

ITS64: Oracle Software and Services

UPDATED: October 31, 2021

Contract #:	ITS64
MMARS MA #:	ITS64*
Initial Contract Term:	May 22, 2018 – June 30, 2023
Maximum End Date:	June 30, 2028
Current Contract Term:	May 22, 2018 – June 30, 2023
Contract Manager:	Marge MacEvitt, 617-720-3121, marge.macevitt@mass.gov
This Contract Contains:	Volume Discounts
UNSPSC Codes:	43-23-00-00 (Software), 81-11-22-00 (Software Maintenance and Support), 81-11-15-07 (Services)

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

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Contract Summary

This is a Statewide Contract for Oracle software and services. It includes premise-based and Software-as-a-Service software, maintenance and support. Professional services include consulting, training, and other software-related services. It replaces ITS19.

UPDATES: Link for Executive Department Agencies to contact prior to purchasing from contract, and links to EOTSS Enterprise Policies and Standards Applicable to Cloud Services, have been replaced.

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.

Find Bid/Contract Documents

To find all contract-specific documents, including the Contract User Guide, RFR, specifications, price sheets and other attachments, visit COMMBUYS.com and search for ITS64 to find related Master Blanket Purchase Order (MBPO) information. [Here](#) is a direct link to the Contract.

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 [Eligible Entities Which May Use Statewide Contracts](#) webpage. The last two entries on the list are modified to read as follows:

- Public sector entities in the following states with no prior approval by the State Purchasing Agent: Maine, New Hampshire, Rhode Island and Vermont
- Other Entities when agreed to by Oracle and designated in writing by the State Purchasing Agent

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. Oracle may not use subcontractors to provide Professional Services in connection with Cloud Services without the Eligible Entity's written consent.

Supplier Diversity Requirements

At this time, Oracle is the only vendor under ITS64, and is not a certified minority or diverse vendor. Additional guidance/requirements may be included in this section if vendors are added to the Contract.



Pricing, Quote and Purchase Options

Purchase Options

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

Only one vendor (Oracle) holds this contract. All products and services may be obtained via direct purchase order to Oracle.

Pricing Options

Oracle software licenses may be acquired through outright purchase. Oracle technical support and maintenance may be paid through an annual subscription or other time period agreed to between the Eligible Entity and Oracle. Consulting services may be obtained on a time and materials basis or for a fixed fee. Education services are via subscription or fixed fee. Cloud Services are available via subscription.

Price lists for all available products/services are posted in a separate file ("Pricing") on the ITS64 Contract on COMMBUYS or at the applicable URL in the Pricing document. [Here](#) is a direct link to the Contract.

Product/Service Pricing and Finding Vendor Price Files

Price lists for all available products/services are posted in a separate file ("Pricing") on the ITS64 Contract on COMMBUYS or at the applicable URL in the Pricing document. [Here](#) is a direct link to the Contract.

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.

When contacting a vendor on statewide contract, always reference ITS64 to receive contract pricing.

How To Purchase From The Contract

- Contact the Oracle representative who generally works with your Agency or Department for assistance in determining exactly what products/services you will be getting, and to prepare/negotiate the Ordering Document. All Executive Department Agencies must contact the Executive Office of Technology Services and Security (ITContracts@mass.gov) prior to making a purchase under ITS64 or any Oracle User License Agreement.

Important: Review the "Additional Information" section below prior to signing or submitting an Ordering Document. It is important to understand the contract terms before placing an order. In some cases, you may need to add provisions to the Ordering Document. Note that the terms in the "Umbrella Agreement" (on the [ITS64 Contract](#) on COMMBUYS) override any conflicting terms in the Ordering Document.

Once the Ordering Document has been finalized, COMMBUYS users should attach it to their direct release purchase order in COMMBUYS.

- 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.

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- Note: In Step 9, enter the Unit Cost as 1. In Step 12, attach the Ordering Document and 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.

Contract Exclusions and Related Statewide Contracts

No hardware may be offered under this contract.

Oracle Platform as a Service (PaaS) and Infrastructure as a Service (IaaS) are available under ITS64 only for use with Oracle technology or applications programs and may not be used to support non-Oracle workloads. Oracle PaaS and IaaS may be used only for any Oracle technology or applications programs that an Eligible Entity decides to move to a Cloud environment.

Additional Information/FAQs

Performance and Payment Time Frames Which Exceed Contract Duration

All agreements for services entered into during the duration of this Contract and whose performance and payment time frames extend past the end date of the then-current contract shall remain in effect for performance and payment purposes (limited to the time frame and services established per each written agreement). No new maintenance or other agreements for services may be executed after the Contract has expired.

Key Documents and Terms - Please read before placing an order

Umbrella Agreement

The Umbrella agreement sets out the order of precedence for all documents that are part of the Agreement. Any conflicting terms in Oracle's documents, such as Schedules and General Terms, are superseded by the Umbrella agreement. The order of precedence is:

1. Umbrella Agreement
2. Commonwealth Terms and Conditions
3. Standard Contract Form
4. Amended and Restated ITS64 Due Diligence Posting
5. Data Processing Agreement (or the Data Processing Agreement expressly referenced in your Order)
6. Oracle Ordering Document (as agreed between you and Oracle)
7. Oracle's Master Agreement consisting of:
 - a. General Terms – Public Sector and
 - b. Schedule P: Public Sector – Programs, Public Sections Schedule S - Services, and Schedule C - Cloud Services - Public Sector

The Umbrella agreement includes clarifications to the Commonwealth Terms and Conditions and the Standard Contract Form. Contract users should review these clarifications as they specify some additional requirements on the part of the

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Commonwealth. Some key terms in the Umbrella Agreement are flagged below, but users should review the complete agreement to understand their rights and obligations.

