



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.

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>