

JANICE K. BREWER
Governor



DAVID RABER
Interim Director

**ARIZONA DEPARTMENT OF ADMINISTRATION
STATE PROCUREMENT OFFICE**

100 North 15th Avenue, Suite 104, Phoenix, Arizona 85007
(602) 542-5511 (main) (602) 542-5508 (fax)
<http://www.azdoa/spo>

M E M O R A N D U M

DATE: December 23, 2009
TO: EPS060043 Contractors
FROM: Maureen L. McGovern, Senior Procurement Specialist
RE: Contract Discussion and required amendments

I have the contractual authority to unilaterally extend the above referenced contracts and do some contract maintenance items in ProcureAZ. I will shortly be extending the contracts through July 16, 2011, the remaining allowable period of the contract.

I have received information from several of you regarding requested changes in manufacturer lines or company names during the life of this contract. I discussed these questions with the Deputy State Procurement Administrator and wanted to respond to those questions at this time.

Because your contracts were awarded as the result of a competitive process, any proposed changes must be consistent with the terms of the contract and with the competitive solicitation process under which the awards were made (for example, your award was predicated upon an evaluation of your organization's structure and stability, the manufacturers you proposed to represent and their specified product lines at time of award, and the competitive pricing you offered on those specified product lines.)

Questions have arisen in the following areas:

- Change in your organization's (contractor) name – You must advise me in writing of the change in contractor name, the reason for the change, and whether or not the Tax ID number will change.
 - If the Tax ID number is unchanged, you must change your vendor name in ProcureAZ (<https://procure.az.gov>). I will notate the change in ProcureAZ.
 - If the Tax ID number is changed, I would need to approve the change and would need a formal request. Such a request would include the above information, plus additional documentation, the nature of which would depend upon the reason for the change. For example, if the name change is the result of a buyout of your organization (contractor XX) by organization YY, we would need documentation regarding the change, such as a press release; proof that YY is in good standing with the Arizona Corporation Commission; and documentation demonstrating that YY provides an equivalent quality of structure and stability as that provided by awarded contractor XX. After approval, you must create a new vendor profile (for YY) in ProcureAZ and I must be advised when that is done. I can then reassign the contract to the new vendor profile.

- Change of product line manufacturer –
 - You no longer represent the manufacturer product line for which you received an award - I would need a written document advising that you no longer represent that manufacturer and why. If the explanation is acceptable, I will amend the contract and drop that manufacturer from your contract.
 - You wish to add a new manufacturer - Since this was a competitive solicitation with specified lines as part of the award, you may only represent the manufacturers as identified in your proposal. No new manufacturers are allowed.
 - Name change of manufacturer – Similar to the situation where the contractor name is changed,
 - if there is no change in manufacturer's tax ID number, and the name change does not represent changes in the manufacturer's business structure or product lines, I can be advised of the change in writing and will adjust the contract in ProcureAZ showing the new name.
 - If, for example, the manufacturer was bought out by another organization, I would need information such as reason for the change and press releases, etc. I can then amend the contract. PLEASE NOTE: The product line cannot be expanded to the new manufacturer's entire line; the products you represent must remain consistent with the product line you represented at time of award, and the pricing consistent with your contract pricing.
- You wish to change/expand the product lines of the current manufacturers you represent – Again, since we must respect the competitive process under which you won your award, this is not allowable. Although product lines are not allowed, the contract does allow for new products consistent with product line award. That contract clause is provided here.

Changes, Products and Services

The State, at its sole discretion may allow new products announced by manufactures represented on the Contract to be incorporated. The request may be submitted at any time during the Contract's term and shall be supplemented with the following information. Failure to supply any of the following information with the request shall result in the State not considering the request: 1) A formal announcement from the Contractor stating that the product(s) are new and were not available at the time of Contract award; 2) Documentation from the manufacturer that cites the effected products by item number and description; 3) Documentation that provides clear evidence that the new products are those that are within an established contract group. No other products will be allowed; 4) Documentation that states prices at which sales are currently or were last made to a significant number of any category of buyers or buyers constituting the general buying public for the materials or services involved and that will be sold at the existing discount (percents %) of list price as existing products. Approval shall be in the form of a Contract Amendment and shall become effective on the date specified in the amendment. Upon approval by the State, the Contractor shall make available all electronic and hard catalog/price list updates to all Customers at no additional cost to the State.

- Clean up and corrections – I noticed some content discrepancies in a limited number of the contracts, particularly when they were reformatted. Depending upon the extent of the discrepancies and any required revision(s), I may add corrective language in an amendment. I may also remove attachments that are not current from the ProcureAZ website when I extend the contracts.

Attached is the summary of awards as is current per my records. You may have made requests for changes. If the request is allowable, given the above explanation, please contact me again to reactivate the request. I appreciate your patience as I worked through these issues and look forward to continuing to work with you through the coming year.

