



Office of State Procurement

Unlocking the Mysterious LaPS Rule

Agency Training

Course Objectives

- What exactly is the LaPS Rule
- What does LaPS stand for
- What does the LaPS Rule apply to
- Who does the LaPS Rule apply to
- When was the LaPS Rule established
- Why was the LaPS Rule established
- How do you comply with the LaPS Rule
- How do I find the Statewide Contracts that the LaPS Rule applies to





What does LaPS stand for

LOUISIANA PRICE SCHEDULES



What is the LaPS Rule

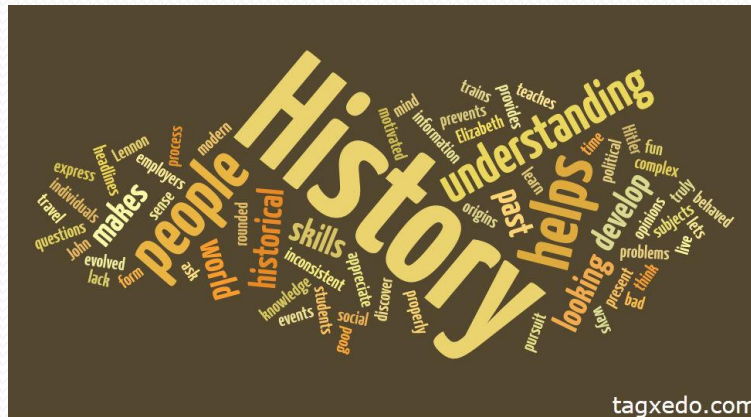
- Applies to contracts which were established as a Brand Name Contract; LaMAS Contract; or in accordance with a Multi-State Cooperative Type Contract
- Applies to all users of one of these contracts
- Applies to purchases from those contracts which exceeds \$25,000
- Requires that an informal Request for Response (RFR) process be used to make a best value determination
- Requires that the RFR be submitted to at least three LaPS contract holders, whenever available, offering functionally equivalent products and/or services that will meet the agency's need





History of the LaPS Rule

- Promulgated in 2007 – LAC 34:I.1709
- Memorandum OSP 08-02 issued in 2007
- Repromulgated in 2014 – LAC 34:V.1709
- Amended in 2018 – LAC 34:V.1709





KATHLEEN BABINEAUX BLANCO
GOVERNOR

State of Louisiana
DIVISION OF ADMINISTRATION
OFFICE OF STATE PURCHASING

JERRY LUKE LEBLANC
COMMISSIONER OF ADMINISTRATION

MEMORANDUM OSP 08-02

TO: All Department Secretaries; Undersecretaries; Purchasing Directors, Information Technology Directors; State Departments, Agencies and Facilities; Colleges and Universities, Vo-Tech Schools, Boards and Commissions, Political Subdivisions, and Other Eligible Users of Louisiana Pricing Schedules (LaPS)

FROM: Denise Lea, Director

DATE: September 12, 2007

RE: LaPS (Louisiana Pricing Schedules)

The Office of State Purchasing has created many statewide Brand Name, LaMAS and Multi-State contracts for agencies' convenience. This office has always encouraged agencies to shop and to compare products on these contracts, where same or similar items appear on more than one contract, and to make a best value decision when making their selection.

State Purchasing has issued rules for a new program called Louisiana Pricing Schedules (LaPS) to ensure that all users of our contracts are good stewards of the tax payer's money. LaPS is the acronym that will be used to describe those contracts that were established as Brand Name, LaMAS or Multi-State Contracts. The new rules will require all eligible users of these contracts to compare contracts and to seek best value procurements where multiple contracts exist for like or similar items.

Where LaPS exist for the same or similar item(s), i.e. routers, fire trucks, microcomputers, and the total procurement exceeds \$25,000.00, all eligible users of these contracts are to utilize the attached rules.

