

July 2019

CMAS Management & Information Guide

(This packet supersedes all previous CMAS management guides)

- CMAS Management Information for CMAS Contractors
- General Information Regarding CMAS
- Call the CMAS Unit for Information at (916) 375-4365
- Contact [CMAS Unit](mailto:cmas@dgs.ca.gov) at cmas@dgs.ca.gov
- [CMAS Website](http://www.dgs.ca.gov/PD/About/Page-Content/PD-Branch-Intro-Accordion-List/Acquisitions/California-Multiple-Award-Schedules) (www.dgs.ca.gov/PD/About/Page-Content/PD-Branch-Intro-Accordion-List/Acquisitions/California-Multiple-Award-Schedules)



Procurement Division • Department of General Services
State of California

CMAS MANAGEMENT & INFORMATION GUIDE

TABLE OF CONTENTS

SECTION 1 – CMAS MANAGEMENT	6
TOPIC 1 – QUARTERLY REPORTS	6
Quarterly Reports Required	6
Delinquent Reports	6
Local Government Agency Orders.....	6
Mandatory Format	6
Required Information	6
Purchase Order Amount	7
Total All Purchase Orders.....	7
Amended Purchase Orders and Reports	7
Tax and Freight Not Included.....	7
Report and Incentive Fee Due Date	7
Submitting Reports and Incentive Fees	7
Reseller’s Sales Activity.....	7
TOPIC 2 – CMAS AMENDMENTS, EXTENSIONS, AND RENEWALS	8
CMAS Amendments	8
Amendments Based on Federal GSA Schedules	8
Amendments Based on Non-GSA Multiple Award Contracts.....	8
CMAS Renewals.....	8
CMAS Extensions.....	9
Current with Quarterly Reports	9
GSA Terminations	9
TOPIC 3 – CONTRACTOR CONTACT INFORMATION CHANGE	10
Contractor Information Change.....	10
TOPIC 4 – COMPANY NAME/OWNERSHIP CHANGE	11
Company Name.....	11
Company Name Ownership Change	11
New Forms Required.....	11
Ownership Change without Name Change.....	11
TOPIC 5 – MARKETING YOUR CMAS	12
GSA Pricing	12
Contractor Markets CMAS	12
State Seal and Golden Bear	12
Hot Link to CMAS Contractor Website.....	12
CMAS Logo	13
News Releases.....	13
TOPIC 6 – CONTRACTOR COMPLIANCE	14
Compliance Focus	14
Contractor Responsibility	14
Using Another Contractor’s Multiple Award Contract.....	14
Product and Price Bundling	14
Copies of Purchase Orders & Invoices	14
Copies of Quarterly Reports	14

CMAS MANAGEMENT & INFORMATION GUIDE

TABLE OF CONTENTS

Line Item Substantiation	15
Copies of Amendments.....	15
Approval Required for Non-I T Services Exceeding \$50,000.....	15
SECTION 2 – GENERAL CMAS INFORMATION	16
TOPIC 1 – ADMINISTRATIVE REQUIREMENTS	16
New Equipment Required.....	16
Replacement Products.....	16
Open Market/ Incidental, Non-Contract Items.....	16
Contractor Travel.....	16
Contractor Travel, Continued.....	17
Bond Requirements.....	17
Network Design Services.....	18
Follow-on Contracts Prohibited.....	18
Telecommunication Requirements	18
TOPIC 2 – PURCHASE ORDER PROCEDURES AND GUIDELINES.....	19
Purchase Order Form.....	19
Not Competitive Bid.....	19
Awards Based on Best Value	19
Order Limits.....	19
Order Splitting.....	19
Purchase Order Amendments	19
CAL-Card Transactions	19
Delivery of Products and Services	20
Reject Inaccurate Purchase Orders.....	20
Multiple Contracts-One Purchase Order Form.....	20
TOPIC 3 – PAYMENTS AND INVOICES	21
Base CMAS Price is Maximum.....	21
DGS Administrative Fee	21
Incentive Fee	21
Required Payment Date.....	21
Advance Payments.....	22
Maintenance Sales Tax	22
Contractor Invoices.....	23
Progress Payments	23
Progress Payments, Continued	24
Company Name Change	24
Payee Data Record (Std. 204).....	24
TOPIC 4 – SMALL AND DISABLED VETERAN BUSINESSES	25
Small Business Certification	25
Administrative Fee and Incentive Fee Waived for Small Businesses	25
Small Business Consideration	25
Website.....	25
Disabled Veteran Certification	25
Small Business/DVBE Subcontracting Participation	26

TABLE OF CONTENTS

TOPIC 5 – AMERICANS WITH DISABILITIES ACT (A D A) 27
Americans with Disabilities Act (A D A).....27
A D A Policy.....27
Phone Numbers for Help27
Advance Notice.....27

TOPIC 6 – NOT SPECIFICALLY PRICED (NSP) ITEMS 28
What is NSP?28
Contractor Option and Responsibilities.....28
NSP Not Available28
NSP Dollar Limits.....28
Clearly Identify NSP.....28
Items Specifically Excluded29
Other NSP Parameters29
NSP Example29

TOPIC 7 – LOCAL GOVERNMENT USAGE..... 30
Legislation.....30
Who Qualifies?30
Contractor Option30
Use Own Guidelines30
Use Own Order Limits.....30
Use Own Order Forms.....30
Quarterly Reports30
Payment.....30
Incentive Fees30

TOPIC 8 – PUBLIC WORKS PROJECTS 31
Definition of a Public Works Project.....31
Order Limitations31
Agency Responsible for Laws and Codes31
Agency Determines Appropriate Classification31
Contractor’s License31
Carpet.....31
Data Wiring and Cabling.....32
Grounds for Termination32
State Contracting Manual32
Prime and Subcontractor Must be Licensed32
Bond Requirements32
Storage Devices & Shelving Systems, Pallets, Bookstacks, Racks, etc.32

SECTION 3 – EXHIBITS..... 33

EXHIBIT E – CONTRACTOR INFORMATION CHANGE 33
Address or Contact Person Change33
Contractor Distributes Change.....33
Where to Send Form.....33

CMAS MANAGEMENT & INFORMATION GUIDE

TABLE OF CONTENTS

EXHIBIT F – COMPANY NAME CHANGE	34
Explain Nature of Name Change	34
Present Company Name.....	34
CMAS Numbers.....	34
New Company Name & Address	34
CMAS Contact Person.....	34
Contractor Liabilities	35
Payee Data Record	35
Secretary of State Registration	35
Fictitious Business Name Statement	35
Seller’s Permit.....	35
California Contractor’s License	36
Business Status	36
Authorizing Resellers to Use Your CMAS.....	36
Signature Binding Offer.....	36
EXHIBIT G – COMPONENTS OF A CMAS.....	37
CMAS Components	37
EXHIBIT H – USEFUL WEBSITES	38
EXHIBIT J – HOW TO OBTAIN FEDERAL GSA SCHEDULES	39
Current Federal GSA Schedules	39
Information Required by the Federal GSA.....	39
EXHIBIT K – PRODUCTIVE USE REQUIREMENTS FOR IT PRODUCTS	40
Productive Use Requirements for Information Technology Products.....	40
Category 1 – Critical Software	40
Category 2 – All Information Technology Equipment and Non-Critical Software	40
Compliance Substantiation	40
EXHIBIT L – TELECOMMUNICATION SERVICES	41
CALNET Contract	41
Voice Network Services	41
Line Side Services	41
Data Services	41
Additional Services	41
EXHIBIT M - INTERNET HOT LINK.....	42
Introduction	42
Required Information at Your Website	42
Where to Send Form.....	42
EXHIBIT N - DARFUR CONTRACTING ACT CERTIFICATION FORM.....	43
EXHIBIT N - DARFUR CONTRACTING ACT CERTIFICATION INSTRUCTIONS.....	44

SECTION 1 – CMAS MANAGEMENT

TOPIC 1 – QUARTERLY REPORTS

Quarterly Reports Required

CMAS contractors are required to submit business activity reports each quarter. A quarterly report is required for each CMAS, even if no new Purchase Orders were received for the quarter.

Delinquent Reports

If a contractor who was previously awarded a CMAS applies for, 1) a new CMAS or 2) an extension, renewal, or modification of an existing CMAS, CMAS staff will first verify that all required quarterly reports have been received for all current and past CMAS agreements prior to approving the new request. Delinquent reports can also result in termination of an active CMAS.

