How to Become an Authorized CMAS Contractor

Contractor Packet

California Multiple Award Schedules
Procurement Division • Department of General Services
State of California

Call CMAS for information
(916) 375-4363

Revised August 2004 (THIS PACKET SUPERCEDES ALL PREVIOUS CONTRACTOR PACKETS)

CALIFORNIA MULTIPLE AWARD SCHEDULES (CMAS)

TABLE OF CONTENTS

(Includes updated information from Bulletins #1 through #36)

SECTION 1 – OVERVIEW 5

How to Get Started 5
Contract Base 5
Multiple Award Contract 5
CMAS Contract Term 6
Consulting Services 6
Products and Personal Services 6
Make Us An Offer 6
Make Us An Offer (Continued) 7
What is Available? 7
What is Excluded? 7
CMAS Web Site 8
Online Search Instructions 8
Protests 8
Questions? 8

SECTION 2 - CONTRACTOR PROPOSAL (NEW OR RENEWAL) 9

Provide Written Offer 9
Federal GSA Based Contracts 9
Non-Federal GSA Based Contracts 9
Required Contractor Information 10
CMAS Terms and Conditions 10
Resellers 10
Authorization for Consulting Services 10
Authorization for Products and Personal Services 11
Manufacturer Authorizations 11
CMAS Contact Description 11
Required Certifications and Forms 11
Secretary of State Certificate of Status 12
Questions? 12
Where to send proposal? 12

SECTION 3 – ADMINISTRATIVE REQUIREMENTS 13

Contractor Travel 13
Training Vouchers 13
Replacement Products 13

SECTION 4 – CONTRACT CONSIDERATIONS 14

Contractor Distributes Contract 14
Bond Requirements 14
Maximum Number of CMAS Contracts 14
Change Name or Ownership 14
Contractor Contact Name Change 14
Open Market/Incidental, Non-Contract Items 15
New Equipment Required 15
Telecommunications Division Contract CNT-001 (Mandatory Requirements) 15
Federal Energy Management Program (FEMP) or Energy Star Products 15

SECTION 5 – PAYMENTS AND INVOICES 16

CONTRACT PRICE IS MAXIMUM (CAP) 16
ADMINISTRATIVE FEE/BILLING 16
MAINTENANCE SALES TAX 16
PROGRESS PAYMENTS 17
ADVANCE PAYMENTS 17
CONTRACTOR INVOICES 18
REQUIRED PAYMENT DATE 18
NAME CHANGES 18
PAYEE DATA RECORD (STD. 204) 18

SECTION 6 – SMALL AND DISABLED VETERAN BUSINESSES AND AMERICANS WITH DISABILITIES (ADA) 19

SMALL BUSINESS CERTIFICATION 19
ADMINISTRATIVE FEE WAIVED FOR SMALL BUSINESSES 19
PROOF OF REGISTERED STATUS 19
SMALL BUSINESS CONSIDERATION 19
WEB SITE 19
DISABLED VETERAN CERTIFICATION 19
AMERICANS WITH DISABILITIES ACT (ADA) 19
SMALL BUSINESS/DVBE SUBCONTRACTING PARTICIPATION 20

SECTION 7 – PURCHASE ORDER DOLLAR LIMITS AND SOLICITATION PROCESS 21

ORDER LIMITS $250,000 OR LESS 21
INFORMATION TECHNOLOGY ORDER LIMITS $250,000 TO $500,000 21
RESELLERS 21
NO EXEMPTIONS 21
EXCLUDED COSTS 21
APPROVAL REQUIRED FOR NON-IT SERVICES EXCEEDING $50,000 22

SECTION 8 – PURCHASE ORDER PROCEDURES AND GUIDELINES 23

NOT COMPETITIVE BID 23
AWARDS BASED ON BEST VALUE 23
ORDER SPLITTING 23
PURCHASE ORDER AMENDMENTS 23
CAL-CARD TRANSACTIONS 23
DELIVERY OF PRODUCTS AND SERVICES 23
REJECT INACCURATE PURCHASE ORDERS 23
MULTIPLE CONTRACTS - ONE PURCHASE ORDER FORM 24
LOCAL GOVERNMENT AGENCIES 24
STANDARD FORM 24
ELECTRONIC STATE STANDARD FORMS 24
DIRECT LINK TO THE STANDARD FORM 65 24

SECTION 9 – RENTAL, FINANCE AND LEASE POLICIES 25

STATE OF CALIFORNIA'S FINANCIAL MARKETPLACE 25
WEB SITE 25
ADMINISTRATIVE FEE/COST 25
FEDERAL LEASE TO OWN PURCHASE (LTOP) 25
FEDERAL GSA LEASE PROVISIONS 25

SECTION 10 – QUARTERLY REPORTS (MANDATORY) 26

SEPARATE REPORT PER CONTRACT 26
DELINQUENT REPORTS 26
RESELLER SALES ACTIVITY 26
MANDATORY FORMAT 26
REQUIRED INFORMATION 26
TOTAL ALL PURCHASE ORDERS 26

PURCHASE ORDERS FOR SERVICES 26
AMENDED PURCHASE ORDERS AND REPORTS 26
TAX NOT INCLUDED 27
REPORT ONCE ONLY 27
REPORT DUE DATE 27
NO ACTIVITY 27
WHERE TO SEND REPORT? 27

SECTION 11 – NOT SPECIFICALLY PRICED ITEMS (NSP) 28

WHAT IS NSP? 28
CONTRACTOR OPTION AND RESPONSIBILITY 28
NSP NOT AVAILABLE 28
MANUFACTURER AUTHORIZATION REQUIRED 28
DOLLAR LIMITS 28
CLEARLY IDENTIFY NSP 28
ITEMS SPECIFICALLY EXCLUDED 29
OTHER NSP PARAMETERS 29
NSP EXAMPLE 29

SECTION 12 – UPDATES AND/OR CHANGES TO CMAS CONTRACTS 30

CHANGES TO FEDERAL GSA SCHEDULES 30
CHANGES TO NON-FEDERAL GSA MULTIPLE AWARD CONTRACTS 30

SECTION 13 – CONTRACTOR COMPLIANCE 31

COMPLIANCE FOCUS 31
CONTRACTOR RESPONSIBILITY 31
USING ANOTHER CONTRACTOR'S MULTIPLE AWARD CONTRACT 31
PRODUCT AND PRICE BUNDLING 31
COPIES OF INVOICES 31
COPIES OF PURCHASE ORDERS 31
LINE ITEM SUBSTANTIATION 32
COPIES OF AMENDMENTS 32
AGENCY COMPLIANCE REVIEWS 32
AGENCY DOCUMENTATION 32

SECTION 14 – PUBLIC WORKS PROJECTS 33

DEFINITION OF A PUBLIC WORKS PROJECT 33
INSTALLATION OF PHYSICAL LAYER CABLE AND CARPET 33
AGENCY RESPONSIBLE FOR LAWS AND CODES 33
AGENCY DETERMINES APPROPRIATE CLASSIFICATION 33
AGENCY VERIFIES STATUS 33
STATE CONTRACTING MANUAL 33
PRIME AND SUBCONTRACTOR MUST BE LICENSED 34
BOND REQUIREMENTS 34

EXHIBIT A - LOCAL GOVERNMENT AGENCY USAGE 35

EXHIBIT B – DEBARMENT, SUSPENSION, INELIGIBILITY AND VOLUNTARY EXCLUSION - LOWER TIER COVERED TRANSACTIONS 37

EXHIBIT C – HOW TO OBTAIN FEDERAL GSA PRICE SCHEDULES 39

EXHIBIT D – SPECIFIC MANUFACTURER AUTHORIZATIONS 41

EXHIBIT E – COMPONENTS OF A CMAS CONTRACT 42

EXHIBIT F – CONTRACTOR CONTACT NAME OR ADDRESS CHANGE 43

EXHIBIT G – CONTRACTOR NAME/OWNERSHIP CHANGE 44

EXHIBIT H – USEFUL WEB SITES.....46

EXHIBIT I – PRODUCTIVE USE REQUIREMENT FOR INFORMATION TECHNOLOGY PRODUCTS 47

EXHIBIT J – AMERICANS WITH DISABILITIES ACT (ADA) NOTICE.....48

EXHIBIT K – MARKETING CMAS.....49

EXHIBIT L – CMAS QUARTERLY BUSINESS ACTIVITY REPORT REQUIRED FORMAT (A REPORT IS REQUIRED EVEN WHEN NO ACTIVITY).....50

EXHIBIT M – TELECOMMUNICATIONS DIVISION CONTRACT CNT-001 51

EXHIBIT N – CMAS ONLINE SEARCH INSTRUCTIONS.....52

EXHIBIT O – SECRETARY OF STATE CERTIFICATE OF STATUS 54

EXHIBIT P – SAMPLE LETTER OF OFFER.....57

EXHIBIT Q – PAYEE DATA RECORD.....59

EXHIBIT R – CONTRACTOR CERTIFICATION.....61

EXHIBIT S – CONTRACTOR'S LICENSE INFORMATION 64

EXHIBIT T – SERVICES REQUIREMENTS.....66

EXHIBIT U – PRODUCTS AND SERVICES CODES.....74

SECTION 1 – OVERVIEW

How to Get Started

Review Section 1 and 2 initially. Section 1 describes how the program works and Section 2 outlines what must be submitted to establish a CMAS contract. Once you receive your contract, review the remaining sections to ensure successful administration of your CMAS contract.

To receive additional copies of the Contractor Packet, see our web site or call the CMAS Unit at **916-375-4363** and leave a mailing address or a name and telephone number.

Please indicate that you are a registered small business, if applicable, to ensure expedite handling. The application packet will be mailed the following day.

Contract Base

The State of California establishes multiple award contracts in accordance with Public Contract Code (PCC) Sections 10290 et seq. and 12101.5 (effective January 1994).

The CMAS Unit does not conduct a bid. Since we are not conducting a bid, all products and services offered must have already been evaluated by some other entity.

The contractor offers products, services and prices from an already existing competitively assessed, cost compared multiple award contract. To these products, services and prices, California adds contract terms and conditions and procurement codes, policies, and guidelines.

We do not “use” the federal GSA schedule or other non-federal GSA multiple award contract. Instead, we establish a totally independent California contract using the “same” products, services and prices.

The Contractor markets and distributes the contract, and provides CMAS with a quarterly report of all sales transactions.

The agency issues orders directly to the Contractor (except for furniture contracts that require Prison Industry Authority (PIA) waivers and non-information technology services orders over $50,000).

Multiple Award Contract

A multiple award contract is one that is awarded to multiple contractors (two or more) for same and similar products and services at same and similar costs. Multiple award does not pertain to the number of buyers ordering from the contract, but, instead, the number of contractors receiving the award from a common bid or negotiation process.

NOTE: CMAS contracts are based primarily on products, services and prices from the federal General Services Administration (GSA) multiple award schedule program, but not exclusively.

