# 00324 – Igniter Flares (Fusees) & Highway Signal Devices

Frequently Asked Questions (FAQ)

**Contract FAQs**

## Purchaser Related

#### How long will this contract be active?

This contract ends December 31, 2028.

#### What products are available on this contract?

The product list for Igniter Flares (Fusees) and Highway Signal Devices offers both manual and auto igniting flares of varying size and burn time, with and without spike bases and wire stands.

#### Can I choose any awarded contractor to purchase from this contract?

This contract has a single awarded contractor to provide signal flares and highway signal devices. Purchasers must select the awarded contractor. Contractor went through the competitive solicitation process and was selected to be awarded on this contract as the highest scoring bidder. State of Washington Agency customers are not required to conduct further competition to choose an awarded contractor. Other customers should follow their applicable rules regarding contractor selection.

#### What does it mean if the contractor is the main award vs reserved award?

The contractors designated as main awards are businesses that participated in the competitive solicitation and were determined to be the highest scored, responsive, responsible bidders with no preference.

Reserved awards are set aside contracts awarded only to the next highest scored, responsive, responsible bidders certified as Washington Small and/or Veteran-owned businesses that participated in the competitive solicitation but did not achieve the highest overall scores to be designated as main awards.

All contract awards are the result of the competitive solicitation with the specified best value evaluation criteria in compliance with RCW 39.26 and state procurement policies. Per the guidance DES received from the Attorney General’s Office, since the competitive solicitation separated main and reserved award structures, purchasers that utilize federal funds can utilize main awards that achieved highest overall scores without preferences but might not be able to utilize contractors that were awarded only as reserved awards, since these awards are based on a preference. For questions related to a specific federal grant or funding source and how it might impact the purchasers’ ability to utilize the awards on this contract, please check with your Legal and/or Attorney General’s Office.

#### Who can (or cannot) use this contract?

Eligible purchasers include:

**Washington State Agencies**. All Washington state agencies, departments, offices, divisions, boards, and commissions.

**Washington State Institutions of Higher Education (Colleges).** Any of the following institutions of higher education in Washington: State universities – i.e., University of Washington & Washington State University; Regional universities – i.e., Central Washington University, Eastern Washington University, & Western Washington University; Evergreen State College; Community colleges; and Technical colleges.

**CUA Parties**. Any of the following types of entities that have executed a [Contract Usage Agreement](https://apps.des.wa.gov/DESContracts/Home/MCUAListing) with Enterprise Services: Political subdivisions (e.g., counties, cities, school districts, public utility districts, ports) in the State of Washington; Federal governmental agencies or entities; Public-benefit nonprofit corporations (i.e., public benefit nonprofit corporations as defined in RCW 24.03A.245 who receive federal, state, or local funding); and Federally-recognized Indian Tribes located in the State of Washington.

Enterprise Services maintains a list of eligible Contract Usage Agreement parties on the [CUA Listing website.](https://apps.des.wa.gov/DESContracts/Home/MCUAListing)

#### What is the pricing model?

Note that the pricing stated in this contract is the **maximum** that contractors may charge purchasers. Purchasers are able to request and possibly negotiate deeper discounts, such as for bulk orders or large projects.

* + - * 1. **Minimum Order Requirements.** Contractor requires a 30 case minimum per delivery location; for orders that do not meet a minimum requirement Contractor may charge Freight/Delivery Costs as a separate line item on the invoice.
        2. **Freight/Delivery Costs:** If a Purchaser’s order does not meet the minimum 30 case per delivery location, the Contractor may add Freight/Delivery Costs as a separate line item to the invoice. For invoices that include a Freight/Delivery Costs line item because the minimum quantity per location was not met, a copy of the freight/delivery invoice must be provided to the Purchaser, either delivered with the goods or included with the invoice.

Pricing is listed per case with an allowable volume discount of 3% for orders of the case quantity at the volume discount per case quantity specified or more detailed in ***Exhibit A – Included Goods/Services and Prices*** of the executed contract.

* + - * 1. **Applicable Additional Fees** (Liftgate and/or Appointment Requests, etc.),Fees from ***Exhibit A – Included Goods/Services and Prices***;
* **Appointment Request Additional Fee**: Appointment Requested on Delivery Must be requested at time of order. If refusal occurs due to not being requested however required, additional charges may be charged.
* **Liftgate Additional Fee:** Liftgate Request on Delivery Must be requested at time of order. If refusal of delivery occurs due to not requested however required, additional charges may be charged.

#### What if an Agency wants to make a payment using a credit card (P-card)?

Contractors/Vendors total price for the goods and/or services shall be the same regardless of whether the Purchaser makes a payment by cash, credit card, or electronic payment. Some Contractors/Vendors prefer payments electronic payment; not all Contractors/Vendors accept credit card payments.