A listing of all contracts applicable to these new rules will be maintained on the Office of State Purchasing's website at <http://www.doa.louisiana.gov/osp/osp.htm>. Since this is a new rule, we will try to keep you informed on the developments surrounding this.

Please contact my office if you have any questions concerning this. My office staff and I will be happy to discuss this with you. Depending on your feedback, this office will try to determine the necessity and type of training to be offered.

1201 N. Third Street • Suite 2-160
POST OFFICE BOX 94095 • BATON ROUGE, LA 70804-9095
(225) 342-8010 • 1-800-354-9548 • Fax (225) 342-8688
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2007 LaPS Rule - LAC 34:I.1709

Title 34
Government Contracts, Procurement and Property Control
Part I. Purchasing
Subpart 1. Central Purchasing Procedures

Chapter 17. Types of Contracts

§ 1709. Use of Brand Name, LaMAS (Louisiana Multiple Award Schedule), and Multi-State Contracts

A. The state reserves the right to create and use Brand Name, LaMAS, and Multi-State Contracts (hereinafter referred to as Louisiana Price Schedules for different brands of same or similar item (s)).

B. Where Louisiana Price Schedules ("LaPS") exist for same or similar item (s) and the procurement is above \$25,000, all eligible users of these contracts will utilize the following procedures:

1. Prepare a Request for Responses that may include, if applicable the following: (A Request for Response is an informal process used to make a best value determination)

a. A performance-based statement of work that includes such things as:

- i. the work to be performed;
- ii. location of work;
- iii. period of performance;
- iv. deliverable schedule;
- v. applicable performance standards;
- vi. acceptance criteria;
- vii. any special requirements (e.g., security clearances, special knowledge, etc.);
- viii. the products required using a generic description of products and functions whenever possible.

b. If necessary or applicable, a request for submittal of a project plan for performing the task and information on the contractor's experience and/or past performance performing similar tasks.

c. A best value determination is one that considers, in addition to underlying contract pricing, such factors as:

- i. Probable life of the item selected;
- ii. Environmental and energy efficiency considerations;
- iii. Technical qualifications;
- iv. Delivery terms;
- v. Warranty;
- vi. Maintenance availability;
- vii. Administrative costs;
- viii. Compatibility of an item within the user's environment; and
- ix. User's familiarity with the item or service.

d. A request for submittal of a firm-fixed total price for labor and/or products which are no higher than prices in the LaPS contract.

2. Submit the Request for Response to at least three (3) LaPS contract holders, whenever available, offering functionally equivalent products and/or services that will meet the agency's needs.

3. Evaluate Responses and Select the Contractor to Receive the Order:

a. After responses have been evaluated, the order shall be placed with the contractor that represents the best value that meets the agency's needs. The ordering agency should give preference to small-entrepreneurships or small and emerging businesses when two or more contractors can provide the services and/or products at the same firm-fixed total price.

b. The ordering agency shall document in the procurement file the evaluation of the contractors' responses that formed the basis for the selection. The documentation shall identify the contractor from which the services and/or products were purchased, the services and/or products purchased, and the cost of the resulting purchase order.

c. Purchases shall not be artificially divided to avoid the requirements of this section when recurring requirements for same products are known.

d. Nothing herein relieves a state agency from following Office of Information Technology requirements for submission of IT 10 requests, for annual IT budget requests, or mid-year budget adjustment requests.

e. A listing of all contracts applicable to this section will be maintained on the Office of State Purchasing's website <http://www.doa.louisiana.gov/osp/osp.htm>

RULES





2014 LaPS Rule - LAC 34.V.1709

§1709. Use of Brand Name, LaMAS (Louisiana Multiple Award Schedule), and Multi-State Contracts [Formerly LAC 34:I.1709]

A. The state reserves the right to create and use brand name, LaMAS, and multi-state contracts (hereinafter referred to as Louisiana price schedules for different brands of same or similar item(s).

