Procurement Division
Multiple Awards Program Section
707 Third Street, 2nd Floor, MS #2-202
West Sacramento, CA 95605-2811

State of California

COOPERATIVE AGREEMENT USER INSTRUCTIONS

Supplement #4

Important Note: Supplement #4 replaces and supersedes the previous User Instructions version (Supplement #3 dated 12/03/2013).

ISSUE AND EFFECTIVE DATE: 01/15/2014	
TITLE/DESCRIPTION:	WSCA-NASPO Facilities Maintenance, Lighting Products, Industrial Supplies and Tools
CONTRACT NUMBER(S):	7-11-51-01 Fastenal Company 7-11-51-02 Grainger Supplies 7-11-51-03 SID Tool Co., Inc, dba MSC Industrial Supply Company
CONTRACT TERM:	7/25/2011 through 2/28/2014
CONTRACT CATEGORY:	Non - IT Goods and Services
MAXIMUM ORDER LIMIT:	$500,000
FOR OPTIONAL USE BY:	State Departments and Local Governmental Agencies
DGS-PD CONTRACT INFORMATION WEBSITE:	http://www.dgs.ca.gov/pd/Programs/Leveraged/wsca/WSCAFacilitiesMRO.aspx
STATE CONTRACT ADMINISTRATOR:	Lori Tomita (916) 375-4580 lori.tomita@dgs.ca.gov

Note to Ordering Agencies: Please carefully review the User Instructions in its entirety. Ordering Agencies are required to comply with the instructions provided herein and the terms outlined within the individual California Participating Addenda (Contracts) listed above. For questions, please contact the State Contract Administrator and reference the "Title/Description" and/or Contract Number(s). Changes to this document will be issued through a User Instruction Supplement.

Original Signature on File

Steven Kobayashi, Manager
Multiple Awards Program Section

SUMMARY OF CHANGES		
Supplement No.	**Revision Description**	**Effective Date**
4	User Instructions Supplement #4 replaces and supersedes the previous User Instructions version (Supplement #3 dated 12/03/2013). Supplement #4 incorporates the following changes: • Updated section 2 to remove Local government agencies must have a DGS agency billing code. • Updated section 13 to remove Cal-Card, copies of the order acknowledgement. • Updated section 14 to add Cal-Card Use.	01/15/2014

For copies of previous User Instructions versions, please contact the State Contract Administrator listed in Section 5.

The rest of this page is intentionally left blank.

1. OVERVIEW

a. The purpose of this WSCA Participating Addendum is to provide a purchasing vehicle for Facilities Maintenance, Lighting Products, Industrial Supplies and Tools for all State Agencies and local government agencies, which is any city, county, district or other governmental body empowered to spend public funds per California Public Contract Code Section 10298 and 10299.

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

c. The contract term is 7/25/2011 through 2/28/2014 with an option to extend the contract for three (3) additional one (1) year periods. 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.

d. Order placement and contract execution shall be on or before the expiration date of the WSCA.

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 products not in compliance with the technical specifications of the WSCA Participating Addendum.

b. Per Management Memo 05-11, products available on a mandatory statewide contract cannot be purchased by State departments under this agreement.

c. Departments executing orders using the WSCA/NASPO program are not required to obtain three offers or document best value, but conducting price comparisons among the WSCA suppliers, if available, is encouraged. Refer to SCM Vol. 2, Chapter 6 F3.1.

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. Evaluating Environmental Preferable Purchasing (EPP) Purchases

1. State agencies must verify products meet all applicable California regulatory standards as directed by Public Contract Code sections 12400 through 12404 and Governor's Executive Order S-20-04.

2. State and local government agencies must verify all appliances, indoor air-cleaning devices, off-road power equipment, thermostats, emissions from consumer products, refrigerants, aerosol adhesives and plastic trash bags meet California regulatory standards, are certified where required and/or manufacturers and suppliers are compliant. Table 1 – Resources for California Regulatory Standards assists purchasers in identifying and verifying compliant products.