**NOTE**: No credit card fees shall be charged or billed to the Purchaser.

#### What are key performance commitments from contractors?

All products meet [Underwriter Laboratories 912 Specification](https://stateofwa.sharepoint.com/:b:/r/sites/DES-ContractsProcurement2-TeamCedar/Shared%20Documents/Julie/00324%20Flares/Draft%20Contract%20For%20ASV/00324_UL912.pdf?csf=1&web=1&e=vhOrG7).

#### How can I provide feedback about the Contractor’s performance whether positive or negative?

Complete the feedback form and submit your comments: [Vendor and Contract Performance Feedback](https://apps.des.wa.gov/ContractEval/ContractFeedback.aspx?s=C&c=00324)

#### What should a purchaser do if a contractor is not performing?  Who should a purchaser contact at Enterprise Services or how to escalate a performance issue with the contractor?

If there is a contractor that is not performing, the purchaser should first seek to resolve the issue directly with the contractor. If the performance issue is unresolved, reoccurring, or in need of escalation, please contact the Enterprise Services Contract Administrator listed on the contract page. Enterprise Services relies on purchasers that are working with the contractors to notify us of any issues. Enterprise Services staff can aggregate any contractor performance issues across purchasers to ensure good performance for all. Please send relevant information on the performance issue so that Enterprise Services staff can assist.

#### How do I get involved with or participate in developing the solicitation that will replace this contract?

Enterprise Services generally makes a determination on developing a new contract that replaces expiring contracts one year before the current contract expires. The solicitations that are currently in development appear on the [planned procurement](https://apps.des.wa.gov/DESContracts/Home/PlannedProcurement) page. If you are interested in participating, please contact the contract administrator listed on that page.

## Contractor Related

#### When can my Firm be added as a Contractor to the contract?

Contracts are awarded only to contractors who submitted a bid at the time the competitive solicitation was posted to WEBS.

Contracts for the state are awarded through a competitive solicitation process via the [online solicitation system WEBS.](https://pr-webs-vendor.des.wa.gov/) Is your company registered in WEBS?   If not, please consider registering, as [WEBS](https://gcc02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fpr-webs-customer.des.wa.gov%2F&data=05%7C02%7CDESContractsTeamCedar%40des.wa.gov%7C2b7c4210c43b4fa311ef08dc6de64118%7C11d0e217264e400a8ba057dcc127d72d%7C0%7C0%7C638506083574983566%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C0%7C%7C%7C&sdata=uv0ILjGE562KCA1sqDDBUFyB2Yl6zu1oE%2B3TeL15nqY%3D&reserved=0) is where all Enterprise Services official communications is posted. Enterprise Services has a [registration page](https://des.wa.gov/sell/how-work-state/register-bid-opportunities) that explains the registration process. If you have questions on the registration process, please contact [WEBS customer service](mailto:WEBSCustomerService@des.wa.gov), (360) 902-7400.

Enterprise Services also has information on [doing business with the state](https://des.wa.gov/sell/how-work-state) for review. There is also a page on [bid opportunities](https://des.wa.gov/sell/bid-opportunities) with Enterprise Services, though all official opportunities are posted through WEBS.

#### Who do I contact if I have an invoice or vendor management fee (VMF) question?

Please contact the contract administrator listed on the contract summary page.

#### When are quarterly sales reporting due?

Quarterly sales reports are due and past due based on the following timeframes:

| Quarter | For Sales Made In Calendar Quarter | Contract Sales Report | |
| --- | --- | --- | --- |
| Due By | Past Due |
| 1 | January 1 – March 31 | April 30 | May 1 |
| 2 | April 1 – June 30 | July 31 | August 1 |
| 3 | July 1 – September 30 | October 31 | November 1 |
| 4 | October 1 – December 31 | January 31 | February 1 |

Contractor shall pay to Enterprise Services a Vendor Management Fee (“VMF”) of 1.25 percent on the purchase price for all Contract sales (the purchase price is the total invoice price less applicable sales tax).

Please check the [sales reporting website](https://apps.des.wa.gov/CSR/login.aspx) which has the following general [reporting instructions](https://apps.des.wa.gov/CSR/Vendor_Qtrly_Sales_Rpt.pdf).

#### When are Vendor Management Fee (VMF) invoices due?

After sales have been reported, contractors will receive an invoice to remit to Enterprise Services the vendor management fee payment. Please wait to receive an invoice from Enterprise Services before sending payment. This is to ensure your payment can be identified, accepted, and applied correctly. Contractor must pay the vendor management fee (VMF) invoice within thirty (30) calendar days.

#### Who do I contact for contact updates?

Please contact the contract administrator listed on the contract summary page.

#### How do I check for authorized purchasers?

Please check the [Contracts Usage Agreement (CUA) signed agreement list](https://apps.des.wa.gov/DESContracts/Home/MCUAListing) to see the list of authorized purchasers for Enterprise Services contracts. The [[Washington State website](https://wa.gov/)](https://wa.gov/) can help navigate to the governmental entities on the list.