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

[Formerly LAC 34:1.1709]

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).

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   d. 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 LaPS contract holders, whenever available, offering functionally equivalent products and/or services that will meet the agency's needs.

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   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-entrepreneurs 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), re-promulgated LR 40:1360 (July 2014).
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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
## Contract Detail

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<td>SE/HI Vendor</td>
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<td>DVSE Vendor</td>
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## Locations

Statewide

## Buyer Information

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</tr>
<tr>
<td>Contact Phone</td>
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<td>Purchasing Agency</td>
<td>Office of State Purchasing</td>
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<tr>
<td>Contact Email</td>
<td><a href="mailto:NYOKI.ELZY@LA.GOV">NYOKI.ELZY@LA.GOV</a></td>
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## Vendor Distributor

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<td>No</td>
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<td>36 HOWARD DR ELLISVILLE, MS 39437</td>
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</table>

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

<table>
<thead>
<tr>
<th>Line #</th>
<th>Product Category</th>
<th>Material/Part Number</th>
<th>Line Item Description</th>
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[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
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
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<td>Louisiana's Hudson (Small Entrepreneurship) and Veteran Initiatives</td>
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<td>Hudson Initiative (SE) Certified Vendors from LaPAC - Quick List</td>
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<td>Veteran Initiative (LaVet) Certified Vendors from LaPAC - Quick List</td>
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<td>Procurement Links</td>
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<td>Purchasing Complex Services - Request for Proposals (RFPs)</td>
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<td>Training Center</td>
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<td>State by State Reciprocal Preference</td>
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<td>Cooperative Purchasing Approved Quasi Units</td>
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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

<table>
<thead>
<tr>
<th>T Number</th>
<th>Contract ID</th>
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<td>91528</td>
<td>4400007559</td>
<td>HEWLETT PACKARD COMPANY - NASPO VP</td>
<td>07/31/2021</td>
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LaGov Users

- Soft stop error message
Request for Response (RFR)

- Informal Process
- May include, if applicable, the following:
  - A performance-based statement of work that includes such things as:
    - The work to be performed
    - Location of work
    - Period of performance
    - Deliverable schedule
    - Applicable performance standards
    - Acceptance criteria
    - Any special requirements (e.g. security clearances, special knowledge, etc.)
    - 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
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 with the user’s environment; and
ix. User’s familiarity with the item or service
Request for Response (RFR)

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 RFR to at least 3 LaPS contractor holders

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

a. The order shall be placed with the contractor that represents the best value that meets the agency’s needs. 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 price.

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