Local Government Agency Orders

All CMAS contractors who are not a California certified small business are required to pay the Department of General Services-Procurement Division a 1.25% incentive fee for all orders placed by local government agencies via a CMAS. Copies of local government agency CMAS orders are not required to accompany each CMAS quarterly report.

Mandatory Format

Any report that does not follow the required format or excludes required information will be deemed incomplete and returned to the contractor. A [blank quarterly report form](#) can be found at the following website: www.dgs.ca.gov/PD/Services/Page-Content/Procurement-Division-Services-List-Folder/File-a-CMAS-Quarterly-Business-Activity-Report.

Required Information

The report must include the following information:

- Quarter number and year
 - CMAS number
 - CMAS contractor name
 - Name, phone number and email address of person who may be contacted for questions about the report
 - Agency name (separate State agencies and local government agencies)
 - Purchase order number and purchase order date
 - Agency billing code (State agencies only)
 - Total purchase order amount (less tax and freight)
 - Agency contact name
 - Agency address
 - Agency telephone number
 - Total dollars for quarter
 - 1.25% of total local government agency sales remitted to DGS
-

Continued on next page

CMAS MANAGEMENT & INFORMATION GUIDE

SECTION 1 – CMAS MANAGEMENT

TOPIC 1 – QUARTERLY REPORTS, Continued

Purchase Order Amount

The total value of each purchase order (less tax and freight) must be reported only once for the quarter in which the purchase order is dated, regardless of when the services were performed, the products were delivered, the agency was invoiced, or when payment was received. For example, on a service purchase order with a one-year term, the amount reported on the quarterly report is the total dollar amount on the order, not the incremental amount being invoiced after the service is rendered.

Total All Purchase Orders

The total dollars for the quarter is the sum of all purchase orders listed on the report. It is NOT the sum of monies invoiced or payment received.

Amended Purchase Orders and Reports

A CMAS order cannot be amended after the base CMAS expires. If an agency amends their purchase order to increase or decrease the dollar amount, the incremental dollar difference must be reported in the quarter the amendment was issued. Do not report the total purchase order amount. Under the purchase order number, include the word “amendment”.

Tax and Freight Not Included

Tax and freight must NOT be included on the quarterly report, even if included on the purchase order.

Report and Incentive Fee Due Date

Quarterly reports and incentive fees (if applicable) are required within two weeks after the end of March, June, September, and December of each calendar year.

Calendar Quarter 1	(Jan 1 to Mar 31)	Due Apr 15
Calendar Quarter 2	(Apr 1 to Jun 30)	Due Jul 15
Calendar Quarter 3	(Jul 1 to Sep 30)	Due Oct 15
Calendar Quarter 4	(Oct 1 to Dec 31)	Due Jan 15

Submitting Reports and Incentive Fees

CMAS quarterly reports that include checks for incentive fees must be mailed to:

Department of General Services
Procurement Division – CMAS Unit
Attention – Quarterly Report Processing
PO Box 989052, MS #2-202
West Sacramento, CA 95798-9052

All other CMAS quarterly reports may be emailed to the attention of Quarterly Report Processing as follows:

Email: CMAS Unit (cmas@dgs.ca.gov)

Reseller’s Sales Activity

Contractors must report the sales activity for all authorized resellers listed in their CMAS.

SECTION 1 – CMAS MANAGEMENT

TOPIC 2 – CMAS AMENDMENTS, EXTENSIONS, AND RENEWALS

CMAS Amendments

A CMAS can only be amended if the base contract is still active. For a CMAS based on a Federal GSA schedule, the CMAS expiration date aligns with the base GSA schedule’s expiration date. One exception: A request to change the CMAS contractor name to facilitate payment by the State Controller of valid billings may be considered after the CMAS has expired.

To request an amendment to your CMAS, send a written request on your company’s letterhead to the CMAS Unit containing the following information:

- Your company name
 - Your CMAS number
 - The reason for the requested change
 - Any applicable attachments to support the change
 - Sign the request
 - Send your request to cmas@dgs.ca.gov
-

Amendments Based on Federal GSA Schedules

A CMAS amendment is not required for updates and/or changes once the update and/or change becomes effective for the Federal GSA schedule, except as follows:

1. A CMAS amendment is required when the CMAS is based on specific products and/or services from another contractor’s multiple award contract and the contractor wants to add a new manufacturer’s products and/or services.
 2. A CMAS amendment is required for new Federal contract terms and conditions that constitute a material change from existing contract terms and conditions. A material change is defined as one having a potentially significant effect on the delivery, quantity or quality of the items provided to the State.
-

Amendments Based on Non-GSA Multiple Award Contracts

A CMAS amendment is required to make any changes to a CMAS based on a non-GSA multiple award contract, including any updates and/or changes to the products, services and prices.

CMAS Renewals

If the base Federal GSA schedule or non-GSA multiple award contract has been extended or renewed for more than one year, a CMAS renewal application must be submitted to the CMAS Unit. A CMAS renewal application contains all the same requirements as a new CMAS application, as defined in the “CMAS Application,” which is available at the CMAS website. An expired CMAS may not be renewed.

Continued on next page

SECTION 1 – CMAS MANAGEMENT

TOPIC 2 – CMAS AMENDMENTS, EXTENSIONS, AND RENEWALS, Continued

CMAS Extensions

If the base Federal GSA schedule or non-GSA multiple award contract has been extended for one year or less, the CMAS may also be extended. Base contract extensions of more than one year are considered renewals. See information on CMAS renewals below.

To request an extension of one year or less to a CMAS, send a written request on your company’s letterhead to the CMAS Unit containing the following information:

- Your company name
- Your CMAS number
- The reason for the requested extension (which is due to the approved extension of the base contract)
- Attach documentation that the base contract has been extended for one year or less. This can be either the approved Federal Mod 30 or a screen print from the [GSA eLibrary](http://www.gsaelibrary.gsa.gov) (www.gsaelibrary.gsa.gov) showing the extended date of the contract, or an approved non-GSA modification.
- Sign the request

Note: A request to extend a CMAS must be received in the CMAS Unit prior to the expiration of that CMAS. An expired CMAS cannot be extended.

Current with Quarterly Reports

Amendments, extensions, or renewals of existing CMAS agreements will only be approved if all past due quarterly reports have been received.

GSA Terminations

CMAS contractors must immediately notify the CMAS Unit if the base GSA schedule used is terminated. The CMAS Unit will then issue a supplement terminating the CMAS.

SECTION 1 – CMAS MANAGEMENT

TOPIC 3 – CONTRACTOR CONTACT INFORMATION CHANGE

**Contractor
Information Change**

If a CMAS Contractor’s contact person, address, phone number, or email address change, the change or changes must be reported to the CMAS Unit. Use Exhibit E (in this guide), “Contractor Information Change”, to report any changes. On the Exhibit E, include all active CMAS numbers held by your company.

Submit the completed, signed Exhibit E to the CMAS Unit following the directions on the form. A supplement will be issued for each active CMAS reflecting the change or changes, and this information will be shown on the CMAS website.

SECTION 1 – CMAS MANAGEMENT

TOPIC 4 – COMPANY NAME/OWNERSHIP CHANGE

Company Name

The company name on a CMAS must match the company name on all purchase orders and invoices issued against the CMAS, or the State Controller's Office will not approve payment of invoices.

**Company Name
Ownership Change**

When a company changes its name, or has been purchased or merged with another company resulting in a company name change, they must request a legal name change to the CMAS using Exhibit F in this guide.

New Forms Required

New certifications and licenses may be required, as applicable, in the company's new name when a company name change occurs. See Exhibit F in this guide.

**Ownership Change
without Name
Change**

If one company is purchased by another but there is no name change and only the FEIN changes, then the company is only required to submit a new Payee Data Record (Std. 204) and a letter of explanation. All other requirements noted above do not apply.

The [Payee Data Record](http://www.documents.dgs.ca.gov/dgs/fmc/pdf/std204.pdf) is available in a fill and print format at: www.documents.dgs.ca.gov/dgs/fmc/pdf/std204.pdf.

SECTION 1 – CMAS MANAGEMENT

TOPIC 5 – MARKETING YOUR CMAS

GSA Pricing

When offering a quote to an agency, the CMAS contractor must verify current GSA pricing, print GSA pricing pages from the GSA eLibrary, include it with the quote to the agency, and retain a copy of the pricing pages for possible CMAS compliance review. The GSA eLibrary can be accessed at www.gsaelibrary.gsa.gov.