SECTION 1 – OVERVIEW

CMAS Contract Term

The CMAS contract typically reflects the same start and end term as the referenced federal GSA schedule or non-federal GSA multiple award contract, except for federal GSA based CMAS we add three months to the end term to allow for possible renewal processing delays. No further extensions.

A CMAS amendment is required to extend the end term of a CMAS contract. CMAS extensions do not occur automatically when the term of the base contract is extended.

Consulting Services

Contractors who do not own a competitively assessed, cost compared multiple award contract may offer consulting services and prices from another contractor's federal GSA schedule or non-federal GSA multiple award contract. In this case, Best Customer Reference forms are used to demonstrate that the Contractor is qualified to provide the consulting services offered.

The CMAS applicant should ensure that there is a "one for one" match between the services/skills described in the federal GSA schedule or non-federal GSA multiple award contract (base contract) and the best customer reference narrative. Lack of detail will delay the CMAS contract process.

Products and Personal Services

Contractors who do not own a competitively assessed, cost compared multiple award contract may offer products, personal services (maintenance, repair, installation) and prices from another contractor's federal GSA schedule or non-federal GSA multiple award contract.

Under this alternative, the Contractor must provide written substantiation that they are authorized to sell the products and provide the personal services.

- For products, written authorizations from manufacturers, distributors, or federal GSA schedule owners are acceptable.
- For maintenance and repair, only manufacturer authorizations are acceptable.
- For installation services, contractors self-certify qualification (see CMAS Contractor Packet, Exhibit R).

Make Us An Offer

The Contractor will be required to:

- Submit a written offer of products and/or services and prices.
- Submit one (1) copy of the federal GSA schedule or two (2) copies (hardcopy and electronic version) of the non-federal GSA multiple award contract being offered for CMAS consideration, including current pricing.
- Agree to California contract terms and conditions (no changes considered).
- Identify labor categories and specific consulting services being offered with a minimum of three customer references if using another contractor's multiple award contract for consulting services.
- Provide manufacturer authorizations if using another contractor's multiple award contract for products and personal services like maintenance and repair.

Make Us An Offer (Continued)

- Identify brand, product, and service codes to describe your contract.
- Certify that your company meets minimum education/experience requirements, as stipulated in the base multiple award contract.
- Complete required certifications

What is Available?

CMAS contracts are established for information technology and non-information technology products and services.

What is Excluded?

The following products and services are not available through the CMAS program:

Architectural, Construction, Engineering, and Environmental Services

Services are not allowed on CMAS that are required by law to be performed by a licensed architect, licensed registered engineer, licensed landscape architect, construction project manager, licensed land surveyor, or environmental services as defined in Government Code 4525. If you have questions about these types of transactions, the Department of General Services (DGS), Real Estate Services Division (RESD) can be contacted at 916/376-1748.

Financial Audits

Government Code 8546.4(e) requires prior written approval from the State Controller and the Director of Finance for state agencies entering into contracts for financial auditing services. The approval shall state the reason for the contract and shall be filed with the State Auditor at least 30 days prior to the award of the contract.

Legal Services

Contracting for legal services by state agencies is controlled by statutes (GC 11040) that require Attorney General approval prior to entering into contracts with outside counsel. Additionally, Article VII of the California Constitution requires that state legal work be performed by state employees, absent limited exceptions (Government Code 19130). There are also policy-based approval requirements for all Executive Branch agencies that control the use of private counsel.

Public Works

Does the work involve erection, construction, alteration, repair or improvement of a public structure as defined in Public Contract Code 1101.

See the State Contracting Manual, Section 10 and 11 and the CMAS Contractor Packet, Section 14, Public Works Projects.

The Department of General Services (DGS) Real Estate Services Division (RESD) should be contacted for information on these types of transactions. For Architectural and Engineering, contact 916/376-1748. For Public Works, contact 916/376-1768.

Facility Planning, Registered Nursing, and Security Guard Services

By CMAS policy, the services shown above are not permitted on CMAS contracts.

Products and Services from Other DGS-Procurement Division Contracts

Products, services and prices from an existing CMAS contract, statewide annual or master contract awarded by the Department of General Services, Procurement Division will not be approved for the CMAS program.

CMAS Web Site

Access the CMAS Internet web site through the Procurement Division Home Page: www.dgs.ca.gov/pd (click on CMAS)

Online Search Instructions

See CMAS Contractor Packet, Exhibit N, for online search instructions for CMAS approved contractors, products and services. The search capability is based on the Contractor and/or Products and Services Codes used to describe the contracts. Contract line item detail is not available.

Protests

California code does not provide for formal protest of CMAS transactions. The individual ordering agency handles informal complaints.

If necessary, customers may contact the CMAS Unit for assistance.

Questions?

If you have questions, contact us at **916/375-4363** or cmas@dgs.ca.gov.

CMAS CONTRACTOR PACKET

SECTION 2 - CONTRACTOR PROPOSAL (New or Renewal)

The following outlines what the Contractor must submit for a **new or renewal** CMAS contract proposal. To facilitate accurate completion of your proposal, check the box after you have completed the task or indicate not applicable. Incomplete submittals will delay the processing of your proposal.

Provide Written Offer

____Check

Provide a written Letter of Offer of products, services, prices and similar terms and conditions that reside on an existing (new or renewed) federal GSA schedule or non-federal GSA multiple award contract (see CMAS Contractor Packet, Exhibit P, for Sample Letter of Offer).

State and local government agencies may use CMAS contracts unless the Contractor explicitly stipulates in their Letter of Offer that the contract is not available to local government agencies.

If all the products/services and provisions from the base contract (federal GSA schedule or non-federal GSA multiple award contract) are not being offered, clearly specify the products and services that are being offered for your CMAS contract.

Federal GSA Based Contracts

____Check

Submit one copy of the federal GSA contract that includes the offered products, services, and prices. Submit the entire contract.

Non-Federal GSA Based Contracts

____Check

Submit two copies (hardcopy and electronic version) of the non-federal GSA multiple award contract that includes the offered products, services, and prices. Submit the entire contract.

The electronic version may be submitted on diskette or Emailed to: cmas@dgs.ca.gov. Preferred format: Microsoft Word 98, 2000 or ASCII.

The following is also required to be submitted:

Copy of solicitation document*
Copy of solicitation/bid response
Copy of awarded contract
Evidence of multiple awards (see Section 1 for definition of multiple award)

* The CMAS analyst will look for information in the solicitation document detailing the evaluation criteria, including price evaluation methodology. Evidence of cost comparison is required. Non-federal negotiated pricing is not acceptable. All products and/or services must be adequately described. Evaluation against an arbitrary standard or no standard is not acceptable.

Required Contractor Information

____Check

- Ownership information, e.g., certified small business, large business, DVBE (see CMAS Contractor Packet, Section 6).
- Minimum purchase requirements, if applicable
- Contractor mailing address for purchase orders and contact person to receive purchase orders (Post Office Box only is not acceptable)
- Contractor telephone number for answering agency questions; fax number for faxing agency purchase orders; and applicable Email address. **Please provide toll free numbers, if possible.**
- Is the State of California CAL-Card (Visa) accepted?
- Is the Not Specifically Priced (NSP) provision requested? **(Not allowed for service only contracts.)**

CMAS Terms and Conditions

____Check

Go to DGS/PD web site www.dgs.ca.gov/pd (click on CMAS/Terms and Conditions) to review the CMAS Terms and Conditions. Print a copy of the terms and conditions from the CMAS web site or contact the CMAS Unit at 916/375-4363 for a hardcopy.

Your Letter of Offer (see Exhibit P) must include acceptance of the applicable terms and conditions, including the date.

No changes to the CMAS Terms and Conditions will be considered. As an alternative to the standard CMAS Terms and Conditions, the Contractor may use a past-approved version of CMAS Terms and Conditions. The CMAS Unit will update past-approved versions with new code language.

Resellers

____Check

Only prime contractors can use the CMAS contract unless “resellers” are authorized. If the prime contractor wishes to authorize “resellers,” a list or matrix of authorized resellers is required. The following information must also be included for each reseller:

- Payee Data Record
- Invoicing instructions
- Reseller address
- Reseller contact name with phone and facsimile numbers
- Reseller Email address
- Contractor’s License (if applicable)

Authorization for Consulting Services

____Check

If you are offering consulting services from your “own” federal GSA schedule or non-federal GSA multiple award contract, no further substantiation of qualification is required.

Contractors offering consulting services from another contractor’s federal GSA schedule or non-federal GSA multiple award contract must submit Best Customer Reference forms (see CMAS Contractor Packet, Exhibit T) to substantiate qualification.

The Contractor is responsible for providing resumes and customer references when requested by the customer agency.

See CMAS Contractor Packet, Exhibit T, for Services Requirements.

Authorization for Products and Personal Services

____Check

If you are offering products and personal services (maintenance, repair, installation) from your "own" federal GSA schedule or non-federal GSA multiple award contract, no further substantiation of qualification is required.

Contractors offering products and personal services (maintenance, repair, installation) from another contractor's federal GSA schedule or non-federal GSA multiple award contract must be authorized as follows:

- For products, written authorization from the manufacturer, distributor, or federal GSA contract owner is required.
- For maintenance and repair, written authorization from the manufacturer is required.
- For installation services, contractors self-certify qualification in CMAS Contractor Packet, Exhibit R.

Product installation services and software services are required to be performed by manufacturer or software publisher authorized personnel and meet manufacturer or software publisher documented specifications, unless otherwise specifically stated in the purchase order/Statement of Work.

Manufacturer Authorizations

____Check

See CMAS Contractor Packet, Exhibit D, Specific Manufacturer Authorizations.

CMAS Contract Description

____Check

Use the Products and Services Codes at www.dgs.ca.gov/pd (click on CMAS) to describe the primary products and services offered. Circle a maximum of 12 codes (database constraint).

Call the CMAS Unit at 916/375-4363 for a hardcopy of the Products and Services Codes.

On the lines to the left of the codes, indicate the reference page from the base contract so that the items can be located.

Required Certifications and Forms

____Check

- **DVBE & Small Business Certifications** (if applicable) (916/375-4940) Required documents may also be obtained via the following web site: www.pd.dgs.ca.gov/smbus
- **Payee Data Record** (see CMAS Contractor Packet, Exhibit Q)
- **CMAS Contractor Certification form** for products/services offered and compliance with CMAS program parameters (see CMAS Contractor Packet, Exhibit R)
- **Contractor's License Information** (if applicable) (see CMAS Contractor Packet, Exhibit S)

Best Customer References forms (minimum of 3) for work performed within the last two years to substantiate qualification to perform the consulting services offered (if applicable). Not required for personal services like maintenance, repair and installation (see CMAS Contractor Packet, Exhibit T).

