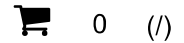


Glenn Hegar

Texas Comptroller of Public Accounts



Contract Details: # TXMAS-21-36002

Search for items in this contract (<https://www.txsmartbuy.gov/search?contract=TXMAS~21~36002>)

Number	TXMAS-21-36002
Description	Floor Covering, Floor Covering Installation and Removal Equipment, and Supplies
Category	TxSmartBuy
Type	TXMAS
Start Date	7/22/2021
End Date	2/10/2025
Base Contract	47QSMA20D08P7
Purchase Category Code (Agencies Only)	PCC X
Optional Renewal Terms	February 11, 2025, through July 21, 2026

Purchase Orders

Procurement Method Identification Process: Public procurement personnel must identify the appropriate procurement method as stated in the State of Texas Procurement and Contract Management Guide. (<https://comptroller.texas.gov/purchasing/resources.php>)

Only purchase orders issued through Texas SmartBuy (TSB) are eligible for contract pricing. The Contractor cannot ship any products or provide services until receipt of a Purchase Order generated by the TSB system.

All purchase orders that include a quote order line (excluding linked item quotes) will be placed on hold pending Statewide Procurement Division (SPD) review.

Quote order requirements:

1. Items that are available in TSB must be placed through the TSB shopping cart. The TSB shopping cart allows up to 45 line items. Once 45 line items are added to the TSB shopping cart, the additional order items must be totaled and entered using the quote order line.

2. State agencies must enter no less than 20 items into the TSB shopping cart before utilizing the quote line option. Texas SmartBuy Members are encouraged to add items to the TSB cart before utilizing the quote line option.

3. All purchase orders that include a quote order line require the attachment of a completed contractor quote containing the following:

Detailed, unit pricing of all contracted items and services.

The contractor's TXMAS contract number clearly identified.

Open market, or incidental, items clearly identified.

4. Validation of contract pricing and item availability is the responsibility of the purchaser in determining best value. When the attachment is confirmed, SPD will release the purchase order to the TXMAS contractor for fulfillment.

5. If approval is requested prior to the order being inputted in TSB, or SPD assistance is requested to validate pricing or item availability, the information may be submitted to spd.cmo@cpa.texas.gov (<mailto:spd.cmo@cpa.texas.gov>).

Customers may only purchase TXMAS goods or services from a TXMAS Contractor online through Texas SmartBuy. CPA does not authorize any offline sales of this TXMAS contract's goods or services.

IMPORTANT: The services provided by this contract may be a service subject to the provisions of Texas Government Code Chapter 2254. A state agency, as defined by Texas Government Code Chapter 2254, may only acquire the services subject to Texas

	Government Code Chapter 2254 according to the procedures identified in that chapter. Failure to comply with the provisions of Texas Government Code Chapter 2254 could result in a void contract.
NIGP Codes(s)	03110 ; 03136 ; 04524 ; 15012 ; 15025 ; 15028 ; 15033 ; 15077 ; 19218 ; 19280 ; 21007 ; 21045 ; 23202 ; 26011 ; 28539 ; 28579 ; 30571 ; 31550 ; 36010 ; 36021 ; 36030 ; 36055 ; 36056 ; 36058 ; 36060 ; 36076 ; 36090 ; 42594
CPA Contract Management	Questions regarding contract management issues, price changes, amendments or other post-award concerns should be directed to: SPD Contract Management Texas Comptroller of Public Accounts (CPA) Phone: (512) 463-3034 option 3 Email: spd.cmo@cpa.texas.gov (mailto:spd.cmo@cpa.texas.gov)
Contract Specifics/Notes	Installation is part of the base and TXMAS contract, therefore should be entered under the Charges tab on the “Add Item to Cart” screen. TXMAS prices may be validated against the base contract's price list. TXMAS contractors are authorized to charge up to 1.5228% more than their base contract price. GSA Contract Information (https://www.gsaelibrary.gsa.gov/ElibMain/contractorInfo.do?contractNumber=47QSMA20D08P7&contractorName=KYA+SERVICES+LLC&executeQuery=YES)
Expedited Payment Discount	1% Net 20 Days for KYA Services LLC
Compliant Products by Contractor	Customer reserves the right to require new delivery or a refund in the event that materials or products not meeting specifications are discovered after payment has been made.
Purchase Order Cancellations	The Customer may request that a Contractor cancel a specific line item or an entire purchase order. There shall be no fees charged for cancellation of an item and/or order prior to shipment by the Contractor. A Purchase Order Change Notice should be processed and sent to Contractor.
Restocking Fee	Returned Product, Deposits and/or Cancelled Order has been negotiated to a 20% restocking fee.