**Contractor Markets
CMAS**

CMAS contractors are competing with many other contractors, so to be successful they must proactively market their CMAS to State and Local Government agencies. Listed below are some useful websites and phone numbers for contacting State and Local Government Agencies. Also, Exhibit H, Useful Websites, in this guide provides various websites to help facilitate contacting State and Local government agencies.

- [State Purchasing Authority](http://www.dgs.ca.gov/PD/Resources/Page-Content/Procurement-Division-Resources-List-Folder/List-of-State-Departments-with-Approved-Purchasing-Authority)
(www.dgs.ca.gov/PD/Resources/Page-Content/Procurement-Division-Resources-List-Folder/List-of-State-Departments-with-Approved-Purchasing-Authority)
 - [California On-Line Directory](http://cold.govops.ca.gov)
(cold.govops.ca.gov) Access the State Telephone Directory and select the “State Entities” link.
 - [Small Business/DVBE Advocates Directory](http://www.dgs.ca.gov/PD/Resources/Page-Content/Procurement-Division-Resources-List-Folder/Small-Business-Disabled-Veteran-Business-Enterprise-Advocate-Directory)
(www.dgs.ca.gov/PD/Resources/Page-Content/Procurement-Division-Resources-List-Folder/Small-Business-Disabled-Veteran-Business-Enterprise-Advocate-Directory)
 - [California Department of Education](http://www.cde.ca.gov)
For a directory of California Schools go to www.cde.ca.gov, then select the “School Directory” link under Resources.
 - [League of California Cities:](http://www.cacities.org)
Contact the League of California Cities at www.cacities.org or via phone at (916) 658-8200.
 - [California Association of Public Procurement Officials \(CAPPO\):](http://www.cappo.org)
Contact CAPPO at www.cappo.org.
 - [California Association of School Business Officials \(CASBO\):](http://www.casbo.org)
Contact CASBO at www.casbo.org
-

**State Seal and
Golden Bear**

Contractors are prohibited from using the State of California Seal or Golden Bear on any documents or materials.

**Hot Link to CMAS
Contractor Website**

To assist with the marketing of your CMAS, you may request a hot link from the CMAS listing at our website to your company’s website. To request this hot link, complete Exhibit M in this guide and send it to the CMAS Unit.

Continued on next page

SECTION 1 – CMAS MANAGEMENT

TOPIC 5 – MARKETING YOUR CMAS, Continued

CMAS Logo

Upon award of a CMAS, the CMAS logo is available for your use to display at conferences or on other marketing material. You may request a copy of the logo by contacting the CMAS Unit at (916) 375-4365 or email cmas@dgs.ca.gov.

The logo is available in black and white, and also in color. They are available in four formats: eps., gif., jpg., and png. The .eps is for high quality print, .jpg can be used for print, Word, PowerPoint, and several other applications, .gif is for web only, and .png is for web, Word, PowerPoint, etc.

You may not be able to “open” all of the logo formats. Save the logos in a folder on your hard drive, then open your document and “insert”, “import”, or “place” the required logo (picture) from the file.

For the Macintosh version or for any other questions about the artwork, please email timothy.michels@dgs.ca.gov or call Timothy Michels at (916) 376-1631.

News Releases

Prior approval is required from the State for all news releases a contractor issues regarding their CMAS. The proposed language of the news release must be emailed to the CMAS Unit at cmas@dgs.ca.gov for review and approval prior to public release.

SECTION 1 – CMAS MANAGEMENT

TOPIC 6 – CONTRACTOR COMPLIANCE

Compliance Focus

In accordance with the terms and conditions in each CMAS, the Purchasing Authority Management Section (PAMS) may request substantiating documentation from the Contractor to ascertain they are providing products and services at a price equal to or lower than shown in the base Federal GSA schedule or non-GSA multiple award contract.

The PAMS will also ensure that all other CMAS program parameters are in compliance with the contract terms and conditions.

Contractor Responsibility

It is the responsibility of the Contractor to:

- Maintain copies of the Federal GSA schedule or non-GSA multiple award contract and all applicable modifications.
- Ensure the CMAS includes the most current and up-to-date products, services and prices as approved for the Federal GSA schedule or non-GSA multiple award contract.

For compliance purposes, the Contractor is required to maintain all contract (Federal GSA and non-GSA) records that pertain to CMAS transactions.

Using Another Contractor’s Multiple Award Contract

Contractors who are offering products, services and prices from another Contractor’s Federal GSA schedule or non-GSA multiple award contract to establish a CMAS are NOT relieved from the responsibility to provide current products, services, and prices throughout the term of the contract.

Contractors should offer base contracts with which they can keep current.

In this guide, see Exhibit J, How to Obtain Federal GSA Price Schedules.

Product and Price Bundling

Product bundling is not allowed. All components shall be delineated as separate line items with individual product numbers or identifiers, unless specified in the base contract as a “bundled item” having a single “bundled” product number.

Copies of Purchase Orders & Invoices

The Contractor will be required to provide the DGS, Procurement Division copies of purchase orders including all incorporated references and invoices during the compliance review process.

Copies of Quarterly Reports

The Contractor will be required to provide the DGS, Procurement Division copies of CMAS Quarterly Reports covering the compliance review period.

Continued on next page

CMAS MANAGEMENT & INFORMATION GUIDE

SECTION 1 – CMAS MANAGEMENT

TOPIC 6 – CONTRACTOR COMPLIANCE, Continued

**Line Item
Substantiation**

Contractors must substantiate that specific line item products and services shown on the purchase order were included on the base contract at the time the order was generated, and that pricing was at the base contract price or lower.

Contractors must ensure the purchase order includes specific part numbers for products and services, and descriptions “exactly” as referenced in the base contract.

Position title, skill level, and hourly rate for all consulting services must be properly identified on the purchase order in the same manner as the base Federal GSA schedule or non-GSA multiple award contract.

**Copies of
Amendments**

The Contractor will be required to submit to the Purchasing Authority Management Section (PAMS), upon request, copies of all amendments to the base contract, including the Federal Standard Form 30 for GSA schedules with amendments and all attachments.

The Contractor is required to provide current price sheets for all products and services offered in the base Federal GSA schedule or non-GSA multiple award contract.

To substantiate pricing, Contractors must maintain a file of all past and current applicable Federal GSA schedules and/or non-GSA multiple award contracts and amendments for all products and services they offer.

**Approval Required
for Non-IT Services
Exceeding \$50,000**

State agency purchase orders (not applicable to local government agencies) for non-information technology services that exceed \$50,000 must be reviewed and approved by the Department of General Services, Procurement Division (DGS-PD) before issuance to the Contractor.

Once the purchase order is approved by the DGS-PD, it will be stamped approved and signed by the DGS-PD and returned to the agency for issuance to the Contractor. Contractors are prohibited from accepting purchase orders for non-IT Services exceeding \$50,000 without the DGS-PD approval signature. Violation of this requirement may result in CMAS termination.

SECTION 2 – GENERAL CMAS INFORMATION

TOPIC 1 – ADMINISTRATIVE REQUIREMENTS

**New Equipment
Required**

When the State procures new equipment, all equipment provided must be new (or warranted as newly manufactured) and the latest model in current production.

Used, shopworn, demonstrator, prototype, or discontinued models are not acceptable. State agencies must obtain approval from the Department of Finance (DOF) to procure used information technology equipment before issuing a CMAS purchase order for used equipment.

**Replacement
Products**

With written approval from the CMAS Unit, the Contractor may offer replacement products before they are approved for the base Federal GSA schedule or non-GSA multiple award contract if: 1) the replacement product functionally meets or exceeds the original product, and 2) the replacement product is offered at the same or lower price than the original product.

Submit a written request for replacement with technical product specification sheets for the original and replacement product with details of the differences, or the manufacturer’s “published” product replacement announcement.

Information technology replacement products must meet the State Productive Use Requirements as outlined in the Exhibit K of this guide.

**Open Market/
Incidental, Non-
Contract Items**

The only time open market/incidental, non-contract items may be included in a CMAS purchase order is when they fall under the parameters of the Not Specifically Priced (NSP) provision.

If the NSP provision is not included in the CMAS, or the products and/or services required do not qualify under the parameters of the NSP provision, then the products and/or services must be procured separate from CMAS. See Section 2, Topic 6 of this guide for information on the NSP requirement.

Contractor Travel

If the CMAS provides for travel, state agencies may pay travel and per diem expenses according to state travel time and per diem rules (represented employee rates) with verified receipts.

Notwithstanding the CMAS provisions, the State will not be responsible for the cost of travel to bring contractor personnel to the agency site to commence work.