Secretary of State Certificate of Status

____Check

Corporations, Limited Liability Companies (LLCs) and Limited Partnerships (LPs) must be registered with the California Secretary of State (SOS) to be awarded a CMAS contract. The Secretary of State Certificate of Status (see CMAS Contractor Packet, Exhibit O) must be included with the proposal. The Secretary of State may be contacted as follows:

California Secretary of State
Division of Corporate Filing and Services
1500 Eleventh Street, Third Floor
Sacramento, CA 95814-5701
Certification Unit: 916-657-5251

Required document(s) may also be obtained through the following web site:
http://kepler.ss.ca.gov

Contract Proposals Submitted by Consultants

____Check

CMAS contract proposals submitted by a consultant on the behalf of the applicant company must include a letter to the CMAS office authorizing the consultant to act on the behalf of the applicant company regarding issues relevant to the proposal.

Questions?

____Check

If you have questions, please contact a CMAS analyst to facilitate the timely completion of your CMAS contract. Contact us at 916/375-4363 or cmas@dgs.ca.gov.

Where to send proposal?

____Check

Send all CMAS proposals (or other information as applicable) to:

Department of General Services (DGS)
Procurement Division – CMAS Unit
707 Third Street, Second Floor
West Sacramento, CA 95605

Attention: Application Processing

Contractor Travel

If the contract 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 receipt.

Notwithstanding the contract provisions, the State will not be responsible for the cost of travel to bring contractor personnel to the agency site to commence work. 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, education and special districts will pay travel time and per diem according to their statutory requirements. All travel and per diem expenses must be within CMAS contract 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 contract) must be included in the agency purchase order to be payable.

Training Vouchers

It is acceptable to purchase training vouchers in advance of the training being performed "if" the Contractor does not invoice, or the State does not pay, for the training services in advance. See CMAS Contractor Packet, Section 5, Advance Payments.

Replacement Products

With written approval from the CMAS Unit, the Contractor may offer replacement products before they are approved for the federal GSA schedule or non-federal GSA multiple award contract if 1) the replacement product functionally meets or exceeds original product, and 2) the replacement product is offered at the same or lower cost 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 manufacturers "published" product replacement announcement.

Information technology replacement products must meet the State Productive Use Requirement as outlined in the CMAS Contractor Packet, Exhibit I.

To enable the State to substantiate compliance, the Contractor must provide the name and address of a customer installation contact name and telephone number.

Contractor Distributes Contract	Contractors are required to furnish complete copies of the awarded CMAS contract upon request from state and local government agencies. See CMAS Contractor Packet, Exhibit E, for the components of a CMAS contract.
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 (100%) 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: a. Special Goods and Information Technology Products and/or Services Any contract 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, 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.
Maximum Number of CMAS Contracts	Contractors are limited to a maximum of 15 CMAS contracts.
Change Name or Ownership	The company name on the CMAS contract, purchase order and invoice must match or the State Controller's Office will not approve payment. When name changes occur, contractors must contact the CMAS Unit to initiate a legal name change for their CMAS contract. See CMAS Contractor Packet, Exhibit G, for information required when the Contractor name or ownership changes.
Contractor Contact Name Change	See CMAS Contractor Packet, Exhibit F, for information required when the Contractor contact name or address changes.

Open Market/Incidental, Non-Contract Items

The only time that 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) Items provision.

If the NSP provision is not included in the CMAS contract, or the products and/or services required do not qualify under the parameters of the NSP provision, the products and/or services must be procured separate from CMAS. See CMAS Contractor Packet, Section 11.

New Equipment Required

The State will procure new equipment. All equipment 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.

Telecommunications Division Contract CNT-001 (Mandatory Requirements)

CMAS Contractor Packet, Exhibit M, lists voice and data services available in the Department of General Services, Telecommunications Division Contract CNT-001. These services are mandatory for all state agencies. Management Memo 04-08 requires agencies to utilize contracts issued by the Telecommunications Division to obtain voice and data services and to use consolidated services wherever available. In addition, pursuant to the State Telecommunications Management Manual (STMM) Chapter 0401, agencies are required to request approval and/or project delegation from the Telecommunications Division for the following:

- Teleconferencing/video conferencing
- PBX telephone systems
- Hybrid telephone systems with trunk connections
- Hybrid telephone systems to be installed behind a consolidated system
- Stand alone ACD or Voice Mail systems connected to consolidated systems
- Data Transport outside of the consolidated Frame Relay Services
- Request for Proposal (RFP) or Invitation for Bid (IFB) for telecommunications equipment and services
- Telecommunications consulting services

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

Federal Energy Management Program (FEMP) or Energy Star Products

It is imperative that state agencies purchase energy efficient products. Where FEMP recommended standards are available, all state agencies shall purchase only those products that meet the recommended standards. All products displaying Energy Star meet the FEMP standards.

Contract Price is Maximum (Cap)

Contract prices are maximums.

Administrative Fee/Billing

The Department of General Services (DGS) will bill each state and local agency directly an administrative fee for use of CMAS contracts. The administrative fee should NOT be included in the order total, nor remitted before an invoice is received from DGS. This fee is waived for purchase orders to California certified small businesses.

See DGS Price Book at www.dgs.ca.gov/publications (click on DGS Price Book) for current fees.

The Procurement Division will invoice state and local government agencies directly. The administrative fee is:

- Not included in the purchase order
- Not invoiced by the Contractor
- Not remitted by the agency before an invoice is received

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.

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, that whenever optional maintenance contracts include consumable supplies, such supplies are subject to sales tax.

Generally, the State has two options:

1. For contracts 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 contracts 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.

SECTION 5 – PAYMENTS AND INVOICES

Progress Payments

A progress payment is a partial payment for a portion or segment of the work needed to complete a task.

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 contract 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, 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.

b. Non-Information Technology Services

Any contract for non-information technology services (Public Contract Code 10346) may provide for progress payments to contractors for work performed or 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.

Advance Payments

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

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.

SECTION 5 – PAYMENTS AND INVOICES

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:

- Contract number
- Agency purchase order number
- Line item number
- Unit price
- Extended line item price
- Invoice total

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

Required Payment Date

Payment will be made in accordance with the provisions of the California Prompt Payment Act, Government Code Section 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.

Name Changes

Many contractors are changing name and ownership status. The company name on the CMAS contract, purchase order and invoice must match or the State Controller's Office will not approve payment. Contractors must contact the CMAS Unit to initiate a legal name change for their CMAS contract. See CMAS Contractor Packet, Exhibit G for more information.

Payee Data Record (Std. 204)

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

The CMAS Unit includes the Contractor's signed Payee Data Record (Std. 204) as part of the completed contract. The Contractor should ensure that their agency customers have a copy of the complete contract that includes the Std. 204.

SECTION 6 – SMALL AND DISABLED VETERAN BUSINESSES AND AMERICANS WITH DISABILITIES (ADA)

Small Business Certification	To qualify for California small business considerations, the Office of Small Business and DVBE Certification (OSDC) must certify your company. You may contact OSDC at 916/375-4940 or visit their web site at: www.pd.dgs.ca.gov/smbus
Administrative Fee Waived for Small Businesses	The Department of General Services, Procurement Division, is waiving the administrative fee (a fee currently charged to customer agencies to support the CMAS program) for purchase orders to California certified small business enterprises.
Proof of Registered Status	Participants who claim status as a certified State of California small business enterprise must submit a copy of their approval letter from the Office of Small Business and DVBE Certification (OSDC) with their proposal.
Small Business Consideration	Prior to placing purchase orders under the California Multiple Award Schedules (CMAS) program, state agencies shall whenever "practicable" first consider offers from small businesses that have established CMAS contracts (Government Code Section 14846(b)). NOTE: The Department of General Services will request substantiation of compliance during a compliance review.
Web Site	A list of CMAS Small and Disabled Veteran Businesses is on the CMAS Internet web site through Procurement Division's Home Page: www.dgs.ca.gov/pd
Disabled Veteran Certification	Participants who claim status as a Disabled Veteran Business Enterprise (DVBE) must submit with their proposal a copy of the Office of Small Business and DVBE Certification (OSDC) certification letter.
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.

SECTION 6 – SMALL AND DISABLED VETERAN BUSINESSES AND AMERICANS WITH DISABILITIES (ADA)

Americans with Disabilities Act (ADA) (Continued)

See CMAS Contractor Packet, Exhibit J, for the Procurement Division's ADA Compliance Policy of Nondiscrimination on the Basis of Disability.

Individual government agencies are responsible for self-compliance with ADA regulations.

Contractor sponsored events must provide reasonable accommodations for persons with disabilities.

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 Certification 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 7 – PURCHASE ORDER DOLLAR LIMITS AND SOLICITATION PROCESS

Order Limits $250,000 or Less

The order limit for Information Technology (IT) Goods and Services and Non-Information Technology Services is **$250,000.**

The order limit for Commodities (Non-IT Products) is **$100,000**.

These transactions are subject to the following requirements:

- State agencies must solicit a minimum of 3 contractors including 1 small business and/or DVBE (if available) and document responses. This is not a bid transaction so small business preference, protest language, intents to award, evaluation criteria, advertising, etc. are not applicable.
- If less than 3 offers received, state agencies must document their files with the reasons why the other suppliers solicited did not respond with an offer.
- If only one source is known (competing offers cannot be obtained), the non-competitive bid (NCB) contract process must be followed. See the latest Management Memo (currently MM 03-10 including supplements), or whichever Management Memo is in effect at the time a purchase order is issued, for NCB guidelines.
- Evaluation and award may be based on best value, as applicable, and not restricted to lowest cost.
- For CMAS transactions under $5000 only one offer is required if the state agency can establish and document that the price is fair and reasonable.

Information Technology Order Limits $250,000 to $500,000

There are guidelines under which CMAS purchase orders for information technology goods and services may exceed $250,000 up to $500,000 (no exemptions). For guidelines, see the latest Management Memo (currently MM 03-10 including supplements), or whichever Management Memo is in effect at the time a purchase order is issued, and CMAS Bulletins.

Resellers

Authorized CMAS resellers qualify as independent solicitation offers. The agency can solicit multiple resellers from the same CMAS contract to meet CMAS solicitation requirements.

No Exemptions

No exemptions to the above order limits.

Excluded Costs

Tax and freight (if applicable) are excluded from the dollar limits.

SECTION 7 – PURCHASE ORDER DOLLAR LIMITS AND SOLICITATION PROCESS

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 DGS/PD, it will be stamped approved and signed by DGS/PD and returned to the agency for issuance to the Contractor. Contractors are prohibited from accepting purchase orders without the DGS/PD approval signature. Violation of this requirement may result in contract termination.

