



1/1/25

## **The United States Educational Technology Purchasing Alliance (USETPA) Cooperative Group Purchasing Program**

### **Compliance with Purchasing Regulations**

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The United States Educational Technology Purchasing Alliance (“USETPA”) is a competitive bidding group purchasing program that provides cooperative purchasing assistance to its public section members in a more effective manner than direct purchases by any single entity or individual.

Any public entity may be a member of the USETPA, including public K12 schools, community colleges, higher education, local government units, special purpose districts, and state agencies. There is no charge to become a member.

The USETPA issued its most recent Request for Proposals (#[2112024](#)) on November 20, 2024 (“RFP”). Contracts under the RFP were awarded effective January 1, 2025. Terms of the RFP and vendor awards may be found at [www.usetpa.org](http://www.usetpa.org). Contracts were awarded to all responsive and responsible bidders after evaluation by the USETPA’s award committee of sealed bids received by the announced bid due date.

The USETPA purchasing process is intended to comply with state statutes that authorize agencies and local governments to purchase goods and services through competitive bidding group purchasing programs. A member should review applicable law and confer with counsel to verify that it is eligible to use a competitive bidding group purchasing program. The USETPA maintains a file of applicable statutes and will provide the file to any potential member upon request.

**The USETPA’s efforts to comply with New York law are summarized below:**

#### **National Cooperative Contract Standards:**

**1. National Cooperative Contract awarded through Competitive bidding process**

*The national cooperative contract must have been awarded through a “competitive bidding process” that complies with the laws covering the issuing entity. In this context, a “competitive bidding process” requires open competition, or competition among those qualified or pre-qualified, submission of bids, and awarded pursuant to a “lowest responsible”, “most advantageous to the public entity, price and other factors considered”, or other similar standard employed by a public entity. This excludes contract awards based on unadvertised, “invitation only,” negotiated, local preference, or sole source procurement practices.*

Please see [www.usetpa.org](http://www.usetpa.org) for RFPs, advertisements, bidding matrixes and contract awards for verification of competitive bidding process.

**2. Bid must have been advertised as a national cooperative contract**

*The original bid must have been advertised as a national cooperative contract (or a regional*



*contract that includes all fifty states and US territories) – not as a strictly local contract that is made “national” or “regional” after the receipt of bids.*

The USETPA RFP states that “The USETPA has Members/Subscribers and users of the contracts in multiple states. The contracts issued by the consortium are used both for securing government funding and for Convenience Contract purposes.” And therefore meets this requirement.

For the foregoing reasons, it is the USETPA’s position that local government units in New York may purchase information technology goods and services as a result of contracts awarded under the RFP.

The USETPA will answer any questions that a potential member may have regarding its compliance with local or state purchasing statutes, but a member should consult with its own legal counsel for specific questions regarding its ability to utilize competitive bidding group purchasing programs.