

## How to Use the IT Project Services - Solution Providers Statewide Contract

COMMBUYS Contract/Blanket Description: ITS53ITProjServSP  
 MMARS #: ITS53ProjServSP\*  
 Contract Duration: 07/01/2014 to 06/30/2019      Options to renew: None  
 Contract Manager: Marge MacEvitt - 617-720-3121 – [marge.macevitt@state.ma.us](mailto:marge.macevitt@state.ma.us)  
 Last change date: 6/30/2017

### New Vendors Added

This procurement was reopened to add additional vendors. Please see the "Vendor Listing Spreadsheet" on COMMBUYS for vendor information. As of the date of this Contract User Guide, not all of the selected vendors have been awarded, pending, completion of contract processing. The Vendor Listing Spreadsheet will be noted as "Final" when all vendors have been added.

### Contract Summary

This contract is for information technology (IT) professional services to perform fixed price projects. Hardware and commercial software (for example, Microsoft Office) are not covered under this contract. It is for services only. Types of services include:

- Software and Systems Development,
- Systems Integration / Networking,
- Systems Planning,
- Information Security, and
- Other Services, including Project Management, IV&V, and other types of services

This Contract is limited to companies with a gross annual income of over \$4 million. ITS53 Project Services - Technical Specialists is a similar contract for larger companies.

The contract does **not** include the following types of services:

- Document scanning,
- Web hosting (except for GIS applications),
- Automated network monitoring or similar services,
- Equipment maintenance,
- Data collection,
- Standardized training courses,
- Staff Augmentation (temporary staff paid on an hourly rate basis), and/or
- **Any services that are not primarily intellectual work performed by IT professionals**

### Benefits and Cost Savings

- Wide range of vendors and specialty services
- Prompt Payment Discounts

## Who Can Use This Contract?

**Applicable Procurement Law:** MGL c. 7, § 22; c. 30, § 51, § 52; 801 CMR 21.00

### Eligible Entities:

01. Cities, towns, districts, counties and other political subdivisions
02. Executive, Legislative and Judicial Branches, including all Departments and elected offices therein;
03. Independent public authorities, commissions and quasi-public agencies
04. Local public libraries, public school districts and charter schools;
05. Public Hospitals, owned by the Commonwealth;
06. Public institutions of high education
07. Public purchasing cooperatives;
08. Non-profit, UFR-certified organizations that are doing business with the Commonwealth;
09. Other states and territories with no prior approval by the State Purchasing Agent required; and
10. Other entities when designated in writing by the State Purchasing Agent.

## Pricing and Acquisition Method

### Pricing

There are no hourly rates associated with these contracts. At least three quotes must be requested for all new projects, by sending bids to at least three vendors via COMMBUYS with the specifications for the project [requesting a quote](#). At this time, non-Executive Departments may request quotes via email rather than posting on COMMBUYS.

Many vendors offer substantial Prompt Pay Discounts – see the [Vendor Listing Spreadsheet](#) for a listing of all vendors showing the Vendor Name, email address, specialties, and Prompt Pay Discounts. See [Locating Attachments on COMMBUYS](#) to locate the Vendor Listing Spreadsheet and all other documents referenced in the User Guide. You do not need a COMMBUYS login to access these documents.

### Acquisition Method

The only acquisition method is fee-for-service.

## How to Obtain Services

### Prepare a Request for Quotes (RFQ)

At a minimum, Agencies must request quotes from at least three companies for new projects. The “Statement of Work Template” located on the Attachments tab of COMMBUYS may be used as the basis for a quote request, completing only those sections where information is available prior to Vendor selection.

### Determine RFQ Distribution

If IT Bond funds will be used, projects worth more than \$50,000 must be posted on COMMBUYS and sent to all Solution Provider vendors. See [How to post on](#)

[COMMBUYS](#)” below for instructions. The posting *must* indicate that only ITS53 Solution Providers (and other qualified Statewide Contractors, if the Agency wishes) may submit quotes.

Otherwise, you may use the Vendor Listing Spreadsheet to select three or more companies from which you wish to solicit quotes. The Vendor Listing Spreadsheet shows which vendors were selected for the five RFR subcategories that were evaluated by the SST (Strategic Sourcing Team). For these subcategories, vendors were required to describe specific projects, with client reference letters, and to provide additional qualifications.

In addition to their evaluated subcategories, Vendors had the opportunity to list up to five additional specialties. These were not evaluated, but provide an indication of what the vendor considered to be particular strengths they wished to highlight.

If there are many companies that may be qualified to provide the types of services you are seeking, you may consider Prompt Pay, Warranties, M/WBE status, Small Business status, or other factors in making your choices. Prompt Pay Discount and Warranties are shown in the Vendor Listing Spreadsheet.