Agencies must send purchase orders that exceed $50,000 to the following address for review and approval:

Department of General Services
Procurement Division, Technology Acquisition Section
707 Third Street, Second Floor
West Sacramento, CA 95605 IMS #Z-1

The following documents should be included with the purchase order:

- Solicitation document
- Copies of all quotes received
- Resumes
- Evaluation documentation
- Std. 215 (for the contracting out justification)
- Complete CMAS contract

Not Competitive Bid	CMAS transactions are NOT competitive bid transactions so small business preference, protest language, intents to award, evaluation criteria, advertising, etc. are not applicable.
Awards Based on Best Value	Agency awards may be based on best value criteria, as applicable, and are not restricted to lowest cost (see Public Contract Code 12100.7 (g)).
Order Splitting	Splitting orders to avoid monetary limitations is prohibited.
Purchase Order Amendments	Purchase orders can be amended with the same contractor as the original purchase order if there is no dollar increase and no change to the scope of work. If there is a dollar increase or a change to the scope of work, the agency must obtain offers from 3 suppliers (following the same guidelines as for the original purchase order) to determine best value for the amended amount. If only one source can meet agency needs, the agency must process a Non-Competitive Bid (NCB) contract for the amended amount. This applies even if the amended total is under the order limit. When the amendment and the original purchase order are with the same contractor, the agency uses a Purchasing Authority Purchase Order (STD. 65) and the same agency order number as the original purchase order, with an amendment #____. The Contractor is required to reject purchase orders that are not accurate. For more information on purchase order amendments, see Management Memo 03-10 including supplements, and the Purchasing Authority Manual, Chapter 8.
CAL-Card Transactions	CAL-Card is a payment mechanism some State and local government agencies use for the purchase of goods and services. The CMAS contract will stipulate whether or not the Contractor accepts the CAL-Card. A Purchasing Authority Purchase Order (Std. 65) 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.
Delivery of Products and Services	Purchase order must be issued before the expiration of the CMAS contract end term. However, delivery of the products or completion of the services may be after the expiration of the CMAS contract end term (unless specifically stipulated otherwise in the CMAS contract), but must be as provided for in the contract and as specified in the purchase order.
Reject Inaccurate Purchase Orders	The Contractor must immediately reject purchase orders that are not accurate. Discrepancies between the purchase order and the contract must be corrected and the purchase order amended prior to the products and services being delivered.

Multiple Contracts - One Purchase Order Form

Agencies wishing to include multiple CMAS contracts on a single STD. 65 Purchasing Authority Purchase Order must adhere to the following guidelines:

- All contracts 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 STD. 65's, this is at the top of the form. The word "CMAS" signifies that the purchase order contains items from multiple CMAS contracts. The purchasing agency may only use one bill code.
- For each individual contract (as differentiated by alpha suffix), the agency must identify and group together the contract number with the line items and subtotal per contract number (do not include tax in the subtotal), AND sequentially identify each individual contract as Sub #1, Sub #2, Sub #3, etc. This facilitates accurate billing by the Procurement Division.
- The total of all items on the purchase order must not exceed the purchase order limit identified in the CMAS contract.
- Do not combine items from both commodity and information technology contracts. Commodity contracts begin with the number "4" and information technology contracts begin with the number "3." The purchase order limits are different for these two types of contracts.

Local Government Agencies

Local government agencies use their own standard purchase order forms.

Standard Form

State agencies use a Purchasing Authority Purchase Order, STD. 65 form, for both products and services.

Electronic State Standard Forms

The State Standard Forms can be found electronically at the Office of State Publishing web site: http://www.dgs.ca.gov/osp (select Standard Forms).

The site provides information on the various forms and use with the Adobe Acrobat Reader. Beyond the Reader capabilities, Adobe Acrobat advanced features may be utilized if you have Adobe Business Tools or Adobe Acrobat 4.0 installed on your computer.

Direct Link to the Standard Form 65

Direct link to the STD. 65 form:

www.documents.dgs.ca.gov/osp/pdf/std065.pdf

SECTION 9 – RENTAL, FINANCE AND LEASE POLICIES

State of California's Financial Marketplace

All CMAS purchase orders may qualify for financing and leasing via the State of California's financial marketplace, managed by the Department of General Service's Procurement Division. Both programs can be found at the Procurement Division's Home Page: www.dgs.ca.gov/pd

Web Site

All documentation and procedures for both finance and lease programs can be found through the Procurement Division's Home Page:

www.dgs.ca.gov/pd

Agencies without Internet access may call 916/375-4617 for a facsimile copy of the key Internet information (list of participating lenders, rates and payment information for 36, 48, 60 or 84 month terms and participating lessors and current lease factors).

Administrative Fee/Cost

The Department of General Services (DGS) will bill each state and local agency directly an administrative fee for use of CMAS contracts. The administrative fee should NOT be included in the order total, nor remitted before an invoice is received from DGS. This fee is waived for purchase orders to California certified small businesses. The CMAS administrative fee will be charged against the total purchase order amount, including finance and lease costs.

See DGS Price Book at www.dgs.ca.gov/publications (click on DGS Price Book) for current fees.

Federal Lease to Own Purchase (LTOP)

Federal Lease to Own Purchase (LTOP) and hardware rental provisions with no residual value owed at end term are acceptable ($1 residual value at the end of the term). This alternative financing arrangement may be faster, but a more expensive alternative to GS $Mart™ or Lease $Mart™.

Cancellation of any Lease to Own Purchase (LTOP) Plans for lack of funds should only be done when the organization is no longer funded. Court decisions have held that Terminations for Convenience should only be employed when the agency no longer has a requirement for the equipment. Example: An employee has retired and the position will not be filled so now there is a piece of equipment that is not needed. In other words, a desire for something different, newer, or better is not a justification for the premature cancellation of a lease.

Federal GSA Lease Provisions

Except for LTOPs, Federal GSA Lease provisions are NOT acceptable and cannot be sold through CMAS.

SECTION 10 – QUARTERLY REPORTS (MANDATORY)

Separate Report Per Contract

CMAS contractors are required to submit quarterly business activity reports even when there is no activity. A separate report is required for each contract, as differentiated by alpha suffix.

Delinquent Reports

New contracts and extensions or renewals of existing contracts will be approved ONLY if all due quarterly reports have been submitted.

Delinquent reports could also result in contract termination.

Reseller Sales Activity

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

Mandatory Format

Any report that does not follow the required format (see CMAS Contractor Packet, Exhibit L) or that excludes required information will be deemed incomplete and unacceptable.

Required Information

The report must include the following information:

- Agency name
- Purchase order number
- Purchase order date
- Agency billing code
- Pre-tax total purchase order cost (invoice amount is NOT acceptable)
- Agency contact name
- Agency address
- Agency telephone number
- Total dollars for the quarter

Total All Purchase Orders

The total dollars for the quarter should be a sum of the total dollars per purchase order for all purchase orders. It is NOT the sum of monies invoiced or payment received.

Purchase Orders for Services

For services, the amount to be reported on the quarterly report is the total cost for the service on the purchase order (one time), NOT the incremental amount being invoiced repeatedly each month after service is rendered. If the original purchase order is amended, only the amended amount should be reported in the quarter the amendment was issued.

Amended Purchase Orders and Reports

When the agency amends the purchase order to increase or decrease the dollar amount, the incremental dollar difference must be reported on the following quarterly report. Do not report the total purchase order amount.

SECTION 10 – QUARTERLY REPORTS (MANDATORY)

Tax Not Included

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

Report Once Only

The purchase order total value should only be reported once in the quarter identified by the purchase order date regardless of when the services were performed, products delivered, purchase orders invoiced, or payments received. Do not report services incrementally subsequent to delivery.

Report Due Date

Quarterly reports 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**

No Activity

A report is required even when there is no activity.

Where to send report?

Mail, facsimile or Email quarterly reports to the following:

Department of General Services (DGS)
Procurement Division – CMAS Unit
707 Third Street, Second Floor
West Sacramento, CA 95605
Attention: Quarterly Report Processing

Facsimile: 916/375-4663

Email address: cmas@dgs.ca.gov

SECTION 11 – NOT SPECIFICALLY PRICED ITEMS (NSP)

What is NSP?	The Not Specifically Priced (NSP) Items 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 Responsibility	The NSP provision will be included in the contract at the option of the Contractor and the CMAS Unit except as stated below. If the NSP provision is included in the CMAS contract, the Contractor agrees to monitor all purchase orders received to ensure adherence to all NSP provisions.
NSP Not Available	Not all contracts 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 contracts for services only. Agency purchase orders for only NSP items are prohibited.
Manufacturer Authorization Required	Contractors must be authorized providers of the products and services they offer under the NSP provision. Contractors may be terminated from the CMAS program for selling NSP products and services that they are not authorized or certified to provide.
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 lower.
Clearly Identify NSP	NSP items must be clearly identified on the purchase order.

SECTION 11 – NOT SPECIFICALLY PRICED ITEMS (NSP)

Items Specifically Excluded

The following NSP items ARE SPECIFICALLY EXCLUDED from any purchase order issued under this contract:

1. Items that are not intended for use in direct support of the CMAS priced items identified in the same purchase order. A 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 CMAS Contractor Packet, Exhibit I).
4. Any other items or class of items that are specifically excluded from the scope of the CMAS contract.
5. Public Works components that are NOT incidental to the overall project requirements. Refer to CMAS Contractor Packet, Section 14, 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 a NSP item on a purchase order.
3. All NSP items included in a purchase order issued against a CMAS contract are subject to all the terms and conditions set forth in the contract.
4. Trade-ins and upgrades, involving the swapping of boards, are permissible where the CMAS contract makes specific provision for the action. In those instances where it is permitted, the purchase order must include the replacement item and a notation that the purchase involves the swapping of a board.

NSP Example

A non-contract cable is subordinate to a contract printer or facsimile machine and is eligible to be a 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 a NSP item.

SECTION 12 – UPDATES AND/OR CHANGES TO CMAS CONTRACTS

Changes to Federal GSA Schedules	A CMAS contract amendment is not required for updates and/or changes once the update and/or change becomes effective for the federal GSA contract, except as follows: 1. A CMAS contract amendment is required when the contract is based on 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 contract amendment is required for new federal contract terms and conditions that constitute a material difference from existing contract terms and conditions. A material change has a potentially significant effect on the delivery, quantity or quality of items provided, the amount paid to the contractor or on the cost to the State. 3. A CMAS contract amendment is required for changes to contracts that require Prison Industry Authority (PIA) approval. 4. A CMAS contract amendment is required to extend the end term of the CMAS contract.
Changes to Non-Federal GSA Multiple Award Contracts	A CMAS contract amendment is required to update and/or change products and services on a non-federal GSA multiple award contract.

SECTION 13 – CONTRACTOR COMPLIANCE

Compliance Focus

In accordance with the terms and conditions in each contractor's contract, the Purchasing Authority Management Section (PAMS) will contact contractors for substantiating documentation to ascertain that they are selling only products and services at the price (or lower price) shown in the federal GSA schedule or non-federal GSA multiple award contract.

The Purchasing Authority Management Section 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-federal GSA multiple award contract and all applicable modifications.
- Ensure that the CMAS contract includes the most current and up-to-date products, services and prices as approved for the federal GSA schedule or non-federal GSA multiple award contract.

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

Using Another Contractor's Multiple Award Contract

Contractors who are offering products, services and prices from another contractor's federal GSA schedule or non-federal GSA multiple award contract to establish a CMAS contract are NOT relieved from the responsibility to provide current products, services, and prices.

Throughout the term of the contract, the Contractor is responsible for providing current and updated products, services, and prices exactly as provided for in the referenced (base) federal GSA schedule, or non-federal GSA multiple award contract.

