



OPERATIONAL SERVICES DIVISION

## Contract User Guide for ITS55DesignatedITD

# ITS55DesignatedITD: IBM Software, Appliances, Maintenance, and Technical Support

**UPDATED:** July 16, 2022

<b>Contract #:</b>	ITS55designatedITD
<b>MMARS MA #:</b>	ITS55designatedITD*
<b>Initial Contract Term:</b>	March 17, 2017 – March 16, 2022
<b>Maximum End Date:</b>	One (1) year extension to March 16, 2023
<b>Current Contract Term:</b>	March 17, 2017 – March 16, 2023
<b>Contract Manager:</b>	Shawn Johnson, (617) 626-4593, <a href="mailto:shawn.johnson@mass.gov">shawn.johnson@mass.gov</a>
<b>This Contract Contains:</b>	Discounted pricing, negotiated terms
<b>UNSPSC Codes:</b>	43-23-00-00, Software, 81-11-22-00, Software maintenance and support

\*The asterisk is required when referencing the contract in the Massachusetts Management Accounting Reporting System (MMARS).

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## Contract Summary

This Contract is for the acquisition of IBM software, appliances, maintenance, technical support, and training. It replaces ITS41. ITS55 does not include IBM hardware, which is available through ITC73.

## Contract Categories

This contract includes three categories of products and services as listed below.

### Category 1: Software & Appliances

All IBM software and appliances are available under ITS55. IBM provides two primary types of software products to the Commonwealth: mainframe software and distributed software. Mainframe software includes System z, i, or p Programs, and Power Systems. Distributed software is offered via the International Passport Advantage Agreement.

### Category 2: Services

Only IBM software maintenance and technical support are available under ITS55.

### Category 3: Education & Training

IBM may conduct classes on site at the request of the Eligible Entity. IBM provides online training in addition to onsite courses.

## Benefits and Cost Savings

Statewide contracts are an easy way to obtain benefits for your organization by leveraging the Commonwealth's buying power, solicitation process, contracting expertise, vendor management and oversight, and the availability of environmentally preferable products.

Please see [Appendix A](#), Additional Pricing and Product Information, for specific discounts available by product. No prompt pay discount is offered.

## Find Bid/Contract Documents

- To find all contract documents visit [COMMBUYS.com](http://COMMBUYS.com) and search for ITS55designatedITD to find related Master Blanket Purchase Order (MBPO) information. Or, link directly to the MBPO for ITS55designatedITD: [PO-17-1060-ITD00-ITD00-10176](#). Documents are found under "Agency Attachments" in the "Header Information" section of the MBPO. The following documents are included:
  1. Contract User Guide
  2. Signed Massachusetts Standard Contract Form
  3. License, Subscription and Customer agreements
  4. Additional agreements pertaining to specific types of projects

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## Who Can Use This Contract

### Applicable Procurement Law

Executive Branch Goods and Services: MGL c. 7, § 22; c. 30, § 51, § 52; 801 CMR 21.00

### Eligible Entities

Please see the standard list of Eligible Entities on our [Who Can Use This Contract](#) webpage.

## Subcontractors

The awarded vendor's use of subcontractors is subject to the provisions of the Commonwealth's Terms and Conditions and Standard Contract Form, as well as other applicable terms of this Statewide Contract.

## Supplier Diversity Requirements

There is only one vendor on the contract, IBM, which is not a certified diverse business or small business.

## Pricing, Quote and Purchase Options

### Purchase Options

The purchase options identified below are the only acceptable options that may be used on this contract:

- Direct, outright purchase
- Fee for service

### Pricing Options

**Ceiling/Not-to-Exceed:** Contract discounts and other pricing published under the contract represents "ceiling" or "not-to-exceed" pricing, and may be further negotiated, except as noted in the Summary Pricing Table below.

**Discount off of the Vendor Catalog Price:** Contract pricing is a specified discount off of the vendor catalog price or off the GSA pricing, as specified in the Summary Pricing Table below.

