



**Department of General Services
Procurement Division**

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Broadcast Date: July 6, 2006

**TO: Purchasing Authority Contacts (PACs)
Procurement and Contracting Officers (PCOs)**

RE: General Provisions – Revised June 21, 2006

The State's General Provisions, for both non-information technology (non-IT) goods (GSPD-401Non-IT Commodities) and information technology (IT) goods and services (GSPD-401IT), were revised June 21, 2006 and are available at the following Department of General Services, Procurement Division (DGS/PD) web site:

- <https://www.dgs.ca.gov/PD/Resources/Page-Content/Procurement-Division-Resources-List-Folder/Model-Contract-Language>

Specifically, the following revisions have been made:

Non-IT Goods (GSPD0401Non-IT Commodities)

Item 25: Force Majeure: Deleted language “unless the subcontracted Deliverables or services were obtainable from other sources in sufficient time for the Contractor to meet the required delivery schedule.”

IT (GSPD0401IT)

- Item 16.e: Inspection, Acceptance and Rejection – Modified language – changed from sixty (60) to thirty (30) days of delivery.
- Item 18.a: Warranty – modified language.
- Item 24: Force Majeure: Deleted language “unless the subcontracted Deliverables or services were obtainable from other sources in sufficient time for the Contractor to meet the required delivery schedule.”

All departments granted non-IT and/or IT purchasing authority by the DGS/PD must immediately incorporate the applicable General Provisions into all new and in-process solicitations and all new purchase documents. Contracts currently in effect do not need to be amended to incorporate the revised General Provisions.

Departments are reminded that the State's General Provisions have been developed to protect the State's interests and, as such, modifications to this language are prohibited unless approved by the DGS/PD Contract Negotiations Manager. Requests to modify language must be coordinated through the DGS/PD's Purchasing Authority Management Section (PAMS).

DGS/PD will be incorporating the revised General Provisions into existing and/or new Leveraged Procurement Agreements (LPAs) as applicable to those programs.

Questions or concerns regarding this notification should be addressed to:

PAMS@dgs.ca.gov.