B. Where Louisiana price schedules ("LaPS") exist for same or similar item(s) and the procurement is above \$25,000, all eligible users of these contracts will utilize the following procedures.

1. Prepare a request for responses that may include, if applicable the following: (A request for response is an informal process used to make a best value determination.)

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- i. the work to be performed;
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- ii. environmental and energy efficiency considerations;
- iii. technical qualifications;
- iv. delivery terms;
- v. warranty;
- vi. maintenance availability;
- vii. administrative costs;
- viii. compatibility of an item within the user's environment; and
- ix. user's familiarity with the item or service;

d. a request for submittal of a firm-fixed total price for labor and/or products which are no higher than prices in the LaPS contract.

2. Submit the request for response to at least three LaPS contract holders, whenever available, offering functionally equivalent products and/or services that will meet the agency's needs.

3. Evaluate responses and select the contractor to receive the order.

a. After responses have been evaluated, the order shall be placed with the contractor that represents the best value that meets the agency's needs. The ordering agency should give preference to small-entrepreneurships or small and emerging businesses when two or more contractors can provide the services and/or products at the same firm-fixed total price.

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e. A listing of all contracts applicable to this Section will be maintained on the Office of State Purchasing's website <http://www.doa.louisiana.gov/osp/osp.htm>

AUTHORITY NOTE: Promulgated in accordance with R.S. 39:1581.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Office of State Purchasing, LR 33:2650 (December 2007), repromulgated LR 40:1360 (July 2014).





Current LaPS Rule - LAC 34:V.1709

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- ix. user's familiarity with the item or service;

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2. Submit the request for response to at least three LaPS contract holders, whenever available, offering functionally equivalent products and/or services that will meet the agency's needs.

3. Evaluate responses and select the contractor to receive the order.

a. After responses have been evaluated, the order shall be placed with the contractor that represents the best value that meets the agency's needs. The ordering agency should give preference to small-entrepreneurships or small and emerging businesses when two or more contractors can provide the services and/or products at the same firm-fixed total price.

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AUTHORITY NOTE: Promulgated in accordance with R.S. 39:1581.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Office of State Purchasing, LR 33:2650 (December 2007), repromulgated LR 40:1360 (July 2014), amended by the Office of the Governor, Division of Administration, Office of State Procurement, LR 44:758 (April 2018).





Brand Name Contracts

- Allow only the specified brand to be bid
- May exist for like items for multiple brands
- Usually developed because item(s) cannot be competitively bid and meet the need of the agencies
- Item(s) cannot be objectively evaluated using a competitive specification
- Expertise is not available to develop a competitive specification





List of Brand Name Commodities

- Agricultural Equipment
- Computers & Peripherals
- Digital Court Reporting Equipment
- Industrial Equipment
- Institutional Furniture
- Janitorial Chemicals
- Lawn Equipment
- License Plate Sheeting
- Mailing Equipment
- Mobile Radios
- Networking Equipment
- Outboard Motors
- Photo ID Equipment & Supplies
- Portable Radios
- Surveillance Equipment
- Water Treatment Chemicals



LaMAS Contracts



- Louisiana Multiple Award Schedule
- LAC 34.V.2706
- Based on prices no higher than GSA (General Service Administration)
- Commodity has to be opened by OSP
- Requires the participation of a Louisiana licensed dealer or distributor
- Requires agreement to Louisiana terms and conditions



List of LaMAS Commodities

- Access & Security Systems
- Automotive Shop Equipment & Supplies
- Breast Pumps
- Carpet
- Digital Court Reporting Equipment & Software
- Fire Trucks
- Fixed Seating
- Floor Maintenance Machines
- Hand Tools
- Light Bars and Sirens
- Machinery and Hardware, Industrial
- Medical Devices
- Office Furniture
- Specialty Vehicles for Homeland Defense