Table 1 – Resources for California Regulatory Standards

PROGRAM	PRODUCTS	RESOURCE
Appliance Efficiency	Central Air Conditioners (CAC), refrigeration products, cooking and washing products, transformer products, electronics, water heater products, fans and dehumidifiers, heat pumps, heating products, lighting products, motor products, non-central AC and HP products and plumbing products.	The California Energy Commissio Appliance Efficiency Database
Aerosol Adhesives	Architectural coatings: lacquers, wood finishes, primers, colorants concrete-curing compounds, stains, primers, enamels, sealers, shellacs and wood preservatives.	SCAQMD Rule 1113 Table of Standards BAAQMD Rule 3 (8-3-301) VOC Standards
Consumer Product Emissions	Detergents; cleaning compounds; polishes; floor finishes; cosmetics; personal care products; home, lawn, and garden products; disinfectants; sanitizers; aerosol paints; and automotive specialty products and aerosol adhesives, for consumer, industrial, and commercial uses.	CARB certified Charcoal lighter Materials CARB certified Portable Fuel Containers Green House Gas in Consumer Products VOC Standards for Consumer Products
Indoor Air-Cleaning Devices	Ionizers, electrostatic precipitators, other electronic filtration devices, and other air cleaners using new technologies.	California Certified Air-Cleaning Devices
Off-Road Power Equipment	lawnmowers, chainsaws, line trimmers, backpack blowers, edger, brushcutter, generators, pumps, compressors, tractors, forklifts, leaf blowers, vacuums, snow blowers, floor polishing equipment, concrete polishers, pressure washer, tiller, etc	California Air Resources Board Off-Road Certification Database
Plastic Trash Bags	Plastic trash bags	CalRecycle Recycle-Content Trash Bag Program
Refrigerants	Refrigerants used in chillers, refrigeration systems, air-conditioning systems, refrigerant blends and insulating foams.	California Air Resources Board Refrigerant Management Program – for Regulated Refrigerants.
SABRC	Antifreeze, Glass products, lubricating oils, metal products, paint, paper, plastic products, printing and writing papers, tires, tire- derived products,	CalRecycle Recycle Content Product Directory
Thermostats	Thermostats and Switches	California Department of Toxic Substance (DTSC) Mercury Thermostat Act Compliance

3. The WSCA California Participating Addendum Technical Specifications, mandatory for state agencies, are established to reduce environmental impacts and support Leadership in Energy and Environmental Design, in Existing Buildings Operation & Maintenance (LEED-EBOM) sustainable purchasing goals. Resources to assist State agencies in achieving other sustainable purchasing goals and identifying EPP products can be found in the Department of General Services Buying Green Guide. When a supplier or manufacturer makes an environmental claim(s) for the product(s) it offers, it is the State agency purchaser that is responsible for verifying that the product is in compliance with the advertised claim. Purchasers may request documentation (e.g. certificate, test results, standard) for verification purposes from the supplier.

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)

This section is intentionally left blank.

4. DGS ADMINSTRATIVE 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.

5. STATE CONTRACT ADMINISTRATOR

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

Contact: Lori Tomita
Phone: (916) 375-4580
Fax: (916) 375-4663
E-Mail: lori.tomita@dgs.ca.gov

6. PROBLEM RESOLUTION/CONTRACTOR PERFORMANCE

a. 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.

b. 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. WSCA CONTRACT INFORMATION

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

8. DOLLAR THRESHOLDS (Local Governments are Exempt)

- WSCA Program Limitation: $500,000.00

a. Departments executing WSCA/NASPO orders over $500,000.00 for non-IT goods must obtain DGS/PD approval prior to executing the purchase document. Refer to SCM Vol. 2, Chapter 6 F3.6. The following information must be documented by the department and submitted to DGS/PD:

Identify the need 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.

b. 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.

c. Exempt entities are not subject to these order limits.

9. EXECUTING THE PURCHASE ORDER

a. The WSCA and State of California contract numbers must be shown on the purchase order.

b. State agencies shall use a Contract/Delegation Purchase Order (Std. 65) for purchases and services.

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

d. Electronic copies of the State Standard Forms can be found at the Office of State Publishing web site: http://www.dgs.ca.gov/osp (select Standard Forms). The site provides information on the various forms and use with the Adobe Acrobat Reader. Beyond the Reader capabilities, Adobe Acrobat advanced features may be utilized if you have Adobe Business Tools or Adobe Acrobat 4.0 installed on your computer. Direct link to the Standard Form 65: http://www.documents.dgs.ca.gov/osp/pdf/std065.pdf

e. 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 Form 65 (Contract/Delegation Purchase Order), including all pertinent information for each individual order issued against the Agreement and sends the Form 65 to the selected Contractor.

f. 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.

10. WSCA BASE CONTRACT

This WSCA contract is based on some or all of the products and/or services and prices from WSCA Facilities Maintenance, Lighting Products, Industrial Supplies and Tools Contract, Nevada 1862.

A copy of the actual WSCA Master Agreement is available on the Internet at:

http://purchasing.state.nv.us/WSCA_Industrial/WSCAMRO.htm

11. CONTRACT TERM

The contract term for the California Participating Addendum is 7/25/2011 through 2/28/2014.

12. 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.

13. PURCHASE ORDER DISTRIBUTION (Local Governments are Exempt)

For state agencies, copies of the STD. 65 with original signatures must be sent to the Contractor, State Controller and Department of General Services, Procurement Division.

