



To Whom It May Concern:

This letter will serve as certification of Purchasing Cooperative of America's (PCA) compliance with U. S. Department of Education's 'Education Department General Administrative Regulations' (EDGAR). Region 3 Education Service Center, an agency of the state of Texas located in Victoria, Texas, administers the PCA program, and awards and holds PCA contracts.

PCA is required by law to follow the most restrictive federal, state or local procurement rules currently in effect. Non-federal PCA Members will have local policies identifying their own purchasing thresholds, and will sometimes be more or less restrictive than the federal purchasing thresholds. Furthermore, PCA solicitations (whether RFP or RFQ) are indefinite delivery indefinite quantity (IDIQ) for commodity contracts. PCA recommends that PCA Members conduct their own price/cost analysis as it is impracticable or impossible for PCA to perform one as required by law before the exact purchase amount has been determined. PCA contract prices allow the Awarded Contractor to offer additional quantity and/or repeat business discounts at their own discretion--as long as the same discount is allowed to all PCA members for similar purchases. Under PCA facility-type contracts that are bid with a locally-adjusted national cost book, the national cost book provides the price/cost analysis.

EDGAR 2 CFR 200.318(e) encourages non-federal entities to enter into state and local intergovernmental agreements or inter-entity agreements where appropriate for procurement or use of common or shared goods and services in order to foster greater economy and efficiency. PCA must follow the same state and federal procurement rules that would apply if the PCA Member made the procurement, complete with full and open competition and ensuring competition. Each contract includes governing law to be in compliance with Texas', other states', and federal procurement statutes and contracting requirements. The PCA solicitation process is described in Attachment 1. PCA maintains the due diligence documentation supporting each step of the procurement process, and readily makes this information available to PCA Members.

Once the PCA Member has verified that PCA follows the most restrictive of the state or federal procurement rules, the PCA Member may purchase goods and services from the PCA Awarded Contractor directly, without any additional procurement activities or documentation. In addition, the Member and Awarded Contractor may come to agreement on additional term(s) and those may be stated on the purchase order or in a supplemental contract, and becomes part of the entire contract.

With this letter we certify that PCA will comply with EDGAR regulations and will follow the most restrictive federal, state or local procurement rules currently in effect.

Sincerely,

Flaine Nichols

Elaine Nichols, Director
Purchasing Cooperative of America

Laura J. Ratliff

Laura J. Ratliff, Deputy Exec. Dir. for Business
Region 3 Education Service Center



SOLICITATION PROCESS

Get projects started sooner. Make purchases quicker. Free up purchasing staff. Use PCA contracts!

PCA performs all of the required steps of the solicitation process--developing the solicitation; issuing, advertising, and accepting vendor responses; evaluation and award--and provides the due diligence documentation to Members upon request, thus saving the agency 6-9 months and thousands of dollars.

Developing the Solicitation

- PCA staff with contracting experience and cooperative expertise, along with consultants and/or industry-specific products/service experts, develop Requests for Proposal (RFP) and Requests for Qualifications (RFQ) on behalf of PCA Members.
- Each solicitation clearly states the terms and conditions, instructions for response, evaluation criteria, and response due date and time.
- Unique scopes, specifications, evaluation criteria, and pricing sections are written for each solicitation.
- Solicitations include governing law to be in compliance with Texas contracting and purchasing statutes, and other states' and the Federal Acquisition Regulation's (FAR) contracting requirements.

Issuing, Advertising & Accepting Vendor Responses

- Solicitations are fairly and competitively bid. HUB vendors are encouraged to participate.
- Solicitations are advertised in a national publication and (a) local newspaper(s) for at least two (2) consecutive weeks, with responses due at least three (3) weeks later.
- Solicitation notices are posted to the PCA website, the Region 3 ESC website, and the Texas Comptroller's Electronic State Business Daily (ESBD) website. Call lists are generated to invite vendors to respond.
- PCA provides approved vendors with an electronic link to the 3rd-party eProcurement system, Bonfire.
- Vendors are encouraged to submit value add products and services.
- A pre-proposal conference, if required, is held following the release of the solicitation.
- Q&A period. Questions may be submitted up to five (5) business days before the due date; questions and answers are posted publicly on the eProcurement system for all vendors to access.
- Contract addenda. If issued, the addendum clearly states what has changed. Vendors are required to sign and submit it along with their response to verify that they have read it and understand it.
- Solicitation responses may be modified or withdrawn by the vendor prior to the due date and time.
- Submissions are time/date stamped upon receipt and can only be accepted until the due date and time. The eProcurement system closes promptly; late submissions are rejected and cannot be reviewed.
- If a public opening is held, the time and place of the public opening will be clearly stated in the solicitation. Only the names of responding vendors are read aloud at the public opening.

Evaluation & Award

- Evaluation Committee members sign conflict of interest affidavits, evaluate responses, and make recommendations for contract awards to the Region 3 ESC Board of Directors.
- Responses are evaluated in accordance with the evaluation criteria stated in the solicitation, including products and services offered, qualifications, references, performance capabilities, and best price.
- Because PCA is a national cooperative, multiple contracts may be awarded to serve Members in all 50 states. Vendors must score at least a minimum score to be considered for a contract award.
- R3ESC Board of Directors awards PCA contracts. R3ESC administers PCA and holds the contracts.
- An Award Packet or Non-Award Letter is sent to each vendor submitting a response. Also, the awards are posted to the PCA website and to the Region 3 ESC website and advertised to PCA Members.

Learn more about PCA at www.pcamerica.org or call Elaine Nichols, Director, at 713-851-1471
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