CONTRACTORS SHOULD USE BASE CONTRACTS THAT THEY CAN STAY CURRENT WITH.

See CMAS Contractor Packet, Exhibit C, 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 having individual product numbers or identifiers, unless specified on the base contract as a bundled item having a bundled product number.

Copies of Invoices

Copies of agency invoices may be requested during the audit process.

Copies of Purchase Orders

The DGS, Procurement Division may request copies of purchase orders.

Line Item Substantiation

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

Contractors must ensure that the purchase order includes specific Products and Services Codes and descriptions "exactly" as referenced in the base contract.

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

Copies of Amendments

The Contractor will be required to submit upon request by the Purchasing Authority Management Section 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 prices current with those contained in the referenced (base) federal GSA schedule or non-federal GSA multiple award contract for all products and services offered.

To meet this requirement, contractors must maintain for all products and services they offer a file of all past and current applicable federal GSA schedules and/or non-federal GSA multiple award contracts and amendments to substantiate pricing.

Agency Compliance Reviews

State agencies must respond to the following during a review:

- Does the Contractor have a CMAS contract?
- Does the file contain a copy of the contract and the individual price pages for the items purchased?
- Was "best value" documented?
- Was pricing bundled?
- Are the prices, position titles, skill levels and hourly rates delineated and do they correlate with those specified in the CMAS contract?
- Does the dollar amount fall within order limits?
- Does the purchase order reflect the correct contract number?
- Is a STD. 204 included or referenced in the file documentation?
- Were small businesses considered?
- Was a Statement of Work included?
- Was conflict of interest considered, if applicable.

Agency Documentation

State agencies must have a complete copy of CMAS contracts in use, including all terms and conditions, located in their purchasing unit. All CMAS transaction documents must have attached the face cover of the CMAS contract showing the effective date, and the price pages showing the base contract price for all items ordered.

SECTION 14 – 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 (PCC) Section 1101.
Installation of Physical Layer Cable and Carpet	**Installation of physical layer cable and carpet is considered public works. Agency CMAS purchase orders may allow for a public works component only when it is incidental to the overall project requirements.**
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 during the performance under the agency's CMAS purchase order.
Agency Determines Appropriate Classification	In accordance with Labor Code Section 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 Statistics and Research).
Agency Verifies Status	The CMAS Unit substantiates that the Contractor holds the appropriate license when the contract is established. However, the agency must verify that the Contractor's license is still active and in good standing prior to placing the order by calling the State Contractor's License Board at 1-800-321-2752 or on their web site at: www.cslb.ca.gov.
State Contracting Manual	State agencies planning these types of projects need to review the State Contracting Manual (SCM) Section 10 for applicable guidelines and regulations.

Prime and Subcontractor Must be Licensed	When contractor's licenses are required, the prime and subcontractor (if 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 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 (100%) of the purchase order price. Forms shall be provided to the Contractor.

EXHIBIT A - LOCAL GOVERNMENT AGENCY USAGE

Legislation	Public Contract Code Sections 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 contract to local government agencies.
Use Own Guidelines	While we make the CMAS program 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. For example, local government agencies, education and special districts will pay travel per diem according to their statutory requirements.
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) Items dollar limits.
Use Own Order Forms	Local government agencies may use their own purchase order forms (in lieu of the State's STD. 65 Purchasing Authority Purchase Order Form), and shall issue it directly to the CMAS contractor via mail or facsimile.
Quarterly Reports	Contractors must report all activity by local government agencies in their quarterly reports.
Payment	Local government agencies shall accept sole responsibility for payment to the Contractor.

EXHIBIT A – LOCAL GOVERNMENT AGENCY USAGE

Administrative Fee and Billing (Waived for Certified Small Businesses)

The Department of General Services (DGS) will bill each state and local agency directly an administrative fee for use of CMAS contracts. The administrative fee should NOT be included in the order total, nor remitted before an invoice is received from DGS. This fee is waived for purchase orders to California certified small businesses.

See DGS Price Book at www.dgs.ca.gov/publications (click on DGS Price Book) for current fees.

The Procurement Division will invoice state and local government agencies directly. The administrative fee is:

- Not included in the purchase order
- Not invoiced by the contractor
- Not remitted by the agency before an invoice is received

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.

Where to Send Copies?

Local government agencies are required to send a copy of the purchase order to:

Department of General Services
Procurement Division – Data Management
707 Third Street, Second Floor
West Sacramento, CA 95605

EXHIBIT B – DEBARMENT, SUSPENSION, INELIGIBILITY AND VOLUNTARY EXCLUSION - LOWER TIER COVERED TRANSACTIONS

Please do not submit Exhibit B to the CMAS Unit with your proposal. It is required by the agency, as applicable.

Federal Requirement

Contractors are required to provide the following certification to the agency before award of a purchase order based on federal funds.

This certification is required by the regulations implementing Executive Order 12549, Debarment and Suspension, 29 CFR Part 98, Section 98.510, Participants; responsibilities. The regulations were published as Part VII of the May 26, 1988 Federal Register (pages 19160-19211)

Present Status

The prospective recipient of federal assistance funds certifies, by submission of this proposal, that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any federal department or agency.

Attach Explanation

Where the prospective recipient of federal assistance funds is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

Instructions for Certification

READ FOLLOWING INSTRUCTIONS THAT ARE AN INTEGRAL PART OF THE CERTIFICATION

1. By signing and submitting this proposal, the prospective recipient of federal assistance funds is providing the certification as set out below.
2. The certification in this class is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective recipient of federal assistance funds knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the Department of Labor (DOL) may pursue available remedies, including suspension and/or debarment.
3. The prospective recipient of federal assistance funds shall provide immediate written notice to the person to whom this proposal is submitted if at any time the prospective recipient of federal assistance funds learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
4. The terms “covered transaction,” “debarred,” “suspended,” “ineligible,” “lower tier covered transaction,” “participant,” “person,” “primary covered transaction,” “principal,” “proposal,” and “voluntarily exclude,” as used in this clause, have the meanings set out in the Definitions and Coverage sections of rules implementing Executive Order 12549. You may contact the person to which this proposal is submitted for assistance in obtaining a copy of those regulations.

EXHIBIT B – DEBARMENT, SUSPENSION, INELIGIBILITY AND VOLUNTARY EXCLUSION - LOWER TIER COVERED TRANSACTIONS

Instructions for Certification (Continued)

5. The prospective recipient of federal assistance funds agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not, knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the DOL.
6. The prospective recipient of federal assistance funds further agrees by submitting this proposal that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion – Lower Tier Covered Transactions," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.
7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may but is not required to check the List of Parties Excluded from Procurement or Non-procurement Programs.
8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the DOL may pursue available remedies, including suspension and/or debarment.

_____

Name and Title of Authorized Representative

_____

Signature

EXHIBIT C – HOW TO OBTAIN FEDERAL GSA PRICE SCHEDULES

Current Federal GSA Schedules

There are three (3) 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: www.gsaelibrary.gsa.gov/elib/eLibrary.jsp
- Option 2: Phone: Federal Schedules Information Center at (816) 823-3060, ext. 66056
- Option 3: E-mail: Kristen.Gorman@gsa.gov

Information Required by the Federal GSA

Request made via E-mail must include the following information:

- Name of Company (owner of contract)
- GSA Contract Number
- Effective Dates of Contract

Note: Always request all schedule modifications (Std. Form 30) issued during the life of the schedule.

EXAMPLE:
XYZ CORPORATION
GS-35F-1234D
October 1, 2003 – September 30, 2008
Include all modifications issued during life of schedule.

The following information is required by GSA in order to fill the request:

- Name
- Company Name
- Address
- Phone No.
- Fax No.

The charges for "current" schedules are:

- No charge for schedules containing 249 pages or less.
- Ten (10) cents per page for schedules containing 250 pages or more, starting with page 1.

After the Federal Schedules Information Center has received the request, staff will research the subject schedule. The requester will be contacted after a page count and a price has been determined, if applicable. When payment is received, the requester will receive the information via U.S. Mail. Please allow a minimum of 2 weeks to receive copies of the schedule(s) requested.

EXHIBIT C – HOW TO OBTAIN FEDERAL GSA PRICE SCHEDULES

Expired Federal GSA Contracts

There are four (4) options for obtaining a copy of an expired Federal GSA schedule, including price pages for product/services, contract terms and conditions, and all applicable modifications.

- Option1: Internet: www.gsa.gov/staff/c/ca/foia_handbook.htm
- Option 2: Phone: Federal Freedom of Information Act (FOIA) at (202) 501-2262, ask for Sharon Lighton
- Option 3: E-mail: sharon.lighton@gsa.gov
- Option 4: FAX: Federal Freedom of Information Act at (202) 501-2727; attn: Sharon Lighton

The Internet site contains useful information on how to request a document, fees, and office address information. FOIA has begun to put GSA FSS Price Schedules on their Web site, however, not all schedules are available at this time. If a schedule is found online, it may be able to be downloaded. Otherwise, provide FOIA with the price schedule and requestor information as detailed above.

FOIA charges are:

- No charge for schedules with a cost of $25.00 or less.
- $29.00 per hour charge for researching a request, plus ten (10) cents per page for any requested copy.

How long does it take?

Please note that under the Freedom of Information Act, FOIA is required to respond to all requests within 20 working days from receipt of request.

EXHIBIT D – SPECIFIC MANUFACTURER AUTHORIZATIONS

Specific manufacturer authorization requirements can be found on the following CMAS web site:

http://www.pd.dgs.ca.gov/cmas/SpcMfgAuth.htm

EXHIBIT E – COMPONENTS OF A CMAS CONTRACT

CMAS contracts include:

- Cover page with Department of General Services (DGS) signature and logo (includes procedures).
- California Ordering Instructions and Special Provisions and CMAS Terms and Conditions.
- Federal General Services Administration (GSA) schedule or non-federal GSA multiple award contract terms and conditions.
- Federal General Services Administration (GSA) schedule or non-federal GSA multiple award contract products, services and prices.
- Payee Data Record (Std. Form 204)

Who is responsible for distribution upon request by any state and local government agency?

Answer: YOU ARE!

EXHIBIT F – CONTRACTOR CONTACT NAME OR ADDRESS CHANGE

Contact Name Change	The Contractor must complete this form to request a CMAS contact name or address change.
Sign and Date Form	Date: _____ Contractor Name: _____ Person Requesting Change (Print): _____ CMAS Contract Number(s): _____ _____ _____ Signature: _____
Contractor Distributes Change	The Contractor is responsible for distributing the new contact name and phone number, etc., when the contract is distributed to agencies (upon request). A one-page insert is acceptable. The CMAS Unit will include the contact name change information when the contract is next renewed or amended. A contract supplement will be issued by the CMAS Unit for changes to a Contractor's address. The Contractor is responsible for distributing the supplement to agencies.
Where to Send Form	Department of General Services Procurement Division/CMAS Unit 707 Third Street, Second Floor West Sacramento, CA 95605 Attention: Application Processing Phone: 916/375-4363 Fax: 916/375-4663

CHANGE CMAS CONTACT INFORMATION AS SHOWN BELOW:

THIS INFORMATION WILL BE PUBLISHED IN THE CMAS WEB SITE AND USED FOR ALL CMAS BULLETINS AND OTHER CORRESPONDENCE

CMAS Contact Name:_____

Address: _____

City/State/Zip: _____

Phone: _____**Fax:** _____

Email: _____

EXHIBIT G – CONTRACTOR NAME/OWNERSHIP CHANGE

Letter Requesting Name Change

When the Contractor's company changes its name, or has been purchased or merged with a new company, a letter requesting the change is required by the CMAS Unit. The information, certifications, and forms required to be included in the letter are outlined below.

