

***Participation in these contracts***

These contracts were bid in conjunction with the National Association of State Procurement Officials (NASPO) and are open to any State, and its eligible entities, in the continental United States that wishes to participate.

States wanting to participate in these contracts should fill out and sign the attached Intent to Contract form. Copies of the completed form should be sent to NYS OGS contract officer as listed on the form.

The Participating Addendum form is to be used by the participating States and sent to those contractors under these awards with whom they wish to contract. States may add their own additional terms and conditions as an attachment or in the space provided on the form if it is required. Once completed, a copy of this form should be sent to the NYS OGS contract officer listed on the form.

The following table lists the States that have presently submitted an Intent to Participate and the State contact person for that State.

Last updated: September 3, 2014

<b><i>State</i></b>	<b><i>Contact Person</i></b>	<b><i>Email</i></b>
Alaska	Jason Soza	Jason_soza@admin.state.ak.us
Arizona	Adam Williams	Adam.williams@azdoa.gov
Arkansas	Robin Rogers	Robin.rogers@dfa.state.ar.us
California	Lenaya Salman	Lenaya.salman@dgs.ca.gov
Delaware	Roxann Parker	Roxann.parker@state.de.us
Florida	Smith, Donna	Donna.smith@dms.myflorida.com
Georgia	Matt Taylor	Mtaylor@doas.ga.gov
Idaho	Richard Vogel	Dick.vogel@adm.idaho.gov
Kansas		
Louisiana	Denise Lea	Denise.lea@la.gov
Maryland	Mike Haifley	
Massachusetts	Robert Irvine	Robert.Irvine@state.ma.us
Maine	Betty Lamoreau	Betty.m.lamoreau@maine.gov
Minnesota	Linda Parkos	Linda.parkos@state.mn.us
Missouri		
New Mexico	Robert Redden	Robert.redden@state.nm.us
<i>New York State- lead state</i>	<i>Sue Wolslegel</i>	<i>Susan.wolslegel@ogs.state.ny.us</i>
Oklahoma	Lee Johnson	Lee_johnson@dcs.state.ok.us
Oregon	Tim Jenks	Tim.jenks@state.or.us
Pennsylvania		
South Dakota	Steven Berg	Steven.berg@state.sd.us
Tennessee/Shelby County	Nelson Fowler	Nelson.fowler@shelbycountyttn.gov
Virginia	Pete Stamps	Pete.stamps@dgs.virginia.gov
Washington		
West Virginia		

**National Association of State Procurement Officials/NYS Cooperative Purchase**

HAZARDOUS INCIDENT RESPONSE EQUIPMENT  
NYS/NASPO Cooperative contract  
Group 38232, Award 19745

**INTENT TO CONTRACT**

**I. PURPOSE:**

The purpose of this Agreement is to provide the Participating States in the NASPO Procurement Cooperative with the opportunity to participate in multi-state cooperative contracts. The Intent to Contract identifies the NASPO parties who intend to order from each contract and defines the nature of the commitment from each party.

A cooperative procurement of Hazardous Incident Response Equipment (HIRE) is considered in the best interests of NASPO and the Participating States because:

1. Access to broad-based catalog contracts for Hazardous Incident Response Equipment (HIRE) is a requirement of all NASPO States to enable them to meet anticipated requirements for domestic preparedness equipment in a timely manner.
2. All States have a need for centralized reporting of ordering volume, to enable better management of these types of supplies
3. National distribution chains exist which are compatible with these objectives
4. NASPO expects that a centrally procured and administered contract will reduce pricing for domestic preparedness equipment and achieve better efficiencies in ordering.
5. The solicitation and contract is structured to accommodate any Participating States' localized requirements concerning availability of supplies in their geographical areas

**II. EFFECTIVE DATES OF THIS INTENT TO CONTRACT**

This agreement shall remain in effect until the term of the contract, established in Section IV of this document, has ended or has been terminated for cause.

**III. SCOPE OF THE CONTRACT**

Scope Description: The State of NY is authorized by agreement of the participants to act as the Lead State in developing this multi-state cooperative contract for the following commodities or items: *Hazardous Incident Response Equipment*- This contract will be permissive and provide access to the successful vendors' product lines.

Permissive or Mandatory:  
Permissive contracts.

Administrative Fee:  
An administrative fee of one-half of one percent (0.5%) will be assessed centrally for purchases under the contract. NYS will receive 0.5% of the sales to NYS. NASPO will receive 0.5% of the sales to all other participating States for administration of the procurement and resulting contracts.

#### **IV. TERM OF THE CONTRACT**

The initial contract will be established for five (5) years to May 31, 2010, with the option of two (2) and one (1) year extensions.

