



Purchasing Cooperatives and State Contracts

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Intros and Objectives



- What do you hope to learn today?
- Share information about the use of
 - Cooperative (COOP) agreements – both national coops and joint procurement cooperative agreements
 - Statewide contracts
 - Piggybacking on other agency agreements
 - Federal GSA

What is available?



- Products and Services
 - IT hardware, SaaS, consulting
 - Security and Safety
 - Facilities & Maintenance (MRO supplies)
 - Office & Classroom
 - Professional, administrative, and travel services
 - Athletic gear, park equipment, laboratory equipment
 - Fleet – vehicles (with caution), parts, etc.





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Why use...or not?

- Pros: 
 - Leverage economies of scale
 - Reduces/eliminates procurement time
 - Eliminates need to produce complicated specifications, ex. Fire trucks
 - Can use to develop pricing data / confirm price reasonableness
- Caution: 
 - May eliminate opportunities for local and small business participation
 - Due to nationwide use, local, competitive pricing could be better

Authorizations and Restrictions



- Tennessee Code Annotated
 - 12-3-1203 Allows piggybacking
 - § (a) Allows local governments to make purchases for any other local government
 - § (b) LEA may purchase the same equipment at the same price and under the same terms of the contract entered into by any other LEA
 - § (c) Municipality, county, utility district or other local government unit may purchase supplies, goods, equipment, and services under contracts or price agreements of another local government of the state – same terms and under same rules & regulations
 - Restriction: Purchases of new or unused motor vehicles unless mfg for a special purpose
 - Restriction: Purchases related to any transportation project (construction or improvement of streets, highways, bridges, tunnels or any roadway related facility)

Authorizations and Restrictions



- Tennessee Code Annotated
 - 12-3-1205
 - § (a) May participate in, sponsor, conduct, or administer a cooperative purchase agreement
 - Purchasing entity must comply only its own purchasing requirements
 - § (b):
 - Allows participation in coop in another state OR agency of the US (i.e., GSA)
 - Requires your governing body must approve use of each cooperative
 - For out of state coops, restricts:
 - Purchases of new or unused motor vehicles unless mfg for a special purpose – does not include farm tractor, mower, earth-moving machinery, construction machinery or similar

Authorizations and Restrictions



- Tennessee Code Annotated
 - 12-3-1205
 - § (b):
 - For out of state coops, restricts purchases of construction, engineering, or architectural services, or construction materials
 - For out of state coops, restricts purchases of fuel, fuel products, and lubricating oils
 - Bars purchase of construction machinery, including but not limited to, bulldozers and other heavy equipment used in construction or on construction sites when exercising joint purchase authority with agency of the US
 - 12-3-1208
 - § (a)(2) Allows – use of reverse auctions, but...
 - § (a)(3) Bars use for purchases of construction services, A&E service, vehicles and new or unused construction equipment

Authorizations and Restrictions



- Competition
 - Use of coop or piggybacking on a contract must be competed in the same manner as required by state law
 - See TCA 12-3-1212 for competitive thresholds
- Federal funds
 - Must explain how use complied with all federal procurement standards and applicable state and local rules
 - Major coops now incorporate federal procurement clauses
 - Statewide contracts incorporate federal clauses
 - Some granting authorities require that the contract contain cooperative language

Cooperative Agreements



- Must be competed in similar manner
 - TCA 12-3-1209:
 - A&E must be qualifications based selection – no price
 - Some professional services may be qualifications based
- Contract must be in effect



How to Find Cooperative Agreements



convenience of the practitioner community. Program inclusion is provided at no charge and DOES NOT indicate endorsement by NIGP.

- [1Government Procurement Alliance \(1GPA\)](#)
- [Arizona Cooperative Program](#)
- [Association of Educational Purchasing Agencies \(AEPA\)](#)
- [Axia Cooperative](#)
- [Baltimore Regional Cooperative Purchasing Committee \(BRCPC\)](#)
- [Buyboard](#)
- [Canoe Procurement Group of Canada](#)
- [Capitol Region Purchasing Council \(CRPC\)](#)
- [Choice Partners National Purchasing Cooperative](#)
- [Cooperative Educational Services - New Mexico](#)
- [CoPro+](#)
- [CoreTrust](#)
- [Educational & Institutional Cooperative Purchasing \(E & I\) ★](#)
- [Equalis Group - An Innovative Cooperative Purchasing Organization](#)
- [GoodBuy Purchasing Cooperative](#)
- [GovMVMT](#)
- [H-GAC Cooperative Purchasing Program](#)
- [H-GAC Energy Purchasing Corporation](#)

