approval letter concurring with the department's request. Upon receiving approval from DGS/PD, the department may proceed to execute the order SCM Vol. 2 chapter 6 F3.6.

- Departments executing orders using the WSCA/NASPRO program are not required to obtain three offers or document best value, but conducting price comparisons among the WSCA suppliers, if available, is encourage. Refer to the user instructions of each contract SCM Vol2, chapter 6 F3.1.
- Exempt entities are not subject to these order limits.

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11. EXECUTING PURCHASE ORDER

THE WSCA/STATE OF CALIFORNIA CONTRACT NUMBER MUST BE SHOWN ON THE PURCHASE DOCUMENT.

Purchasing documents must contain the following information:

- Agency Order Number (Contract Number)
- Ordering Agency Name
- Agency Billing Code
- Purchasing Authority Number
- WSCA Contract Number
- Contractor Information
- Statement/Scope of Work
- Total Cost
- Additional information as needed

State agencies shall use a Purchase Order (STD 65) for purchase execution.

An electronic version of the form is available at the following website:

<http://www.documents.dgs.ca.gov/osp/pdf/std065.pdf>

Local governments shall, in lieu of the State's Purchase Order (STD 65), use their own purchase order document.

The ordering agency defines the project scope to determine which goods and related services are needed, and checks the electronic catalog for pricing. Then the ordering state agency completes a STD.65, including all pertinent information for each individual order issued against the Agreement and sends the STD. 65 to the selected Contractor.

NOTE: CAL-Card (procurement card; i.e. visa) orders are also accepted.

As a hard copy catalog is not available, you must print a copy of the contract terms and conditions, the Participating Addendum, and a copy of the e-quote from your order and retain this in your files. It is not necessary to provide a copy of each page to DGS. Additionally, it is not the contractor's responsibility to provide this information to you.

12. ORDERS OVER \$50, 000.00

The ordering State agency or department must obtain approval from the DGS Office of Legal Services (OLS) if the service contract amount exceeds \$50,000 (unless the State agency has an OLS Exemption greater than \$50,000) per State Contract Manual, Volume II, Chapter 6, Section 6.A1.2. Follow the routing procedures used for non-IT service contracts.

13. WSCA BASE CONTRACT

This WSCA contract is based on some or all of the services and prices from WSCA Small Package Delivery Services Contract, State of Utah MA454, MA065, MA2016 and MA 2018.

A copy of the actual WSCA Master Agreement is available on the Internet at:
<http://www.aboutwsca.org/contract.cfm/contract/w15-2011>

14. CONTRACT TERM

The contract term for the California Participating Addendum is 8/27/2011 through 8/27/2014.

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15. PRICING

Agencies should contact the contractor to see if there is a large quantity discount available. Additionally, educational discounts may be available for educational entities. Please contact the contractor for additional information. See Attachment A for pricing.

16. ON-LINE ORDERING

Contact the supplier representative to discuss setting up an online ordering website for your agency. State agencies must still provide a copy of the ordering document to the DGS/PD. If using a CAL-Card, a copy of the on-line order acknowledgement must be sent in place of the ordering document. **THE AGENCY BILLING CODE MUST BE INCLUDED ON EITHER DOCUMENT (Local Governments are Exempt).**

17. PURCHASE ORDER DISTRIBUTION (Local Governments are exempt)

For state agencies, copies of the STD 65 with original signatures, or if using the CAL-Card, copies of the order acknowledgement, must be sent to the Contractor, State Controller and DGS/PD at the addresses listed below:

Department of General Services
Procurement Division
Data Entry Unit-Second Floor North
P.O. Box 989052
West Sacramento, CA 95798-9052
IMS: Z-1

State Controller's Office
3301 C Street
Sacramento, CA 95814
Attn: Audit Unit

18. PAYMENTS AND INVOICES

a. Payment Terms

See **WSCA Supplier Contract Information** (Attachment A) for Payment Terms. Payment will be made in accordance with the provisions of the California Prompt Payment Act, Government Code Section 927 et. seq. Unless expressly exempted by statute, the Act requires state agencies to pay properly submitted, undisputed invoices not more than forty-five (45) days after (i) the date of acceptance of goods or performance of services; or (ii) receipt of an undisputed invoice, whichever is later.