It is NOT necessary to restrict your choice to vendors who were awarded based on the subcategory under which they proposed or the additional specialties they listed. Many vendors offer a broad array of services and were limited in the number they could list. Vendors are not limited to providing services in the subcategories/specialties included in their RFR responses.

Once you have selected the vendors to receive bid notification, see “[How to post on COMMBUYS](#)” below for instructions.

### **Select a Vendor and Negotiate an Agreement**

It is not necessary to select the lowest cost bid. The choice may be made based on “best value” to the Commonwealth.

### **Statement of Work (SOW) Template**

The Statement of Work Template must be used for all engagements. It may be tailored to omit sections/terms which are not relevant or to add new sections/terms, however, Section 11.3, “Title and Intellectual Property Rights” may not be altered without the written consent of the General Counsel for ITD (or the General Counsel’s designee).

Additionally, Section 7.1.2 provides that if the Vendor will develop a capability for viewing maps and related information on an internet web site, and if that web site will display map information available through MassGIS web mapping services (e.g., parcels, orthophotos, streets, wetlands), then the Vendor is required to use MassGIS geospatial web mapping services. Agencies may not waive this requirement, but must obtain a written waiver from the Director or Assistant Director of MassGIS if the Vendor cannot or will not comply with this requirement. Contact [neil.macgaffey@state.ma.us](mailto:neil.macgaffey@state.ma.us) if such a waiver is needed.

## **Representations by Resources**

This document is to be signed by all resources (consultants) who will be providing services on site or will use Commonwealth IT resources.

## **Additional Contract Terms and Information**

### **Fixed Price vs Time and Material; Phased Projects**

This Statewide Contract is for fixed price projects, except as discussed below relative to software maintenance and support. Although time and materials work is permitted, it should be done only in cases where the Contracting Department and the Contractor agree that a reasonable fixed price cannot be determined. The time and materials portion of a project should continue only until such time as requirements are sufficiently well known to provide a fixed price quotation.

If a fixed price cannot be provided for one phase of the project until an earlier phase is completed, the project should be structured as a series of fixed price deliverables. In this case, the Contracting Department must solicit quotes from at least three Contractors for each phase of the project, unless the initial Contractor owns intellectual property that is essential to the completion of the project, and the initial Contractor declines to make such intellectual property available for the use of other Contractors. If this is the case, the Contracting Department may award subsequent phases to the initial Contractor without further competition. However, only those phases and project components which require the use of the intellectual property owned by the initial Contractor may be awarded without competition.

Contractors must supply fixed price quotes if requested to do so, unless the parties agree that a reasonable fixed price cannot be determined.

### **Maintenance/Support for Systems Developed by Vendor**

You may engage a contractor to provide maintenance/support for a system they have developed on an ongoing “as needed” basis for a negotiated hourly (or other time unit) rate or rates. In such cases, you are not obliged to solicit quotes from other contractors.

### **Warranty Terms**

All bidders awarded in the “Software and Systems Development” and “Systems Integration” subcategories warrant that any systems they create or modify will operate in substantial conformance with the specifications for three months after acceptance. During the warranty period, bidders will correct any defects at no charge. The warranty period offered varies between 3 months and 12 months depending on the bidder. The warranty period is shown in the Vendor Listing Spreadsheet.

### **Other Software Support**

Contractors who specialize in supporting a particular type of software may be engaged to provide ongoing “as needed” support for software products that have been obtained through other Statewide Contracts. You must solicit three quotes for hourly (or other time unit) support rates.

## Subcontracting

You have the right to approve any subcontracts, and the right to a copy of the subcontract. Vendors may not subcontract more than 80% of the work as measured by dollar amount.

## Performance and Payment Time Frames That Continue Beyond the Duration of the Contract

If you begin an agreement (SOW) with a Vendor at any time before the end of the ITS53 Solution Provider Contract, the SOW may be for up to three years, even if the ITS53 Solution Provider Contract will end before your SOW ends.

## Check Vendor Status

Prior to requesting quotes or issuing orders, contract users should check COMMBUYS to see whether the vendor is currently in "Active" status. Vendors may be suspended for several reasons, including failure to comply with their contract obligations. New orders may not be issued to vendors whose status is "Inactive", who have been suspended from new business or dropped from the contract. In addition, contract users should review the attachment, "Vendors in Jeopardy of Suspension", if such an attachment is posted. Vendors appearing on that list have failed to comply with one or more contract requirements, and unless they remedy the issue, they are liable to be suspended in the near future. The "Vendors in Jeopardy of Suspension" attachment will identify the specific issue. Contract users who would like to continue to be able to issue new orders to any vendor appearing on that list may wish to contact the vendor and urge that they remedy the problem.

