

OR PARTICIPATE IN AN INTERGOVERNMENTAL COOPERATIVE PURCHASING AGREEMENT, WITH THE APPROVAL OF THE UNIT HEAD AND SUBJECT TO ANY OTHER APPROVAL REQUIRED BY LAW, THE PRIMARY PROCUREMENT UNIT MAY BECOME A PARTY TO OR PARTICIPATE UNDER THE AGREEMENT.

(2) A DETERMINATION UNDER THIS SUBSECTION SHALL BE IN WRITING AND INCLUDE A STATEMENT THAT THE INTERGOVERNMENTAL COOPERATIVE PURCHASING AGREEMENT:

(I) WILL PROVIDE COST BENEFITS TO THE STATE, PROMOTE ADMINISTRATIVE EFFICIENCIES, OR PROMOTE INTERGOVERNMENTAL COOPERATION; AND

(II) IS NOT INTENDED TO EVADE THE PURPOSES OF THIS DIVISION II.

(3) A PRIMARY PROCUREMENT UNIT MAY NOT PARTICIPATE UNDER A FEDERAL CONTRACT IF THE STATE'S PARTICIPATION IS VALUED AT LESS THAN \$250,000.

(C) (1) IF A PRIMARY PROCUREMENT UNIT SPONSORS AN INTERGOVERNMENTAL COOPERATIVE PURCHASING AGREEMENT:

(I) THE CONTRACT SHALL BE AWARDED IN THE SAME MANNER AS THE CONTRACT WOULD BE AWARDED UNDER THIS DIVISION II IF THE UNIT WAS THE SOLE PARTICIPANT UNDER THE CONTRACT; AND

(II) ALL PROCEDURES UNDER THIS DIVISION II, INCLUDING PROCEDURES GOVERNING CONTRACT CLAIMS AND PROTESTS, SHALL APPLY.

(2) A POLITICAL SUBDIVISION OF THE STATE MAY PARTICIPATE UNDER ANY INTERGOVERNMENTAL COOPERATIVE PURCHASING AGREEMENT SPONSORED BY A PRIMARY PROCUREMENT UNIT IN A MANNER CONSISTENT WITH THE TERMS OF THE AGREEMENT.

(D) IF A PRIMARY PROCUREMENT UNIT PARTICIPATES IN AN INTERGOVERNMENTAL COOPERATIVE PURCHASING AGREEMENT, ANY PROTEST OR CONTRACT CLAIM INVOLVING THE AGREEMENT SHALL BE HANDLED IN ACCORDANCE WITH THE TERMS OF THE AGREEMENT.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect ~~October~~ July 1, 1997.

Approved May 22, 1997.