Local government agencies may make payments according to their statutory requirements.

b. Payee Data Record (Std. 204)

Each state accounting office must have a copy of the attached Payee Data Record (STD. 204) in order to process payment of invoices. Agencies should forward a copy of the STD. 204 to their accounting office(s). Without the STD. 204, payment may be unnecessarily delayed.

c. Federal Department

The Federal Department of Labor requires State departments expending Federal funds of \$25,000 or more to have a certification by the Contractor they have not been debarred or suspended from doing business with the Federal Government.

19. DELIVERY

Delivery shall take place thirty (30) days after receipt of order, or as negotiated between agency and contractor and included in the purchase document, or as otherwise stipulated in the contract.

20. TERMINATION

Any State or Local agency may terminate any order against this agreement upon thirty (30) days notice provided the products or services have not already been accepted. This does not affect the termination clause of the WSCA Master Price Agreement concerning failure to perform or upon mutual consent.

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21. Available Services

Available delivery services are listed below by contractor. It is the responsibility of the State or Local agency to determine the appropriate service for their needs. Additional delivery service information can be found at the contractor's websites. See Attachment A.

| Small Parcel Delivery Services | | |
|---------------------------------------|------------------------|--|
| Contractors | Contract Number | Services Available |
| FedEx | 7-11-99-10 | <ul style="list-style-type: none"> • Priority Overnight, • FedEx Standard Overnight • FedEx 2 Day A.M. • FedEx 2 Day • FedEx Express Saver • FedEx Ground • FedEx Home Delivery Ground • FedEx Ground Alaska and Hawaii • FedEx Ground Canada • FedEx Ground Multi-Weight • Multiple National Carrier Rates |
| GSO | 7-11-99-11 | <ul style="list-style-type: none"> • GSO Priority Overnight (PDS 4) • GSO Ground (CPS 2) • GSO Saturday Delivery (SDS 2) • GSO Early Priority Overnight (EPS 8) • GSO Early Saturday (ESS 2) |
| OnTrac | 7-11-99-12 | <ul style="list-style-type: none"> • Palletized Freight • Saturday Delivery • Pouch Service • C.O.D Service |
| UPS | 7-11-99-13 | <ul style="list-style-type: none"> • UPS Ground • UPS 3 day select service • UPS Second Day Air A.M. Service • UPS Second Day Air Service • UPS Next Day Air Service • UPS Next Day Saver Service • UPS Hundredweight Service |

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ATTACHMENT A

WSCA CONTRACT ORDERING INFORMATION

| | |
|--|---|
| Contractor Name | FedEx Corporate Services, Inc. |
| Contract Number | 7-11-99-10 |
| Contract Term Dates | 8/27/2011 through 8/27/2014 |
| WSCA Master Agreement | http://www.aboutwsca.org/contracts/files/QuickCopy_CCI.doc |
| CA General Provisions | http://www.pd.dgs.ca.gov/wsca/PrintingServices.htm |
| CA Participating Addendum | http://www.pd.dgs.ca.gov/wsca/PrintingServices.htm |
| Ordering Address | 3650 Hacks Cross Road, Bldg. E, 3 rd Floor Memphis, TN 38125 |
| Contact | Elaine Heath, Worldwide Account Manager |
| Phone | 858/450-9869 |
| Fax | 901/471-5901 |
| New Account | 800/645-9424 |
| Pick-Ups | 800/463-3339 |
| Sales | 858/450-9869 |
| Fax | 901/471-5901 |
| Email | Elaine.heath@fedex.com |
| Pricing (Website) Category Warranty Delivery Shipping Freight | http://www.bidsync.com/DPX?ac=agencycontlist&foroid=307818 |
| Contractor Ownership Information | FedEx Corporate Services, Inc. is a large business enterprise. |
| Payment Terms | Net 45 days |
| FEIN | 71-0427007 |
| CAL-Card Accepted | FedEx Corporate Services, Inc. accepts the State of California credit card (CAL-Card). A Standard Agreement (STD 65) is required even when the ordering department chooses to pay the contractor via the CAL-Card. |