### Product/Service Pricing and Finding Vendor Price Files

The Summary Pricing Table shown below provides an overview of contract pricing. See [Appendix A](#), Additional Pricing and Product Information, for more detailed pricing information.

## Summary Pricing Table

Product/Service	Discount Level	Hourly Rate
Category 1 - Software & Appliances	Passport Advantage: Level J-10% (best discount offered, may not be negotiated) Mainframe Software: GSA pricing	N/A

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Category 2 - Maintenance & Technical Support	Passport Advantage: Level J-10% (best discount offered, may not be negotiated) Mainframe Software (OTC and MLC): GSA	N/A
Category 3 – Education and Training. Hourly rate by course type	N/A	12% off GSA
Category 3 – Education and Training. Training course pricing	May not exceed an amount equal to 12% off GSA	N/A

### Setting Up a COMMBUYS Account

COMMBUYS is the Commonwealth’s electronic Market Center supporting online commerce between government purchasers and businesses. If you do not have one already, contact the OSD Help Desk to set up a COMMBUYS buyer account for your organization: (888)-627-8283 or OSDHelpDesk@mass.gov.

### How To Purchase From The Contract

#### Entities that do not use COMMBUYS:

To receive contract information and/or quotes, and order products, Non-Executive Department buyers who do not use COMMBUYS may contact the vendor to identify items to be purchased and submit a purchase order directly.

#### Executive Departments and Other COMMBUYS Users:

- Work with the vendor to identify items to be purchased to meet your requirements and obtain a quote. Create a purchase order and attach to the COMMBUYS requisition.
- For a description of how to complete this purchase in COMMBUYS, visit the [Job Aids for Buyers](#) webpage and select:
  - The COMMBUYS Requisitions section, and choose the [How to Make a Statewide Contract Purchase in COMMBUYS](#) job aid.
  - Note: In Step 5 of the job aid, enter ITS55 in the Description field, and click "Find It". In Step 8, enter the Unit Cost as 1. In Step 11, attach a purchase order with detailed pricing and quantity information.

### Instructions for MMARS Users

MMARS users must reference the MA number in the proper field in MMARS when placing orders with any contractor. Contact the Comptroller Help and Support Desk at 617-973-2468 or via email at [comptroller.info@mass.gov](mailto:comptroller.info@mass.gov) for additional support.

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## Additional Information/FAQs

### Performance and Payment Time Frames Which Exceed Contract Duration

All term maintenance or other agreements for services entered into during the duration of this Contract and whose performance and payment time frames extend beyond the duration of this Contract shall remain in effect for performance and payment purposes (limited to the time frame and services established per each written agreement). No written agreement shall extend more than three years beyond the current contract term of this Statewide Contract as stated on the [first page](#) of this contract user guide. No new maintenance or other agreements for services may be executed after the Contract has expired.

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### Strategic Sourcing Team Members

- Elizabeth Rooney, EOTSS (Executive Office of Technology Services and Security)
- Linda Hamel (inactive)
- Tracy Williams (inactive)

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## Vendor List and Information\*

Vendor	Master Blanket Purchase Order # (MBPO)**	Contact Person	Phone #	Email	Categories	Discounts	SDO Certification Type	SDP Commitment Percentage
International Business Machines	<a href="#">PO-17-1060-ITD00-ITD00-10176</a>	Eric Batchelor	978-227-2183	<a href="mailto:ewbatche@us.ibm.com">ewbatche@us.ibm.com</a>	Category 1, Software & Appliances; Category 2, Maintenance and Technical Support; Category 3, Education and Training	See <a href="#">Appendix A</a>	N/A	10%

\*Note that COMMBUYS is the official system of record for vendor contact information.

\*\*The Master MBPO is the central repository for all contract files.

