

State of California **COOPERATIVE AGREEMENT USER INSTRUCTIONS Supplement #8**

IMPORTANT NOTE: SUPPLEMENT #8 REPLACES AND SUPERSEDES THE PREVIOUS USER INSTRUCTIONS VERSION ISSUED 8/31/15

<i>ISSUE AND EFFECTIVE DATE: 7/7/15</i>	
CONTRACT NUMBER(S):	7-12-70-30 – Lexmark 7-12-70-31 – Xerox Corporation 7-12-70-32 – Ricoh USA, Inc. 7-12-70-33 – Hewlett Packard 7-12-70-34 – Canon
CONTRACT TERM:	4/22/2013 through 8/31/2016
DESCRIPTION:	Managed Print Services Western States Contract Alliance (WSCA)/National Association of State Procurement Officials (NASPO)
CONTRACT CATEGORY	IT Services
MAXIMUM ORDER LIMIT:	Unlimited
FOR OPTIONAL USE BY:	State and Local Governmental Agencies
STATE CONTRACT ADMINISTRATOR:	Cynthia Okoroike (916) 375-4389; cynthia.okoroike@dgs.ca.gov
APPROVED	Signature <i>ORIGINAL SIGNED</i>
	Date <i>8/31/15</i>
	Cynthia Okoroike State Contract Administrator, Multiple Awards Program Section, Masters Unit 2

Please carefully review the User Instructions in its entirety. After reviewing the User Instructions, if you need further assistance or have questions, please contact the State Contract Administrator and reference the “Description” and/or a MPA number listed above.

SUMMARY OF CHANGES		
Supplement No.	Revision Description	Effective Date
8	<p>Supplement #8 replaces and supersedes Supplement 7 User Instructions version (dated 7/7/15) in its entirety.</p> <p>Supplement #8 includes the following change:</p> <ul style="list-style-type: none"> • Extend Participating Addendums through August 31, 2016. Refer to Attachment A for Participating Addendum information. • Update item #3, Department of General Services State Contract Administrator with current information. 	8/26/15

To obtain copies of previous User Instructions, please contact the Department of General Services Contract Administrator listed in Section 3.

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1. SCOPE

Public Contract Code (PCC) sections 10298 and 10299 authorize the Department of General Services (DGS) to establish leveraged procurements that include the use of, and participation in, cooperative agreements with consortiums such as WSCA and NASPO.

In 2012, the State of New Mexico (NM) established six (6) Western States Contract Alliance (WSCA)/National Association of State Procurement Officials (NASPO) Master Price Agreements (MPA) for the purchase of Managed Print Services (MPS).

DGS, Procurement Division (PD), has extended five (5) Participating Addendums with the WSCA/NASPO contractors. Copies of the WSCA/NASPO Master Agreements issued by the State of New Mexico are available at: <http://www.aboutwsca.org/contract.cfm/contract/w40-2011>.

The MPS MPA is a non-mandatory, services only contract that provides full fleet professional asset management services of hardcopy devices (copiers, printers, multifunctional devices (MFD) and/or fax machines) by a MPA supplier regardless of device manufacturer. Contractors perform departmental assessment of fleet devices, transition management of fleet devices and provide continuous improvement throughout the contract life. Services may include and are not limited to: zero-cost assessment; fleet monitoring; configuration and change management; optimization; maintenance; consumable and supply management; training; financial asset management; and continuous assessment.

The purchase or lease of IT Hardware, Printer and Copier equipment is NOT allowed under this MPA. State agencies are directed and required to use the mandatory IT Hardware, Printers and Copiers Statewide Contracts for such purchases.

Note: throughout this document, MPA may be used interchangeably with agreement or contract.

2. CALIFORNIA CONTRACT TERM

- 1) The term for this MPA is from the date of the State's signature of approval through August 31, 2015. The MPA may be extended beyond the original MPA term for two (2) two (2) year terms at the WSCA/NASPO Administrator's and DGS's discretion and upon review of current market conditions and satisfactory contract performance. Lead State amendments to extend the term date are **NOT** automatically incorporated into this California PA.
- 2) Order placement and execution shall be on or before the expiration of this MPA. However, delivery of services may be after the MPA expiration date.

