

Changes in Cooperative Procurement

Permissive –

Intention is to make this available to other agencies but contractor would have the right not to extend these to other agencies on a case by case basis.

Cooperative language needs to be in both the solicitation document as well as the original contract.

There is no material change to what is being bought.

Do not need to list out each agency or cooperative group in language.

State price agreements are considered “joint procurements” and the State will refer to ORCPP in their solicitation documents.

279A.210 (2)(a) A purchasing contracting agency shall provide public notice of intent to establish a contract or price agreement through a permissive cooperative procurement if the estimated amount of the procurement exceeds \$250,000.

Each individual agency will need to evaluate how this will affect their ability to “piggyback”.

ORS 279 - “Procurement” means the act of purchasing, leasing, renting or otherwise acquiring goods or services.

DAS 125-246-0440 refers to this \$250,000 as accumulative purchases over the contract term.

The notice of intent can be put on the web (electronic), if your agency public contract rules allow for it.

The notice must provide an opportunity for vendors to comment (not protest). The contracting agency must make a written determination on how the use of the permissive contract will be most cost effective to the agency.

Interstate –

Solicitation document must include cooperative language that permits other agencies to use it and must list out other parties.

Solicitation has to advertise in Oregon.

Agency uses same source selection methods as Oregon.

Solicitation needs to meet 279A.115 requirements.

Cooperative language was in the solicitation and original contract.