

COOPERATIVE AGREEMENT USER INSTRUCTIONS

Supplement #1

Important Note: Supplement #1 replaces and supersedes the previous User Instructions dated 6/09/16.

ISSUE AND EFFECTIVE DATE: 7/27/16	
TITLE/DESCRIPTION:	Laboratory Equipment and Supplies (NASPO ValuePoint Cooperative Agreement)
CONTRACT NUMBER(S):	7-16-99-26-01 VWR International, LLC 7-16-99-26-02 Fisher Scientific Company, L.L.C.
CONTRACT TERM:	Various through March 31, 2019
CONTRACT CATEGORY:	Non-IT Goods
MAXIMUM ORDER LIMIT:	\$500,000 (State Departments only)
FOR USE BY:	State and Local Governmental Agencies
DGS-PD CONTRACT INFORMATION WEBSITE:	http://www.dgs.ca.gov/pd/Programs/Leveraged/NASPO/NASPOLabEquipment.aspx
STATE CONTRACT ADMINISTRATOR:	Lori Tomita (916) 375-4580 Lori.Tomita@dgs.ca.gov

Ordering Agencies are instructed to carefully review these User Instructions in its entirety. 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 Instructions Supplement.

Original Signature on File

Lori Tomita, State Contract Administrator

Date

SUMMARY OF CHANGES		
Supplement No.	Revision Description	Supplement Date
1	Supplement #1 includes the following changes: <ul style="list-style-type: none">• Cover Page<ul style="list-style-type: none">○ Added Fisher Scientific Company, L.L.C.• Updated User Instructions throughout to include new and revised information.	7/27/16

To obtain copies of previous User Instructions, please contact the State Contract Administrator listed in Section 4 (Contract Administrators).

Table of Contents

	<u>PAGE</u>
1. SCOPE AND OVERVIEW	4
2. CONTRACT AVAILABILITY	4
3. CONTRACT TERM	4
4. CONTRACT ADMINISTRATORS	5
5. CONTRACT INFORMATION	5-6
6. CONTRACT USAGE/RULES	6
7. ORDERING PROCEDURES	7-8
8. INVOICING AND PAYMENT	8
9. PROBLEM RESOLUTION/CONTRACTOR PERFORMANCE	8
10. ATTACHMENTS	9-10

USER INSTRUCTIONS

1. SCOPE AND OVERVIEW

The Department of General Services, Procurement Division (DGS-PD) has established California Participating Addendum contracts with individual Contractors (as noted on page 1) for use of the NASPO ValuePoint Laboratory Equipment and Supplies Master Agreements executed by the State of Utah.

These California Participating Addendums provide State departments and local governmental agencies the opportunity to acquire laboratory equipment and supplies in accordance with the instructions provided herein and the terms and conditions outlined in the individual California Participating Addendums. Attachment A identifies specific California Participating Addendum information and awarded product/service categories by Contractor.

Note: Throughout this document, "California Participating Addendum" may be used interchangeably with "agreement" or "contract." Unless otherwise specified within this document, the term "Ordering Agencies" will refer to all State departments and/or local governmental agencies eligible to utilize this contract. Ordering and usage instructions exclusive to State departments or local governmental agencies shall be identified within each section.

2. CONTRACT AVAILABILITY

A. State Departments

- 1) Use of these agreements is non-mandatory for State of California departments.
- 2) State departments are restricted from using these agreements for laboratory equipment and supplies available on Mandatory California Statewide Contracts. See Section 5.D. (Disallowed Laboratory Equipment and Supplies) for more information.

B. Local Governmental Agencies

- 1) Use of these agreements is optional for local governmental agencies.
- 2) Local governmental agencies are defined as any city, county, city and county, district, or other local governmental body or corporation, including the California State Universities (CSU) and University of California (UC) systems, K-12 schools and community colleges, empowered to expend public funds.
- 3) Each local governmental agency shall determine whether use of these agreements is consistent with its procurement policies and regulations.

3. CONTRACT TERM

The terms for these California Participating Addendums are from the date of the State's approval through March 31, 2019, or upon termination by the State, whichever occurs first.

Note: Orders placed under these contracts shall be executed on or before the expiration date of the California Participating Addendum.

4. CONTRACT ADMINISTRATORS

The State and the Contractor(s) have assigned contract administrators as single points of contact for problem resolution and related contract issues.

The State Contract Administrator for these agreements is:

Name:	Lori Tomita	Department of General Services
Phone:	(916) 375-4580	Procurement Division
Fax:	(916) 375-4663	707 Third Street, 2 nd Floor, MS 2-202
E-Mail:	Lori.Tomita@dgs.ca.gov	West Sacramento, CA 95605

Contractor contact information is outlined in Attachment A.

