

State of California
MASTER SERVICE AGREEMENT
USER INSTRUCTIONS

NON-MANDATORY

Supplement 4

Effective Date: 08/04/2021

<i>TITLE</i>	<i>DESCRIPTION</i>
CONTRACT NUMBER:	5167010-001 through 392
DESCRIPTION:	Information Technology (IT) Consulting Services
CONTRACTORS:	Refer to the MSA Contractor List, under the User Agencies Documents section, on the IT Consulting MSA 5167010 webpage.
CONTRACT DOCUMENTS:	Cal eProcure website (https://caleprocure.ca.gov/pages/index.aspx)
MSA TERM:	April 21, 2017 through April 20,2022.
SINGLE ORDER LIMIT:	\$1,500,000.00, including amendments, unless otherwise specified by approved delegated purchasing authority. Each state agency's purchasing authority is listed by acquisition type and method on their Purchasing Authority Approval Letter (PAAL). To review a State Agency's PAAL, please refer to the DGS/PD List of State Agencies with Approved Purchasing Authority website .
USER AGENCIES:	State of California and Local
WEBPAGE:	Department of General Services, Procurement Division, IT Consulting MSA 5167010 website address (https://www.dgs.ca.gov/PD/Resources/Page-Content/Procurement-Division-Resources-List-Folder/IT-Consulting-MSA-5167010)

REMINDER TO STATE AGENCIES:

Prior to using this MSA, state agencies are reminded to have obtained all required approvals (e.g., IT Project, GC 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), State Contracting Manuals (SCM), DGS Broadcast Bulletins (BB), California Department of Technology (CDT) Technology Letters, Department of Finance (DOF) Budget Letters, and Statewide Information Management Manual (SIMM).

Agencies/state entities requesting the use of Agile Classifications must seek approval from California Department of Technology (CDT) prior to use. Contact adpq@state.ca.gov with any requests.

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

ORIGINAL SIGNED 08/04/2020
Terry Muñoz, State Contract Administrator **Date**

SUMMARY OF CHANGES

Supplement Number	Description/Sections	Supplement Effective Date
4	Supplement 4 includes the following changes: <ul style="list-style-type: none"> • Updated the number of contractors to 392. • Deleted April 20,2021 end date. • Changed STD 213IT to STD 213 • Updated total MSA contractors eligible to respond by tier. • Incorporated hyperlink to Broadcast Bulletin #: P-15-19, which announces New – Post Evaluation Form for IT Services Contracts. 	08/04/2021
3	Supplement 3 includes the following changes: <ul style="list-style-type: none"> • Updated the number of contractors under this contract. • Exercised second optional one-year extension. • Expiration date extended to 4/20/2022. 	07/01/2020
2	Supplement 2 includes the following changes: <ul style="list-style-type: none"> • Updated the number of contractors under this contract. • Updated hyperlinks with new DGS website URL's. • Section 2.B. and 2.C. Added language to MSA Term. Section 8. Updated language and deleted incorrect hyperlink	06/04/2019
1	Supplement 1 includes the following changes: <ul style="list-style-type: none"> • Updated the number of contractors under this contract. • Section 5.F. Added Fixed Price Per Deliverable (FP/D) to this contract. 	11/02/2018

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 and §12100 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

- A. The term of the MSA is three (3) years, with two (2) optional one-year extensions for a possible total of five (5) years. Optional one-year extensions have been awarded and the official record of term extension date for each contractor can be found in [CaleProcure](#).
- B. Proposers agree that purchase orders executed before the end of the MSA term, including any extensions, may continue beyond the expiration date of the MSA for up to five (5) years.
- C. State Agencies may amend a purchase order within the one-year period after the expiration of the MSA for time and/or money provided that:
 - 1. The purchase order is active at the time the amendment is executed. An expired purchase order cannot be amended.
 - 2. Amendments for time do not exceed five (5) years beyond the expiration date of the MSA.
 - 3. Amendments for money do not exceed the Tier value in which the purchase order was originally awarded.

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 submit a purchasing authority change request (PACR) to seek a higher purchasing authority up to \$10,000,000.00 for each contract, including amendments in accordance with SCM Volume 3, Chapter 6 and SCM Volume F, Chapter 1. You may submit your request or questions to 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). OTA has authority to conduct procurements and issue contracts that exceed a state agency's purchasing authority.

4. MSA STATEMENT OF WORK (SOW)

The MSA SOW includes twenty-five (25) 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 refer to [RFP 5167010](#) on the Cal eProcure website.