Continued on next page

SECTION 2 – GENERAL CMAS INFORMATION

TOPIC 1 – ADMINISTRATIVE REQUIREMENTS, Continued

Contractor Travel, Continued

However, if requested by the ordering agency, the State will be responsible for the cost of travel from one California agency site to another.

Local government agencies will pay travel time and per diem according to their statutory requirements. All travel and per diem expenses must be within CMAS parameters, and incorporated into the agency purchase order. It is important that the agency and contractor discuss necessary travel requirements prior to issuing the purchase order, because the detail and cost (only as allowed for in the CMAS) must be included in the agency purchase order to be payable.

Bond Requirements

Public Works: Prior to the commencement of performance, the Contractor must obtain and provide to the State, a payment bond, on Std. Form 807, when the purchase order involves a public works expenditure (labor/installation costs) in excess of \$5,000. Such bond shall be in a sum not less than one hundred percent of the purchase order price. Forms shall be provided to the Contractor. See the General Provisions in the CMAS Terms and Conditions, CMAS Public Works Requirements.

Progress Payments: (also see Section 2, Topic 3, Payments & Invoices) Any CMAS for goods (Public Contract Code 10314), to be manufactured or performed by the Contractor especially for the State and not suitable for sale to others in the ordinary course of the Contractor's business may provide, on such terms and conditions as the department deems necessary to protect the State's interests, for progress payments for work performed and costs incurred at the Contractor's shop or plant, provided that not less than 10 percent of the contract price is required to be withheld until final delivery and acceptance of the goods or services, and provided further, that the Contractor is required to submit a faithful performance bond, acceptable to the department, in a sum not less than one-half of the total amount payable under the contract securing the faithful performance of the contract by the Contractor.

Any contract for information technology products and/or services (Public Contract Code 12112) or non-IT services (Public Contract Code 10346) may include progress payments; however, no bond is required.

Continued on next page

SECTION 2 – GENERAL CMAS INFORMATION

TOPIC 1 – ADMINISTRATIVE REQUIREMENTS, Continued

Network Design Services

All network design services must result in a hardware or software solution. Also, all network design services performed by the Contractor that include infrastructure components must be performed by a Building Industry Consulting Service International (BICSI) certified Registered Communications Distribution Designer (RCDD) employed either by the Contractor or subcontractor. Evidence of RCDD certification may be required by the ordering agency.

Follow-on Contracts Prohibited

No person, firm, or subsidiary thereof who has been awarded a purchase order for consulting services, or a purchase order that includes a consulting component, may be awarded a purchase order for the provision of services, delivery of goods or supplies, or any other related action which is required, suggested, or otherwise deemed appropriate as an end product of the purchase order (Public Contract Code 10365.5).

Therefore, any consultant that contracts with a state agency to develop a feasibility study or provide formal recommendations for the acquisition of products or services is precluded from contracting for any work recommended in the feasibility study or the formal recommendation.

Telecommunication Requirements

The California Department of Technology, Statewide Telecommunications and Network Division (STND) manages the current CALNET contract, which contains voice and data telecommunication services. Exhibit L of this guide lists voice and data services available in the current CALNET contract, which is a mandatory use contract for all State agencies. Management Memo 04-08 requires State agencies to utilize contracts issued by the STND to obtain voice and data services and to use consolidated services wherever available. In addition, pursuant to the State Telecommunications Management Manual (STMM) Chapter 3.0502.0, agencies are required to request approval and/or project delegation from the STND for the following:

- Project planning
- Design and development
- Installation
- Operation and maintenance

Once approval has been obtained from the STND, the equipment may be procured through CMAS or any other authorized procurement method.

SECTION 2 – GENERAL CMAS INFORMATION

TOPIC 2 – PURCHASE ORDER PROCEDURES AND GUIDELINES

Purchase Order Form	<p>State agencies use a purchase order form for both products and services.</p> <p>Local government agencies use their own standard purchase order forms.</p>						
Not Competitive Bid	<p>CMAS transactions are not competitive bid transactions so small business preference, protest language, intents to award, evaluation criteria, advertising, etc. are not applicable.</p>						
Awards Based on Best Value	<p>Agency awards are based on best value criteria, as applicable, and are not restricted to lowest cost (see Public Contract Code 12100.7 (g)).</p>						
Order Limits	<p>No CMAS order may be executed by a State agency that exceeds that agency’s CMAS purchasing authority threshold or the CMAS maximum order limit. DGS-PD prior approval required if over \$50,000 for Non-Information Technology Services. The limits for orders placed against a CMAS are as follows:</p> <table data-bbox="610 961 1455 1073"> <tr> <td>Information Technology Goods and Services:</td> <td>\$500,000</td> </tr> <tr> <td>Non-Information Technology Services:</td> <td>\$250,000</td> </tr> <tr> <td>Non-Information Technology Goods:</td> <td>\$100,000</td> </tr> </table>	Information Technology Goods and Services:	\$500,000	Non-Information Technology Services:	\$250,000	Non-Information Technology Goods:	\$100,000
Information Technology Goods and Services:	\$500,000						
Non-Information Technology Services:	\$250,000						
Non-Information Technology Goods:	\$100,000						
Order Splitting	<p>Splitting orders to avoid monetary limitations is prohibited.</p>						
Purchase Order Amendments	<p>Agency purchase orders may be amended with the same contractor as the original purchase order following the requirements in the State Contracting Manuals (SCM). For non-IT products and services see the SCM Volume 2, Sections 6.A5.0 and 6.B2.9. For IT products and services see SCM Volume 3, Section 6.A5.0. For FISCAL see the SCM Volume F, Section 5.A4.0. Agency purchase orders may not be amended if the CMAS has expired or been terminated.</p>						
CAL-Card Transactions	<p>CAL-Card is a payment mechanism some State and local government agencies use for the purchase of goods and services. The CMAS will stipulate whether or not the Contractor accepts the CAL-Card.</p> <p>A purchase order is required even when the ordering department chooses to pay the contractor via the CAL-Card. Also, the DGS administrative fee is applicable for all CMAS orders. This fee is waived for purchase orders to California certified small businesses, providing they have requested small business status on their CMAS.</p>						

Continued on next page

SECTION 2 – GENERAL CMAS INFORMATION

TOPIC 2 – PURCHASE ORDER PROCEDURES AND GUIDELINES, Continued

Delivery of Products and Services

Purchase orders must be issued before the expiration of the CMAS. However, delivery of the products or completion of the services can take place after the expiration of the CMAS, unless specifically stipulated otherwise in the purchase order.

Reject Inaccurate Purchase Orders

The CMAS contractor must immediately reject purchase orders that are not accurate. Discrepancies between the purchase order and the CMAS must be corrected and the purchase order amended prior to any products and services being delivered.

Multiple Contracts- One Purchase Order Form

Agencies wishing to include multiple CMAS agreements on a single purchase order must adhere to the following guidelines:

- All CMAS must be for the same CMAS contractor.
 - The purchase order must go to one contractor location.
 - Write the word “CMAS” in the space usually reserved for the contract number. On the purchase order, this is at the top of the form. The word “CMAS” signifies that the purchase order contains items from multiple CMAS.
 - For each individual CMAS (as differentiated by alpha suffix), the agency must identify and group together the CMAS number with the line items and subtotal per CMAS number (do not include tax in the subtotal), and sequentially identify each individual CMAS as Sub #1, Sub #2, Sub #3, etc. This facilitates accurate billing of administrative fees by the Procurement Division.
 - The total of all items on the purchase order must not exceed the purchase order limit identified in the CMAS.
 - Do not combine items from both non-IT and Information Technology CMAS agreements. A non-IT CMAS begins with the number “4” and an Information Technology CMAS begins with the number “3.” The purchase order limits are different for these two types of CMAS.
-

SECTION 2 – GENERAL CMAS INFORMATION

TOPIC 3 – PAYMENTS AND INVOICES

Base CMAS Price is Maximum	Contract prices shown in the base Federal GSA schedule or non-GSA multiple award contract are maximums. Ordering agencies are encouraged to request lower prices when possible.
DGS Administrative Fee	<p>The Department of General Services (DGS) will directly bill each State agency an administrative fee for use of CMAS. The administrative fee should not be included in the order total, nor remitted before an invoice is received from the DGS. This fee is waived for purchase orders to California certified small businesses, providing they have requested small business status on their CMAS.</p> <p>When the total of the agency purchase order is higher than the invoiced amount, the agency must issue an amendment to the purchase order to lower the total amount or DGS-PD will bill the administrative fee against the original higher total.</p> <p>See DGS Price Book at: www.dgs.ca.gov/OFS/Price-Book</p>
Incentive Fee	<p>CMAS contractors who are not California certified small businesses must remit to the DGS an incentive fee equal to 1.25% of the total of all local government agency orders (excluding sales tax and freight) placed against their CMAS.</p> <p>CMAS contractors cannot charge local government agencies an additional 1.25% charge on a separate line item to cover the incentive fee. The contractor must include the 1.25% incentive fee in the price of the products and/or services offered, and the line item prices must not exceed the applicable GSA prices.</p>
Required Payment Date	Payment will be made in accordance with the provisions of the California Prompt Payment Act, Government Code 927 et. seq. Unless expressly exempted by statute, the Act requires State agencies to pay properly submitted, undisputed invoices not more than 45 days after (i) the date of acceptance of goods or performance of services; or (ii) receipt of an undisputed invoice, whichever is later.

