

Convenience Contract Guidance/FAQ

RCW 39.26.070

A convenience contract is a contract for specific goods or services, or both, that is solicited and established in accordance with procurement laws and rules for use by a specific agency or a specified group of agencies as needed from time to time. A convenience contract is not available for general use and may only be used as specified by the department. Convenience contracts are not intended to replace or supersede master contracts as defined in this chapter.

1) Contract for specific goods or services, or both

A contract for goods and services is any scope of work under 39.26.

2) Is solicited and established in accordance with procurement laws and rules

Solicited in accordance with procurement laws and rules means following the competitive procurement rules. A convenience contract must be the result of a competitive procurement. It is not an exception under 39.26.125.

3) Use by a specific agency or a specified group of agencies.

A convenience contract can be used by multiple agencies, but the group of agencies must be specified as part of the competitive solicitation. Hence the specified group of agencies and not all agencies in general.

The use of a convenience contract is not open to any agency that is not listed in the competitive solicitation. Interagency agreements or other methods cannot expand this after the contract is awarded.

4) As needed from time to time

As needed from time to time in the definition refers to the use of the contract having multiple distinct purchases off the single solicited contract. Rather than the solicitation leading to a single project, there could be many distinct projects used at the convenience of the agency in a convenience contract. The convenience contract is often used to set up purchasing from an authorized list. Agencies may in the past refer to these as two-tier or authorized list contracts. The use of a convenience contract is similar to a statewide/master contract where there is a single competitively solicited umbrella contract that is used for many different purchases.

6) Used as specified by the department.

This is the key point for a convenience contract, here the department means the Department of Enterprise Services. The process for use as specified is by contacting the DES policy team. The request to DES should include the scope and intended use. The request should be made to the DES Enterprise Procurement Policy Team at DESmiEnterpriseProcurementPolicy@des.wa.gov. DES will review the request and may have follow-up questions and inquiries before an approval determination is made. No contract will be binding without this DES approval.

7) Not intended to replace or supersede master contracts

If a statewide contract exists per DES policy 090-6(a) agencies are expected to use the DES statewide contract. The procurement option to use a convenience should not be used when an applicable statewide contract exists.

Frequently Asked Questions (FAQ):

1. What should procurement staff look out for on a convenience contract?

Making separate work orders from the same solicitation. The result of the competitive solicitation is an authorized contractor/seller/service provider/distributor list
It seems to function like a statewide/master contract but just for one agency.

2. What if it is two agencies using a contractor for a single project?

See joint procurement through the interlocal act under 39.34.030.

3. What if my agency wants to use a contract another agency awarded?

Only agencies that can use a convenience contract are those that were specifically stated in the solicitation and resulting contract(s)

4. How does this relate to supplier diversity?

For the competitive solicitation of the convenience contract all of the competitive solicitation laws and rules apply, including the supplier diversity policy.

5. How does purchasing work on a convenience contract?

A convenience contract first starts with a competitive solicitation, following all the competitive solicitation rules, then individual purchases are made as needed from time to time to purchase the goods/services.