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

14. 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 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 request a completed Payee Data Record (Std. 204) from the contractor 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 to the contractor may be unnecessarily delayed.

c. CAL-Card Use

State departments may use the CAL-Card for the payment of invoices. Use of the CAL-Card requires the execution of Purchasing Authority Purchase Order (Std. 65) as referenced in Article 8 (Purchase Execution) and must include all required documentation applicable to the purchase.

The CAL-Card is a payment mechanism, not a procurement approach and, therefore, does not relieve departments from adhering to all procurement laws, regulations, policies, procedures, and best practices, including those discussed in the State Contracting Manual (SCM) Volume 1, Volume 2 and Volume 3. This includes but is not limited to the application of all sales and use tax laws, rules and policies as applicable to the purchase.

15. DELIVERY

30 days after receipt of order, or as negotiated between agency and contractor and included in the purchase order, or as otherwise stipulated in the contract.

16. SMALL BUSINESS/DVBE - TRACKING

Per State Contracting Manual (SCM) Volume 2, Chapter 6.A2.5 SB and DVBE subcontracting participation tracking, State agencies are able to claim subcontracting dollars towards their small business or DVBE goals whenever the Contractor subcontracts a commercially useful function to a certified small business or DVBE.

1. The amount an ordering agency can claim towards achieving its small business or DVBE goals is the dollar amount of the subcontract award made by the Contractor to each small business or DVBE.

2. The Contractor will provide an ordering agency with the following information at the time the order is quoted:

   a. The Contractor will state that, as the prime Contractor, it shall be responsible for the overall execution of the fulfillment of the order.

   b. The Contractor will indicate to the ordering agency how the order meets the small business or DVBE goal, as follows:

      - List the name of each company that is certified by the Office of Small Business and DVBE Services to which that it intends to subcontract a commercially useful function; and
      - Include the small business or DVBE certification number of each company listed, and attach a copy of each certification; and
      - Indicate the dollar amount of each subcontract with a small business or DVBE that may be claimed by the ordering agency towards the small business or DVBE goal; and
      - Indicate what commercially useful function the small business or DVBE subcontractor will be providing towards fulfillment of the order.

17. TERMINATION

Any State or Local agency may terminate any order against this agreement upon 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.

18. AMERICAN RECOVERY AND REINVESTMENT ACT (ARRA) - Supplemental Terms and Conditions

a. 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.

b. 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

ATTACHMENT A
WSCA CONTRACT ORDERING INFORMATION

Contractor Name	**Fastenal Company**
Contract Number	7-11-51-01
Contract Term Dates	7/25/2011 through 2/28/2014
WSCA Master Agreement	http://purchasing.state.nv.us/WSCA_Industrial/WSCAMRO.htm
CA General Provisions	http://www.dgs.ca.gov/pd/Programs/Leveraged/wsca/WSCAFacilitiesMRO.aspx
CA Participating Addendum	http://www.dgs.ca.gov/pd/Programs/Leveraged/wsca/WSCAFacilitiesMRO.aspx
Ordering Address for Prime Contractor	2001 Theurer Blvd. Winona, MN 5987
Contact	Zach Wise
Phone	(507) 313-7206
Fax	(507) 494-3422
Email	govcoordinators@fastenal.com
Ordering through Authorized SB/DVBE Dealers	All purchase orders to authorized SB/DVBE Dealers must contain the Participating Addendum Number and be addressed as follows: Fastenal Company c/o < *Authorized SB/DVBE Dealer Name*>, <*Authorized SB/DVBE Dealer Address*> Payments to Authorized SB/DVBE Dealers should be issued to the address shown on the Authorized SB/DVBE Dealers invoice. Invoices must contain the Participating Addendum Number. Fastenal Company authorized SB/DVBE and their contact information are located at: https://www.bidsync.com/DPXViewer/AuthorizedPartners3-14-13.pdf?ac=view&contid=85221&docid=5469466
Pricing (Website) Category Warranty Delivery Shipping Freight	http://www.fastenal.com/web/resources.ex?action=Contracts&stateContractDtlId=34&state=CA
Contractor Ownership Information	Fastenal Company is a large business enterprise.
California Seller's Permit	Fastenal Company's California Seller's Permit No. is 99394823. Agencies can verify that this permit is still valid at the following Website: www.boe.ca.gov.
Payment Terms	Net 45 days
FEIN	41-0948415
CAL-Card Accepted	Fastenal Company accepts the State of California credit card (CAL-Card). A Purchasing Authority Purchase Order (Std. 65) is required even when the ordering department chooses to pay the contractor via the CAL-Card.