3. DEPARTMENT OF GENERAL SERVICES STATE CONTRACT ADMINISTRATOR

Cynthia Okoroike
Department of General Services (DGS)
Procurement Division (PD)
Multiple Awards Program Section (MAPS)
707 Third Street, 2nd Floor
West Sacramento, CA 95605
Email: cynthia.okoroike@dgs.ca.gov
Phone: (916) 375-4389
Fax: (916) 375-4663

4. CONTRACT USAGE/RULES

A. State Departments

- The use of this contract is optional for all State of California departments.
- Ordering departments must adhere to all applicable State laws, regulations, policies, best practices, and purchasing authority requirements, e.g. California Codes, Code of Regulations, State Administrative Manual, Management Memos, and State Contracting Manual Volume 2 and 3, as applicable.
- Prior to placing orders against this contract, departments must have been granted IT 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 for the use of the State's statewide contracts may access the Purchasing Authority Application at <http://www.dgs.ca.gov/pd/Resources/publications/SCM2.aspx> or may contact DGS/PD's Purchasing Authority Management Section by e-mail at pams@dgs.ca.gov.
- Departments must have a Department of General Services (DGS) agency billing code prior to placing orders against this contract. Ordering departments may contact their Purchasing Authority contact or their department's fiscal office to obtain this information.
- The Federal Department of Labor requires that State agencies, which are expending Federal funds of \$25,000 or more, have in the contract file a certification by the supplier that they have not been debarred or suspended from doing business with the Federal Government. Each contractor must provide this documentation upon request.

B. Local Governmental Agencies

- Local governmental agency use of this contract is optional.

- Local government agencies are defined as “any city, county, city and county, district or other 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 for the acquisition of products, per Public Contract Code Chapter 2, Paragraph 10298 (a) (b). While the State makes this contract available to local governmental agencies, each local governmental agency should determine whether this contract is consistent with its procurement policies and regulations.
- Local governmental agencies shall have the same rights and privileges as the State under the terms of this contract. Any agencies desiring to participate shall be required to adhere to the same responsibilities as do State agencies and have no authority to amend, modify or change any condition of the contract.

5. ADMINISTRATIVE FEES

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.

6. PROBLEM RESOLUTION/CONTRACTOR PERFORMANCE

Ordering agencies and/or contractors shall inform the State Contract Administrator of any technical or contractual difficulties encountered during contract performance in a timely manner. This includes and is not limited to informal disputes, supplier performance, outstanding deliveries, etc. For information relative to post award (IT) disputes, see SCM3 section 7.4.0 at <http://www.dgs.ca.gov/pd/Resources/publications/SCM3.aspx>

For contractor performance issues, ordering agencies must submit a completed *Supplier Performance Report* found at www.documents.dgs.ca.gov/pd/engineering/spr.doc at or a Contract/Contractor Evaluation form (STD 4 - if services) found at <http://www.dgs.ca.gov/osp/Forms/Search.aspx> via email to the State Contract Administrator. The ordering agency should include all relevant information and documentation (i.e., purchase documents).

7. AVAILABLE SERVICES

There are two (2) options available under the Managed Print Services MPA; Total Fleet Managed Print Services and Hybrid Managed Print Services:

- Total Fleet Managed Print Services – Manage fleet of Multifunctional Copier/Printers. Allows for customers to replace some or all State owned Multifunctional Copier/Printers with Contractor specific models.
- Hybrid Managed Print Services – Manage existing fleet of Multifunctional Copier/Printers.

A no cost preliminary assessment is required by the contractor and will provide fact-based information on Total Cost of Ownership. The assessment will determine potential cost savings that can be realized by implementing digitally connected multifunctional copier/printer devices under either option one (1) or two (2) listed above. Once the assessment is complete and the

recommended option has been presented, agencies must ensure that the Total Cost of Ownership will provide cost savings and optimization to your agency.

The assessment must include:

- a. Assess document workflow.
- b. Identify services, supplies and parts for printers and copiers (excludes paper and staples)
- c. Identify current equipment output and Total Cost of Ownership.
- d. Identify employee to device ratio.
- e. Provide preliminary estimated cost savings.

The contractor will provide ongoing account management which includes; network access, reporting, regular business review, monitoring and providing consumables, the ability to service and supply across manufacturers and, security.

See Attachment A for all awarded contracts including contract Terms and Conditions and pricing website information.

8. DISALLOWED PRODUCTS & SERVICES

The following products and services offered are disallowed under this PA. State agencies are required to use the mandatory Statewide contract for the purchase of IT Hardware, Printers and Copiers. The restrictions to option B and C below do not apply to local government entities.

- a. Purchase or lease of equipment.
- b. Disposal of equipment.
- c. Purchase of services or accessories not directly related to purchases under Available Services.

9. ORDERING PROCEDURES

Ordering Agencies electing to use this MPA for the purchase of managed print services must select a Contractor using the Best Value Request for Offer (RFO) selection process.

