

**Participating Addendum 8605 to  
State of Utah Master Agreement for  
Telecommunications – Cisco Products and Services**

**Brand Name Determination and Best Value Analysis Requirements  
for Authorized Purchasers Subject to Dept of Administrative Services Procurement Authority**

♦ **Participating Addendum 8605 provides:**

Participating Addendum 8605 between the State of Oregon and Cisco provides for Cisco brand products and services. This agreement was solicited as part of a telecommunications solicitation issued by the State of Utah and sponsored by the Western States Contracting Alliance. The State of Utah received proposals from various manufacturers for their specific brand named products. Participating Addendum 8605 is a State of Oregon-specific addendum to the Master Agreement issued by the State of Utah. The State of Oregon intends to issue participating addenda with other manufacturers for other brands as a result of the solicitation issued by the State of Utah.

♦ **Authorized Purchasers (AP) under Participating Addendum 8605:**

A. **State Agencies** (entities subject to the procurement authority of the Department of Administrative Services (DAS);

B. **State Agencies** (entities not subject to the procurement authority of DAS, but who have been given permission to use this Participating Addendum), meaning any state officer, board commission, department, institution, branch or agency of the state government, whose costs are paid wholly or in part from funds held in the State Treasury, and the Legislative Assembly, the courts and their officers and committees, the Secretary of State and the State Treasurer in the performance of the duties of their constitutional offices;

C. **ORCPP Members:** Qualified agencies and organizations that are members of the Oregon Cooperative Purchasing Program (ORCPP) may procure products and services under this Participating Addendum. ORCPP eligible entities include:

- Units of local government such as cities, counties, school districts, and special districts;
- Oregon University Systems and its individual members;
- Qualified Rehabilitation Facilities;
- Residential programs under contract with the State of Oregon, acting by and through its Dept of Human Services;
- United States governmental agencies;
- American Indian tribes and agencies of American Indian tribes; and
- Certain qualified public benefit corporations.

♦ **Providers under Participating Addendum 8605:**

Under Participating Addendum 8605, APs may procure directly from Cisco or from the resellers Cisco has specifically authorized. Those resellers and the discounts they offer are identified in the Value-Added Offers Matrix.

♦ **Brand Name Justification Requirements**

APs subject to DAS procurement authority as defined in category A must develop a brand name justification if a specific brand name is required, pursuant to Oregon Revised Statutes 279B.215 and Oregon Administrative Rule 125-247-0691.

APs may consider the following factors in developing a brand name determination to require the Cisco brand:

- i. That use of a brand name specification is unlikely to encourage favoritism in the awarding of a contract or substantially diminish competition for contracts;
- ii. That use of a brand name specification would result in substantial cost savings to the agency;
- iii. That there is only one manufacturer or seller of the product of the quality, performance or functionality required; or
- iv. That efficient utilization of existing goods requires the acquisition of compatible goods or services.

APs that are *not* subject to DAS procurement authority (categories B and C) may procure brand name specific products and services according to the procurement statutes, rules and policies applicable to them.

♦ **Best Value Analysis Selection Process Requirements**

APs subject to DAS procurement authority (category A) must document a best value analysis to select a provider under Participating Addendum 8605 (directly through Cisco or through one of the resellers named in the Value-Added Offers Matrix herein).

- a. The AP will develop and document written selection criteria which detail the standard of quality, performance, functionality and other characteristics required to determine best value.

The AP may consider many factors in determining best value and selection criteria for selecting either Cisco or one of its resellers), such as cost, past performance and history, skill, expertise or certification in a given specialty area, availability.

- b. *For contracts whose value does not exceed \$5,000:*

The AP will document the selection criteria and the basis of its selection decision in the contract file and issue a purchase order to the provider selected.

- c. *For contracts whose value exceeds \$5,000 but does not exceed \$75,000:*

The AP will contact at least three (3) of the providers identified within the Value-Added Offers Matrix to request a quote which includes a response to the selection criteria identified by the AP. The AP will score the responses in accordance with the selection criteria, document the basis of its selection decision in the contract file and issue a purchase order to the provider selected.

- d. *For contracts whose value exceeds \$75,000:*

The AP will issue a request for quotes which identifies selection criteria to all of the providers identified within the Value-Added Offers Matrix and which includes a response to the selection criteria identified. The AP will score the responses in accordance with the selection criteria, document the basis of its selection decision (including the scored quotes) in the contract file and issue a purchase order to the provider selected. The AP will request legal sufficiency approval of orders which require a Statement of Work for personal services under Section 1.1 of Appendix B of Participating Addendum 8605 and whose value exceeds \$100,000, pursuant to OAR 137-045-0030(1)(a) and 137-045-0050(19). Purchase orders for goods only are exempt from legal sufficiency approval under OAR 137-045-0050(15).

- e. *For contracts whose value exceeds \$75,000:*

The AP will issue a written request for quotes to all of the providers identified within the Value-Added Offers Matrix which identifies selection criteria and requires a written response to the criteria. The AP will score the responses in accordance with the selection criteria, document the basis of its selection decision (including the scored quotes) in the contract file and issue a purchase order to the provider selected. The AP will request legal sufficiency approval of orders which require a Statement of Work for personal services under Section 1.1 of Appendix B of Participating Addendum 8605 whose value exceeds \$100,000, pursuant to OAR 137-045-0030(1)(a) and 137-045-0050(19). Purchase orders for goods only are exempt from legal sufficiency approval under OAR 137-045-0050(15).

APs that are *not* subject to DAS procurement authority (categories B and C) may select a provider under Participating Addendum 8605 (directly through Cisco or through one of its resellers) according to the procurement statutes, rules and policies applicable to them.

## **Cisco and Cisco Reseller Value-Added Offers Matrix**

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**Cisco Products and Services**

|  | <b>Cisco Discount</b> | <b>Reseller Discount</b> | <b>Total Discount</b> |
|--|-----------------------|--------------------------|-----------------------|
| Cisco Products   | 35.0%                 | 4.0%                     | <b>39.0%</b>          |
| SmartNet / 1 Year  | 10.0%                 | 0.0%                     | <b>10.0%</b>          |
| SmartNet / 3 Year Commitment   | 17.0%                 | 0.0%                     | <b>17.0%</b>          |
| SmartNet / Educational ( <i>for 1 year only</i> )  | 0.0%                  | 20.0%                    | <b>20.0%</b>          |
| Professional Services/AS/Training  | 10.0%                 | 0.0%                     | <b>10.0%</b>          |
|  |                       |                          |                       |
| <b>Value Added</b>   |                       |                          |                       |
| Cisco Certification: Premier Certified Partner   |                       |                          |                       |
| Cisco Certification: Specialization: Express Foundation, Advanced Unified Communications       |                       |                          |                       |
| Other Authorizations: SMB Select Partner, Registered Partner, Customer Satisfaction Excellence |                       |                          |                       |
|  |                       |                          |                       |