



State of Louisiana
DIVISION OF ADMINISTRATION
OFFICE OF STATE PURCHASING

M. J. "MIKE" FOSTER, JR.
GOVERNOR

MARK C. DRENNEN
COMMISSIONER OF ADMINISTRATION

MEMORANDUM OSP 03-09

TO: All Undersecretaries; Purchasing Directors; State Departments, Agencies and Facilities; Colleges and Universities; Boards and Commissions; and Quasi Agencies/Entities

FROM: Denise Lea, Director

DATE: February 7, 2003

RE: Rules for LaMAS (Louisiana Multiple Award Schedule) State Contracts based on GSA Prices

In accordance with R.S. 39:1702.A.(2) the attached emergency rules are in effect as of February 5, 2003, to permit the establishment of this type of contract. These rules are posted on our website at www.state.la.us/osp and the procedures for establishing this type of contract will be posted in the future. State Purchasing will carefully consider and determine which commodity areas are appropriate for this type of contract. When the commodity is open for consideration, we will post this information on our website also.

We anticipate this new type of contract will simplify some acquisitions and bring best value to your procurement needs. Please make this information available to all affected parties.

DECLARATION OF EMERGENCY

**Office of the Governor
Division of Administration
Office of State Purchasing**

LAMAS (Louisiana Multiple Award Schedule)
State Contracts Based on GSA Prices (LAC 34:I.25)

The Division of Administration, Office of State Purchasing is exercising the emergency provisions of the Administrative Procedure Act [R.S. 49:953(B)] to establish additional rules in Chapter 25 on Intergovernmental Regulations as Section 2506 under the authority of R.S. 39:1581 and R.S. 39:1702.A.(2) with the following section. The Office of the Governor, Division of Administration, Office of State Purchasing, hereby finds that this rule is necessary to permit the establishment of state contracts based on GSA prices to realize potential savings considering the current financial conditions of the state, and accordingly finds it imperative that the rules be implemented as soon as possible. This rule shall become effective upon publication, for 120 days, or until promulgation of the final rules, whichever occurs first. This proposed rule has no known impact on family formation, stability, and autonomy as described in R.S. 49:972.

Title 34

Government Contracts, Procurement and Property Control

Chapter 25. Intergovernmental Regulations

§2506. LAMAS (Louisiana Multiple Award Schedule) State Contracts based on GSA Prices

- A. The state Central Purchasing Agency of the Division of Administration may establish State contracts based on GSA (General Service Administration) pricing when it has been determined in writing by the Director of State Purchasing that certain conditions are met, which shall become part of the procurement file.
- B. Materials, supplies, or equipment shall not be purchased on a state contract based on adopted GSA pricing at a price higher than the price of the same item listed on any available state purchasing contract.
- C. Establishment of a state contract based on GSA pricing will only be considered when there is a valid business case.
- D. State agencies shall not procure materials, supplies or equipment directly under a GSA contract. The State Central Purchasing Agency of the Division of Administration will:
1. be responsible for analyzing and determining the feasibility of establishing a LaMAS state contract based on GSA prices; and
 2. issue procedures for establishment and utilization of this type of contract.
- E. No use shall be made of a LaMAS contract without the participation of a Louisiana licensed dealer or distributor. Louisiana licensed dealers or distributors must meet the requirement of a resident business defined in R.S. 39:1591(6). Louisiana licensed dealers or distributors shall agree to:
1. Louisiana terms and conditions; and
 2. provide written consent from the GSA contractor to extend current GSA pricing to the State of Louisiana.

AUTHORITY NOTE: Promulgated in accordance with R.S. 39:1581 and R.S. 39:1702.A.(2).

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, State Purchasing, LR 29.

Denise Lea
Director