



STATE OF UTAH

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PURCHASING UPDATE

April 2014

IT TERMS & CONDITIONS FOR NON-DTS CONTRACTS

By Shirley Williams

State Purchasing has created an Attachment B, "State of Utah Standard Information Technology Terms and Conditions (Additional Terms and Conditions for IT Related Contracts)," referred to herein as "State Additional IT T&Cs." These terms and conditions will apply to solicitations and contracts which include Information Technology (IT) Components and the resulting contract will NOT be a Department of Technology Services (DTS) Contract. The State Additional IT T&Cs, along with the related instructions for these terms and conditions, are located on Purchasing's Forms Page under Agency Contract Forms.

Keep in mind a solicitation or contract with an IT Component that will not be a DTS Contract must have a signed DTS Exemption Form. This requirement is not changing.

When a solicitation or contract is

being prepared that has IT Components (for a Non-DTS Contract), the agency will include the Attachment B, State Additional IT T&Cs. This will be added in addition to the Attachment A: State of Utah Standard Terms and Conditions, or the Attachment A: Terms and Conditions for Professional Services, as applicable.

The State Additional IT T&Cs must be an attachment to the applicable contract. If the solicitation results in a purchase order, the State Additional IT T&Cs must be added to the purchase order.

The Terms and Conditions for Department of Technology Services Contracts will not change. If the IT Contract will be a DTS Contract, the Department of Technology Services will determine the appropriate terms and conditions for the solicitation and contract.

DID YOU KNOW: STEEL & ALUMINUM

By Larry Thacker

Did you know the State of Utah will have two new state cooperative contracts for Steel and Aluminum products beginning May 1, 2014? All products meet the American Society for Testing and Material (ASTM) specifications that are listed on the contract.

MA643 Pacific Steel and Recycling will be handling Northern Utah. They will be specifically serving Salt Lake, Weber, Davis, and Utah

Counties. For any outside of those counties that feel it would still be in their best interest to use this contract a one way mileage charge of \$1.00 per mile can be added from the end of the contracted county line to the delivery point.

MA645 Scholzen Products Co will be handling several counties in the southern and central areas of the state. They will be specifically serving Juab, Sanpete, Carbon,

Millard, Emery, Sevier, Beaver, Piute, Wayne, Garfield, Iron, Kane, and Washington counties.

We invite all state agencies and political subdivisions to use these contracts for their steel and aluminum needs. Please contact Larry Thacker with State Purchasing with any questions or concerns.

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STATE COOPERATIVE CONTRACTS— WHERE DO I TURN FOR ANSWERS?

Do you have a problem with a state cooperative contract vendor that you can't resolve?

Do you have a charge on an invoice from a state cooperative contract that you question?

Do you have a question about a state cooperative contract and you just don't know who to contact?

For help with these questions or any issue with a state cooperative contract, please contact the state purchasing agent responsible for the contract. They are

here to help solve issues and answer your questions.

To find which agent to contact, please consult the top right corner of the contract coversheet.



Agent responsible for the contract

COMMON MISTAKES MADE ON CONTRACTS

Below is a list of common mistakes that are made on agency contracts. Please check that agency contracts are prepared correctly before they are signed by the parties, and sent to State Purchasing.