Multi-State Cooperative Type Contracts

- NASPO ValuePoint
- Omnia Partners (previously U.S. Communities & National IPA)
- Sourcewell (previously National Joint Powers Alliance (NJPA))
- Requires negotiation of Participating Addendum with Louisiana terms and conditions





Multi-State Cooperative Commodities

- Automatic External Defibrillator & Accessories
- Cloud Solutions
- Computer Equip. & Peripherals
- Copiers
- Data Communications
- Electronic Monitoring
- Facilities MRO
- Fleet GPS
- Flooring Materials
- Laboratory Equip.
- Office Furniture
- Phone & Video-Based Language & Interpretation Services
- Playground Equip.
- Professional Grade Tools
- Public Safety Vehicle Access & LED Light Bars
- Public Safety Video Systems
- Security & Fire Protection Services
- Small Package Delivery Services
- Software Value Added Reseller
- Tires, Tubes & Services
- Uniforms & Uniform Rental
- Vehicle Lifts
- Wireless Communication



How To Determine if the Contract is a LaPS Contract

1. Was established as a Brand Name Contract; LaMAS Contract; or Multi-State Cooperative Type Contract
 - a) Brand Name or LaMAS may be in the Contract Description
 - b) Supplier text may reference Brand Name; LaMAS; or the cooperative name
2. LAPS Contract Indicator is set at “Yes” on e-Cat





Office of State Procurement

Contract Detail

Contract #	4400002524	T-number	92269 - COMPUTERS, HOWARD
Description	HOWARD TECHNOLOGY SOLUTIONS- NASPO VP		
LAPS Contract	Yes	Prime Vendor Name	HOWARD INDUSTRIES INC
SEBD Vendor	No	SE/HI Vendor	No
VSE Vendor	No	DVSE Vendor	No
Effective From-To	10/01/2015 - 07/31/2021	Coop Procure	Yes
Delivery Days ARO	0		
P-card Accepted	Yes		
Discounts Apply	No		

Locations

Statewide

Buyer Information

Buyer Code	90003328	Purchasing Agency	Office of State Purchasing
Buyer Name	NIYOKI ELZY	Contact Email	NYOKI.ELZY@LA.GOV
Contact Phone	225-342-5524		

Vendor Distributor

Vendor Name	SEBD	SE/HI	VSE	DVSE	Order/General Address
LOUISIANA TECHNOLOGY GROUP	NO	NO	NO	NO	2219 LAKESHORE DR STE 320 NEW ORLEANS , LA 70122
HOWARD INDUSTRIES INC	NO	NO	NO	NO	36 HOWARD DR ELLISVILLE , MS 39437 Contact: Krystal Avery Email: bids@howardcomputers.com Phone: 601-425-3181 FAX: 601-399-5077 Contact: Darlene Parker Email: bids@howardcomputers.com Phone: 6013995055 FAX: 6013995077

