

How to Use the IT Project Services – Solution Providers Statewide Contract

Contract #: ITS53ProjServSP **Contract Duration:** 07/01/2014 to 06/30/2019

MMARS #: ITS53ProjServSP * **Options to Renew:** None

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This contract contains: Small Business Purchasing Program (SBPP), Supplier Diversity Office SDO Contractors

UNSPSC: 81-11-00, 81-11-15, 81-11-17

Last change date: 09/14/2016

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 Specialist is a similar contract for smaller 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 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 Provider (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 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



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.

How to Post on COMMBUYS

If you are not familiar with how to post a requisition on COMMBUYS that enables you to request quotes from multiple vendors on a Statewide Contract, download the Job Aid "[How to Create a Department/Statewide Release Requisition \(with Solicitation\)](#)." The following instructions customize that Job Aid:

1. General tab (Job Aid Steps 4)
 - a. Select "Release" as the "Requisition Type."
 - b. Check the "Solicitation Enabled."
 - c. Select "Statewide Contract" as "Type Code."
 - d. If consistent with your Department's practices, include ITS53ProjServSP within the "Short Description."

In the Steps below, you may safely ignore any error messages indicating that "Purchaser Marge MacEvitt is not valid" or similar messages.

2. Items tab (Job Aid Step 6)
 - a. Go to the Items tab and select the "Search items" button.
 - b. Click the symbol next to "Advanced Search" to see more search criteria.
 - c. Enter "ITS53ProvServSP" as the "Description."
 - d. For the "Item description," enter all or part of the Subcategory title, or enter a search term that describes the service you are seeking.
 - e. Select "Find it." If multiple records display, select the one(s) you want.
 - f. Select "Add to Req and Exit."
3. Items tab (Job Aid Steps 7 and 8)
 - a. You will be returned to the Items tab, where an error message may appear.



- b. Enter 1 for Quantity
 - c. Select “Enter Info” under Catalog Price/Unit Cost
 - d. On the new screen that comes up, enter 1.0 for Catalog Price/Unit Cost.
 - e. Select “Save and Continue.”
 - f. Skip Job Aid Step 7.
 - g. Select the Distributors tab to select the vendors who will receive the bid. To select a subset of vendors, check the “Select” box in the row of titles, then uncheck that box to de-select all vendors and select “Save and Continue”(if the list is multiple pages, this step must be repeated for each page). Next, check the boxes for each vendor to be sent notification of the bid. If you wish to send the bid to all ITS53 Solution Provider vendors, there is no need to view the Distributors tab.
 - h. Select Save and Continue
4. Attachments tab (Job Aid Step 14)
- a. Use the “Add file” function to add the completed SOW or other document you are using to specific the project and response requirements, and any additional files that may be needed.

Submit the requisition for approval. Once it has been approved, follow the Job Aid [“Create a Bid from an Approved Requisition in COMMBUYS.”](#)

Note: On the General tab, check “Informal Bid” if you wish to be able to select a response prior to the close date of the Bid. Also, it may be necessary to change the “Purchaser” if the person who should receive the bid is not shown as the “Purchaser.”

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

To locate the Contract on COMMBUYS without logging in:

1. Select COMMBUYS under OSD Programs at www.mass.gov/osd OR Enter <https://www.commbuys.com/bsa/> in your browser
2. Select “Contract & Bid Search”
3. Select “Contracts/Blankets”



4. Enter "ITS53ProvServSP" (no quotes) as the "Contract/Blanket Description" (NOT the "Contract/Blanket #")
5. Select the "Find it" button
6. If two links appear, select the one that does NOT end in "vcurrent."

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 6 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

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