IT Consulting Services MSA
USER INSTRUCTIONS

Department of General Services (DGS)
Procurement Division (PD)
Multiple Awards Program Section (MAPS)
707 Third Street, 2nd Floor
West Sacramento, CA 95605-2811

State of California

Non-Mandatory
Master Service Agreement (MSA)
USER INSTRUCTIONS (UI)
EFFECTIVE 8/26/2016

CONTRACT NUMBER:	5137002-001 to 160; 5137002-162 to 167
DESCRIPTION:	Information Technology (IT) Consulting Services
CONTRACTORS:	Click Hyperlink List of Contractors, Classifications and Rates
CONTRACT DOCUMENTS:	www.fiscal.ca.gov For specific instructions on how to find a contract in Fi$cal, see: http://www.documents.dgs.ca.gov/pd/masters/FiscalInstructions.docx
MSA TERM:	See Contract
SINGLE ORDER LIMIT:	$1,500,000.00, including amendments, unless otherwise specified by approved delegated purchasing authority.
USER AGENCIES:	State of California and Local
WEBPAGES:	www.dgs.ca.gov/pd/Programs/Leveraged/masteragreements/InformationTechnologyConsultingServices.aspx

REMINDER TO STATE AGENCIES:

Note: This replaces and supersedes the previous User Instructions version dated 12/18/2015. Changes are listed in the table on the next page. Revisions in the User Instructions are indicated by vertical lines in the left page margins. All other User Instructions remain unchanged.

Prior to using this MSA, state agencies are reminded to have obtained all required approvals (e.g., IT Project, G.C. 19130), and followed all applicable state statutes, regulations, policies and procedures including but not limited to Public Contract Codes (PCC) and relevant California Codes, California Code of Regulations (CCR), State Administrative Manual (SAM), Department of General Services (DGS) Management Memos (MM) including MM 14-01, State Contracting Manuals (SCM), DGS Broadcast Bulletins (BB), California Technology Agency (CTA) Technology Letters, Department of Finance (DOF) Budget Letters, and Statewide Information Management Manual (SIMM).

Please carefully review the UI in its entirety. If further assistance is necessary, please refer to the webpages above or call (916) 375-4579.

SUMMARY OF CHANGES
Incorporates the following change: Provides information regarding the scope of the IT Consulting Services MSA.

1. OVERVIEW

A. This statewide, non-mandatory MSA provides IT Consulting Services at contracted pricing to the State of California, and is authorized by Public Contract Code (PCC) § 10298 et seq.

B. While the State of California makes this MSA available to local governmental agencies, each local agency shall make its own determination as to whether using this MSA is consistent with its procurement policies and regulations. A local governmental agency includes any city, county, city and county, district or other governmental body or corporation, including the California State Universities (CSU) and University of California (UC) systems, K-12 schools and community colleges empowered to expend public funds.

2. TERM

User agencies are advised that the terms of MSAs vary, with either a March 3, 2017 or a March 3, 2018 end date depending on execution of amendments to extend the MSA. User agencies should verify the end date of each contract prior to issuing the Request for Offer (RFO).

User agency contract terms shall not exceed the MSA contract term.

The MSA includes one (1) one-year extension, which may be exercised at the option of DGS. If DGS does not exercise its option to extend, MSA 5137002-001 to 5137002-160; 5137002-162 to 5137002-167 shall expire by the date identified in each contract.

3. ORDER LIMIT

A. A $1.5 million per transaction dollar threshold applies, including amendments unless otherwise specified in the state agency's Purchasing Authority Approval Letter.

B. State agencies may seek a higher delegated purchasing authority order limit of up to $10,000,000.00 for each contract, including amendments in accordance with SCM Volume 3, Chapter 6. For more information, contact PAMS@dgs.ca.gov.

C. This order limit does not apply to local agencies.

D. This order limit does not apply to contracts executed by DGS Procurement Division (PD) One Time Acquisitions (OTA).

4. MSA STATEMENT OF WORK (SOW)

The MSA SOW includes seven (7) classifications. MSA contractors agreed to comply with the requirements of the MSA SOW and to provide staff meeting the education and experience required for each classification awarded. For more detailed information, please see the RFP by clicking this hyperlink RFP 5137002.

1. Senior Project Manager
2. Project Manager
3. Senior Technical Lead
4. Technical Lead
5. Senior Programmer
6. Programmer
7. Systems Analyst

The services under the IT Consulting MSA include, but are not limited to IV&V, Project Management, Cloud Assessment and Migration Services. IT Consulting Services does not include staff augmentation, commercial software or hardware.