Letter Addressee

Ms. Terri Lopez, Program Analyst
California Department of General Services
Procurement Division/CMAS Unit
707 Third Street, Second Floor
West Sacramento, CA 95605

Present & New Company Name

COMPANY NAME has changed its name to (or been purchased by or has merged with) NEW COMPANY NAME and requests the CMAS Unit to change the company name on the following CMAS contract(s) to NEW COMPANY NAME: **# X-XX-XX-XXXXA**

Contract Provisions and Liabilities

NEW COMPANY NAME accepts all CMAS Terms and Conditions (dated_____), the terms and conditions of the federal GSA schedule or non-federal GSA multiple award contract, and all liability and responsibility under the above CMAS contract(s) from the date the contract was issued to the initial contractor through contract expiration.

General Information

1. **Ownership information –** (large or certified small business, or Disabled Veteran Business Enterprise)
2. **Minimum order requirements are $_____(or** "none")
3. **Contractor mailing and phone information:**

CONTRACTOR:
- Name
- Street Address
- City, State, Zip Code

CMAS CONTRACTOR REPRESENTATIVE:
- Name
- Telephone Number [Toll Free, if available]
- Fax Number
- Email address

EXHIBIT G – CONTRACTOR NAME/OWNERSHIP CHANGE

General Information (Continued)

4. **CAL-Card (VISA) (is/is not) accepted.**
5. **The NSP (Not Specifically Priced) provision (is/is not) requested.** (This provision is not allowed in information technology (IT) service contracts).
6. **I hereby certify that during the term of the CMAS contract, NEW COMPANY NAME will only provide qualified personnel which meet the educational and/or experience requirements that are stipulated for the classifications listed in the federal GSA schedule(s) or non-federal GSA multiple award contract(s). (Applicable for IT services.)**

Certifications and Forms

Enclose the following required certifications and forms reflecting the contractor name/ownership change:

- Secretary of State Certificate of Status (if applicable)
- CMAS Contractor Certification, Exhibit R
- Std. 204 – Payee Data Record, Exhibit Q
- Contractor's License Information form (if applicable), Exhibit S
- Small Business and/or DVBE Certifications (if applicable)
- Best Customer Reference forms for consulting services (if applicable), Exhibit T
- Manufacturer Authorization(s) for products and personal services (if applicable) like maintenance and repair, etc.

Signature Blocks

Sincerely,

OLD COMPANY REPRESENTATIVE , Signature and Title
NEW COMPANY REPRESENTATIVE, Signature and Title

Enclosures

Purchase 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. The other requirements above can be ignored.

EXHIBIT H – USEFUL WEB SITES

CMAS Internet Address	www.dgs.ca.gov/pd (click on CMAS)
Contractor License Status Inquiry	www.cslb.ca.gov
Secretary of State	http://kepler.ss.ca.gov
State of California	www.ca.gov (click on Governor's picture for Executive Orders) www.ca.gov (click on State Agency Index for a list of State Departments)
State Government Contacts	California Directory: www.cold.ca.gov Procurement Division Directory: www.dgs.ca.gov/pd (select Contact Us) State Departments: www.pd.dgs.ca.gov/deleg/delegpurch.htm (click on "Departments with Delegated Purchasing Authority")
Office of Small Business and DVBE	www.pd.dgs.ca.gov/smbus - Certification www.pd.dgs.ca.gov/smbus -State Contracting and Purchasing Officials Directory: (select S/B DVBE Advocates Directory)
California Codes and Laws	www.leginfo.ca.gov
California Department of Education	www.cde.ca.gov
City and County Government Contacts	City and County web site: www.infospace.com League of California Cities: www.cacities.org California Association of Public Purchasing Officers (CAPPO): www.cappo.org California Association of School Business Officers (CASBO): www.casbo.org
Federal Supply Schedule	www.gsaelibrary.gsa.gov (816/823-3060, ext. 66056)

EXHIBIT I – PRODUCTIVE USE REQUIREMENT FOR INFORMATION TECHNOLOGY PRODUCTS

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

Productive Use Requirement for Information Technology Products

The elapsed time that equipment or software must have been in operation is based upon the importance of the equipment or software for system operation and its cost.

Each equipment or software component must be in current operation for a paying customer. The paying customer must be external to the contractor's organization (not owned by the contractor and not owning the contractor).

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	Prior Operation
(1) More than $100,000	8 months
(2) $10,000 up to $100,000	4 months
(3) Less than $10,000	1 month

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

Information technology equipment is defined in SAM Section 4819.2.

Cost	Prior Operation
(1) More than $100,000	6 months
(2) $10,000 up to $100,000	4 months
(3) Less than $10,000	1 month

Compliance Substantiation

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

EXHIBIT J – AMERICANS WITH DISABILITIES ACT (ADA) NOTICE

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:

- Procurement Division at: 916-375-4400 (main office)
- Procurement Division TTY/TDD (telephone device for the deaf)
  Sacramento Office: 916-376-1891
  Fullerton Office: 714-773-2093
- California Relay Service
  Voice: 1-800-735-2922 or 1-888-877-5379
  TTY: 1-800-735-2929 or 1-888-877-5378
  Speech to Speech: 1-800-854-7784

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

Advance Notice

<u>IMPORTANT</u>: 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.

EXHIBIT K – MARKETING CMAS

You are competing with many other contractors. You must proactively market your contract to receive business.

News Releases	State approval is required for all news releases about CMAS. Send news releases to: Department of General Services Procurement Division – CMAS Unit 707 Third Street, Second Floor West Sacramento, CA 95605 Attention: Carol Umfleet
Government Contacts	See CMAS Contractor Packet, Exhibit H, Useful Web Sites.
Purchase State Telephone Directory	Contact the State of California Publications Unit to purchase a State Telephone Directory at the Procurement Division's Home Page: www.dgs.ca.gov/pd (click on Materials, then Publications Distribution Center) or, mail your request to: Department of General Services Procurement Division - Publications Unit 1700 National Drive Sacramento, CA 95834 The Directory can also be accessed online at www.cold.ca.gov.
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 Web Site	If you are interested, we will establish a hot link from the CMAS List of Approved Contractors to your web site, after your CMAS contract has been awarded. The following information is required: CMAS Contract Number Contractor Name Term of Contract Contact Person Phone Number Internet Address Brief Description of Products/Services Mail the information to: Department of General Services Procurement Division - CMAS Unit 707 Third Street, Second Floor West Sacramento, CA 95605 Attention: Application Processing Fax: 916-375-4663

EXHIBIT L – CMAS QUARTERLY BUSINESS ACTIVITY REPORT REQUIRED FORMAT (A REPORT IS REQUIRED EVEN WHEN NO ACTIVITY)

1. Calendar Quarter Number: (Quarter # and Year)
2. CMAS Contract Number: XX-XX-XX-XXXXX (including alpha suffix if applicable)
3. Contractor: Company Name and Address
4. Contractor Contact: Name and Phone Number

5.	6.	7.	8.	9.	10.	11.	12.
Agency Name	**Purchase Order (PO) Number**	**Purchase Order Date**	**Agency Billing Code**	**Total Dollars per Purchase Order**	**Agency Contact**	**Agency Address**	**Phone Number**
			FORMAT				

13. Total dollars for quarter: $_____

The Quarterly Report must contain all of the above data elements, but may be in a landscape report format.

---

1. Identify the calendar quarter number and year for the report you are submitting.
2. Identify your company's CMAS contract number. A separate report is required for each contract, as differentiated by alpha suffix (if applicable). Multiple contracts on Std. 65 State purchase order form should be itemized by contract number. For each individual contract (as differentiated by alpha suffix), identify and group together the contract number with line items and subtotal per contract number (do not include tax in the subtotal).
3. Identify your company name and mailing address.
4. Identify the company contact and phone number for the CMAS contract or the person preparing and submitting the report.
5. Identify the State agency or local government agency that issued the CMAS order.
6. Identify the purchase order number (and amendment number if applicable) on the order form. This is not your invoice number. This is the number the State agency or local government agency assigns to the order.
7. Identify the date the purchase order was issued. This is not the date you received, accepted, or invoiced the order.
8. Identify the State agency billing code. This is a five-digit number identified on the upper right hand corner of the Std. 65 purchase order form. You must identify this number on all purchases made by State of California agencies. Local government agencies will not reference a billing code. You may leave this blank for local government agency orders.
9. Identify the total dollars of the order before tax. Tax must NOT be included in the quarterly report, even if the agency includes tax on the purchase order. The total dollars per order should indicate the entire purchase order amount regardless of when you invoice order, perform services, deliver product, or receive payment.
10. Identify the "Bill To" agency or local government agency CONTACT on the purchase order.
11. Identify the "Bill To" agency or local government agency ADDRESS on the purchase order.
12. Identify the State agency or local government agency phone number on the purchase order.
13. Identify the total dollars pre-tax for all orders placed in that calendar quarter.
14. When the agency amends the purchase order to increase or decrease the dollar amount, the incremental dollar difference must be reported on the following quarterly report. Do not report the total purchase order amount.

EXHIBIT M – TELECOMMUNICATIONS DIVISION CONTRACT CNT-001

Contract CNT-001	The services listed below are on the Department of General Services, Telecommunications Division Contract CNT-001. These services are mandatory for all state agencies pursuant to the Department of General Services Management Memo 04-08.
Voice Network Services	• Local Usage • Long Distance • Long Distance Access • Advanced Intelligent Network (AIN) • Toll Free • Enhanced Toll Free • 800 Enhanced Call Routing (ECR) • International Toll Free • 900 Service • Operator Services • Calling Card • PrePaid Calling Card • Centrex Audio Conferencing • Audio Conferencing
Line Side Services	• Business Access Line (1MB) • Centrex • Integrated Services Digital Network (ISDN) • Account Codes • Private Branch Exchange (PBX) Trunks • Super Trunk Service • Voice Mail • Announcements/Music in queue • Custom Local Signaling Services (CLASS) • Interactive Voice Response (IVR) and Call Router • Automated Attendant/Call Routing • Automated Call Director (ACD) • ACD/Management Information System (MIS) • Computer Interface (CompuCall) Service • Intelligent Call Routing
Data Services	• Dedicated Services • Extended Dedicated Services • SONET (Synchronous Optical Network) Ring and Access Services • ISDN • Switched 56 • Switched T1/T3 • Frame Relay Service and Asynchronous Transfer Mode (ATM) Data Services • InterLATA Frame Relay & ATM • Extended Frame Relay • Managed Frame Relay • Managed Extended Frame Relay • Extended ATM • Gigabit Metropolitan Area Network (GigaMAN)
Additional Services	Billing/Invoicing Services

EXHIBIT N – CMAS ONLINE SEARCH INSTRUCTIONS

Web Site

Go to www.dgs.ca.gov/pd and click on:

- CMAS
- Find a CMAS Contract
- New CMAS Search

Limited Descriptors

The CMAS database limits contract descriptors to a maximum of 12. More products and services may be available on the contract.