Continued on next page

SECTION 2 – GENERAL CMAS INFORMATION

TOPIC 3 – PAYMENTS AND INVOICES, Continued

Advance Payments

It is not acceptable to pay for services in advance, except software maintenance and license fees, which are considered a subscription and may be paid in advance if a provision addressing payment in advance is included in the purchase order.

Software warranty upgrades and extensions may also be paid for in advance, one time.

Advance payment for services is allowed by Government Code 11019 only under limited, narrowly defined circumstances, e.g., between specific departments and certain types of non-profit organizations, or when paying another government agency.

Maintenance Sales Tax

The Board of Equalization has ruled that in accordance with Regulation 1546 of the Sales and Use Tax Regulations of the Business Taxes Law Guide, whenever optional maintenance CMAS' include consumable supplies, such supplies are subject to sales tax.

Generally, the State has two options:

1. For CMAS agreements that provide for only maintenance services (i.e., the furnishing of labor and parts necessary to maintain equipment), the charges for the provision of maintenance services are not taxable.
2. For CMAS agreements that provide for both maintenance services and consumable supply items (i.e., toner, developer, and staples, for example), the provision of the consumable supplies is considered a taxable sale of tangible personal property. Therefore, State agencies awarding optional maintenance contracts are responsible for paying the applicable sales tax on the consumable supplies used during the performance period of the maintenance contract.

The Contractor will be required to itemize the consumables being taxed for State accounting purposes.

Continued on next page

SECTION 2 – GENERAL CMAS INFORMATION

TOPIC 3 – PAYMENTS AND INVOICES, Continued

Contractor Invoices

Unless otherwise stipulated, contractor invoices shall be sent to the address set forth in the purchase order. Invoices shall be submitted in triplicate and shall include, as applicable, the following:

- CMAS number
- Agency purchase order number
- Line item number
- Unit Price
- Quantity
- Extended line item price
- Invoice total

State sales tax and/or use tax shall be itemized separately and added to each invoice as applicable.

Progress Payments

A progress payment is a partial payment for a portion or segment of the work needed to complete a task. (Also see Section 2, Topic 1, Bond Requirements.)

To determine whether a particular task is separate and distinct, you must decide if later tasks build on it.

a. **Special Goods and Information Technology Products and/or Services**

Any CMAS for goods (Public Contract Code 10314) or information technology products and/or services (Public Contract Code 12112), to be manufactured or performed by the Contractor especially for the State and not suitable for sale to others in the ordinary course of the Contractor's business may provide for progress payments to protect the State's interests. Such progress payments are for work performed and costs incurred at the Contractor's shop or plant, provided not less than 10 percent of the purchase order price is required to be withheld until final delivery and acceptance of the goods or services.

Furthermore, on CMAS agreements for non-IT goods only, the Contractor is required to submit a faithful performance bond, acceptable to the department, in a sum not less than one-half of the total amount payable under the contract securing the faithful performance of the contract by the Contractor.

Continued on next page

SECTION 2 – GENERAL CMAS INFORMATION

TOPIC 3 – PAYMENTS AND INVOICES, Continued

**Progress Payments,
Continued**

b. Non-Information Technology Services

Any CMAS for non-information technology services (Public Contract Code 10346) may provide for progress payments to contractors for work performed and costs incurred in the performance of the contract. Not less than 10 percent of the contract amount shall be withheld pending final completion of the contract. However, if the contract consists of the performance of separate and distinct tasks, then any funds so withheld with regard to a particular task may be paid upon completion of that task.

**Company Name
Change**

The company name on the CMAS, purchase order and invoice must match or the State Controller's Office will not approve payment. Contractors must request a legal name change for their CMAS. See Section 1, Topic 4 and Exhibit F in this guide for more information on company name changes.

**Payee Data Record
(Std. 204)**

State agency accounting offices must have a copy of the Contractor's Payee Data Record (Std. 204) in order to process payment of invoices.

The Contractor should ensure that their agency customers have a copy of their current, signed, Payee Data Record.

SECTION 2 – GENERAL CMAS INFORMATION

TOPIC 4 – SMALL AND DISABLED VETERAN BUSINESSES

Small Business Certification

To qualify for California small business considerations, the Office of Small Business and DVBE Services (OSDS) must certify your company. You may contact OSDS at 916/375-4940 or visit the Cal eProcure website at: caleprocure.ca.gov.

Administrative Fee and Incentive Fee Waived for Small Businesses

The Department of General Services, Procurement Division waives the administrative fee (a fee charged to customer State agencies to support the CMAS program), and the incentive fee (a fee charged to CMAS contractors for sales to local government agencies) for purchase orders issued to California certified small business enterprises.

Contractors certified as a Small Business or Disabled Veteran Business Enterprise subsequent to being awarded a CMAS must notify the CMAS Unit in writing requesting an amendment to their CMAS to include their certification number.

Small Business Consideration

Prior to placing purchase orders under the CMAS program, State agencies shall, whenever “practicable”, first consider offers from small businesses that have established CMAS (Government Code 14846(b)).

NOTE: The Department of General Services will request substantiation of compliance to this requirement during a compliance review of a State agency.

Website

A list of CMAS Contractors who are certified as Small or Disabled Veteran Business Enterprises is available at www.dgs.ca.gov/PD/About/Page-Content/PD-Branch-Intro-Accordion-List/Acquisitions/California-Multiple-Award-Schedules, then select “Find a CMAS”. A list of CMAS Contractors is also available at: caleprocure.ca.gov.

Disabled Veteran Certification

Participants who claim status as a Disabled Veteran Business Enterprise (DVBE) must provide their OSDS certification number with their CMAS application.

Continued on next page

SECTION 2 – GENERAL CMAS INFORMATION

TOPIC 4 – SMALL AND DISABLED VETERAN BUSINESSES, Continued

**Small
Business/DVBE
Subcontracting
Participation**

Small Business/DVBE - Tracking

State agencies are able to claim subcontracting dollars towards their Small Business or DVBE goals whenever the Contractor subcontracts a commercially useful function to a certified Small Business or DVBE. The Contractor will provide the ordering agency with the name of the Small Business or DVBE used and the dollar amount the ordering agency can apply towards its Small Business or DVBE goal.

Small Business/DVBE - Subcontracting

The amount an ordering agency can claim towards achieving its Small Business or DVBE goals is the dollar amount of the subcontract award made by the Contractor to each Small Business or DVBE.

The Contractor will provide an ordering agency with the following information at the time the order is quoted:

1. The Contractor will state that, as the prime Contractor, it shall be responsible for the overall execution of the fulfillment of the order.
2. The Contractor will indicate to the ordering agency how the order meets the Small Business or DVBE goal, as follows:
 - List the name of each company that is certified by the Office of Small Business and DVBE Services that it intends to subcontract a commercially useful function to; and
 - Include the Small Business or DVBE certification number of each company listed, and attach a copy of each certification; and
 - Indicate the dollar amount of each subcontract with a Small Business or DVBE that may be claimed by the ordering agency towards the Small Business or DVBE goal; and
 - Indicate what commercially useful function the Small Business or DVBE subcontractor will be providing towards fulfillment of the order.

The ordering agency's purchase order must be addressed to the prime Contractor, and the purchase order must reference the information provided by the prime Contractor from the quotation as outlined above.

SECTION 2 – GENERAL CMAS INFORMATION

TOPIC 5 – AMERICANS WITH DISABILITIES ACT (ADA)

Americans with Disabilities Act (ADA)

Section 504 of the Rehabilitation Act of 1973 as amended; Title VI and Title VII of the Civil Rights Act of 1964 as amended; Americans with Disabilities Act, 42 USC 12101; California Code of Regulations, Title 2, Title 22; California Government Code, Sections 11135, et seq.; and other Federal and state laws and Executive Orders prohibit discrimination.