Contract Items

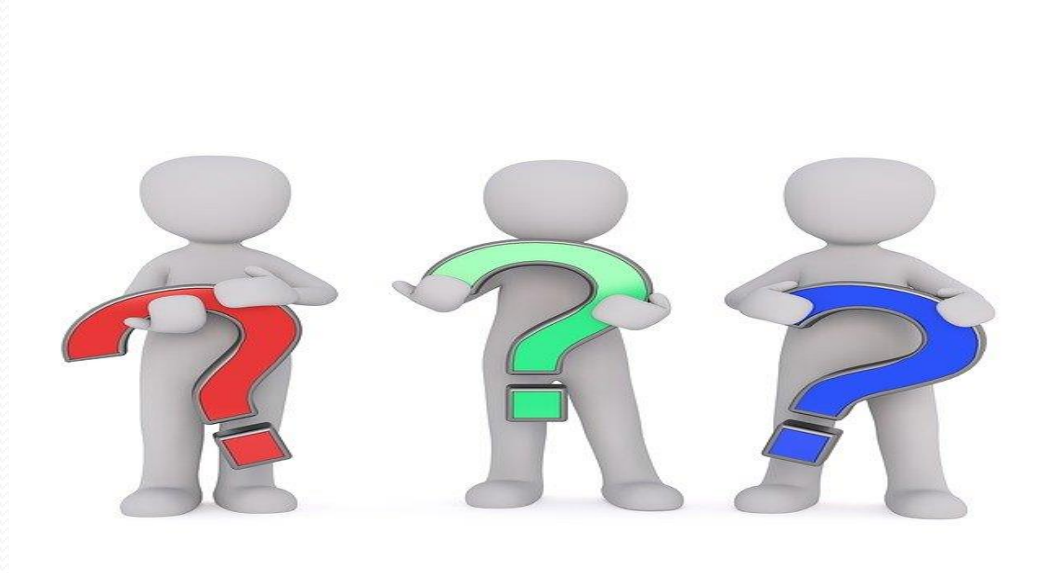
Line #	Product Category	Material/ Part Number	Line Item Description	No. of Catalog Items	UOM	Gross Price
1	43211500		COMPUTER EQUIPMENT	1		\$0.00

[View Contract](#)
[View Notes](#)
[Return](#)
[New Search](#)
[Export Catalog Items to Excel](#)
[Show Additional Attachments](#)



How To Determine if the Contract is a LaPS Contract

3. A list is maintained on OSP's website - <https://www.doa.la.gov/osp/contracts/LaPScontracts.pdf>





OSP Website – Agency Center

Welcome to the Office of State Procurement

Director:

Paula Tregre

Phone: 225-342-8010

FAX: (225) 342-9756

Email: Paula.Tregre@la.gov

Mailing Address:

P.O. Box 94095

Baton Rouge, LA 70804-9095

Help Desk Email Addresses:

Purchasing:

[DOA-OSP HELP DESK](#)

Professional Contracts:

[DOA-PC HELP DESK](#)

Vendor Inquiries: [VENDR_INQ](#)

The Office of State Procurement (OSP) serves the agencies and people of Louisiana by ensuring that the state's contracting and purchasing activities are conducted legally, fairly, and efficiently.

OSP is responsible for maintaining standards, and for conducting the review and technical approval of professional, personal, consulting and social services contracts needed by state agencies. The office verifies that the competition process for each contract is fair, that funding has been appropriated to pay for services, and that the proposed services are reasonable and advisable in relation to the agency's mission and the state's priorities.

OSP also manages the purchasing of equipment, goods, supplies and operating services needed by state agencies. The office researches, develops and issues both statewide and agency-specific contracts and competitively bids items not covered under annual contracts. In all of its purchasing activities the office strives to reduce costs to the state by harnessing the purchasing power of the entire state to obtain the best pricing for all agencies, large and small.

OSP strives to ensure a fair, competitive bidding environment for all vendors, while also ensuring that vendors have performed well in their contractual duties to state agencies and the public. It also manages the Hudson and Veterans Initiatives for Small Entrepreneurships to ensure that agencies give due consideration to contracting with local small businesses.

New Information





Purchasing - Agency Center



Contact Information	New Information	Agency Forms	Agency Questions
Employee Purchase Program	Excluded Parties List System	Featured Contracts	LaCarte Procurement Card
LA eCat - Louisiana's Electronic Catalog	LaPAC - Online Solicitations & Award Information	UNSPSC Product Categories (Commodity Codes)	Legal Information
Louisiana's Hudson (Small Entrepreneurship) and Veteran Initiatives	Hudson Initiative (SE) Certified Vendors from LaPAC - Quick List	Veteran Initiative (LaVet) Certified Vendors from LaPAC - Quick List	OSP Help Desk
Memos	ProAct	Procurement Links	Procurement Support Team (PST)
Publications	Purchasing Complex Services - Request for Proposals (RFPs)	Training Center	State Agency Retail Discount Program
State by State Reciprocal Preference	Cooperative Purchasing Approved Quasi Units		