Basic Search

Search by Product/Service Description

- Click on **CMAS Product/Service**
- Click on **View Products/Services** (scroll list and click on what you need and then scroll back to the top and click on "**here**" to populate the search field.)
- Click on box for **Small Business (S/B)** and/or **Disabled Veteran Business Enterprise (DVBE)** if applicable.
- Click on **Search** button
- Contracts (if any found) will be displayed in a new window (click on contract number for details).

Search by Contractor Name

- Click on **Contractor Name**
- Enter partial or full name of contractor
- Click on box for **Small Business (S/B)** and/or **Disabled Veteran Business Enterprise (DVBE)** if applicable.
- Contracts (if any found) will be displayed in a new window (click on contract number for details).

Advanced Search

Click on **Advanced Search** (towards top of screen). Under **Select Search Scope,** click on following search options:

- **Any** (default) – Displays pages that contain the words (in any order) in the search box. For personal computers, all pages that contain either personal or computer will be displayed.
- **All** – Displays pages that contain the words in the search box. For personal computers, all pages that contain both personal and computers will be displayed.
- **Exact Phrase** – Displays pages that contain the exact words (in the exact order) as in the search box.

The following options are available. Once the option has been selected, click the "SEARCH" button to execute search.

Advanced Search (Continued)

- For **CMAS Product/Service Search,** click here and enter product/service description (complete phrases, multiple terms, or partial word like micro is acceptable). For the most accurate results, type in the product/service description as it appears in **View Codes**. Click on **View Codes** for a list of descriptions.
- For **CMAS Contractor Name,** click here and enter complete or partial names**.**
- For a list of only **Small Business (SB)** and/or **Disabled Veteran Business Enterprises (DVBE),** click the appropriate box.
- For **CMAS Contract Number Search,** click here and enter the CMAS contract number (X-XX-XX-XXXXA).
- For **Contractor Location Search** by city, click here.
- For **Contract Category Search**, click here and using the drop down menu search by contract category. Categories are general descriptions like Telecommunication Equipment or Non-Information Technology services.

Contracts (if any found) will be displayed in a new window (click on contract number for details).

Search Within Results

Use the initial search results and click on **Search Within Results** at the top of the screen. Enter any part or all of the **CMAS Product/Service Codes** to further refine your search.

Once the option has been selected, click the "**SEARCH**" button to execute search.

Contracts (if any found) will be displayed in a new window (click on contract number for details).

EXHIBIT O – SECRETARY OF STATE CERTIFICATE OF STATUS

State of California

SECRETARY OF STATE

CERTIFICATE OF STATUS
DOMESTIC CORPORATION

I, BILL JONES, Secretary of State of the State of California, hereby certify:

That on the **«DayOfMonth» day of «MonthAndYear», «CorpName»** became incorporated under the laws of the State of California by filing its Articles of Incorporation in this office; and

That no record exists in this office of a certificate of dissolution of said corporation nor of a court order declaring dissolution thereof, nor of a merger or consolidation which terminated its existence; and

That said corporation's corporate powers, rights and privileges are not suspended on the records of this office; and

That according to the records of this office, the said corporation is authorized to exercise all its corporate powers, rights and privileges and is in good legal standing in the State of California; and

That no information is available in this office on the financial condition, business activity or practices of this corporation.

IN WITNESS WHEREOF, I execute this certificate and affix the Great Seal of the State of California this day of September 15, 1999.

EXHIBIT O – SECRETARY OF STATE CERTIFICATE OF STATUS

State of California

SECRETARY OF STATE

CERTIFICATE OF STATUS
CALIFORNIA LIMITED PARTNERSHIP

I, BILL JONES, Secretary of State of the State of California, hereby certify:

That on the «Day» day of «Month», 19«Year», «CALPName», became recognized under the laws of the State of California by filing its certificate of Limited Partnership in this office; and

That no record exists in this office of a certificate of cancellation of said limited partnership nor of a court order declaring cancellation thereof; and

That according to the records of this office, the said limited partnership is authorized to exercise all its powers, rights and privileges and is in good legal standing in the State of California; and

That no information is available in this office on the financial condition, business activity or practices of this limited partnership.

IN WITNESS WHEREOF, I execute this certificate and affix the Great Seal of the State of California this «CurrDay» day of «MoYr».

EXHIBIT O – SECRETARY OF STATE CERTIFICATE OF STATUS

State of California

SECRETARY OF STATE

CERTIFICATE OF STATUS
CALIFORNIA LIMITED LIABILITY COMPANY

I, BILL JONES, Secretary of State of the State of California, hereby certify:

That on the «Day» day of «Month», 19«Year», «CaLLCName», became recognized under the laws of the State of California by filing its Articles of Organization in this office; and

That no record exists in this office of a certificate of cancellation of said limited liability company nor of a court declaring cancellation thereof; and

That according to the records of this office, the said limited liability company is authorized to exercise all its powers, rights and privileges and is in good legal standing in the State of California; and

That no information is available in this office on the financial condition of this limited liability company.

IN WITNESS WHEREOF, I execute this certificate and affix the Great Seal of the State of California this «CurrDay» day of «MoYr».

EXHIBIT P – SAMPLE LETTER OF OFFER

Letter of Offer

The Contractor's Letter of Offer must include the information outlined below for **new and renewal** proposals.

Renewal Offers

Include the following statement at the beginning of your letter: COMPANY NAME is requesting renewal of our existing CMAS contract number _____.

Letter Address

California Department of General Services
Procurement Division - CMAS Unit
707 Third Street, Second Floor
West Sacramento, CA 95605
Attention: Application Processing

Company Name

COMPANY NAME is offering to the State of California, including local government agencies, the same products and/or services, similar terms and conditions, and pricing from the enclosed federal General Services Administration (GSA) schedule(s) or non-federal GSA multiple award contract identified on the enclosed CMAS Contractor Certification.

If all the products/services and provisions from the base contract (federal GSA schedule or non-federal GSA multiple award contract) are not being offered, clearly specify the products and/or services that are being offered for your CMAS contract.

Acceptance of Contract Terms & Conditions

COMPANY NAME accepts the State of California CMAS Terms and Conditions dated: _____ (__Information Technology Products and/or Services __Non-Information Technology Products __Non-Information Technology Services) * without exception.

*Check which terms and conditions apply and identify date.

Required Information

1. **Ownership information –** (large or certified small business, or Disabled Veteran Business Enterprise)
2. **Minimum order requirements are $_____**(**or** "none")
3. **Contractor mailing (P.O. Box only is not acceptable) and phone information:**

   CONTRACTOR:

   Name
   Street Address
   City, State, Zip Code

   CMAS CONTRACTOR REPRESENTATIVE:

   Name
   Telephone Number [Toll Free, if available]
   Fax Number
   Email address

Required Information (Continued)

4. **CAL-Card (VISA) (is/is not) accepted.**

5. **The NSP (Not Specifically Priced) provision (is/is not) requested.** (The NSP provision is not allowed in CMAS contracts for services only).
6. **I hereby certify that during the term of the CMAS contract COMPANY NAME will only provide qualified personnel which meet the educational and/or experience requirements that are stipulated in the federal GSA schedule(s) or non-federal GSA multiple award contract(s).**
7. **I hereby certify that during the term of the CMAS contract COMPANY NAME will perform (as applicable) installation services and software services using manufacturer or software publisher authorized personnel and meet manufacturer or software publisher documented specifications, unless otherwise specifically stated in the purchase order/Statement of Work.**

Required Certifications and Forms

Enclose the following required certifications, documents and forms:

- Secretary of State Certificate of Status (if applicable)
- STD. 204-Payee Data Record, Exhibit R
- CMAS Contractor Certification, Exhibit Q
- Contractor's License Information form (if applicable), Exhibit S
- Small Business and/or DVBE Certifications (if applicable)
- Best Customer Reference form(s) for consulting services (if applicable), Exhibit T
- Manufacturer/Distributor authorization(s) for products and personal services (if applicable) like maintenance, repair, installation, etc.
- CMAS Product and Service Codes
- **Federal GSA-** Submit one copy of the federal GSA contract that includes the offered products, services, and prices. Submit the entire contract.
- **Non-Federal GSA**- Submit one hard copy and one electronic version of the non-federal GSA multiple award contract, (Copy of solicitation document, Copy of solicitation/bid response, Copy of awarded contract, Evidence of multiple awards).

Signature Block

Sincerely,

COMPANY REPRESENTATIVE, Signature and Title

Enclosures

EXHIBIT Q – PAYEE DATA RECORD

STATE OF CALIFORNIA-DEPARTMENT OF FINANCE

PAYEE DATA RECORD

(Required when receiving payment from the State of California in lieu of IRS W-9)
STD. 204 (Rev. 6-2003)

1

INSTRUCTIONS: Complete all information on this form. Sign, date, and return to the State agency (department/Office) address shown at the bottom of this page. Prompt return of this **fully completed** form will prevent delays when processing payments. Information provided in this form will be used by State agencies to prepare Information Returns (1099). See reverse side for more information and Privacy Statement.

NOTE: Governmental entities, federal, State, and local (including school districts), are not required to submit this form.

2

PAYEE'S LEGAL BUSINESS NAME (Type or Print)	
SOLE PROPRIETOR – ENTER NAME AS SHOWN ON SSN (Last, First, M.I.)	**E-MAIL ADDRESS**
MAILING ADDRESS	**BUSINESS ADDRESS**
CITY, STATE, ZIP CODE	**CITY, STATE, ZIP CODE**

3

PAYEE ENTITY TYPE

CHECK ONE BOX ONLY

ENTER FEDERAL EMPLOYER IDENTIFICATION (FEIN): ___ – _____

☐ **PARTNERSHIP**

☐ **ESTATE OR TRUST**

CORPORATION:
- ☐ **MEDICAL** (e.g., dentistry, psychotherapy, chiropractic, etc.)
- ☐ **LEGAL (e.g., attorney services)**
- ☐ **EXEMPT (nonprofit)**
- ☐ **ALL OTHERS**

☐ **INDIVIDUAL OR SOLE PROPRIETOR ENTER SOCIAL SECURITY NUMBER:** ___ – __ – ____

(SSN required by authority of California Revenue and Tax Code Section 18646)

NOTE: Payment will not be processed without an accompanying taxpayer I.D. number.