All programs, activities, employment opportunities, and services must be made available to all persons, including persons with disabilities. Individual government agencies are responsible for self-compliance with ADA regulations. Contractor sponsored events must provide reasonable accommodations for persons with disabilities.

ADA Policy

The following outlines the Department of General Services, Procurement Division, Americans with Disabilities Act (ADA) policy of nondiscrimination on the basis of disability:

To meet and carry out compliance with the nondiscrimination requirements of the Americans with Disabilities Act (ADA), it is the policy of the Procurement Division (within the State Department of General Services) to make every effort to ensure that its programs, activities, and services are available to all persons, including persons with disabilities.

Phone Numbers for Help

For persons with a disability needing a reasonable accommodation to participate in the procurement process, or for persons having questions regarding reasonable accommodations for the procurement process, please call the following numbers:

1. Procurement Division TTY telephone numbers

Sacramento Office: 916-376-5127
(CALNET 480-5127)

2. California Relay Service at

Voice: 1-800-735-2922, or 7-1-1
Speech to Speech Service: 1-800-854-7784

You may also directly contact the Procurement Division contact person responsible for the procurement document.

Advance Notice

IMPORTANT: To ensure that we can meet your need, it is best that we receive your request at least 10 working days before the scheduled event (i.e., meeting, conference, workshop, etc.) or deadline due date for the procurement document.

SECTION 2 – GENERAL CMAS INFORMATION

TOPIC 6 – NOT SPECIFICALLY PRICED (NSP) ITEMS

What is NSP?

The Not Specifically Priced (NSP) provision enables the agency to include in the purchase order non-contract products and services that are subordinate and peripheral to the other purchase order items, within the following parameters.

Contractor Option and Responsibilities

The NSP provision will be included in the CMAS at the option of the Contractor and the CMAS Unit except as stated below. If the NSP provision is included in the CMAS, the Contractor agrees to monitor all purchase orders received to ensure adherence to all NSP provisions.

NSP Not Available

Not all CMAS include the NSP provision. The NSP provision is included at the option of the Contractor and the CMAS Unit.

The NSP provision will not be included in a CMAS for only services, only software, or for office supplies.

Agency purchase orders for only NSP items are prohibited.

NSP Dollar Limits

Maximum Dollar Limitation:

Purchase orders \$250,000 or less: Total dollar value of all NSP items shall not exceed \$5,000.

Purchase orders exceeding \$250,000: Total dollar value of all NSP items shall not exceed 5% of the total cost of the purchase order, or \$25,000, whichever is less.

Clearly Identify NSP

NSP items must be clearly identified on the purchase order.

Continued on next page

SECTION 2 – GENERAL CMAS INFORMATION

TOPIC 6 – NOT SPECIFICALLY PRICED (NSP) ITEMS, Continued

Items Specifically Excluded

The following NSP items are specifically excluded from any purchase order issued under a CMAS:

1. Items that are not intended for use in direct support of the CMAS priced items identified in the same purchase order. An NSP item must be subordinate to the specifically priced item that the NSP item is supporting.
 2. Supply type items, except for the minimum amount necessary to provide initial support to the priced CMAS items included in the same purchase order.
 3. Items that do not meet the Productive Use Requirement (see Exhibit K of this guide).
 4. Any other items or class of items that are specifically excluded from the scope of the CMAS.
 5. Public Works components that are not incidental to the total purchase order amount. Refer to Section 2, Topic 8 of this guide, and the CMAS Terms and Conditions.
 6. Products or services the contractor is not factory authorized or otherwise certified or trained to provide.
 7. Follow-on consultant services that were previously recommended or suggested by the same contractor.
-

Other NSP Parameters

Other NSP parameters are:

1. A purchase order containing NSP items may be issued only if it results in the best value alternative to meet agency needs.
 2. Any product or service already specifically priced and identified in the contract may not be identified as an NSP item on a purchase order.
 3. All NSP items included in a purchase order issued against a CMAS are subject to all the terms and conditions set forth in the contract.
-

NSP Example

A non-contract cable is subordinate to a contract printer or facsimile machine and is eligible to be an NSP item subject to that cable meeting the remaining NSP requirements. However, non-contract printers or facsimile machines are not subordinate to a contract cable and not eligible to be an NSP item.

SECTION 2 – GENERAL CMAS INFORMATION

TOPIC 7 – LOCAL GOVERNMENT USAGE

Legislation	Public Contract Code 10290 et seq. and 12101.5 include approval for local government agencies to use CMAS for both products and services.
Who Qualifies?	Any city, county, city and county, district, or other local 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.
Contractor Option	It is the Contractor’s option to offer (or not) the CMAS to local government agencies.
Use Own Guidelines	While the CMAS program is available to local government agencies, each local government agency should make its own determination whether the CMAS program is consistent with their procurement policies and regulations.
Use Own Order Limits	Local government agencies are NOT subject to the CMAS maximum order limits, but should make a determination of order limits that are consistent with their own policies and procedures. Local government agencies are subject to the Not Specifically Priced (NSP) dollar limits.
Use Own Order Forms	Local government agencies may use their own purchase order forms (in lieu of the State’s purchase order Form), and shall issue it directly to the CMAS contractor via mail or facsimile. Local government agencies may also transact in FISCal.
Quarterly Reports	Contractors must report all CMAS activity by local government agencies in their quarterly reports.
Payment	Local government agencies shall accept sole responsibility for payment to the Contractor.
Incentive Fees	<p>All CMAS Contractors who are not a California Certified Small Business are required to pay DGS-PD a 1.25% incentive fee for all orders placed by local government agencies via a CMAS.</p> <p>This incentive fee cannot be charged separately to the local government agency by the Contractor, but must be included in the price of the product and/or service being sold. Also, the total price of the product and/or service being sold cannot exceed the price on the base GSA or non-GSA contact.</p>

SECTION 2 – GENERAL CMAS INFORMATION

TOPIC 8 – PUBLIC WORKS PROJECTS

Definition of a Public Works Project

A public works contract is defined as a contract for “the erection, construction, alteration, repair or improvement of any public structure, building, road or other public improvement of any kind” in accordance with the Public Contract Code 1101. Installation of physical layer cable and carpet is considered public works

Order Limitations

Agency CMAS purchase orders may allow for public works installation only when it is incidental to the total purchase order amount. The total dollar value of all public works services included in the purchase order must not exceed the dollar value of the products.

Agency Responsible for Laws and Codes

Agencies are to ensure that the applicable laws and codes pertaining to contractor and sub-contractor licensing, prevailing wage rates, bonding, labor code requirements, etc., are adhered to by the prime contractor as well as any sub-contractor or contractors during the performance of services under the agency’s CMAS purchase order.

Agency Determines Appropriate Classification

In accordance with Labor Code 1773.2, the ordering agency is responsible for determining the appropriate craft, classification or type of worker needed for any contract for public works.

Also, the agency is to specify the applicable prevailing wage rates as determined by the Director of the Department of Industrial Relations (DIR). In lieu of specifying the prevailing wage rates, the agency may include a statement on the purchase order that the prevailing wage rates are on file at the agency’s office, and will be made available upon request.

The prevailing wage rates are available from the DIR at (415) 703-4774 or www.dir.ca.gov (select Director’s Office and then Research and Statistics).

Contractor’s License

The CMAS Unit substantiates that the Contractor holds the appropriate license when the CMAS is established. However, the agency must verify that the Contractor’s license is still active and in good standing prior to placing an order by contacting the State Contractor’s License Board at 1-800-321-2752 or on their website at: www.cslb.ca.gov

Carpet

Contractors who install carpet must possess a valid C15 Contractor's License.

Continued on next page

SECTION 2 – GENERAL CMAS INFORMATION

TOPIC 8 – PUBLIC WORKS PROJECTS, Continued

Data Wiring and Cabling	Contractors who install voice or data wiring and cabling must possess a valid C-7 or C-10 Contractor’s License.
Grounds for Termination	Failure to be licensed or to keep the Contractor’s License current and in good standing shall be grounds for CMAS termination.
State Contracting Manual	State agencies planning these types of projects should review the State Contracting Manual, Volume 1, Chapter 10 for applicable guidelines and regulations.
Prime and Subcontractor Must be Licensed	When Contractor’s Licenses are required, the prime and subcontractor (when applicable) must both hold a valid license for the work being performed.
Bond Requirements	Public Works: Prior to the commencement of performance, the contractor must obtain and provide to the ordering agency, a payment bond, on Std. Form 807, when the purchase order involves a public works expenditure (labor/installation costs) in excess of \$5,000. Such bond shall be in a sum not less than one hundred percent of the purchase order price. Forms shall be provided to the Contractor by the ordering agency.
Storage Devices & Shelving Systems, Pallets, Bookstacks, Racks, etc.	Contractors who install storage devices, storage systems, shelving systems, bookstacks, pallet racks, etc., must possess a valid C61, D24 or D34, Contractor’s License.