Featured Contracts

- LA eCat Contract Search
- Contracts by Title and T-Number
- Louisiana Pricing Schedule (LaPS) Contracts
- Approved Catalog Contracts
- LaMAS Contracts
- Technology Contracts
- Copier Contracts
- Courier Service
- Furniture Contracts
- MMCAP
- Printing Contracts
- Louisiana Fleet Vehicle Contracts
- Bulk Fuel Contracts - *or go to fuel.la.gov*





LOUISIANA PRICING SCHEDULE (LaPS) CONTRACTS

You can do a "string search by pressing Ctrl-f to do a Find. Enter any portion of the record for which you are searching and it will go to the record below containing a matching string.

To view contracts coupled with any of the T-numbers, to directly search on the Contract Number listed, click on the applicable field and you will be taken to LA eCat search. Either type in the T-Number or Contract Number in the appropriate field, click "Find it" and the contract(s) will populate on your screen. If a specialized website is tied to your contract selection, in lieu of linking to LA eCat, you will be directly linked to the associated web address.

For more information in using these contracts, please refer to OSP Agency Memorandum 08-02.pdf

T Number	Contract ID	Contract Name	Expiration Date
90152	4400017633	JANITORIAL CHEMICALS, HILLYARD BRAND NAME	08/22/2021
90157	4400018847	JANITORIAL CHEMICALS, DIVERSEY BN	12/15/2021
90302	4400017980	YAMAHA OUTBOARD MOTORS BN STATEWIDE	09/18/2021
90444	4400016435	NASPO TIRES-GOODYEAR	03/31/2024
90444	4400016436	NASPO TIRES-BRIDGESTONE	03/31/2024
90481	4400019081	JANITORIAL CHEMICALS, BUCKEYE BRAND NAME	12/06/2021
90721	4400015316	WATER TREATMENT, WECEM BRAND NAME	09/30/2021
90721	4400018906	JANITORIAL CHEMICALS, WECEM BRAND NAME	11/30/2021
90854	4400019560	WATER TREATMENT CHEM,STATE INDUSTRIAL BN	05/31/2021
90854	4400019772	JANITORIAL CHEMICALS, STATE INDUSTRIAL BN	05/31/2021
91044	4400020025	JANITORIAL CHEMICALS, SPARTAN BRAND NAME	07/31/2021
91115	4400019007	JANITORIAL CHEMICALS, UNITED LABS BN	12/31/2021
91375	4400019558	FURNITURE, INSTALL, & RLTD SVCS-HAWORTH	12/31/2024
91399	4400018786	JANITORIAL CHEMICALS, H&H CHEMICAL BN	10/31/2021
91437	4400000934	APPLE INC COMPUTER- NASPO VP	07/31/2021
91443	4400013846	CANON BRAND NAME IMAGING	01/31/2021
91455	4400018084	JANITORIAL CHEMICAL,NATIONAL AMERICAN BN	10/31/2021
91506	4400019700	METHODS BN MICROCOMPUTER & PERIPHERALS	09/17/2021
91528	4400007559	HEWLETT PACKARD COMPANY - NASPO VP	07/31/2021



LaGov Users

- Soft stop error message

▶ Line 0001: Review Rule LAC34.I.1709 if requisition total is greater than \$25,000





Request for Response (RFR)

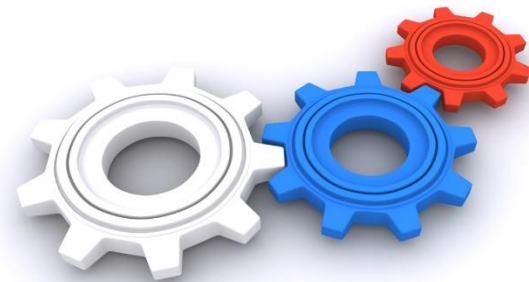
- Informal Process
- May include, if applicable, the following:
 - a. A performance-based statement of work that includes such things as:
 - i. The work to be performed
 - ii. Location of work
 - iii. Period of performance
 - iv. Deliverable schedule
 - v. Applicable performance standards
 - vi. Acceptance criteria
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Request for Response (RFR)