1. **Signatures Missing:** Vendor or agency signatures are missing, or are only on some of the copies
2. **Finet Codes:** Vendor numbers or commodity codes need to be listed on the contract
3. **Contract Totals:** The contract needs to list the total for the Contract Period, not just the annual amount. On amendments, the ending contract total from the original or the last amendment should be carried forward as the beginning Contract Total (listed as the "current contract amount" on the current amendment).
4. **Math Errors:** The amendment amount needs to be added correctly to the current Contract Total. Double check the math on contracts.
5. **Scope of Work:** Contracts should have a Scope of Work, or similar attachment, included in the contract. The Scope of Work needs to describe the main work that will be done under the contract. If the contract is only to purchase supplies, a price list would be acceptable.
6. **Cost Detail:** Contracts need to have reasonable cost detail. Cost detail should include information such as price lists, costs by tasks, hourly rates, etc. There should be enough detail that Accounts Payable Personnel can tell that the amounts charged look reasonable. The cost detail can be included in the Scope of Work or it can be a separate attachment.
7. **Attachments not Listed:** All attachments to the contract or amendment need to be listed on the contract or amendment.
8. **Attachments need to be Attached:** If an attachment is listed, then make sure that the attachment is attached to each copy of the contract/amendment.
9. **Effective Date:** Generally, the Effective Date of the contract should be a date in the future, and should be a date close to the time the contract has been signed by all parties, including State Purchasing's signature. For amendments, check that the Effective Date of the amendment is listed. Contracts should be renewed timely, or the renewal options may be denied by Purchasing.
10. **Handwritten/Visible Changes:** Handwritten and visible changes should be initialed by both parties, except for minor changes, such as accounting code corrections or contract number corrections. Sometimes a Contractor makes a handwritten change to the contract when they are signing the contract, and the agency is unaware that the change was made.
11. **White-Out:** White-out should not normally be used on contracts. One cannot tell whose white-out changes are the last changes, and who actually made the changes. Changes to contracts should be visible changes.
12. **Sole Source:** If applicable, the approved Sole Source Request Form needs to be included with the contract when the contract is sent to State Purchasing. The Sole Source Form does not need to be an attachment to the contract, but it should be included as backup information with the contract. The contract period and renewal options should match what was approved on the Sole Source. The Contract Total should not go over the total approved in the Sole Source for the full contract and renewals, unless a new Sole Source Request is processed for any additional amounts.

HOW TO: CANCELATION OF AN AGENCY CONTRACT

By Shirley Williams, Contract Analyst

In the course of business, an agency sometimes needs to cancel an agency contract either for cause, lack of funding, or because the contract is no longer needed.

When an agency wants to exercise their right to terminate a contract early, they must:

1. Review the contract to determine the options available for early termination. In most contracts, there is an option to terminate without cause with a 60 day written notice in the State Terms and Conditions.
2. Prepare a letter stating the agency is:
 - a) Terminating Contract xxxxxx;
 - b) That this letter is their 60 day termination notice without cause per Section XX of the Standard Terms and Conditions for the State of Utah; and
 - c) That the termination will be Effective on xx/xx/xx. Add any additional pertinent instructions.
 - d) The letter must be signed by someone who has signature authority for a contract, usually a director or assistant director.
3. Check the contract to determine if there is a specific address listed to mail correspondence. The letter should be mailed "certified with a return receipt" to verify that the contractor receives the letter. Keep a copy of the letter with the agency contract files.
4. After receiving the certified return receipt, send a copy of the letter to State Purchasing using interdepartmental mailbox 141061, and the addressee being "Purchasing Technician." The document can also be emailed to the purchasing technician that is responsible for agency contracts.
5. The purchasing technician will:
 - a) Inform the appropriate State Purchasing Agent about the termination letter;
 - b) Change the termination date in FINET to reflect the early termination date;
 - c) File the copy of the termination letter with the agency contract.

For your information, the termination date in FINET has an additional 90 days after the contract termination date. This is to allow for payment of final invoices. No services should be rendered or products received after the contract termination date listed in the termination letter.

CHANGES FOR THE NEWSLETTER

Last issues, we started a new section in the *Purchasing Update* entitled "How To." The intent of the article is to teach, through print, practices or procedures that can help our readers better understand their jobs and the procurement process. If you have a question or would like a procedure explained, please email it to Tara at teutsler@utah.gov

A second change is that the new,

extended and expired contracts information will be listed at the end of the newsletter.

