

# Memorandum of Understanding

**To:** Gregg Buxton, Director DFCM  
**From:** Kent D. Beers, Director State Purchasing  
**Parties:** The Division of State Purchasing and  
The Division of Facilities Construction & Management  
**Subject:** State Cooperative Contracts and DFCM Construction Projects  
**Date:** September 2, 2009

To resolve questions surrounding the use of state cooperative contracts issued by the Division of Purchasing as they pertain to facility construction projects administered by the Division of Facilities Construction and Management (DFCM).

## **1. DFCM managed construction projects for State Agencies:**

- a. DFCM may assign an agency managed account to the state agency for Furnishings, Fixtures and Equipment (FF&E). Except as otherwise provided by law, if said FF&E items are available on state contract, the agency must procure FF&E items using the state contract or work with State Purchasing to procure FF&E items not currently on state contract.
- b. DFCM may include FF&E items in the bid package thereby contracting with the General Contractor to procure FF&E items.
- c. Working with State Purchasing, DFCM may bid FF&E items out on a competitive basis in accordance with the procurement code.

## **2. DFCM managed construction projects for Higher Education:**

- a. DFCM may assign an agency managed account to the institution for Furnishings, Fixtures and Equipment (FF&E). Except as otherwise provided by law, if said FF&E items are available on state contract, the institution may procure FF&E items using the state contract.
- b. DFCM may include FF&E items in the bid package thereby contracting with the General Contractor to procure FF&E items.
- c. DFCM may assign an agency managed account to the institution for FF&E and the institution may bid FF&E items out on a competitive basis in accordance with the institution's procurement rules.
- d. Working with State Purchasing, DFCM may bid FF&E items out on a competitive basis in accordance with the procurement code.