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MEMORANDUM

TO: State Agency Customers
FROM: Delbert H. Singleton, Jr., Division Director
DATE: March 19, 2020
RE: COVID-19 Guidelines & Information for State Term Contract Use

In response to questions we have received concerning use of State Term Contracts (STCs) during this time, we want to provide the following information as clarification.

When purchasing supplies and services that are on STCs and also available from the STC suppliers, use of STCs is mandatory and not negated by the declaration of an emergency. "Available" means that the Contractor on STC has the items being requested, in sufficient quantities to fulfill the request, for immediate shipment to meet the need. If the Contractor does not have the items available, will put the item on backorder where delivery will not meet the immediate need, or will not accept orders for the item at all, then the item is no longer "available" under the STC. The item may then be purchased from the most expedient source available.

For example, during this time hand sanitizer is in extremely high demand, and as of our last conversation with our Contractors, all of them are either completely out of stock or have very limited stock and are prioritizing orders and delivery. Since those items are no longer available under STCs, governmental bodies may purchase the product, in accordance with the Procurement Code, from whatever resource they can find to meet their immediate need. **If the procurement is necessary to respond to the emergency, use the emergency procurement procedures in the Procurement Code.**

When products and services are not available through STCs, you may want to consider cooperative contracts that the State does take part in. The link below is to a consolidated list of contracts on the NASPO website and what products are offered under each contract.

<https://www.naspovaluepoint.org/notifications/naspo-valuepoint-contracts-update/>

To be clear;

1. Look to the STC for availability of the supply/service
2. If not available, document the non-availability
3. Purchase the supply/service from the most expedient source available