SECTION 3 – EXHIBITS

EXHIBIT E – CONTRACTOR INFORMATION CHANGE

Address or Contact Person Change	Complete this form and submit to the CMAS Unit if your company's information has changed.
Contractor Distributes Change	For changes to a Contractor's contact person, address, phone number, email, etc., a supplement will be issued by the CMAS Unit and the CMAS Unit will update the CMAS database. This information will be published at the CMAS and the Cal eProcure websites. This information will be used for distribution of all CMAS correspondence.
Where to Send Form	Department of General Services Procurement Division – CMAS Unit Attention: Application Processing PO Box 989052, MS #2-202 West Sacramento, CA 95798-9052 Email: cmas@dgs.ca.gov

CHANGE CMAS CONTACT INFORMATION AS SHOWN BELOW

Contractor (Company) Name: _____

CMAS Numbers: _____

CMAS Contact Person: _____

Address: _____

City, State, Zip Code: _____

Phone: _____ Ext. _____ Fax: _____

Email: _____

Person Requesting Change (print): _____

Signature: _____ Date: _____

SECTION 3 – EXHIBITS

EXHIBIT F – COMPANY NAME CHANGE

Use this Exhibit F as your document to request a company name change on your CMAS. Provide the information requested, check the applicable boxes, and sign the document where requested.

Explain Nature of Name Change

This company's name has changed for the following reason:

Present Company Name

This company's CMAS agreements are currently in the following company name:

CMAS Numbers

This company has the following, active, CMAS agreements:

New Company Name & Address

This company's new name and address where orders must be sent are:

Company Name: _____

Street Address: _____

City, State, Zip Code: _____

Fax Number: _____

Attention: _____

CMAS Contact Person

This company's CMAS contact person and contact information is shown below:

Contact Name: _____

Phone Number: _____

Fax Number: _____

Email Address: _____

Continued on next page

SECTION 3 – EXHIBITS

EXHIBIT F – COMPANY NAME CHANGE, Continued

Contractor Liabilities By checking this box, the new company named above accepts the current CMAS Terms and Conditions, the base Federal GSA schedule or non-GSA multiple award contract terms and conditions, and all liability and responsibility under the CMAS agreements listed above from the date the CMAS agreements were issued to the initial contractor through the CMAS expiration.

Payee Data Record This company has enclosed a signed Payee Data Record (Std. 204) in the new company name. The [Payee Data Record](http://www.documents.dgs.ca.gov/dgs/fmc/pdf/std204.pdf) is available in a fill and print format at: www.documents.dgs.ca.gov/dgs/fmc/pdf/std204.pdf.

Secretary of State Registration

Check one of the following boxes:

This company is a Corporation, Limited Liability Company (LLC), Limited Liability Partnership (LLP), or Limited Partnership (LP), and a screen print or Certificate of Status is enclosed from the California Secretary of State’s website showing we are registered and currently active under our new company name.

This company is a sole proprietor or a simple partnership, and registration with the California Secretary of State is not required.

Fictitious Business Name Statement

Check one of the following boxes:

This company requests to be shown as a different name (dba) on our CMAS than as registered with the California Secretary of State. (Attach a copy of your valid Fictitious Business Name Statement filed with a California County Clerk).

This issue is not applicable to our offer.

Seller’s Permit

Check one of the following boxes:

This company is offering personal tangible property to the State of California, and our California Seller’s Permit Number is: _____

This company is offering consulting or personal services only to the State of California; therefore, a California Seller’s Permit is not required.

Continued on next page

SECTION 3 – EXHIBITS

EXHIBIT F – COMPANY NAME CHANGE, Continued

**California
Contractor’s License**

Check one of the following boxes:

- This company’s offer includes some ancillary Public Works installation, and our valid California Contractor’s License Number is: _____
 - This company is not offering any installation services considered Public Works.
-

Business Status

This company is a (check applicable boxes):

- California certified Small Business – Certification No. _____
 - California certified Disabled Veteran Business Enterprise (DVBE) – Certification No. _____
 - Uncertified Small Business (will be shown as a large business)
 - Large Business
-

**Authorizing
Resellers to Use
Your CMAS**

Check one of the following boxes:

- This company is a manufacturer or publisher, and is requesting the dealer or dealers shown on the attached list to be included in this CMAS as authorized resellers. (See Section 3 of the “CMAS Application” for the information you are required to provide if you are requesting the inclusion of approved resellers on this CMAS.)
 - This company is not requesting authorized resellers on this CMAS.
-

**Signature Binding
Offer**

Upon receipt, the CMAS Unit will review this Exhibit F. The CMAS Unit will then send a Novation Agreement, which will require signatures, acknowledging the company name change.

The Novation Agreement will be emailed to the following email address: _____

SECTION 3 – EXHIBITS

EXHIBIT G – COMPONENTS OF A CMAS

CMAS Components

A complete copy of a CMAS consists of the following:

- CMAS cover pages (which includes the signature page, ordering instructions and special provisions, and any attachments or exhibits as prepared by the CMAS Unit)
- CMAS Terms and Conditions
- Federal GSA (or Non-GSA) terms and conditions
- Product/service listing and prices
- Supplements, if applicable

Copies of a CMAS can be obtained at caleprocure.ca.gov.

SECTION 3 – EXHIBITS

EXHIBIT H – USEFUL WEBSITES

[CMAS Home Page](#)

- www.dgs.ca.gov/PD/About/Page-Content/PD-Branch-Intro-Accordion-List/Acquisitions/California-Multiple-Award-Schedules

[Contractor License Status](#)

- www.cslb.ca.gov

[Secretary of State](#)

- www.businesssearch.sos.ca.gov

[State of California](#)

- www.ca.gov Select “State Agencies”

[California Directory](#)

- www.cold.govops.ca.gov

[Procurement Division Directory](#)

- www.dgs.ca.gov/PD

[Departments with Approved Purchasing Authority](#)

- www.dgs.ca.gov/PD/Resources/Page-Content/Procurement-Division-Resources-List-Folder/List-of-State-Departments-with-Approved-Purchasing-Authority

[Small Business/DVBE Advocates Directory](#)

- www.dgs.ca.gov/PD/Resources/Page-Content/Procurement-Division-Resources-List-Folder/Small-Business-Disabled-Veteran-Business-Enterprise-Advocate-Directory

[California Codes and Laws](#)

- www.leginfo.legislature.ca.gov

[League of California Cities](#)

- www.cacities.org

[Contact the California Association of Public Procurement Officials \(CAPPO\)](#)

- www.cappo.org

[California Association of School Business Officials \(CASBO\)](#)

- www.casbo.org

[Electronic State Standard Forms](#)

- www.dgsapps.dgs.ca.gov/osp/StatewideFormsWeb/Forms.aspx

[Federal Supply Schedule](#)

- www.gsa.library.gsa.gov
-

SECTION 3 – EXHIBITS

EXHIBIT J – HOW TO OBTAIN FEDERAL GSA SCHEDULES

Current Federal GSA Schedules

There are three options for obtaining a copy of a current Federal GSA schedule, including price pages for product/services, contract terms and conditions, and all applicable modifications. They are:

Option 1-Internet: [GSA eLibrary](http://www.gsaelibrary.gsa.gov) website
(www.gsaelibrary.gsa.gov)

Option 2-Phone: GSA National Customer Service Center at
844-472-4111

Option 3-E-mail: schedules.infocenter@gsa.gov

Information Required by the Federal GSA

Requests made via email must include the following information:
Name of Company (owner of contract), GSA Contract Number, and
Effective Dates of Contract

SECTION 3 – EXHIBITS

EXHIBIT K – PRODUCTIVE USE REQUIREMENTS FOR IT PRODUCTS

The following requirements apply to all information technology products being offered for a CMAS.

Productive Use Requirements for Information Technology Products

Successful operation of a State program frequently depends upon reliable operation of IT equipment or software. Failure of procured IT products may result in loss of revenue, unnecessary expenditure of funds, idling of State personnel or interruption of services to program recipients.