- [Kansas City Regional Purchasing Cooperative \(KCRPC\)](#)
- [Keystone Purchasing Network \(KPN\)](#)
- [Kinetic GPO](#)
- [MiDeal - State of Michigan](#)
- [Midwestern Higher Education Compact](#)
- [NASPO Value Point ★](#)
- [National Cooperative Purchasing Alliance \(NCPA\)](#)
- [NPPGov](#)
- [OMNIA Partners \(formerly National IPA and U.S. Communities\) ★](#)
- [PEPPM](#)
- [Public Sourcing Solutions](#)
- [Purchasing Cooperative of America](#)
- [Purchasing Solutions Alliance \(PSA\)](#)
- [Sourcewell ★](#)
- [Southeast Florida Governmental Purchasing Cooperative](#)
- [Texas Department of Information Resources](#)
- [TXSHARE](#)
- [TIPS Purchasing Cooperative ★](#)
- [Unified Purchasing Cooperative of the Ohio River Valley](#)
- [Virginia Higher Education Procurement Consortium](#)
- [Washington School Information Processing Cooperative \(WSIPC\)](#)

How to Find Cooperative Agreements



- Services dedicated to finding and comparing
 - Civic Marketplace
 - Procurated
 - Pavilion



How to Use Cooperative Agreements



- Some allow online purchases, similar to Amazon
- Most allow submission of purchase order referencing the contract to place order or incorporation into you entity's contract
- May not negate your need for governing body approval of contract
- **BEST PRACTICES** to document use:
 - Ensure the quote references the contract number
 - Keep copy of all coop contract documentation, including the solicitation, proposals, and contract



Statewide Contracts

- List of contracts available through State of Tennessee CPO page <https://www.tn.gov/generalservices/procurement.html>
- Both products and services – 141 categories
- All contain usage instructions with state buyer contact information; some are specific to regions
- Most can issue a purchase order with supplier with reference to the contract number, i.e. SWC 200
- Document as recommended with coops