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## Appendix A: Additional Pricing and Product Information

### Summary Pricing Table

Product/Service	Discount Level	Hourly Rate
Category 1 - Software & Appliances	Passport Advantage: Level J-10% (best discount offered, may not be negotiated) Mainframe Software: GSA pricing - .75% (3/4 of 1 percent).	N/A
Category 2 - Maintenance & Technical Support	Passport Advantage: Level J-10% (best discount offered, may not be negotiated) Mainframe Software (OTC and MLC): GSA	N/A
Category 3 – Education and Training. Hourly rate by course type	N/A	12% off GSA
Category 3 – Education and Training. Training course pricing	12% off GSA	N/A

### Category 1, Software and Appliances

ITS55 pricing for IBM software can be found at [IBM’s website](#) (scroll down to Software Products and Price Lists).

#### Passport Advantage (Distributed) Software

Passport Advantage (Distributed) Software is offered under International Passport Advantage Agreement (IPAA). Online pricing schedules for Passport Advantage software licenses and Subscription and Support (“S&S”) are under [ITS55 – IBM Passport Advantage Software Pricing](#) and [ITS55 – IBM Passport Advantage Media Pricing](#). IBM offers Passport Advantage Commercial Pricing Discount Level J-10% under ITS55, which is the highest discount available for these products.

For Passport Advantage products, if S&S has lapsed and the Eligible Entity wished to reinstate it, the Eligible Entity may reinstate S&S at the fee specified in the product’s reinstatement part numbers as identified in the Passport Advantage catalogue. An Eligible Entity may obtain Level J minus 10 (“J-10”) pricing discounts to reinstatement part numbers.

#### Mainframe Software

Mainframe software is licensed under the International Passport License Agreement (IPLA). Pricing metrics include Mainframe One-Time Charge (OTC) and Monthly License Charge (MLC), and others. Pricing is GSA pricing discounted by .75% (3/4 of 1%), and is shown under [ITS55 – IBM Mainframe Software Pricing](#).

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If Subscription and Support (“S&S”) is terminated and reinstated at a later date for mainframe one-time charge (OTC) products, Eligible Entities may reinstate S&S at a resumption fee equivalent to current S&S charges retroactive to date of termination.

### Category 2, Maintenance & Technical Support

For general information about IBM support, [See the IBM Support Guide](#). In general, maintenance cost is factored at approximately 20% of the price of the Software license or the price of the Appliance. One year of maintenance is typically packaged into the purchase of new software.

### Category 3, Education & Training

#### On-Site Training

The Contractor may conduct classes on-site at the request of the Eligible Entity. This service may be provided based on the availability of a suitable training facility and scheduling of the class instructor. Contractor must agree to cooperate with the Eligible Entity in its efforts to provide accessible training if needed. The Contractor will negotiate with the Eligible Entity requesting the on-site class on the following charges:

- Charge per day, plus the applicable training course fees;
- Size of the class;
- Reasonable and necessary travel and living expenses for the Contractor’s representatives traveling to locations outside their home office;
- Accessibility accommodations for the Eligible Entity’s staff as needed, for which the Eligible Entity may bear the cost; and
- Additional rights (if any) granted to Eligible Entity for the purpose of copying and distributing course materials

#### On-Site Course Cancellation

All cancellation requests must be received in writing. If an Eligible Entity cancels an on-site course the following charges will apply: (i) if cancellation is within seven (7) calendar days prior to the scheduled start date Eligible Entity will be billed the full quoted price; (ii) if cancellation is between eight (8) and fifteen (15) calendar days prior to the scheduled start date Eligible Entity will be billed 25% of the full quoted price; and (iii) if cancellation is between sixteen (16) and twenty-one (21) calendar days prior to the scheduled start date Eligible Entity will be bill 10% of the full quoted price. Cancellation must be made more than twenty-one (21) calendar days prior to the scheduled start date in order to cancel without penalty. Different cancellation timeframes and fees may be addressed in a mutually agreed upon SOW between the Eligible Entity and Contractor.

Throughout the term of this Statewide Contract, hourly rates and fixed rates for training courses may not exceed an amount reflecting a 12% discount from GSA pricing. Contractor may change hourly rates and course fees based on changes in GSA pricing without requiring a contract amendment.

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