

State of California
**COOPERATIVE AGREEMENT
USER INSTRUCTIONS**
Supplement #9

Important Note: Supplement #9 replaces and supersedes the previous User Instructions version (Supplement #8 dated 11/15/2013).

| ISSUE AND EFFECTIVE DATE: 8/21/2014 | |
|---|--|
| TITLE/DESCRIPTION: | WSCA-NASPO Hazardous Incident Response Equipment (HIRE) |
| CONTRACT NUMBER(S): | PC 61962 Aramsco PC 61961 Atlantic Diving Supply, Inc. PC 61964 Fisher Scientific Company, LLC PC 61966 Mar-Vel International PC 62787 MBF Industries, Inc. PC 61968 RAE Systems, Inc. PC 62119 Selex ES, Inc. |
| CONTRACT TERM: | VARIOUS through 05/31/2015 |
| 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/NASPOhire.aspx |
| STATE CONTRACT ADMINISTRATOR: | Ashley Mistler (916) 375-4596 ashley.mistler@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

Ashley Mistler, Contract Analyst
Multiple Awards Program Section

| SUMMARY OF CHANGES | | |
|---------------------------|--|-----------------------|
| Supplement No. | Revision Description | Effective Date |
| 8 | <p>User Instructions Supplement #9 replaces and supersedes the previous User Instructions version (Supplement #8 dated 11/15/2013).</p> <p>Supplement #9 incorporates the following changes:</p> <ul style="list-style-type: none"> • User Instruction information and format changes throughout document. • Attachment A – Modified to change supplier name from ELSAG North America LLC. To Selex ES, Inc. | 8/21/2014 |

For copies of previous User Instructions versions, please contact the State Contract Administrator listed in Section 2.

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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. OVERVIEW

The purpose of this WSCA/NASPO Master Price Agreement is to provide a purchasing vehicle to acquire Hazardous Incident Response Equipment (HIRE) for all State and local government agencies. A local agency is any city, county, district or other governmental body empowered to spend public funds per California Public Contract Code Section 12110.

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

2. STATE OF CALIFORNIA, PROCUREMENT DIVISION, CONTACT

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

Contact: Ashley Mistler
Phone: (916) 375-4596
Fax: (916) 375-4663
E-Mail: ashley.mistler@dgs.ca.gov

3. WSCA/NASPO CONTRACT INFORMATION

See Attachment A for a list of awarded contract(s) and applicable contract Terms and Conditions.

4. WSCA/NASPO BASE CONTRACT

This WSCA/NASPO contract is based on the State of New York's competitively bid NASPO contract for products and/or services for Hazardous Incident Response Equipment (New York).

A copy of the actual NASPO Master Agreement is available on the Internet at:
<http://www.ogs.state.ny.us/purchase/spg/awards/3823219745CAN.HTM>

5. GUIDELINES/RULES

- State and local government agency use of WSCA/NASPO 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/NASPO program is consistent with their procurement policies and regulations.

USER INSTRUCTIONS
WESTERN STATES CONTRACTING ALLIANCE (WSCA)
NATIONAL ASSOCIATION OF STATE PROCUREMENT OFFICIALS (NASPO) COOPERATIVE CONTRACT
HAZARDOUS INCIDENT RESPONSE EQUIPEMENT

- State agencies must follow all applicable state mandated guidelines, e.g., State Administrative Manual, Management Memos, Agency Directives, Purchasing Authority Manual and California Codes.

6. MAXIMUM ORDER LIMITATION (Local Governments are Exempt from the following)

- WSCA/NASPO Program Order Limitation: \$500,000.
- All orders are subject to 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.
- All WSCA/NASPO orders over \$250,000 must be reported to DGS/PD within 5 working days of execution using the NCA. Approval by the department's Agency Secretary and Department Director or immediate next ranking official must be secured on the order and must be an original signature. The location on the order for the signatures is up to each individual ordering entity. A copy of the NCA must be retained in the procurement file.
- For all orders under this contract, the ordering agency is not required to obtain three quotes. For State Agency orders exceeding \$500,000, the ordering agency must have DGS approval prior to issuance of the purchase order.