5. CONTRACT INFORMATION

A. Lead State Agreement (NASPO ValuePoint Base Contract)

The California Participating Addendums are based on some or all of the products, services and prices from the NASPO ValuePoint Laboratory Equipment and Supplies issued by the State of Utah. Copies of the Utah NASPO ValuePoint Master Agreements are available at: <http://www.naspovaluepoint.org/#/home/contracts>

B. California Participating Addendum (Contract Documents)

California Participating Addendum contract documents and Approved Authorized Reseller listings are posted on the State's Cal eProcure website. To obtain copies:

- Go to *Cal eProcure - State Contract Search* (<https://www.caleprocure.ca.gov/pages/LPASearch/lpa-search.aspx>)
- Enter the Participating Addendum number in the *Contract ID* field; *or* Enter "Laboratory Equipment and Supplies" in the *Description* field and click Search button ().
- Click View button () to access Cooperative Agreement details page.
- Under Attachments, click View button () to download documents.

C. Available Laboratory Equipment and Supplies

- 1) VWR International, LLC
 - Full Line Catalog
- 2) Fisher Scientific Company, L.L.C.
 - Full Line Catalog
 - Not available: non-cataloged or 3rd party sourced non-cataloged items

D. Disallowed Equipment and Supplies (For both state and local agencies)

- 1) The following items are NOT included:

Equipment and Supplies which may be included in a contractor's catalog, but which are not specifically designed or intended for laboratory use (e.g. reception chairs, couches, coffee tables, general office equipment, etc.) per the State of Idaho's RFP16000231.

- 2) Items costing in excess of \$75,000, after discount, are excluded.

E. Contractor Pricing

A Category Discount List is posted on each Contractors dedicated website on Cal eProcure. Pricing is based on a discount off list price. Contractors may offer greater discounts and/or lower prices.

6. CONTRACT USAGE/RULES

A. Adherence to Applicable Laws (State Departments Only)

State departments must adhere to all applicable State laws, regulations, policies, best practices, and purchase authority requirements (e.g. California Codes, Code of Regulations, State Administrative Manual, Management Memos, and State Contracting Manual (SCM) Volume 2.

B. Purchase Authority (State Departments Only)

Prior to placing orders under these agreements, State departments must have been granted purchasing authority by DGS-PD for the use of cooperative agreements. The State department's current purchasing authority number must be entered in the appropriate location on each purchase document. State departments that have not been granted purchasing authority by DGS-PD may access the Purchasing Authority Application by contacting DGS-PD's Purchasing Authority Management Section by email at pams@dgs.ca.gov.

C. California Seller's Permit (State Departments Only)

California Seller's Permit information for each Contractor is identified in Attachment A. Prior to placing orders under these agreements, State departments should verify that permits are currently valid at www.boe.ca.gov. State departments must adhere to the file documentation required identified in the State Contracting Manual Volume 2 and Volume 3, as applicable.

D. Order Limits/Dollar Thresholds (State Departments Only)

Purchase orders may not exceed the \$500,000 maximum order limit listed on page 1. The total contract value shall be based on the cumulative value including any amendments (i.e., a \$400,000 contract plus a \$100,000 amendment shall be considered a \$500,000 contract).

This restriction does not apply for local governmental agencies.

Pursuant to Public Contract Code Section 10329, willfully splitting a single purchasing transaction into a series of transactions for the purpose of evading bidding requirements or to circumvent ordering limits is prohibited.

E. DGS Administrative Fee

Ordering agencies will not be charged the DGS Administrative fee nor will they be invoiced by the Contractor(s) for use of these agreements.

7. ORDERING PROCEDURES

A. Contractor Selection Process

Ordering agencies are not required to solicit multiple offers when executing purchase orders under these agreements but conducting price comparisons among the suppliers is encouraged.

B. Servicing Subcontractors (Authorized Resellers)

- 1) State-approved Servicing Subcontractors (Authorized Resellers) may provide offers; accept purchase orders; accept payment from Ordering Agencies for products; assist with ordering questions; delivery problems; and invoice issues offered under the specific Contractor's California Participating Addendum.
- 2) Ordering Agencies may only use State-approved Servicing Subcontractors (Authorized Resellers) for soliciting offers and order execution when:
 - a. Attachment A indicates Authorized Resellers are available for use under the specific California Participating Addendum; and
 - b. The firm is identified on the Approved Authorized Reseller listing posted on the State's Cal eProcure website.
- 3) If soliciting offers from Authorized Resellers, State departments must retain a copy of the State's Approved Authorized Reseller listing, for the individual California Participating Addendum, in the procurement file.
- 4) All purchase order documents to Authorized Resellers must contain the California Participating Addendum Number and the prime Contractor's name as instructed in Attachment A.