## How to Post on COMMBUYS

[Job Aids](http://www.mass.gov/anf/budget-taxes-and-procurement/procurement-info-and-res/conduct-a-procurement/commbuys/job-aids-for-buyers.html) are found at <http://www.mass.gov/anf/budget-taxes-and-procurement/procurement-info-and-res/conduct-a-procurement/commbuys/job-aids-for-buyers.html>.

Download the Job Aid "How to Create a Solicitation Enabled Bid using a Release Requisition." **Follow all Steps in that Job Aid except for those items in the various steps that are customized below.**

1. General tab (Job Aid Step 5)
  - a. Item 1, "Short Description": Include ITS53ITProjectServSP in the "Short Description" field.
  - b. Before following Item 6, select "Statewide Contract" as "Type Code."
2. Items tab (Job Aid Step 8)
  - a. Enter "ITS53ITProjectServSP" as the "Description" (do not select any other criteria)
  - b. Select Find It

When you reach Step 11, you may leave the default entries as is or enter specific information about the project, but you will be specifying your requirements in an attachment. However, you must enter 1.00 as the Unit Cost.

### 3. Selecting Vendors to receive bid notification

- a. Identify the vendors you wish to include in your quote request.
- b. Follow the directions in Job Aid Steps 12 and 13 to select only those vendors. In Step 13, Item 1, click the "Select All" box to clear all the checkmarks. Then check only the vendors you have identified in a. above as vendors whom you wish to include in the quote request.

### 4. Attachments tab (Job Aid Step 15)

Use the "Add file" function to add the completed SOW Template or other job specifications.

5. Submit the requisition for approval (Job Aid Step 16). Once it has been approved, follow the Job Aid "How to create a bid using a Requisition". Start with Step 20.

## How to Place an Order on COMMBUYS

Once a service and price is determined, the ordering process is as follows (if you have awarded the bid using COMMBUYS, after it has been approved, click the "Create PO" button at the bottom of the screen and begin with Step 5 below):

1. Initiate a new requisition
2. Search for an item (Use ITS53ITProjectServSP in the description)
3. Select the vendor you will be placing an order with
4. Select the appropriate catalog line
5. Enter "1" in the Quantity field and the total amount to be spent over the life of the engagement in the Unit Cost field. Insert the following language in the special instruction box of the PO: "This Purchase Order represents the total estimated expenditure for this engagement (insert brief description), against which (identify department) will execute partial receipts in COMMBUYS upon receipt and approval of invoices, in order to record the work accomplished according to the agreed upon engagement terms. All estimated expenditures are subject to reconciliation based on invoices rendered for agreed-upon delivery of goods and/or services." Further direction for processing partial receipts is included in the "How to Complete a Partial Receipt in COMMBUYS" Job Aid.
6. Attach the vendor quote and/or a detailed order summary
7. Submit for approval

## Locating Attachments on COMMBUYS

The following documents are found on the "Attachments" or "Summary" tab of the Contract on COMMBUYS.

- Contract User Guide (this document)
- Representations by Resources
- Statement of Work (SOW) template

- RFR incorporating all amendments
- Vendor Listing Spreadsheet

To locate the Contract on COMMBUYS without logging in:

1. Select COMMBUYS under OSD Programs at [www.mass.gov/osd](http://www.mass.gov/osd) OR Enter <https://www.commbuys.com/bsol> in your browser
2. Select “Contract & Bid Search”
3. Select “Contracts/Blankets”
4. Enter “ITS53ITProjectServSP” (no quotes) as the “Contract/Blanket Description” (NOT the “Contract/Blanket #”)
5. Select the “Find it” button

Attachments are links in the “Agency Attachments” field of the “Header Information” section.

If you are logged in:

1. Select the magnifying glass
2. Select “Module” = “Purchasing Module” and “Document Type” = “Contracts/Blankets”
3. Follow steps 4 through 5 above
4. This view of the contract allows you to look at the contract information in separate tabs. The “Attachments” tab includes a description of each attachment and how it is to be used.

## Strategic Sourcing Services Team Members

Abraham, Tomy	Department of Children and Families
Boyd, Brian	Executive Office of Labor and Workforce Development
Cabral, Paul	Executive Office of Health and Human Services
Cahill, Alison	Executive Office of Labor and Workforce Development
Caron, Charles	Department of Public Health
Hersey, Rachelle	Department of Revenue
Hyde, Evelyn	Department of Transportation
Kates, Annemarie	Information Technology Division
Lewis-Jeter, Yvette	Department of Insurance
MacGaffey, Neil	Executive Office of Environmental Affairs
Martin, Clayton	Department of Education
Miller, Joan	Massachusetts Higher Education Consortium
Sullivan, Margaret	Department of Police