These Productive Use Requirements are intended to: (1) minimize risk of failure of a procured product; and (2) protect the State from procuring equipment or software that has no record of proven performance. The requirements pertain to all procurements for IT goods.

Categories 1 and 2 below designate product categories and the required period of time for equipment or software operation before replacement products and NSP items are acceptable.

Category 1 – Critical Software

Critical software is software that is required to control the overall operation of computer system or peripheral equipment. Included in this category are operating systems, database management systems, language interpreters, assemblers and compilers, communications software and other essential system software.

Cost	Installation	Final Bid Submission
(1) More than \$100,000	8 months	6 months
(2) \$10,000 up to \$100,000	4 months	3 months
(3) Less than \$10,000	1 month	1 month

Category 2 – All Information Technology Equipment and Non-Critical Software

Information technology equipment is defined in State Administrative Manual (SAM) § 4819.2.

Cost	Installation	Final Bid Submission
(1) More than \$100,000	6 months	4 months
(2) \$10,000 up to \$100,000	4 months	3 months
(3) Less than \$10,000	1 month	1 month

Compliance Substantiation

To enable substantiation of compliance with the Productive Use Requirements, the contractor must provide the name and address of the applicable customer installation and the name, email address, and telephone number of a contact person.

SECTION 3 – EXHIBITS

EXHIBIT L – TELECOMMUNICATION SERVICES

CALNET Contract

The services listed below are available in the California Technology Agency, Office of Technology Services, Statewide Telecommunications and Network Division CALNET contract. These services are mandatory for all State agencies pursuant to the Department of General Services Management Memo 04-08.

Voice Network Services

- 800 Enhanced Call Routing (ECR)
 - 900 Service
 - Advanced Intelligent Network (AIN)
 - Audio Conferencing
 - Calling Card
 - Centrex Audio Conferencing
 - Enhanced Toll Free
 - International Toll Free
 - Local Usage
 - Long Distance
 - Long Distance Access
 - Operator Services
 - Prepaid Calling Card
 - Toll Free
-

Line Side Services

- Account Codes
 - ACD/Management Information System (MIS)
 - Announcements/Music in queue
 - Automated Attendant/Call Routing
 - Automated Call Director (ACD)
 - Business Access Line (1MB)
 - Centrex
 - Computer Interface (CompuCall) Service
 - Custom Local Signaling Services (CLASS)
 - Integrated Services Digital Network (ISDN)
 - Intelligent Call Routing
 - Interactive Voice Response (IVR) and Call Router
 - Private Branch Exchange (PBX) Trunks
 - Super Trunk Service
 - Voice Mail
-

Data Services

- Asynchronous Transfer Mode (ATM) Data Services
 - Dedicated Services
 - Extended ATM
 - Extended Dedicated Services
 - Extended Frame Relay
 - Frame Relay Service and
 - Gigabit Metropolitan Area Network (GigaMAN)
 - InterLATA Frame Relay & ATM
 - ISDN
 - Managed Extended Frame Relay
 - Managed Frame Relay
 - SONET (Synchronous Optical Network) Ring and Access Services
 - Switched 56
 - Switched T1/T3
-

Additional Services

- Billing/Invoicing Services
-

SECTION 3 – EXHIBITS

EXHIBIT M - INTERNET HOT LINK

Introduction

To assist with the marketing of your CMAS, we can establish a hot link from the CMAS listing at our website to your company's website. This marketing tool can only be provided to companies with an awarded CMAS. To request this hot link, complete and return this form to the CMAS Unit.

Required Information at Your Website

In order to qualify, the Contractor's website must contain CMAS specific content such as:

- CMAS Numbers
- Term of CMAS
- Contact Person & Phone Number
- Description Identifying CMAS Products and/or Services
- Full copy of CMAS

Where to Send Form

Department of General Services
Procurement Division – CMAS Unit
Attention: Application Processing
PO Box 989052, MS #2-202
West Sacramento, CA 95798-9052
Email: cmas@dgs.ca.gov

HOT LINK INFORMATION

Contractor (Company) Name: _____

CMAS Numbers: _____

CMAS Contact Person: _____

Phone: _____ Ext. _____ Fax: _____

Email: _____

Contractor Website Address: _____

SECTION 3 – EXHIBITS

EXHIBIT N - DARFUR CONTRACTING ACT CERTIFICATION FORM

Pursuant to Public Contract Code section 10478, if a bidder or proposer currently or within the previous three years has had business activities or other operations outside of the United States, it must certify that it is not a “scrutinized” company as defined in Public Contract Code section 10476. (See back for instructions.)

Therefore, to be eligible to submit a bid, proposal, or CMAS application, please insert your company name and Federal ID Number and complete only one of the following three paragraphs (via initials for Paragraph #1 or Paragraph #2, or via initials and certification for Paragraph #3):

Company/Vendor Name (Printed)

Federal ID Number

Printed Name and Title of Person Initialing (For Options 1 or 2)

1. _____ We do not currently have, or we have not had within the previous three
Initials years, business activities or other operations outside of the United States.
OR

2. _____ We are a scrutinized company as defined in Public Contract Code section
Initials 10476, but we have received written permission from the Department of
General Services (DGS) to submit a bid or proposal pursuant to Public
Contract Code section 10477(b). A copy of the written permission from
DGS is included with our bid or proposal.

OR

3. _____ We currently have, or we have had within the previous three years,
Initials business activities or other operations outside of the United States, but we
certify below that we are not a scrutinized company as defined in Public
Contract Code section 10476.

CERTIFICATION FOR #3

I, the official named below, CERTIFY UNDER PENALTY OF PERJURY that I am duly authorized to legally bind the prospective proposer/bidder/applicant to the clause listed above in #3. This certification is made under the laws of the State of California.

By (Authorized Signature)

Printed Name and Title of Person Signing

Date Executed

Executed in the County and State of

SECTION 3 – EXHIBITS

EXHIBIT N - DARFUR CONTRACTING ACT CERTIFICATION INSTRUCTIONS

Note Regarding Change of Status – If your company has a change of status, with regard to this certification, during the term of your CMAS then it is incumbent on your company to submit an updated Certification. For questions regarding a change of status, please contact the agreement's designated State Contract Administrator.

This Certification pertains to the Darfur Contracting Act (Act). All companies offering Non-Information Technology goods and/or services must complete this Certification.

Background

Effective January 1, 2009, procurements for goods or services must address the requirements of the Darfur Contracting Act of 2008 (Act) (Public Contract Code sections 10475, et seq.; Stats. 2008, Ch. 272). The Act was passed by the California Legislature and signed into law by the Governor to preclude State agencies generally from contracting with **SCRUTINIZED** companies that do business in the African nation of Sudan (of which the Darfur region is a part), for the reasons described in Public Contract Code section 10475.

A **SCRUTINIZED** company is a company doing specified types of business in Sudan as defined in Public Contract Code section 10476. **SCRUTINIZED** companies are ineligible to, and cannot, bid on or submit a proposal for a contract with a State agency for Non-IT goods and/or services. (Public Contract Code section 10477(a)). Therefore, Public Contract Code section 10478(a) requires a company that currently has (or within the previous three years has had) business activities or other operations outside of the United States to certify that it is not a **SCRUTINIZED** company in order to submit a bid or proposal to a State agency. (See #1 and #3 on the Certification).

A **SCRUTINIZED** company may still, however, submit a bid or proposal for a contract with a State agency for goods or services if the company first obtains permission from the Department of General Services (DGS) according to the criteria set forth in Public Contract Code section 10477(b). (See #2 on the Certification).

Instructions for Certification

- Provide the Certification to an appropriate official within your company.
- The approving official shall fill in the company name and federal ID number and initial either item #1, #2, or #3. If item #3 is initialed, then the Certification for #3 must also be completed by an individual authorized to legally bind your company.
- Include the original, completed Certification with your CMAS application.
- If you are unable to certify as to #1, #2, or #3, or if you have any questions regarding the Certification, please contact CMAS at (916) 375-4365 or via e-mail at cmas@dgs.ca.gov.

Change of Status

If your company has a change of status with regard to this certification during the term of your contract, then it is incumbent on your company to submit an updated Certification. For questions regarding a change of status, please contact the contract's designated State Contract Administrator.

False Certification Penalties

Pursuant to Public Contract Code section 10479, a company that submits a false certification shall be subject to a monetary civil penalty of \$250,000 or twice the amount of the contract, whichever is greater; possible contract termination; ineligibility to bid on state contracts for a minimum of three years; and possible additional civil action, costs and fees.