5. SOW FOR CLOUD ASSESSMENT AND MIGRATION SERVICES

A. DGS and California Department of Technology (CalTech) issued a Cloud Assessment and Migration Services Statement of Work (SOW) template to be used by state agencies acquiring cloud related technical advisory services through the Information Technology (IT) Consulting Services Master Service Agreements (MSA).

B. State agencies wishing to acquire Cloud Assessment and Migration Services must work with CalTech to tailor SOW services and deliverables to their specific acquisition. Use of the IT Consulting Services MSA for the creation of new SaaS is allowed.

C. The following restrictions apply:

i. State agencies are prohibited from contracting outside of the IT Consulting Services MSA scope. This includes contracting for commercially available software products and disposal of equipment and facilities.

ii. State agencies must comply with Public Contract Code section 10365.5 prohibiting follow-on contracting. For example, the same contractor who recommended cloud migration cannot execute the cloud migration.

Note: The PCC section 10365.5 prohibition on follow-on contracting does not apply if services were evaluated as options in the RFO.

D. The Cloud Assessment and Migration Services SOW template is linked here: http://www.documents.dgs.ca.gov/pd/masters/itconsult/5137002/CalTechSOWtemplate.docx

E. To engage CalTech's assistance, contact CIOCalCloud@state.ca.gov

6. REQUEST FOR OFFER (RFO) PROCESS

A. SCM policy requires that a minimum of three (3) offers from eligible contractors shall be solicited including one (1) from SB and/or DVBE when available. Due to the increased dollar threshold available through this MSA, additional offers must be

solicited as commensurate to RFO project dollar values. The table below defines by project dollar value:

1. The minimum number of eligible contractors users must solicit (i.e., email RFO);
2. The minimum number of responses or non-responses users must document; and
3. The minimum number of final offers required for users to execute an RFO award.

RFO Project Dollar value	Total MSA contractors eligible to respond	Minimum # users must solicit (i.e., email RFO)	Minimum # of responses or non-responses users must document*	Minimum # of final offers required for RFO award
Up to $1,500,000.00	166	3	3	1
Up to $5,000,000.00	99	9	3	1
Up to $10,000,000.00	30	15	3	1

**Can consist of phone call to inquire why contractor did not respond to an RFO.*

DGS encourages soliciting and documenting more than the minimum required.

B. Open and fair competition is expected and therefore state agencies are also expected to open contracting opportunities to a variety of available contractors on the MSA.

C. State agencies must contact MSA contractors to determine and document why they did not respond. The rationale for proceeding with less than the minimum responses must be documented in the procurement file.

D. State agencies cannot seek offers from contractors for classifications they were not awarded. RFOs must be sent to only those MSA contractors that offer the classifications that are required to fulfill the obligations set forth in the user agency's project SOW.

E. Hourly rates specified in each MSA are guaranteed for the entire MSA term as the maximum hourly rates to be charged. State agencies are encouraged to seek lower rates during the RFO process.

F. State statues, regulations, policies and procedures apply to the RFO process. The use of this MSA does not change a buyer's duties and responsibilities.

7. AMENDMENTS TO PURCHASE CONTRACTS

Provided that the original purchase contract included options for changes that were assessed and considered in the selection for award during the RFO process, amendments are allowed in accordance with SCM Volume 3, Chapter 6.

User agencies shall not amend contracts to add classifications that were not evaluated in the original RFO.

ORDERING PROCEDURES

A. The purchase contract documents used for this RFO are the state's Standard Forms (STD) 215 and 213IT. See SCM Volume 3, Chapter 8. Local governmental agencies may use their own purchase contract documents in lieu of the STD 215 and 213IT.

   Follow other SCM Volume 3 policy and procedures (e.g., State Contracting and Procurement Registration System (SCPRS)).

8. ADMINISTRATIVE

A. For current and up-to-date information including State Contract Administrator contact, please use the webpages provided in page 1 of this document.

B. DGS will bill each state agency an administrative fee to use this MSA. The administrative fee should NOT be included by the user agency in the order total, nor remitted before an invoice is received from DGS. Current fees (rates) are available online at http://www.dgs.ca.gov/ofs/Resources/Pricebook.aspx (Click on "Purchasing" under Procurement Division).

C. Advisory - For all local governmental agency transactions issued against this MSA, contractor remits to DGS/PD an Incentive Fee of an amount equal to one percent (1%) of the total purchase contract amount including amendments, excluding taxes and freight. Local agencies should monitor their offer(s) and subsequent contract(s) to ensure the 1% fee has not be included in the user agency's purchase price nor invoiced separately to the purchasing entity (user agency). All prices offered to a local governmental agency by the contractor shall reflect its awarded MSA rates.

D. Ordering agencies should inform DGS/PD of contractor or contracting issues in a timely manner.