The final change is to announce the shifting of hats. After publishing twelve issues of the *Purchasing Update*, Tara is passing the Editor-In-Chief hat to Ann Schliep. Ann worked with the newsletter at her previous job and is looking forward to working with the *Purchasing Update*.

TRAINING

There will be no monthly training in May. June 19 is the tentative date for the next training session. Please watch May's newsletter for further information.

NEW DIRECTORY

For the most current Division of Purchasing Staff directory double click on the picture at the left and save to your computer.

Utah Division of Purchasing & General Services 3150 State Office Building, Capitol Hill PO Box 141061 Salt Lake City, Utah 84114-1061 Phone: (801) 538-3026 Fax: (801) 538-3882 www.purchasing.utah.gov		
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This newsletter was edited by Tara Eutsler. If you have any questions or comments, please email them to teutsler@utah.gov

To automatically receive an email when the **Purchasing Update** is distributed, send a blank email (without your signature or a subject) to the following email address: subscribe-das-purchasing-newsletters@list.utah.gov

This email address is being protected from spambots. You need JavaScript enabled to view it. and you will be added to the list automatically. For Google Mail users you will need to open your email account, copy the email address above and paste it in the "To:" field.

These instructions are listed on the State Purchasing website at purchasing.utah.gov then choose BUYER INFORMATION followed by DIVISION NEWSLETTERS. The information is listed near the top of the window.

EXTENDED STATE COOPERATIVE CONTRACTS

TITLE	CONTRACT	VENDOR	EXTENDED UNTIL	ADDITIONAL INFORMATION
Digital Print & Copy Services	MA040	Office Depot, Inc	3/31/2016	
Digital Print & Copy Services	MA041	OfficeMax North America, Inc	3/31/2016	
Dodge/Chrysler/Ram/Jeep Vehicles	AR157	Salt Lake Valley Chrysler Dodge Jeep Ram	9/30/2016	Note Additional Warranty information
Chevrolet Vehicles	AR307	Young Chevrolet Company	9/30/2016	Note Additional Warranty information
Toyota Vehicles	AR1729	Tony Divino Toyota	9/30/2016	Note Additional Warranty information
Subaru Vehicles	AR168	Young Subaru	9/30/2016	Note Additional Warranty information
Kia Vehicles	AR169	Young Kia	9/30/2016	Note Additional Warranty information
Heavy Equipment Rental With Operator, Store in South Jordan	MA201	Lyndon Jones Construction	3/31/2017	
Aviation Fuel For Salt Lake Airport	PA539	Keystone Aviation dba Tac Air	4/17/2017	
Wheelchair and Power Operated Vehicles	MA060	Advance Medical Services, Inc	6/30/2014	

*The brief information in this newsletter is intended to highlight new contracts and contract changes. Always read the entire contract information sheet prior to making a purchasing decision.

EXTENDED STATE COOPERATIVE CONTRACTS

Walk Up Black & White Multifunction Copiers, Walk Up Color Multifunction Copiers; Related Software, Consumable Supplies & Maintenance	AR182	Konica Minolta Business Solutions USA, Inc	3/31/2015	
IBM Software & Passport Advantage Software Maintenance	AR801	Sirius Computer Solutions	6/04/14	State Agencies must contact DTS before ordering
Walk Up Black & White Multifunction Copiers; Walk Up Color Multifunction Copiers; Related Software, Consumable Supplies & Maintenance	AR455	Sharp Electronics Corporation	3/31/2015	State Agencies must have pre-authorization to purchase
Walk Up Black & White Multifunction Copiers; Walk Up Color Multifunction Copiers; Production Black & White Copiers, Related Software, Consumable Supplies & Maintenance	AR457	Canon USA, Inc	3/31/2015	State Agencies must have pre-authorization to purchase
Sandbags, Polypropylene (1600 Hour UVI Rating)	MA059	Comade, Inc	4/30/2016	Multiple award contract
Sandbags, Polypropylene (1600 Hour UVI Rating)	MA058	Fulton Pacific	4/30/2016	Multiple award contract
Brick & GMC Vehicles	AR159	Young Buick, GMC Co	9/30/2016	Note additional warranty information
Evidential Intoxilyzer Breath Alcohol Testing Equipment	PD046	CMI, Inc	2/28/2016	Multiple award contract
Flags	PA073	Flags & Poles Int'l	6/20/2016	
Heavy Equipment Rental With Operator, Store in Salina	MA279	Rasmussen Excavation LLC	3/31/2017	