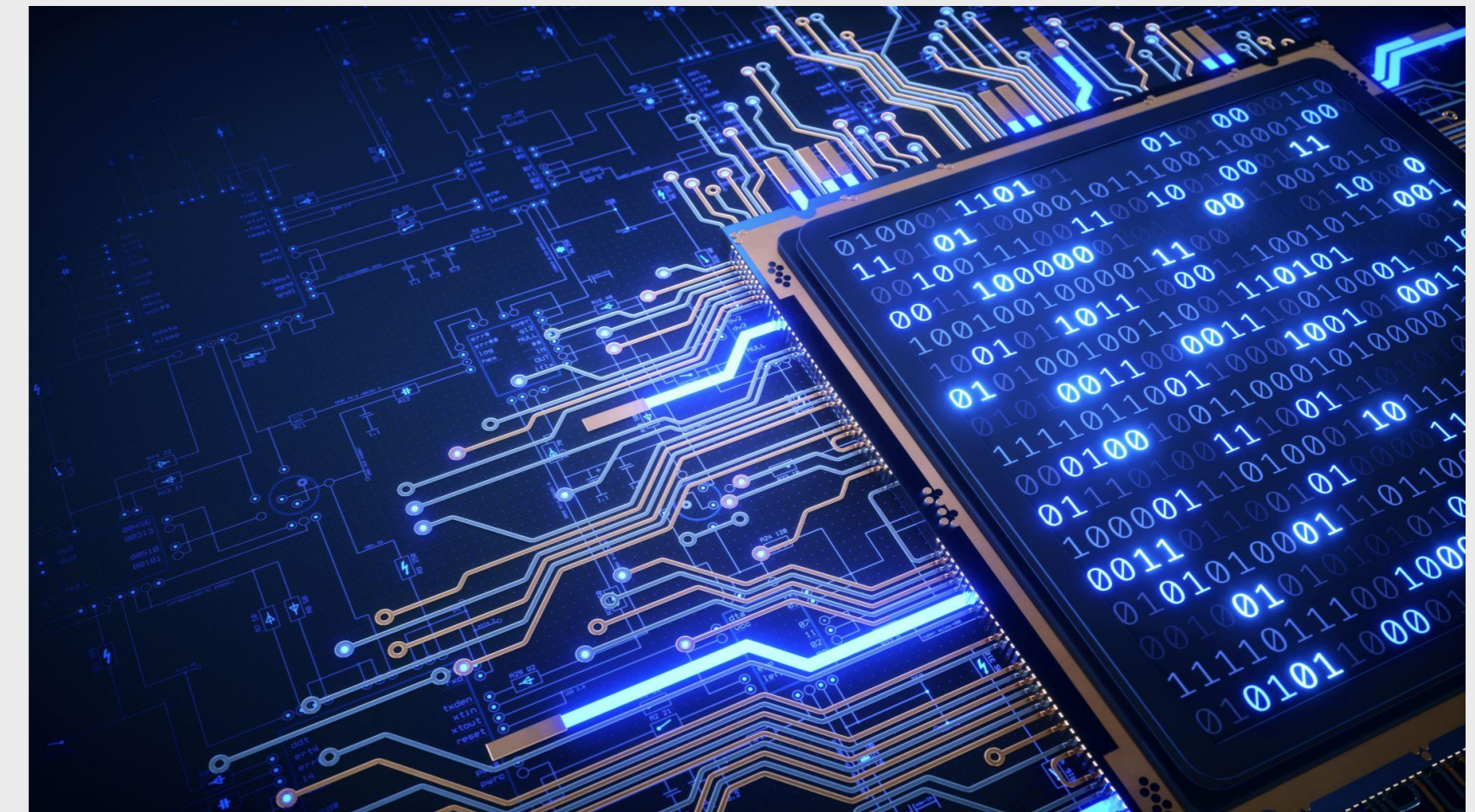
Statewide Contracts



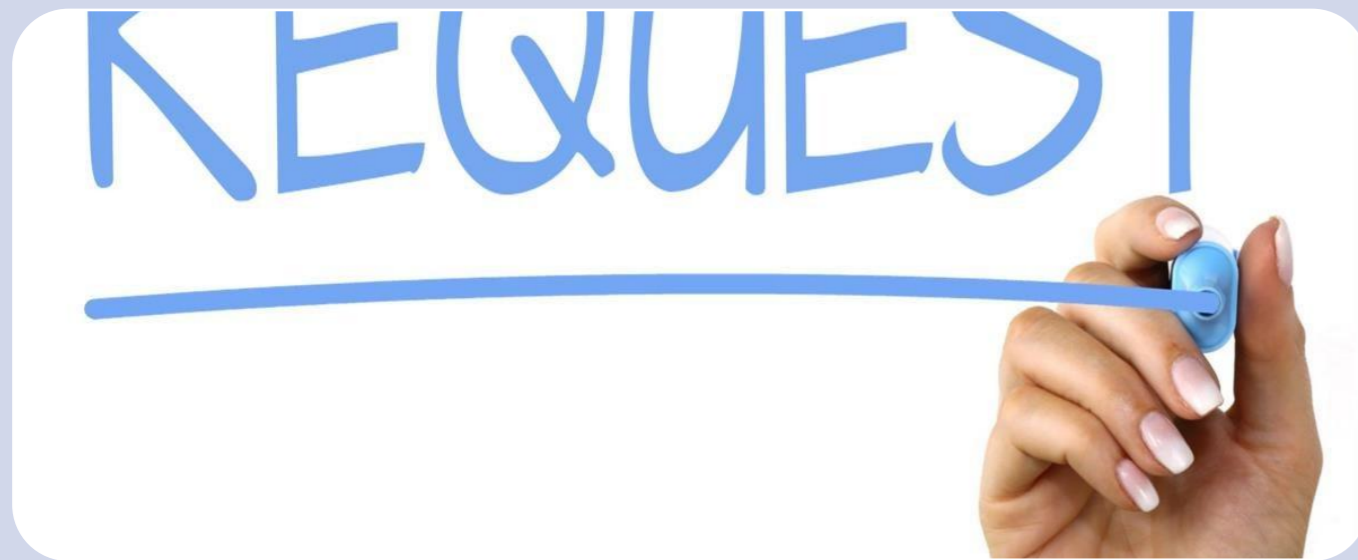
- Technology agreements - because of allowance in open records to protect IT security information, most IT contracts are not available unless your agency agrees to sign a non-disclosure agreement

OR

- You can login with Edison account information to see and download. Note: you must protect the contract information in a open records request.