7. DOLLAR THRESHOLDS (Local Governments are Exempt)

Departments executing WSCA/NASPO orders over \$500,000 must obtain DGS/PD approval prior to executing the purchase document. The following information must be submitted by the department to DGS/PD:

- Identify the need for the goods and/or services and the dollar value of the impending purchase document.
- Explain how/why the department has determined that issuance of a purchase order 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 execute the order.

All orders at this dollar threshold must also be reported to DGS/PD within 5 working days of execution using the NCA form. <http://www.documents.dgs.ca.gov/pd/delegations/nca.pdf>

All relevant documentation, including the NCA must be retained in the procurement file.

Exempt entities and local governments are not subject to these order limits. Go to DGS/PD web site www.dgs.ca.gov/pd to obtain a copy of the most current Management Memo (currently MM 03-10 including supplements), or whichever Management Memo is in effect at the time a purchase order is issued.

8. PRICING

See Attachment A for pricing.

Agencies should contact the contractor directly to see if additional discounts are available/being offered (i.e., large quantity discounts).

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WESTERN STATES CONTRACTING ALLIANCE (WSCA)
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HAZARDOUS INCIDENT RESPONSE EQUIPEMENT**

9. EXECUTING THE PURCHASE ORDER

THE STATE OF CALIFORNIA CONTRACT NUMBER MUST BE SHOWN ON THE PURCHASE ORDER.

- State agencies shall use a Purchasing Authority Purchase Order (Std. 65) for purchases and services.
- Local governments shall, in lieu of the State's Purchase Order (Std. 65), use their own purchase order document.
- 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.osp.dgs.ca.gov/pdf/std065.pdf>
- The ordering agency defines the project scope to determine which goods and/or related services are needed, and check the electronic catalog for pricing. Then the ordering state agency completes a Form 65 (Purchasing Authority Purchase Order), including all pertinent information for each individual order issued against the Agreement and sends the Form 65 to the selected Contractor.
- 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.

11. PURCHASE ORDER DISTRIBUTION

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. For local agencies, copies of purchase orders are not required.

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

12. PAYMENTS AND INVOICES

a. Payment Terms

See WSCA/NASPO 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 have a copy of the attached Payee Data Record (Std. 204) in order to process payment of invoices. Without the Std. 204, payment may be unnecessarily delayed. To minimize this problem, ordering party may opt to forward a copy of the Std. 204 to their accounting office(s).

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.

13. 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.

14. DGS ADMINISTRATIVE FEE

A separate DGS Administrative fee and will not be charged against orders placed against this agreement.

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ATTACHMENT A

WSCA/NASPO CONTRACT ORDERING INFORMATION

| | |
|--|--|
| Contractor Name | AramSCO, Inc. |
| Contract Number | PC 61962 |
| Contract Term Dates | 08/14/2006 through 05/31/2015 |
| NASPO Master Agreement | http://www.ogs.state.ny.us/purchase/spg/awards/3823219745CAN.HTM |
| CA Participating Addendum and CA General Provisions | http://www.pd.dgs.ca.gov/WSCA/naspo-hire.htm |
| Ordering Address | 1480 Grandview Avenue Thorofare, NJ 08086 |
| Contact | Donna McQuade |
| Phone | (856) 686-7753 |
| Fax | (856) 686-7249 |
| Email | dmcquade@aramSCO.com |
| 24 Hour Emergency Contact Person | Todd Maxwell, EP Specialist |
| 24 Hour Emergency Contact Phone Number | (602) 721-8635 – Mobile (856) 686-7700 – Office, Email: tmaxwell@aramSCO.com (856) 686-0802 |
| Pricing (Website) Category Warranty Delivery Shipping Freight | http://www.ogs.state.ny.us/purchase/spg/awards/3823219745CAN.HTM |
| Contractor Ownership Information | AramSCO, Inc. is a large business enterprise. |
| Payment Terms | Net 45 days |
| FEIN | 84-1674268 |
| CAL-Card Accepted | AramSCO, 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/NASPO CONTRACT ORDERING INFORMATION