A. Current Cost Analysis

Prior to developing the RFO, Agencies are required to complete a one (1) year analysis to determine current costs associated with the operation of all output devices. **See Attachment B for current cost analysis worksheet.** Agencies will need to determine the current total cost on all multifunctional copier/printer equipment. Below is a list of determining factors:

1. Total number of output devices by manufacturer (i.e. printers, multifunctional printers, fax machines, copiers and scanners).
2. Average annual impressions.
3. Useful life of device.

4. Useful life remaining.
5. Initial cost of each device.
6. Average annual cost for supplies (do not include paper and staples)
7. Average annual cost for maintenance (service, maintenance kits, rollers, labor, internal help desk).

Once all the above information is gathered and assessed, Agencies will need to include that information in a detailed Scope of Work which will be attached to the Request for Offer (RFO).

B. Request for Offer (RFO) Section Process

1. The Requesting Agency completing the Request For Offer (RFO) should include a Scope of Work (SOW), which includes information indicated in the RFO template (<http://www.documents.dgs.ca.gov/pd/delegations/RFO102710.doc>) and the following:
 - Agency contact information
 - Term of proposed services.
 - Detailed Scope of Work (SOW) for the services required, including Best Value criteria in Attachment C below.
2. The Requesting Agency must solicit two (2) Offers from awarded contractors.
3. Contractors may offer greater discounts than those published in their dedicated California pricing website.
4. The Requesting Agency shall review and score all responsive offers and select the Contractor based on Best Value with cost being a minimum of thirty percent (30%) of the evaluation score. **See Attachment C for criteria for best value worksheet.**
5. The Requesting Agency must document responses using the Best Value Determination Worksheet (<http://www.documents.dgs.ca.gov/pd/delegations/bestvalwrksht.doc>) or use their own form to document the results of offer.

10. PURCHASE EXECUTION

Ordering Agencies and the Contractor must execute a Standard Agreement (STD 213); or the appropriate equivalent purchasing or contract form for local agencies. State Ordering Agencies shall complete a STD 215 – AGREEMENT SUMMARY for each service contract processed under this MPA. The applicable document shall incorporate all of the terms of the applicable Participating Addendum by reference and may contain additional agency specific terms and conditions, none of which may alter, rescind, or be in conflict with the terms and conditions of the MPA. Click on the following link to download the 215 document.

<http://www.dgs.ca.gov/ols/Forms/Instructions.aspx>

All purchase orders and service contracts issued by Ordering Agencies within the jurisdiction of this cooperative agreement shall include the State of California, Participating Addendum Contract Number 7-12-70- XX and the New Mexico Lead State MPA No. 20-000-00-00040.

11. PURCHASE ORDER DISTRIBUTION

For state agencies, copies of the Std. 213, must be sent to the Contractor, State Controller and Department of General Services, Procurement Division. For local agencies, copies of the purchase order 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, Room 404
Sacramento, CA 95814
Attn: Audit Unit

12. PAYMENT

- A. Terms – Refer to Attachment A. Payment terms for this contract 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 performance for services or receipt of an undisputed invoice, whichever is later.
- B. CAL-Card Use - State departments may use the CAL-Card for the payment of invoices. Use of the CAL-Card requires the execution of a Std. 213 Agreement 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 and 2. This includes but is not limited to the application of all sales and use tax laws, rules and policies as applicable to the purchase.

- C. Payee Data Record – Each State accounting office must have a copy of the Payee Data Record (Std. 204) in order to process payments. State departments should forward a copy of the Std. 204 to their accounting office(s). Without the Std. 204, payment may be unnecessarily delayed. State departments should contact the contractor for copies of the Payee Data Record.

13. CALIFORNIA'S SELLER PERMIT

Refer to Attachment A. State departments can verify that permits are currently valid at the following website www.boe.ca.gov State departments must adhere to the file documentation required identified in the State Contracting Manual Volume 2 and 3, as applicable.

14. 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.

ATTACHMENT A

CONTRACTOR CONTACT INFORMATION AND PRICING

Contractor Name	Lexmark International
Contract Number	7-12-70-30
CA Participating Addendum	https://www.bidsync.com/DPX?ac=agencycontview&contid=105281
New Mexico Lead State Master Price Agreement No.:	20-000-00-00040E
WSCA Master Agreement	http://www.aboutwsca.org/contract.cfm/contract/w40-2011
Ordering Address	Lexmark International, Inc. 740 West New Circle Road Lexington, KY 40550 ATTN: Mary Beth Carter/ WSCA MPS Order
Contact	Bill Kagawa
Phone	707.644.6775
Fax	707.644.5919
Email	bkagawa@lexmark.com
Pricing (Website) Category	http://www1.lexmark.com/b2b/wsca/mps.shtml
Contractor Ownership Information	Lexmark International is a large business enterprise.
California Seller's Permit	Lexmark International's California Seller's Permit No. is: 100964874. Agencies can verify that this permit is still valid at the following website: www.boe.ca.gov .
Payment Terms	Net 45 days
FEIN	06-1308215