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EXTENDED STATE COOPERATIVE CONTRACTS

Concrete Vaulted Toilets & Shower Buildings	PD090	CXT Concrete Buildings	7/27/2017	
Asphalt Crack Sealer, Trailer Mounted	PD116	Wheeler Machinery Co.	9/24/2016	New Pricing
Digital print & Copy Services	MA039	The Standard Register Company	3/31/2016	Multiple Award

EXPIRED OR CANCELED CONTRACTS

TITLE	CONTRACT	VENDOR	EXPIRATION DATE	ADDITIONAL INFORMATION
Dual Wheel Van Conversion—Labor	MA220	Miller Auto Body Inc	3/22/2014	
Dual Wheel Van Conversion—Labor	MA221	Higgins Body & Paint Inc	3/22/2014	
Dual Wheel Van Conversion—Labor	MA222	AutoMenders	3/22/2014	
Dual Wheel Van Conversion—Labor	MA223	Advanced Collision Repair	3/22/2014	
Dual Wheel Van Conversion—Labor	MA235	Jorgensen Ford Inc	3/22/2014	
Dual Wheel Van Conversion—Labor	MA236	Rocky Mountain Collision	3/22/2014	
Windshield Repair, Small Cracks & Chips for Davis, Salt Lake, Utah, Weber, & Summit Counties	MA337	Novus Windshield Repair	4/15/2014	Will not be renewed or replaced
Steel Products (Entire State of Utah)	PD489	Reliance Steel & Aluminum	5/23/2014	Replaced by MA643 & MA645

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NEW STATE COOPERATIVE CONTRACTS

TITLE	CONTRACT	VENDOR	DATES	ADDITIONAL INFORMATION
Water Treatment Products	MA061	Power Engineering Company, Inc	3/25/2014-3/26/2019	New contract awarded to same vendor
Water Treatment	MA1725	Industrial Solutions, Inc	3/25/2014-3/26/2019	New contract awarded to same vendor
Water Treatment Products	MA1726	Water & Energy Systems Technology, Inc	3/25/2014-3/26/2019	New contract awarded to same vendor
Slip-on Canvas Deck Shoe (Navy Blue or Orange) Heavy-Duty Slip-On Canvas Deck Shoe (Navy)	PD640	Victory Supply	3/26/2014-3/25/2019	Minimum order of 12 pair
Steel & Aluminum Products [Salt Lake, Weber, Davis, & Utah Counties]	MA643	Pacific Steel & Recycling	5/1/2014-4/30/2019	All freight included in price
Steel & Aluminum Products [Juab, Sanpete, Carbon, Millard, Emery, Sevier, Beaver, Piute, Wayne, Garfield, Iron, Kane, and Washington Counties]	MA645	Scholzen Products Co	05/01/2014-04/30/2019	All freight included in price
One Person 72 Hour Emergency Kit (Item #KC-51-13)	PD708	More Prepared LLC	04/09/2014-03/31/2019	New contract with the same vendor
Salt, Bagged & Bulk	PD832	Stepsaver Inc	05/19/2014-05/20/2019	New contract with the same vendor
Satellite Phone Equipment & Services	MA659	SatCom Global Inc	04/21/14-04/22/19	Multiple Award Contract
Satellite Phone Equipment & Services	Ma660	Knight Sky LLC	04/21/14-04/22/19	Multiple Award Contract

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