- b. If necessary or applicable, a request for submittal of a project plan for performing the task and information on the contractor's experience and/or past performance performing similar tasks





Request for Response (RFR)

- c. A best value determination is one that considers, in addition to underlying contract pricing, such factors as:
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Request for Response (RFR)

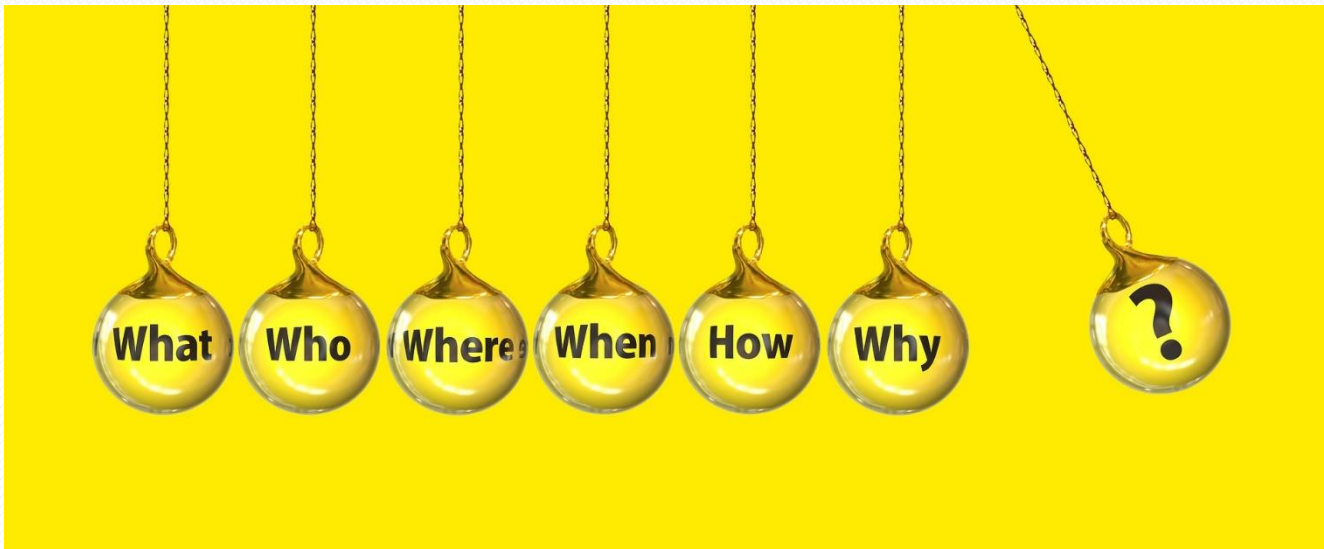
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 - b. The ordering agency shall document in their procurement file the evaluation of the responses that formed the basis for the selection
 - c. Purchases shall not be artificially divided to avoid the requirements



Recap

- APPLIES TO ALL BRAND NAME CONTRACTS; LaMAS CONTRACTS; MULTI-STATE COOPERATIVE CONTRACTS
- APPLIES TO ALL USERS OF THESE CONTRACTS
- APPLIES TO ALL PURCHASES THAT EXCEED A TOTAL AMOUNT OF \$25,000, WHEN UTILIZING ONE OF THESE TYPES OF CONTRACTS







QUESTIONS?





OSP HELP DESK & CUSTOMER SERVICE SYSTEM

Phone Number: 225-342-8010

Emails (preferred):

Purchasing: DOA-OSPhelpdesk@la.gov