- Senior Project Manager
- Project Manager
- Senior Technical Lead
- Technical Lead
- Business Solutions Analyst
- Senior Programmer
- Programmer
- Technical Writer
- Information Security Specialist
- Senior Enterprise Architect
- Enterprise Architect
- Informatics Data Analyst

Agencies/state entities requesting the use of the following Agile Classifications must seek approval from California Department of Technology (CDT) prior to use. Contact adpq@state.ca.gov with any requests.

- Product Manager
- Technical Architect
- Interaction Designer/User Research/Usability Tester
- Writer/Content Designer/Content Strategist
- Visual Designer
- Front End Web Developer
- Back End Web Developer
- DevOps Engineer
- Security Engineer
- Delivery Manager
- Agile Coach
- Business Analyst
- Digital Performance Analyst

5. 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	354	3	3	1
Up to \$5,000,000.00	155	9	3	1
Up to \$10,000,000.00	46	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. 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.
- C. 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.
- D. RFOs must be sent only to the MSA contractors found on the Contractor List for MSA 5167010. The MSA Contractor List can be found in the User Agencies Documents section of the [IT Consulting MSA website](#). State Agencies cannot accept responses from any other MSA. Each MSA is a separate and distinct contract with different classifications, terms and conditions.
- 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. Projects can be performed on a Fixed Price Per Deliverable (FP/D). Fixed Price; FP/D: A defined service, or set of services, performed by Contractor in response to a defined task, or set of tasks, at a specific fixed price, and delivered per a specific schedule. Note: When using FP/D the Statement of Work must describe in detail the particular project and the work that the selected Qualified Contractor will be required to perform.
- G. Contractors were given the opportunity to provide information regarding the specific services provided under this MSA in a marketing spreadsheet. Agencies may utilize the MSA Contractor Marketing List when sending out RFOs. The MSA Contractor Marketing List can be found in the User Agencies Documents section of the [IT](#)

[Consulting MSA website.](#)

H. Qualifying experience may be substituted for the required education where identified in the SOW on a year-for-year basis:

- Four (4) years of experience can be substituted for a Bachelor's Degree.
- The substituted experience must be in addition to the required years of experience.
 - Example: If the Experience requirement is five (5) years, and the individual is substituting four (4) years of experience for a Bachelor's Degree, a total of nine (9) years of experience is required.

6. PURCHASE EXECUTION

A. Purchase Documents

State departments not transacting in FI\$CAL must use the STD 213 and STD 215 for purchase execution.

The STD 213 must contain the following:

- Agency Order Number (Purchase Order Number)
- Ordering Agency Name
- Agency Billing Code
- Purchasing Authority Number
- Master Agreement Number (Contract Number)
- Supplier Information (Contract Name, Address, Phone Number, Fax, E-mail)
- Classifications, Hourly Rates, and Hours Billed

B. FI\$CAL Purchase Documents

State departments transacting in FI\$CAL will follow the FI\$CAL procurement and contracting procedures.

C. A STD 213 executed before the end of the MSA term, including any extensions, may continue beyond the expiration date of the MSA for up to five (5) years.

7. AMENDMENTS TO CONTRACTS

Provided that the original contract included options for changes that were assessed and considered in the selection for award during the RFO process, State Agencies may amend a purchase order within the one-year period after the expiration of the MSA for time and/or money provided that:

- The purchase order is active at the time the amendment is executed. An expired purchase order cannot be amended.
- Amendments for time do not exceed five (5) years beyond the expiration date of the MSA.
- Amendments for money do not exceed the Tier value in which the purchase order

was originally awarded.

- Amendments are conducted 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.

8. TRAVEL COSTS

Travel costs are not included in the contractor's awarded hourly rates. If a subsequent user agency purchase allows for travel costs, reimbursement for contractor's personnel for travel, per diem, lodging, meals and incidentals shall not exceed State rates current at the time of purchase as defined in the [California Department of Human Resources Rules 599.615 to 599.635](#). Travel costs allowed by the user agency shall be itemized separately on the user agency purchase contract.

9. 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 in the [DGS Price Book](#). Refer to the Table of Contents heading titled "Procurement Division", subheading titled "Purchasing".
- 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 been 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 MSArates.
- D. Ordering agencies should inform DGS/PD of contractor or contracting issues in a timely manner.
- E. Post Evaluation Form for IT Services Contracts – Per Broadcast Bulletin #: [P-15-19](#) and pursuant to Public Code (PCC) Section 12102.3, a post evaluation standard form [STD 971](#) must be completed for all IT services contracts \$500,000 and over related to an IT project (both delegated and non-delegated IT projects as defined in the State Administrative Manual (SAM) Section 4819.2). A copy of the post evaluation and subsequent comments from the contractor must be sent to Form971@state.ca.gov.