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| | |
|--|---|
| Contractor Name | Golden State Overnight (GSO) |
| Contract Number | 7-11-99-11 |
| Contract Term Dates | 8/27/2011 through 8/27/2014 |
| WSCA Master Agreement | http://www.aboutwsca.org/contracts/files/QuickCopy_CCI.doc |
| CA General Provisions | http://www.pd.dgs.ca.gov/wsca/PrintingServices.htm |
| CA Participating Addendum | http://www.pd.dgs.ca.gov/wsca/PrintingServices.htm |
| Ordering Address | 3330 Data Drive, Suite 200 Rancho Cordova, CA 95670 |
| Contact | Ernesto Diamonon |
| Phone | 916/636-5130 |
| Fax | 916/636-5105 |
| Email | ediamonon@gso.com |
| Pricing (Website) Category Warranty Delivery Shipping Freight | http://www.bidsync.com/DPX?ac=agencycontlist&foroid=307818 |
| Contractor Ownership Information | Golden State Overnight is a large business enterprise. |
| Payment Terms | Net 45 days |
| FEIN | 94-3221288 |
| CAL-Card Accepted | Golden State Overnight accepts the State of California credit card (CAL-Card). A Standard Agreement (STD 65) is required even when the ordering department chooses to pay the contractor via the CAL-Card. |

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| | |
|--|---|
| Contractor Name | OnTrac |
| Contract Number | 7-11-99-12 |
| Contract Term Dates | 8/27/2011 through 8/27/2014 |
| WSCA Master Agreement | http://www.aboutwsca.org/contracts/files/QuickCopy_CCI.doc |
| CA General Provisions | http://www.pd.dgs.ca.gov/wsca/PrintingServices.htm |
| CA Participating Addendum | http://www.pd.dgs.ca.gov/wsca/PrintingServices.htm |
| Ordering Address | 1635 Main Avenue, Suite 3 Sacramento, CA 95838 |
| Contact | Ron Kuhnau |
| Phone | 916/921-6016 ext. 6114 |
| Fax | 916/921-2729 |
| Email | rkuhnau@ontrac.com |
| Pricing (Website) Category Warranty Delivery Shipping Freight | http://www.bidsync.com/DPX?ac=agencycontlist&foroid=307818 |
| Contractor Ownership Information | OnTrac is a large business enterprise. |
| Payment Terms | Net 45 days |
| FEIN | 98-0066674 |
| CAL-Card Accepted | OnTrac accepts the State of California credit card (CAL-Card). A Standard Agreement (STD 65) is required even when the ordering department chooses to pay the contractor via the CAL-Card. |

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| | |
|--|--|
| Contractor Name | United Parcel Service, Inc. (UPS) |
| Contract Number | 7-11-99-13 |
| Contract Term Dates | 8/27/2011 through 8/27/2014 |
| WSCA Master Agreement | http://www.aboutwsca.org/contracts/files/QuickCopy_CCI.doc |
| CA General Provisions | http://www.pd.dgs.ca.gov/wsca/PrintingServices.htm |
| CA Participating Addendum | http://www.pd.dgs.ca.gov/wsca/PrintingServices.htm |
| Ordering Address | 3108 W. Thomas Road, Suite 1205 Phoenix, AZ 85017 |
| Contact | Flo Matteo, Director of Enterprise Accounts |
| Government Sales | 602/758-8654 |
| New Accounts | wsca@ups.com |
| Fax | N/A |
| Email | fmatteo@ups.com |
| Pricing (Website) Category Warranty Delivery Shipping Freight | http://www.bidsync.com/DPX?ac=agencycontlist&foroid=307818 |
| Contractor Ownership Information | UPS is a large business enterprise. |
| Payment Terms | Net 45 days |
| FEIN | 36-2407381 |
| CAL-Card Accepted | UPS accepts the State of California credit card (CAL-Card). A Standard Agreement (65) is required even when the ordering department chooses to pay the contractor via the CAL-Card. |