C. Purchase Order Form and Execution

All Ordering Agency purchase order documents executed under these agreements must contain the applicable California Participating Addendum Number as shown in Attachment A. See Section B for additional requirements when executing orders through Authorized Resellers.

- 1) State Departments
 - a) State departments must use the Purchasing Authority Purchase Order (Std. 65) for purchase execution. An electronic version of the Std. 65 is available on the DGS-PD website at <http://www.dgs.ca.gov/pd/Forms.aspx> (select Standard STD Forms).
 - b) The ordering agency defines the project scope to determine which goods 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.
 - c) 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 offer 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.

2) Local Governmental Agencies

Local governmental agencies may use their own purchase order document in lieu of the State's purchase order form.

8. INVOICING AND PAYMENT

A. Payment Terms

Payment terms for these agreements are net forty-five (45) days. 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 departments to pay properly submitted, undisputed invoices not more than forty-five (45) days after the date of acceptance of goods, performance of services, or receipt of an undisputed invoice, whichever is later.

B. Payee Data Record

Each State accounting office must have a Payee Data Record (Std. 204) in order to process payment of invoices. Agencies should request a Std. 204 from the contractor and 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

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 Section 7.C (Purchase Order Form) and must include all required documentation applicable to the purchase.

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 Volumes 1, 2 and 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.

9. PROBLEM RESOLUTION/CONTRACTOR PERFORMANCE

Ordering agencies should first attempt to resolve complaints, issues or disputes informally with the Contractor. If the issue or dispute cannot be resolved by the Ordering Agency, the issue may be elevated to the DGS-PD State Contract Administrator.

10. ATTACHMENTS

Attachment A – Contract Information

Attachment A – Contract Information

California Participating Addendum (Contract) No.	7-16-99-26-01
Contractor Name	VWR International, LLC
Term Dates	06/06/2016 through 03/31/2019
Lead State Agreement	Idaho NASPO ValuePoint Master Agreement No. MA 16000234-2
California Participating Addendum website	Cal eProcure (See Section 5.B for Cal eProcure contract search instructions)
Product/Service Categories (Awarded Bands)	Band 1 – Full Line Catalog of laboratory equipment and supplies
Contractor Website (Product and Pricing Information)	Pricing can be accessed at VWR.com 1) To create an account call (877) 881-1196 2) With your account number, create a profile on VWR. com
Payment Terms	Net 45 days
CAL-Card Accepted	Yes (See Section 8.C for CAL-Card use requirements)
SB/DVBE Certification(s)	None
Seller’s Permit No.	101242897
CONTRACTOR CONTRACT MANAGER	
Contract Manager	Lewis McMillian
Phone	(770) 335-7925
Fax	(484) 881-5697
Email	Lewis_mcmillan@vwr.com (with copy to) government@vwr.com)
ORDERING/REQUEST FOR OFFER (RFO) INFORMATION	
Contractor (Direct) Ordering Information	VWR International, LLC 800 East Fabyan Pkwy Batavia, IL 60510
Ordering through State-Approved Servicing Subcontractors (Authorized Resellers)	All purchase orders to Authorized Resellers must contain the California Participating Addendum Number and must be addressed as follows: VWR International, LLC c/o < Authorized Reseller Name > <Authorized Reseller Address>

Attachment A – Contract Information, continued

California Participating Addendum (Contract) No.	7-16-99-26-02
Contractor Name	Fisher Scientific Company, L.L.C.
Term Dates	07/12/2016 through 03/31/2019
Lead State Agreement	Idaho NASPO ValuePoint Master Agreement No. MA 16000234-1
California Participating Addendum Website	Cal eProcure (See Section 5.B for Cal eProcure contract search instructions)
Product/Service Categories (Awarded Bands)	Band 1 – Full Line Catalog of laboratory equipment and supplies
Contractor Website (Product and Pricing Information)	<ul style="list-style-type: none"> • Registered users can access the State of CA NASPO PA contract pricing at www.fishersci.com. Users must be logged on to their accounts to view discounted pricing. • If not registered, customers can register at https://www.fishersci.com/shop/userregistration?enterWOAccNo=WO
Payment Terms	Net 45 days
CAL-Card Accepted	Yes (See Section 8.C for CAL-Card use requirements)
SB/DVBE Certification(s)	None
Seller's Permit No.	97727286
CONTRACTOR CONTRACT MANAGER	
Contract Manager	Eric Van Denburg
Phone	(949) 842-9685
Fax	(800) 766-7000 (ordering fax)
Email	fs.order@thermofisher.com
ORDERING/REQUEST FOR OFFER (RFO) INFORMATION	
Contractor (Direct) Ordering Information	Fisher Scientific Company, L.L.C. 4500 Turnberry Drive Hanover Park, IL 60133
Ordering through State-Approved Servicing Subcontractors (Authorized Resellers)	N/A