ATTACHMENT A

CONTRACTOR CONTACT INFORMATION AND PRICING

Contractor Name	Hewlett Packard
Contract Number	7-12-70-33
CA Participating Addendum	https://www.bidsync.com/DPX?ac=agencycontview&contid=105269
New Mexico lead State Master Price Agreement No.	20-000-00-00040F
WSCA Master Agreement	http://www.aboutwsca.org/contract.cfm/contract/w40-2011
Ordering Address	10810 Farnam Drive Omaha, NE 68154
Contact	Debra Lee
Phone	847.537.0344
Fax	847.572.1336
Email	debra.lee@hp.com
Pricing (Website) Category	www.hp.com/buy/wscamps
Contractor Ownership Information	Hewlett Packard is a large business enterprise.
California Seller's Permit	Hewlett Packard's California Seller's Permit No. is: 98-039144. Agencies can verify that this permit is still valid at the following website: www.boe.ca.gov .
Payment Terms	Net 45 days
FEIN	94-1081436

ATTACHMENT A

CONTRACTOR CONTACT INFORMATION AND PRICING

Contractor Name	Canon
Contract Number	7-12-70-34
CA Participating Addendum	https://www.bidsync.com/DPX?ac=agencycontview&contid=105270
New Mexico Lead State Master Price Agreement No.	20-000-00-00040B
WSCA Master Agreement	http://www.aboutwsca.org/contract.cfm/contract/w40-2011
Ordering Address	1 Canon Park Melville, NY 11747
Contact	Kimberly Dantone
Phone	631.330.5507
Fax	631.330.5459
Email	kdantone@cusa.canon.com
Pricing (Website) Category	https://www.bidsync.com/DPXContract?ac=initpaf&contid=105270
Contractor Ownership Information	Canon is a large business enterprise.
California Seller's Permit	California Seller's Permit No. is: 102-332666 Agencies can verify that this permit is still valid at the following website: www.boe.ca.gov
Payment Terms	Net 45 days
FEIN	

ATTACHMENT A

CONTRACTOR CONTACT INFORMATION AND PRICING

Contractor Name	Xerox Corporation
Contract Number	7-12-70-31
CA Participating Addendum	https://www.bidsync.com/DPX?ac=agencycontview&contid=111256
New Mexico Lead State Master Price Agreement No.	20-000-00-00040D
WSCA Master Agreement	http://www.aboutwsca.org/contract.cfm/contract/w40-2011
Ordering Address	2485 Natomas Park Dr., Suite 250 Sacramento, CA 95833
Contact	Frank Louie
Phone	916-561-6108
Fax	N/A
Email	frank.louie@xerox.com
Pricing (Website) Category	www.portal.xerox.com/wscamps
Contractor Ownership Information	Xerox is a large business enterprise.
California Seller's Permit	California Seller's Permit No. is: SR Z OHB 98040852 00093 AB Agencies can verify that this permit is still valid at the following website: www.boe.ca.gov
Payment Terms	Net 45 days
FEIN	16-0468020

ATTACHMENT A

CONTRACTOR CONTACT INFORMATION AND PRICING

Contractor Name	Ricoh USA, Inc.
Contract Number	7-12-70-32
CA Participating Addendum	https://www.bidsync.com/DPX?ac=agencycontview&contid=111257
New Mexico Lead State Master Price Agreement No.	20-000-00-00040A
WSCA Master Agreement	http://www.aboutwsca.org/contract.cfm/contract/w40-2011
Ordering Address	Box 31001-0850 Pasadena, CA 91110-0850
Contact	Leon Townsend
Phone	310.342.7673
Fax	800.541-3583
Email	leon.townsend@ricoh-usa.com
Pricing (Website) Category	http://ricoh-usa.com/majoraccount/wscamps
Contractor Ownership Information	Ricoh USA, Inc. is a large business enterprise.
California Seller's Permit	California Seller's Permit No. is: 30-676661 Agencies can verify that this permit is still valid at the following website: www.boe.ca.gov
Payment Terms	Net 45 days
FEIN	23-03344000

ATTACHMENT B

Current Cost Analysis Worksheet

<http://www.documents.dgs.ca.gov/pd/wsca/mps/AttachmentB.xlsx>

ATTACHMENT C

Best Value Worksheet

<http://www.documents.dgs.ca.gov/pd/wsca/mps/AttachmentC.xlsx>