Joint Procurements/Cooperative



Issue a joint (or multi-party) solicitation



Both/all agencies evaluate



Each agency can issue individual contract / start work

Piggybacking



Find contract another local government issued

- Must be competed in same manner
- Supplier/contractor must agree in writing to allow usage
- Obtain and keep copy of the solicitation/contract


Issue purchase order or contract referencing other contract

- Must incorporate same pricing plus terms and conditions
- May include additional terms if supplier/contractor agrees



General Services Administration - GSA



- Federal Acquisition Regulations limit purchases by local governments through the Cooperative Purchasing program to IT and safety **UNLESS**
 - Declared emergency – then allowed to utilize all GSA agreements through Disaster Purchasing program
 - 1122 Program – allows purchases for counter-drug, homeland security, and emergency activities
 - Use federal grant funds to make purchases for public health emergencies
- Caution:  May want to get additional quotes – contracts are not competed in the manner required by TCA
- <https://www.gsa.gov/buy-through-us/purchasing-programs/programs-for-state-and-local-governments>

Questions



Join Us!

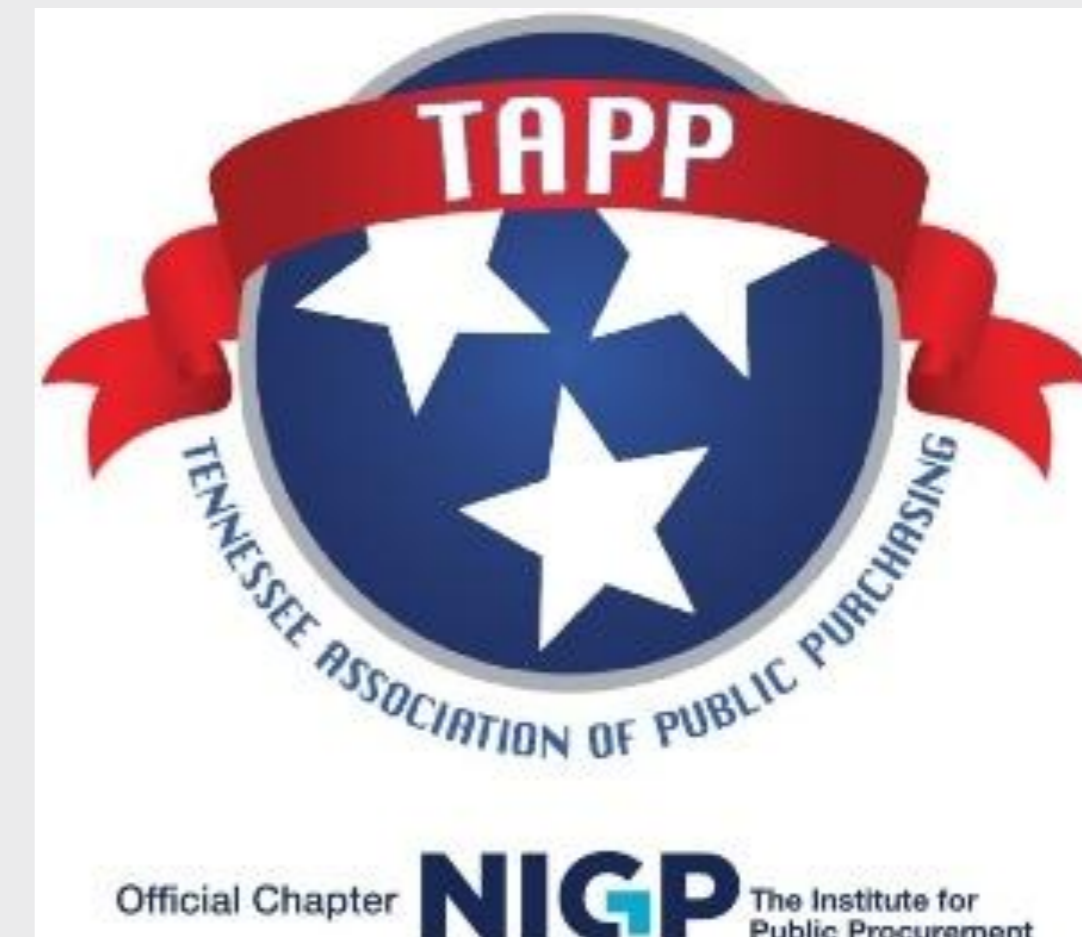
East Tennessee Purchasing Association

www.etpanews.org



Tennessee Association Public Purchasing

www.tappnews.com



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