Attachment

Organization	Contact	E-Mail	Phone	Ext.	Fax	Address	City	State	Zip
Gila Bend, Town of	Stacey Young	syoung@gilabendaz.org	928-683-2255		928-683-6430	PO Box A	Gila Bend	AZ	85337
Gila County Finance/Purchasing	Misti Williams	mwilliams@co.gila.az.us	928-402-8745		928-425-7056	1400 E. Ash Street	Globe	AZ	85501
Gila River Health Care	Melissa Notah	mnotah@GRHC.org	602-528-1239		602-528-1245	PO Box 38	Sacaton	AZ	85147
Gila River Indian Community	Geneva Gooden	geneva.gooden@gric.nsn.us	520-562-6071		620-562-6079	PO Box 2160	Sacaton	AZ	85217
Gilbert Public Schools	Jean Hyland	jean_hyland@gilbert.k12.az.us	480-497-3379		480-497-3387	140 S. Gilbert Road	Gilbert	AZ	85296
Gilbert, Town of	Jess Romney	jessr@ci.gilbert.az.us	480-503-6818		480-503-6818	50 E. Civic Center Drive	Gilbert	AZ	85296
Glendale Elementary School District #40	Lari Staples	lstaples@gesd40.org	623-237-6281		623-842-8323	7301 N. 58th Avenue	Glendale	AZ	85301
Glendale Union High School Dist. #205	Cynthia Resendes	crresend@guhsdaz.org	623-435-6020		623-435-6047	7650 N. 43rd Avenue	Glendale	AZ	85301
Glendale, City of	William Brewer	bbrewer@glendaleaz.com	623-930-2865		623-915-2694	6829 N. 58th Drive	Glendale	AZ	85301-2599
Globe Unified School District #1	Carol Dalmolin	cdalmolin@globeschools.org	928-402-6042		928-425-8912	455 N. Willow Attn: A/P	Globe	AZ	85501
Globe, City of	Teresa Williams	globefinance@cableone.net	928-425-7146	11	928-425-4820	150 N. Pine Street	Globe	AZ	85501
Golder Ranch Fire District	Kristina Van Aken	kvanaken@golderranchfire.org	520-825-9001	2011	520-825-5988	3885 E. Golder Ranch Road	Tucson	AZ	85739
Goodyear, City of	Bob Carrier	bcarrier@goodyearaz.gov	623-882-7893		623-925-0829	190 N. Litchfield Road	Goodyear	AZ	85338
Graham County	Judy Dickerson	jdickerson@graham.az.gov	928-428-3250		928-428-5951	921 Thatcher Blvd	Stafford	AZ	85546
Greenlee County	Yvonne Pearson	ypearson@co.greenlee.az.us	928-865-2072		N/A	PO Box 908	Clifton	AZ	85533
Greer Fire District	Rye Sluiter	rsluiter.greerfire@frontiernet.net	928-735-7279		928-735-7325	PO Box 242	Greer	AZ	85927
Guadalupe, Town of	Vicki Miller	vmiller@guadalupeaz.org	480-505-5373		480-505-5368	9241 S. Avenida Del Yaquil	Guadalupe	AZ	85283
Hackberry Elementary School Dist. #3	Dr. Thomas McCraley	tmccraley@mcss.k12.az.us	928-692-0013	201	928-692-1075	9501 Nellie Dr. HC 30 Box 101	Kingman	AZ	86401
Harquahala Valley Fire District	Steve Sandell	ssandell@harquahalafire.org	928-372-4726		928-372-2235	51501 W. Tonto Street	Tonopah	AZ	85354
Harvest Power Community Development Group	JoAnn Kelly	jkelly@harvestprep.com	928-783-6266		928-783-4543	350 E. 18th Street	Yuma	AZ	85364
Hayden-Winkelman Unified School District	Jeff Gregorich	gregorichj@hwusd.k12.az.us	520-356-7876	1310	520-356-7303	PO Box 409	Winkelman	AZ	85292
Heber-Overgaard Fire Department T-400	Janie Gonzales	jgonzales@hofdaz.com	928-535-4346		928-535-3175	PO Box 1010	Overgaard	AZ	85933
Heber-Overgaard Unified School District #6	Ken Van Winkle	kvanwinkle@h-o.k12.az.us	928-535-4622		928-535-5146	PO Box 547	Heber	AZ	85928
Heritage Elementary School	Randy Musgrove	musgrover@qwest.net	520-990-7522		520-989-8002	6400 E. Golflinks #120	Tucson	AZ	85712
Highlands Fire District	Robyn Wilson	rwilson@highlandfire.org	928-525-1717		928-525-2808	568 Kona Trail	Flagstaff	AZ	86001
Higley Unified School District #60	Rebedda Reber	rreber@husd.org	480-279-7018		480-279-7511	2935 S. Recker Road	Gilbert	AZ	85297
Hillside Elementary District #35	Carmita deGanohl	hillside_school@hotmail.com	928-442-3416		928-442-9591	HC01 Box 3056	Bagdad	AZ	86321