| | |
|--|---|
| Contractor Name | Atlantic Diving Supply, Inc. |
| Contract Number | PC 61961 |
| Contract Term Dates | 6/27/2007 through 05/31/2015 |
| NASPO Master Agreement | http://www.ogs.state.ny.us/purchase/spg/awards/3823219745CAN.HTM |
| CA Participating Addendum and CA General Provisions | http://www.pd.dgs.ca.gov/WSCA/naspo-hire.htm |
| Ordering Address | Pinehurst Centre, Suite 350 477 Viking Drive Virginia Beach, VA 23452 |
| Contact | Eddie Las Marias |
| Phone | (757) 351-1266 |
| Fax | (757) 440-3009 |
| Email | elasmarias@adsinc.com |
| Pricing (Website) Category Warranty Delivery Shipping Freight | http://www.ogs.state.ny.us/purchase/spg/awards/3823219745CAN.HTM |
| Contractor Ownership Information | Atlantic Diving Supply, Inc. is a large business enterprise. |
| Payment Terms | Net 45 days |
| FEIN | 54-1867268 |
| CAL-Card Accepted | Atlantic Diving Supply, 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/NASPO CONTRACT ORDERING INFORMATION

| | |
|--|---|
| Contractor Name | Selex ES, Inc. (Formerly ELSAG North America LLC) |
| Contract Number | PC 62119 |
| Contract Term Dates | 05/20/2007 through 05/31/2015 |
| NASPO Master Agreement | http://www.ogs.state.ny.us/purchase/spg/awards/3823219745CAN.HTM |
| CA Participating Addendum and CA General Provisions | http://www.pd.dgs.ca.gov/WSCA/naspo-hire.htm |
| Ordering Address | 205 H Creek Ridge Road Greensboro, NC 27406 |
| Contact | Skip Howland |
| Phone | (831) 419-8269 |
| Fax | (831) 419-8269 |
| Email | skip.howland@selex-es.us |
| Pricing (Website) Category Warranty Delivery Shipping Freight | http://www.ogs.state.ny.us/purchase/spg/pdfdocs/3823219745Price.htm Click on Selex ES, Inc. |
| Contractor Ownership Information | Selex ES, Inc. is a large business enterprise. |
| Payment Terms | Net 45 days |
| FEIN | 98-0353098 |
| CAL-Card Accepted | Selex Es, 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/NASPO CONTRACT ORDERING INFORMATION

| | |
|--|---|
| Contractor Name | Fisher Scientific Company, LLC |
| Contract Number | PC 61964 |
| Contract Term Dates | 08/14/2006 through 05/31/2015 |
| NASPO Master Agreement | http://www.ogs.state.ny.us/purchase/spg/awards/3823219745CAN.HTM |
| CA Participating Addendum and CA General Provisions | http://www.pd.dgs.ca.gov/WSCA/naspo-hire.htm |
| Ordering Address | 2000 Park Lane Pittsburgh, PA 15275 |
| Contact | Lauren Rizzo |
| Phone | (724) 517-2145 |
| Fax | N/A |
| Email | lauren.rizzo@thermofisher.com |
| Pricing (Website) Category Warranty Delivery Shipping Freight | http://www.ogs.state.ny.us/purchase/spg/awards/3823219745CAN.HTM |
| Contractor Ownership Information | Fisher Scientific Company, LLC is a large business enterprise. |
| Payment Terms | Net 45 days |
| FEIN | 23-2942737 |
| CAL-Card Accepted | Fisher Scientific Company, LLC 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/NASPO CONTRACT ORDERING INFORMATION