Section 1 – ITS64 General Terms and Conditions, Modifications and Clarifications

- Section 1.7, Executive Department Agencies may transfer or divest certain licenses, Professional Services deliverables, and cloud services. The transfer of programs with an “unlimited license model” are subject to additional restrictions and terms. Non-Executive Department users may negotiate specific transfer and divestiture rights as part of a specific order.

Section 2 - Clarifications to the Commonwealth Terms and Conditions and the Standard Contract Form

- Section 2.2, Professional Services deliverables are either joint property or Commonwealth property. Any deviation from this requirement by Executive Department Agencies must be approved by the EOTSS General Counsel.
- Section 2.2, Sub-Section 4, allows for Eligible Entities to enter into **non-cancellable orders for a period of up to one (1) year**.
- Section 2.3, Sub-Section 7, Executive Department Eligible Entities **must** include the requirements of the [Information Technology Mandatory Specifications](#) and the [IT Acquisition Accessibility Contract Language](#) in the applicable solicitation and/or Ordering Document.

Section 3 - Selected Clarifications to Oracle Documents

- Section 3.2.2, you are entitled to service credits if you experience downtime during your Cloud Services subscription. You are also permitted to terminate Cloud Services for chronic service unavailability.
- Section 3.2.2.3, Oracle will maintain your Content for the length of your Cloud Services term plus sixty (60) days. You may retrieve your Content at any time during this period.

[Cloud Services Data Processing Agreement](#)

If ordering Cloud Services, read the Data Processing Agreement for Cloud Services (DPA). Orders placed during the first year of ITS64 will be governed by the DPA posted on COMMBUYS. Oracle may change the Data Processing Agreement at will, so if you place an order for Cloud services after the first year of ITS64, you must download and review the current DPA which will be referenced in your Ordering Document. That DPA will apply throughout the duration specified in your Ordering Document, so it is important that you keep a copy of it on file, as Oracle may modify it during that time.

[EOTSS Enterprise Policies and Standards Applicable to Cloud Services](#)

It is up to each ordering Eligible Entity to determine what EOTSS Enterprise Policies and Standards, including those listed below, are applicable to the services they are obtaining, and whether any additional specifications are needed. Any additional specifications must be included in the Ordering Document.

1. Enterprise Information Security Policies and Standards: <https://www.mass.gov/handbook/enterprise-information-security-policies-and-standards>
2. Web accessibility standards: <https://www.mass.gov/guides/web-accessibility-standards>

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It is strongly recommended that all Executive Department Agencies include the following paragraph in all Ordering Documents, inclusive of all policies listed above:

“Oracle shall provide the products and services listed herein in accordance with the Information Technology Mandatory Specifications and the IT Acquisition Accessibility Contract Language. In addition, Oracle will comply with the Security Policies and Standards available via <https://www.mass.gov/handbook/enterprise-information-security-policies-and-standards>.”

Strategic Sourcing Team Members

- Linda Hamel (no longer with EOTSS)
- Maribeth Ladd, Exec Office of Technology and Security Services
- Marge MacEvitt, Operational Services Division
- Elizabeth Rooney, Exec Office of Technology and Security Services
- Anna Shpigel, Operational Services Division

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Contract User Guide for ITS64

Vendor List and Information*

Contact your Oracle sales representative for a quote; be sure to identify yourself as employed by a government agency (state, regional, local, etc.). Oracle will then provide a price quote and applicable Ordering Document. Note that when making Oracle software purchases; be sure to plan for future maintenance costs.

Vendor	Master Blanket Purchase Order # **	Contact Person	Role of Contact Person	Phone #	Email	SDO Cert	SDP Commitment
Oracle America, Inc.	PO-18-1080-OSD03-SRC01-13443	Deborah Vaughn	Contract Manager	703-364-0925	Deborah.vaughan@Oracle.com	N/A	\$10,000 per year
Additional Oracle contact	N/A	Ryan Lever	General questions, Business questions on Oracle Technology and Oracle Business Intelligence	978-807-2917	ryan.lever@oracle.com	N/A	N/A
Additional Oracle contact	N/A	Bob Nevins	General questions	781-589-4193	Bob.nevins@oracle.com	N/A	N/A
Additional Oracle contact	N/A	Glenn Mains	Business questions on Oracle Financial Applications	567-277-5883	Glenn.mains@oracle.com	N/A	N/A
Additional Oracle contact	N/A	Michelle Miller	Business questions on Oracle HMS Applications	301-873-6565	michelle.ehrlich@oracle.com	N/A	N/A
Additional Oracle contact	N/A	Donna Gallucci	Business questions on Oracle CX Applications	781-442-0508	Donna.gallucci@Oracle.com	N/A	N/A
Additional Oracle contact	N/A	N/A	Business questions on Oracle Support (Billing)	888-803-7414	Collections_us@oracle.com	N/A	N/A
Additional Oracle contact	N/A	Jason Abshire	Technical questions about Oracle products or support	703-597-1739	Jason.Abshire@oracle.com	N/A	N/A
Additional Oracle contact	N/A	Todd Slade	Questions about education programs for Oracle products	703-364-0244	Todd.Slade@oracle.com	N/A	N/A
Additional Oracle contact	N/A	Jeff Dickert	Questions about Oracle Consulting Services	518-429-4896	Jeff.Dickert@oracle.com	N/A	N/A
Additional Oracle contact	N/A	Brian Fadale	Questions about Advanced Customer Services	202-421-8337	Brian.Fadale@oracle.com	N/A	N/A

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

**The Master Blanket Purchase Order (MBPO) is the central repository for all contract files.

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