

**Part II Chapter 21**  
**Procurement of Materials or Services Through a**  
**Cooperative Purchasing Agreement**  
**(Including Purchasing from GSA Schedule Contracts)**

**A. Requirements.** This procedure may be utilized by agencies to procure materials or services from a supplier through a cooperative purchasing agreement or contract when the following conditions are met:

1. The materials or services are not available from an effective DGS statewide requirements contract.
  - a. If the Agency has uncertainty about the availability of a material or service from a statewide requirements contract, it should contact the DGS Commodity Specialist responsible for that commodity to verify if the material or service is available from, or could be added to, a statewide requirements contract.
  - b. If the requested materials or services are available from, or could be added to, a DGS statewide requirements contract, the agency may request approval to purchase off contract in accordance with [Part II Chapter 09, Off Contract Procurements](#).
2. The materials are not available from the [DGS Bureau of Supplies and Surplus Operations](#).
3. A Purchase Order must be issued to the supplier.
4. If entering into a long-term arrangement with a supplier a Participating Addendum must be prepared and signed by the supplier and the Commonwealth. DGS Legal Counsel should be contacted prior to initiating any long-term arrangements.

**B. General.**

1. The Agency, in accordance with Section 1908 of the Commonwealth Procurement Code, must obtain written certification from the governmental unit (state, county, city, etc.) that it complied with the requirements governing that governmental unit's procurement of supplies, services and construction. This requirement is not necessary for GSA Schedule Contracts.
2. Prior to initiating any procurement Agency must establish a business case for why the materials or services should not be procured through the competitive sealed bidding (IFB) or competitive sealed proposals (RFP) process. [Form BOP-005, Agency Request for Review of Purchase from Federal Cooperative Purchasing](#) and the business case must be completed and submitted to the Chief Procurement Officer of the Bureau of Procurement (or designee) for approval.
  - a. Business case requirements:
    - (1) Full description of item/service being purchased.

- (a) Specifications.
      - (b) Price.
      - (c) Terms and conditions.
      - (d) Conduct a price analysis.
  - b. Identify Cooperative Agreement or GSA Supply Schedule you intend to purchase from.
    - (1) If more than one contract exists, compare contracts and determine most likely candidate.
    - (2) Quotes must be provided with the business case.
      - (a) Obtain a minimum of three (3) quotes if multiple suppliers are available on the same GSA Supply Schedule.
      - (b) If purchasing from a Cooperative Agreement, other than a GSA Supply Schedule, follow the selection/award requirements outlined in the applicable contract. Backup data showing the process utilized must accompany the business case.
    - (3) Copy of the supplier(s) agreement to enter into a contract.
    - (4) Detailed explanation why the materials or services should not be procured through the competitive sealed bidding (IFB) or competitive sealed proposals (RFP) process.
    - (5) Specific to GSA Schedule Contracts. Verification of your agency's eligibility to use the Schedule contract showing you meet the requirements set by GSA, i.e. use of 1122 "Counterdrug" Program requires the items be used in the performance of counterdrug activities; agency must provide proof of intended proper use.
    - (6) Any other approvals of the purchase which are required as set forth by existing Commonwealth policy must be attached to the business case. This especially applies to use of the GSA Schedule 70, Information Technology.
- 3. **Exception for Emergencies.** When disasters are declared by the President of the United States of America and purchases must be made in conjunction with said declaration the requirement to prepare and submit a business case is void.

- a. The agency is required to provide the DGS, Bureau of Procurement, Chief Procurement Officer with a copy of the emergency declaration and notification of its intent to procure needed materials or services.
- b. The agency is required to document all purchases made under the emergency declaration and provide a detailed report of these purchases to the DGS, Bureau of Procurement, Chief Procurement Officer.
- c. Additional information for [emergency/disaster procurements](#) can be found on the DGS portal.

**C. Procedures.**

**1. Agency.**

- a. Determines the need for the materials or services.
- b. Completes the Business Case and submits to DGS, Bureau of Procurement, Chief Procurement Officer.

**2. DGS, Bureau of Procurement.**

- a. Receives and reviews the Business Case.
- b. If rejected, returns Business Case to Agency with the reason for rejection.
- c. If approved.
  - (1) For purchases within the established, delegated thresholds identified in [Part I Chapter 07, Thresholds and Delegations](#), the Business Case is returned to the Agency for creation of a Purchase Order.
  - (2) For purchases which exceed the established, delegated thresholds identified in Part I Chapter 07, Thresholds and Delegations, the Bureau of Procurement will either create the purchase order or grant the Agency a special delegation.

**3. DGS, Bureau of Procurement (if not delegated to the Agency) or Agency (if delegated to the Agency).**

- a. Creates a purchase order and attaches all applicable documentation (i.e. approved Business Case, supplier agreement, approvals, etc).
  - (1) All Purchase Orders require approval of Office of General Counsel and Attorney General's Office.
- b. Obtains approvals as required through workflow and Agency procedure, and issues order to supplier.

**4. Agency.**

- a. Receives the materials or services or notification of the receipt of materials or services.
- b. Processes a Goods Receipt to authorize payment of the supplier's invoice.

**5. Comptroller.**

- a. Processes invoices for payment.

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**References:**

- 1. [Part II Chapter 09, Off-Contract Procurements](#)
- 2. [Bureau of Supplies and Surplus Operations](#)
- 3. [BOP-005, Agency Request for Review of Purchase from Federal Cooperative Purchasing](#)
- 4. [Emergency/Disaster Procurements](#)
- 5. [Part I Chapter 07, Thresholds and Delegations](#)