#### **V. SOLICITATION AND CONTRACT DEVELOPMENT/ADDITIONAL INFORMATION**

Solicitation and contract development has been accomplished in compliance with the NASPO Memorandum of Agreement, incorporated herein by reference.

##### Solicitation Publication Period

Bidders/offerors were given from January 16- date of bid publication- to March 29 to submit bid offering.

##### Solicitation Type and Evaluation Criteria

This bid is being evaluated based on:

1. Discount percentage offered
2. Reasonableness of price
3. Delivery time.
4. Existing sales to government entities of \$300,000/yr.
5. Product offered

Award(s): The solicitation permits multiple awards. Multiple awards made by Participating States for use in their regions will be administered by the Participating State

##### Additional Requested Information

We request each NASPO member, desiring to participate in this contract award, provide the following information along with this Intent to Contract:

1. Any known limitations on their State's ability to order commodities, such as those limitations that may arise because of the existence of mandatory price agreements.
2. The State-specific terms and conditions that will govern orders placed within the Participating State, or other significant terms and conditions that may be required on the Participating Addendum.
3. A draft participating addendum will be supplied to participating states. States requiring addition of significant terms and conditions to those already accepted by the contractors should attach them and submit to each contractor for signature. If no additional terms are needed Participating States should have the document signed by the contractors under the resulting awards. A copy of the signed agreement should be sent to the Lead State for their records.

**VI. PARTIES TO THIS AGREEMENT**

The parties to this Agreement have affixed their signatures below in witness and in execution of this Intent to Contract, this \_\_\_\_\_ day of \_\_\_\_\_, 20xx.

\_\_\_\_\_  
**Printed Name and Title**

\_\_\_\_\_  
**Signature**

\_\_\_\_\_  
**State**

**Contact information- Please list information for State contact that will interface for NYS regarding any contract issues.**

<i>State:</i>	
<i>Name:</i>	
<i>Phone number:</i>	
<i>Fax number:</i>	
<i>Email:</i>	
<i>Mailing address:</i>	

For questions or comment please contact:

*Melissa Gretten  
NYS Procurement (NYSPRO)  
38<sup>th</sup> floor, Tower  
Empire State Plaza  
Albany, New York 12242  
Phone 518-473-2010  
Email: [melissa.gretten@ogs.ny.gov](mailto:melissa.gretten@ogs.ny.gov)*

## PARTICIPATING ADDENDUM

HAZARDOUS INCIDENT RESPONSE EQUIPMENT NYS/NASPO Cooperative contract Group 38232, Award 19745
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MASTER AGREEMENT- required for each contractor under this award

Vendor Name: \_\_\_\_\_

Contract Number: PCXXXXX\_\_\_\_\_

Participating Entity Name: \_\_\_\_\_

1.     **Scope:**  
(Briefly describe the jurisdiction of the governmental entity. If the jurisdiction includes all the governmental entities within an entire state, a statement to that effect will suffice.)

2.     **Changes:**  
(Insert specific changes or a statement that no changes are required.)

3.     **Primary Contact:**  
The primary participating entity contact for this participating addendum is as follows:

**Name:**  
**Participating Entity Name:**  
**Address:**  
**Telephone:**  
**Fax:**  
**E-mail:**

The primary contractor contact for this participating addendum is as follows:

**Name:**  
**Contractor:**  
**Address:**  
**Telephone:**  
**Fax:**  
**E-mail:**

4. Vendor contract award number: PC \_\_\_\_\_

**The Vendor contract number MUST be shown on all Purchase Orders issued against contract.**

This Addendum and the Price Agreement together with its exhibits, set forth the entire agreement between the parties with respect to the subject matter of all previous communications, representations or agreements, whether oral or written, with respect to the subject matter hereof. Terms and conditions inconsistent with, contrary or in addition to the terms and conditions of this Addendum and the Contract Award, together with its exhibits, shall not be added to or incorporated into this Addendum or the Contract Award and its exhibits, by any subsequent purchase order or otherwise, and any such attempts to add or incorporate such terms and conditions are hereby rejected. The terms and conditions of this Addendum and the Contract Award and its exhibits shall prevail and govern in the case of any such inconsistent or additional terms.

IN WITNESS WHEREOF, the parties have executed this Participating Addendum as of the date of execution by both parties below.

Participating Entity:

Contractor:

\_\_\_\_\_

\_\_\_\_\_

By: \_\_\_\_\_

By: \_\_\_\_\_

Name: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_

When completed please send copy to:

*Melissa Gretten, CPPB  
NYS Procurement (NYSPRO)  
Corning Tower, 38<sup>th</sup> Floor  
Empire State Plaza  
Albany, New York 12242  
Fax (518) 474-6867  
Phone (518) 473-2010  
E-mail : [melissa.gretten@ogs.ny.gov](mailto:melissa.gretten@ogs.ny.gov)*