Contract Performance	<p>The Statewide Procurement Division Contract Management Office (SCMO), a division of the Comptroller of Public Accounts (CPA), administers a vendor performance program for use by all customers per Texas Government Code (TGC), §2262.055, and 34 Texas Administrative Code (TAC), §20.108. The Vendor Performance relies on the customer's participation in gathering information on vendor performance. State agency customers shall report vendor performance on purchases of \$25,000 or more from contracts administered by CPA, or any other purchase of \$25,000 or more made through delegated authority granted by CPA (TAC 20.108), or purchases exempt from CPA procurement rules and procedures. State agencies are additionally encouraged to report vendor performance on purchases under \$25,000.</p> <p>Vendor Performance shall be reported through the CPA VENDOR PERFORMANCE TRACKING SYSTEM (https://www.comptroller.texas.gov/purchasing/programs/vendor-performance-tracking/).</p> <p>The purpose of the Vendor Performance Tracking System is to:</p> <ul style="list-style-type: none"> • Identify vendors that have exceptional performance • Aid purchasers in making a best value determination based on vendor past performance • Protect the state from vendors with unethical business practices • Track vendor performance for delegated and exempt purchases
Rebate Reporting Requirement for Federal Funding	<p>Pursuant to Texas Government Code §2155.510(b), rebates generated from TXMAS contract purchases made in whole or in part with federal funds must be reported by the purchasing agency to the appropriate federal funding agency. Each quarter of the State's fiscal year (September 1 through August 31), TXMAS contractors rebate 0.73875% of their TXMAS sales to the State of Texas via the Texas Comptroller of Public Accounts (CPA). It is the purchasing entity's responsibility to report the amount of rebate to the federal fund-provider using the above percent based on the total dollar value of the TXMAS purchase order.</p> <p>Example: A purchasing entity receives and uses federal funds of \$50,000 to purchase items/services on a TXMAS contract. The purchasing entity must report to the federal fund-provider that a sales rebate of \$369.37 ($\\$50,000 * 0.73875\% = \\$369.37$) will be paid to the State of Texas by the TXMAS contractor.</p>
FOB Point	<p>FOB Destination. Freight added as a separate line item.</p>

Approved Products/Services	<p>Other than incidental items expressly allowed under this Contract, Contractor may not sell and Customers may not purchase goods or services under this Contract that are not included in the TXMAS Catalog for this Contract. Therefore, to the extent the Base Contract contains terms which allow additional items to be purchased such as blanket purchase agreements and contractor team arrangements, those terms are excluded from this Contract.</p> <p>Incidental, off-schedule items may be purchased as "best value, open market" items provided that they are necessary for product integration or product completeness. The purchasing entity is responsible for ensuring that the quoted price for such incidental items is fair and reasonable. These incidental items may be added to the TXMAS purchase order if they are clearly labeled as "open market (OM), best value" items.</p> <p>Incidental items may not exceed \$5,000.00 OR 50% of the purchase order total, whichever is less. If the pending order includes incidental items that exceed the stated limits, a request may be submitted by the Customer to the Statewide Procurement Division for review and consideration of an exception. Exception requests shall be submitted to spd.cmo@cpa.texas.gov (mailto:spd.cmo@cpa.texas.gov). The request must include a copy of the complete contractor quote listing all core items and a detailed incidental charge breakdown.</p>
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Contractors

Contractor VID: 14622675685
Contractor: KYA Services LLC
Contact Name: Steven N. Newton
Email: snewton@dcciconsulting.com
Phone: (714) 659-6477
Alternate Contact Name: Edwin Jay
Alternate Email: edwin.jay@theyyagroup.com
Alternate Phone: (714) 659-6477
Address: 1800 E McFadden Ave Santa Ana CA 92705



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Search from the Texas State Library (<https://www.tsl.texas.gov/trail/index.html>)

Texas Homeland Security (<https://www.dhs.gov/see-something-say-something/reporting/texas>)

Public Information Act (<https://comptroller.texas.gov/about/policies/open-records/public-information-act.php>)

Texas Secretary of State (<https://www.sos.state.tx.us/>)

HB 855

Other State Sites

Texas.gov (<https://texas.gov>)

Texas Records and Information Locator(TRAIL) (<https://www.tsl.state.tx.us/trail/>)

State Link Policy (<https://dir.texas.gov/resource-library-item/state-website-linking-privacy-policy>)

Texas Veterans Portal (<https://veterans.portal.texas.gov>)