ATTACHMENT A
WSCA CONTRACT ORDERING INFORMATION

Contractor Name	**W.W. Grainger, Inc.**
Contract Number	7-11-51-02
Contract Term Dates	7/25/2011 through 2/28/2014
WSCA Master Agreement	http://purchasing.state.nv.us/WSCA_Industrial/WSCAMRO.htm
CA General Provisions	http://www.dgs.ca.gov/pd/Programs/Leveraged/wsca/WSCAFacilitiesMRO.aspx
CA Participating Addendum	http://www.dgs.ca.gov/pd/Programs/Leveraged/wsca/WSCAFacilitiesMRO.aspx
Ordering Address for Prime Contractor	3691 Industrial Blvd. West Sacramento, CA 95691
Contact	Jason Hauan
Phone	(800) 700-6955
Fax	(888) 790-1586
Email	castateteam@grainger.com
Ordering through Authorized SB/DVBE Dealers:	All purchase orders to authorized SB/DVBE Dealers must contain the Participating Addendum Number and be addressed as follows: W.W. Grainger c/o < *Authorized SB/DVBE Dealer Name*>, <*Authorized SB/DVBE Dealer Address*> Payments to Authorized SB/DVBE Dealers should be issued to the address shown on the Authorized SB/DVBE Dealers invoice. Invoices must contain the Participating Addendum Number. W.W. Grainger authorized SB/DVBE and their contact information are located at: https://www.bidsync.com/DPXViewer/GraingerSmall-And-Disabled-Vetlist_5-20-13.pdf?ac=view&contid=85161&docid=5539265
Pricing (Website) Category Warranty Delivery Shipping Freight	**In order to view the WSCA contract pricing, you must be registered and logged in online** http://www.grainger.com/Grainger/wwg/start.shtml
Contractor Ownership Information	W.W. Grainger, Inc. is a large business enterprise.
California Seller's Permit	W.W. Grainger's California Seller's Permit No. is 98004877 Agencies can verify that this permit is still valid at the following Website: www.boe.ca.gov.
Payment Terms	Net 45 days
FEIN	36-1150280
CAL-Card Accepted	W.W. Grainger, Inc. accepts the State of California credit card (CAL-Card). A Purchasing Authority Purchase Order (Std. 65) is required even when the ordering department chooses to pay the contractor via the CAL-Card.

ATTACHMENT A
WSCA CONTRACT ORDERING INFORMATION

Contractor Name	**SID Tool Co., Inc. DBA MSC Industrial Supply Company**
Contract Number	7-11-51-03
Contract Term Dates	7/25/2011 through 2/28/2014
WSCA Master Agreement	http://purchasing.state.nv.us/WSCA_Industrial/WSCAMRO.htm
CA General Provisions	http://www.dgs.ca.gov/pd/Programs/Leveraged/wsca/WSCAFacilitiesMRO.aspx
CA Participating Addendum	http://www.dgs.ca.gov/pd/Programs/Leveraged/wsca/WSCAFacilitiesMRO.aspx
Ordering Address for Prime Contractor	75 Maxess Rd. Melville, NY 11747
Contact	Damon Perez
Phone	(916) 276-9397
Fax	(800) 753-7937
WSCA Team	(888) 672-9722 (for customer services question)
Email	perezd@mscdirect.com
Ordering through SB/DVBE Authorized Dealer	All purchase orders to authorized SB/DVBE Dealers must contain the Participating Addendum Number and be addressed as follows: MSC Industrial Supply Company c/o < *Authorized SB/DVBE Dealer Name*>, <*Authorized SB/DVBE Dealer Address*> Payments to Authorized SB/DVBE Dealers should be issued to the address shown on the Authorized SB/DVBE Dealers invoice. Invoices must contain the Participating Addendum Number. MSC Industrial Supply Company authorized SB/DVBE and their contact information are located at: https://www.bidsync.com/DPXViewer/MSC-SmallBusiness-Authorized-Dealer.pdf?ac=view&contid=85241&docid=4988541
Pricing (Website) Category Warranty Delivery Shipping Freight	http://www1.mscdirect.com/cgi/nnsrhm
Contractor Ownership Information	MSC Industrial Supply Company is a large business enterprise.
California Seller's Permit	MSC Industrial Supply Company's California Seller's Permit No. is 101325893. Agencies can verify that this permit is still valid at the following Website: www.boe.ca.gov.
Payment Terms	Net 45 days
FEIN	13-5526506
CAL-Card Accepted	MSC Industrial Supply Company accepts the State of California credit card (CAL-Card). A Purchasing Authority Purchase Order (Std. 65) is required even when the ordering department chooses to pay the contractor via the CAL-Card.