

Appendix A

Model "Notice of Intent to Award Contract under a National Cooperative Purchasing Agreement"

Notice of Intent to Award Contract under a National Cooperative Purchasing Agreement - <name of contract>

The <name of contracting unit> intends to participate in the <name of agency issuing contract> contract for <name/purpose and number (if applicable) of contract name> to purchase <goods or services being purchased>.

Information regarding the contract may be found at the <name of the location where information is available> during regular business hours, as well as on the <name of agency issuing contract> website at: <website link>.

The <name of contracting unit> anticipates joining the <name of agency issuing contract> contract on <date of award>. The <name of agency issuing contract> contract term is <provide start and end date>.

Contract Period: <contracting beginning and ending period>

It is the intent of the <title of contracting agent> to make a contract award to <name of vendor> pursuant to the proposal submitted in response to the <name of agency issuing contract> <type of award, i.e., Request for Proposals, Request for Bid(s) as appropriate>.

The <name of contracting unit> is permitted to join national cooperative purchasing agreements under the authority of N.J.S.A. 52:34-6.2(b)(3).

Comment period ends <date comment period ends>.

Appendix B

Purchasing Agent's Guide to Using National Cooperative Contracts

Once a decision is reached to utilize a national cooperative contract where the amount is over the contracting unit's bid threshold, the purchasing agent should take the following steps: (Refer to Local Finance Notice 2012-10 for guidance and forms).

1. Conduct due diligence on a national contract to determine if the contract will result in cost savings after all factors, including charges for service, material and delivery, have been considered. Ensure there is documentation backing up this determination.

Considerations to use a national contract can include:

- Economy versus efficiency
- Comparison of the national contract pricing to the current State contract price, to other national cooperative contracts, to comparable goods in other cooperatives, and any existing contracting unit contract
- Savings of time in avoiding the time and cost of a separate procurement
- Any record of satisfactory vendor performance
- Administrative cost factors required to participate in the national cooperative agreement
- Other factors such as rebates offered and unique needs to a particular situation

2. Review any national contract under consideration to determine if it meets New Jersey standards:
 - That the contract was based on a publicly advertised request for bids (or proposals) that stated that the contract would be made available to other government agencies that would have included New Jersey contracting units.
 - It was awarded under a competitive bidding process that met NJ "fair and open" criteria
 - Obtain the statutorily required forms or determine related compliance matters as necessary, including but not limited to:
 - ✓ New Jersey Business Registration Certificate
 - ✓ Statement of Corporate Ownership disclosure statement (Chapter 33)
 - ✓ Proof of New Jersey Public Contract EEO compliance
 - ✓ Compliance with Political Contribution Disclosure Laws (Pay-to-Play)
 - ✓ Non-collusion Affidavit (if required)
 - ✓ New Jersey's "Buy American" Law
 - ✓ Americans with Disabilities requirements

- ✓ If the contract to be issued by the contracting unit is over \$10 million, report the proposed award to the Office of the State Comptroller thirty days prior to the anticipated award date
3. Publish a "Notice of Intent to Award Contract under a National Cooperative Purchasing Agreement" in the official newspaper, on your official website, and on "Bulletin NJ" when available.
 - Allow a minimum of ten days between the advertisement and award for affected providers to protest the award.
 - Consider comments received prior to the award and act accordingly.
 4. Prepare a contract and related documents (i.e., Certificate of Availability of Funds, etc.) for governing body action. Include the State Comptroller's language requiring the vendor to maintain records for five years in the contract document.
 5. Execute contract pursuant to routine practices. If the contract is above two million dollars but below ten million dollars, report the contract to the Office of the Comptroller within twenty business days of award.
 6. Keep documentation of award on file for audit purposes, as with any other contract award.