| | |
|--|--|
| Contractor Name | Mar-Vel International |
| Contract Number | PC 61966 |
| Contract Term Dates | 9/21/2006 through 05/31/2015 |
| NASPO Master Agreement | http://www.ogs.state.ny.us/purchase/spg/awards/3823219745CAN.HTM |
| CA Participating Addendum and CA General Provisions | http://www.documents.dgs.ca.gov/pd/wsca/hire/mar-vel-PA.doc |
| Ordering Address | 621 Lynnhaven Parkway Virginia Beach, VA 23452 |
| Contact | Eddie Las Marias |
| Phone | (757) 351-1266 |
| Fax | (757) 440-3009 |
| Email | elasmarias@adsinc.com |
| Instructions | Mar-Vel orders can be taken by and fulfilled by ADS with the PO's made out to Mar-Vel and billed as Mar-Vel |
| Pricing (Website) Category Warranty Delivery Shipping Freight | http://www.ogs.state.ny.us/purchase/spg/awards/3823219745CAN.HTM |
| Contractor Ownership Information | Mar-Vel International, Inc. is a large business enterprise. |
| Payment Terms | Net 45 days |
| FEIN | 22-2854453 |
| CAL-Card Accepted | Mar-Vel International, 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/NASPO CONTRACT ORDERING INFORMATION

| | |
|--|---|
| Contractor Name | MBF INDUSTRIES, INC. |
| Contract Number | PC 62787 |
| Contract Term Dates | 9/18/2008 through 5/31/2015 |
| WSCA Master Agreement | http://www.ogs.state.ny.us/purchase/spg/pdfdocs/3823219745PL_MBF.pdf |
| CA Participating Addendum and CA General Provisions | http://www.pd.dgs.ca.gov/wscanaspohire.htm |
| Ordering Address | 210 Tech Dr. Sanford, FL 32771 |
| Contact | John W. Baker |
| Phone | 407/323-9414 |
| Fax | 407/330-2068 |
| Email | john-baker@cfl.rr.com |
| Pricing (Website) Category Warranty Delivery Shipping Freight | http://www.ogs.state.ny.us/purchase/spg/pdfdocs/3823219745PL_MBF.pdf |
| Contractor Ownership Information | MBF INDUSTRIES, INC. is a large business enterprise. |
| California Seller's Permit | MBF INDUSTRIES, INC.'s California Seller's Permit No. is 101083221. Agencies can verify that this permit is still valid at the following website: www.boe.ca.gov . |
| Payment Terms | Net 45 days |
| FEIN | 59-3126557 |
| CAL-Card Accepted | MBF INDUSTRIES, 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/NASPO CONTRACT ORDERING INFORMATION

| | |
|--|--|
| Contractor Name | RAE SYSTEMS, INC. |
| Contract Number | PC 61968 |
| Contract Term Dates | 10/9/2008 through 5/31/2015 |
| WSCA Master Agreement | http://www.ogs.state.ny.us/purchase/spg/pdfdocs/3823219745P_rice.htm |
| CA Participating Addendum and CA General Provisions | http://www.pd.dgs.ca.gov/wscanaspohire.htm |
| Ordering Address | 3775 North First Street San Jose, CA 95134 |
| Contact | Bob Ladzinski |
| Phone | 856/986-8517 |
| Fax | 609/770-3416 |
| Email | rladzinski@raesystems.com |
| Pricing (Website) Category Warranty Delivery Shipping Freight | http://www.ogs.state.ny.us/purchase/spg/pdfdocs/3823219745P_rice.htm |
| Contractor Ownership Information | RAE SYSTEMS, INC. is a large business enterprise. |
| California Seller's Permit | RAE SYSTEMS, INC.'s California Seller's Permit No. is 19778404. Agencies can verify that this permit is still valid at the following website: www.boe.ca.gov . |
| Payment Terms | Net 45 days |
| FEIN | 77-0280662 |
| CAL-Card Accepted | RAE SYSTEMS, 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. |