4

PAYEE RESIDENCY STATUS

☐ California resident – Qualified to do business in California or maintains a permanent place of business in California

☐ California nonresident (see reverse side) – Payments to nonresidents for services may be subject to State income tax withholding
- ☐ No services performed in California.
- ☐ Copy of Franchise Tax Board wai er of State withholding attached.

5

I hereby certify under penalty of perjury that the information provided on this document is true and correct. Should my residency status change, I will promptly notify the State agency below.

AUTHORIZED PAYEE REPRESENTATIVE'S NAME (Type or Print)		**TITLE**
SIGNATURE	**DATE**	**TELEPHONE** ( )

6

Please return completed form to:

Department/Office: Department of General Services, Procurement Division
Unit/Section: CMAS Section
Mailing Address: 707 3rd Street, 2nd Floor
City/State/Zip: West Sacramento, CA 95605
Telephone: (916) 375-4365 **Fax:** (916) 375-4663
E-mail Address: cmas@dgs.ca.gov

EXHIBIT Q – PAYEE DATA RECORD

STATE OF CALIFORNIA-DEPARTMENT OF FINANCE

PAYEE DATA RECORD

STD. 204 (Rev. 6-2003) (REVERSE)

1	**Requirement to Complete Payee Data Record, STD. 204** A completed Payee Data Record, STD. 204, is required for payments to all non-governmental entities and will be kept on file at each State agency. Since each State agency with which you do business must have a separate STD. 204 on file, it is possible for a payee to receive this form from various State agencies. Payees who do not wish to complete the STD. 204 may elect to not do business with the State. If the payee does not complete the STD. 204 and the required payee data is not otherwise provided, payment may be reduced for federal backup withholding and nonresident State income tax withholding. Amounts reported on Information Returns (1099) are in accordance with the Internal Revenue Code and the California Revenue and Taxation Code.
2	Enter the payee's legal business name. Sole proprietorships must also include the owner's full name. An individual must list his/her full name. The mailing address should be the address at which the payee chooses to receive correspondence. Do not enter payment address or lock box information here.
3	Check the box that corresponds to the payee business type. Check only one box. Corporations must check the box that identifies the type of corporation. The State of California requires that all parties entering into business transactions that may lead to payment(s) from the State provide their Taxpayer Identification Number (TIN). The TIN is required by the California Revenue and Taxation Code Section 18646 to facilitate tax compliance enforcement activities and the preparation of Form 1099 and other information returns as required by the Internal Revenue Code Section 6109(a). The TIN for individuals and sole proprietorships is the Social Security Number (SSN). Only partnerships, estates, trusts, and corporations will enter their Federal Employer Identification Number (FEIN).
4	**Are you a California resident or nonresident?** A corporation will be defined as a "resident" if it has a permanent place of business in California or is qualified through the Secretary of State to do business in California. A partnership is considered a resident partnership if it has a permanent place of business in California. An estate is a resident if the decedent was a California resident at time of death. A trust is a resident if at least one trustee is a California resident. For individuals and sole proprietors, the term "resident" includes every individual who is in California for other than a temporary or transitory purpose and any individual domiciled in California who is absent for a temporary or transitory purpose. Generally, an individual who comes to California for a purpose that will extend over a long or indefinite period will be considered a resident. However, an individual who comes to perform a particular contract of short duration will be considered a nonresident. Payments to all nonresidents may be subject to withholding. Nonresident payees performing services in California or receiving rent, lease, or royalty payments from property (real or personal) located in California will have 7% of their total payments withheld for State income taxes. However, no withholding is required if total payments to the payee are $1,500 or less for the calendar year. For information on Nonresident Withholding, contact the Franchise Tax Board at the numbers listed below: Withholding Services and Compliance Section: 1-888-792-4900 E-mail address: wscs.gen@ftb.ca.gov For hearing impaired with TDD, call: 1-800-822-6268 Website: www.ftb.ca.gov
5	Provide the name, title, signature, and telephone number of the individual completing this form. Provide the date the form was completed.
6	This section must be completed by the State agency requesting the STD. 204.
	Privacy Statement Section 7(b) of the Privacy Act of 1974 (Public Law 93-579) requires that any federal, State, or local governmental agency, which requests an individual to disclose their social security account number, shall inform that individual whether that disclosure is mandatory or voluntary, by which statutory or other authority such number is solicited, and what uses will be made of it. It is mandatory to furnish the information requested. Federal law requires that payment for which the requested information is not provided is subject to federal backup withholding and State law imposes noncompliance penalties of up to $20,000. You have the right to access records containing your personal information, such as your SSN. To exercise that right, please contact the business services unit or the accounts payable unit of the State agency(ies) with which you transact that business. All questions should be referred to the requesting State agency listed on the bottom front of this form.

EXHIBIT R – CONTRACTOR CERTIFICATION

By signing below, I hereby certify that my company will comply with the following requirements.

Contractor Responsibility	My company will be totally responsible, in accordance with the terms and conditions of the contract, for all products and services sold through my company's CMAS contract. All products, services, and prices offered by my company under the CMAS contract appear on and meet all requirements expressly stated in the contract for the referenced (base) federal General Services Administration (GSA) schedule or non-federal GSA multiple award contract.
Approved Products and Services	My company will sell only products and services approved for my CMAS contract(s). This may include the entire or partial federal GSA schedule or non-federal GSA multiple award contract.
Contract Prices	All prices for products and services offered by my company will be equal to or lower than the price in the referenced (base) federal GSA schedule or non-federal GSA multiple award contract.
Contractor Provides Contract	My company will provide to each agency upon request a complete copy of the CMAS contract (see CMAS Contractor Packet, Exhibit E, for the components of a CMAS contract).
Software Copyright Laws	My company has appropriate systems and controls in place to ensure that state funds will not be used in the performance of this contract for the acquisition, operation or maintenance of computer software in violation of copyright laws.
Product Installation	My company will perform product installation and modification only if specifically provided for in the CMAS contract. All product installations and modifications performed by my company will be by manufacturer-authorized personnel and meet manufacturer- documented specifications, unless otherwise specifically stated in the purchase order/Statement of Work.
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 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.

EXHIBIT R – CONTRACTOR CERTIFICATION

Resumes and References	My company will provide customer references and resumes upon request by the ordering agency.
Software Services	My company will perform software services only if specifically provided for in the CMAS contract. All software services performed by my company will be by software publisher-authorized personnel and meet software publisher-documented specifications, unless otherwise specifically stated in the purchase order/Statement of Work.
Keeping Current	My company will sell only the most current CMAS approved products and services (at or below the same prices) as approved for the referenced (base) federal GSA schedule or non-federal GSA multiple award contract. My company will maintain files (including all modifications) to substantiate compliance with this requirement. This requirement also applies to my company if I am establishing my CMAS contract with products, services, and prices from another contractor's federal GSA schedule or non-federal GSA multiple award contract.
Education and Experience Requirements	My company will only provide qualified personnel that meet the educational and/or experience requirements that are stipulated in the federal GSA schedule(s) or non-federal GSA multiple award contract(s).
Delivery	As provided for in the CMAS contract and specified in the purchase order/statement of work, the contractor agrees that the delivery of the products or completion of the services may be after the expiration of the CMAS contract end term. In all cases the purchae order must be issued before the CMAS contract end term expires.
Recycled or Re-manufactured Cartridges	Except as provided for in Public Contract Code 12156 (b), my company will not sell printer or duplication cartridges for which the manufacturer, wholesaler, distributor, retailer, or re-manufacturer places restrictions on the recycling or re-manufacturing of that cartridge by any other person. Restrictions on recycling or re-manufacturing may include: • Reduced price in exchange for agreement to not re-manufacture • License agreement forbids recycling or re-manufacturing • Contract forbids recycling or re-manufacturing • Proprietary chip prevents the re-use of the cartridge

EXHIBIT R – CONTRACTOR CERTIFICATION

False Claims: Section 12650 et seq. of the California Government Code provides for the imposition of treble damages for making false claims against the State. False claims may also result in immediate termination of this contract(s).

List below the multiple award contract(s) that you are offering for your CMAS contract(s), contract owner (company name), and contract start and end dates. If more lines are required, attach additional sheets with the same information.

Multiple Award Contract Number*	Contract Owner	Contract Start Date	Contract End Date

*This is the number of the multiple award contract(s) (i.e., federal GSA contract) from which the products, services and/or prices (as applicable) are being offered.

By signing below, the Contractor certifies compliance with the requirements of this CMAS Contractor Certification, Exhibit R (3 pages).

_____

Contractor (Offeror) Company Name

_____

Authorized Signature **Date Signed**

_____

Print Name and Title

EXHIBIT S – CONTRACTOR'S LICENSE INFORMATION

Applicability	Contractor shall complete the applicable Contractor's License information below in accordance with the Contractor's State License Board, Department of Consumer Affairs (www.cslb.ca.gov). **Contractors are required to complete this form if a Contractor's License is required for the proposed work,** even if the License is not listed below.
Prime Contractor Must Be Registered	The CMAS contractor must possess the appropriate License(s), even if a subcontractor is to perform the work. The License must be in the name of the Contractor or in the name of the "qualifying individual" of the company.
Sub-Contractor Must Be Registered	If subcontractors are used, they must also possess a valid California State Contractor's License.
Installation, or Furnish and Install	Contracts that include installation, or the wording "furnish and install," require at the time of contract award that the Contractor possess a valid California State Contractor's License.
Buildings, Highways, Roads, Parking Facilities, Railroads, Excavation, or Other Structure	All contractors that construct or alter any building, highway, road, parking facility, railroad, excavation, or other public structure in California must be licensed by the California State License Board (CSLB) <u>if the total cost (labor and materials) of the project is $500.00 or more.</u> **IMPORTANT**: Review CMAS Contractor Packet, Section 14, Public Works Projects.
Carpet	Contractors who install carpet must possess a valid C-15 Contractor's License.
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 C-61, D-24 or D-34, Contractor's License.
Data Wiring and Cabling	Contractors who install voice or data wiring and cabling must possess a valid C-7, C-10, or C-61/D05 Contractor's License.
Grounds for Termination	Failure to be licensed or to keep the License current and in good standing shall be grounds for contract termination.

Class: _____ **License No:** _____

Licensee: _____ **Expiration Date:** _____

Relationship of Licensee to Contractor:
_____

Class: _____ **License No:**_____

Licensee: _____ **Expiration Date:** _____

Relationship of Licensee to Contractor:
_____

Class: _____ **License No:** _____

Licensee: _____ **Expiration Date:**_____

Relationship of Licensee to Contractor: _____

Contract Holder	Contractors offering services from their own multiple award contracts do not require further evidence of their ability to perform the services offered.
No Multiple Award Contract	Contractors who are offering services from another contractor's federal GSA schedule or other non-federal GSA multiple award contract must provide the following information to qualify for services. Personal Services – Purchase orders for services that have someone doing something, e.g., maintenance services, cleaning services, waste removal services. The Contractor must provide written substantiation that they are authorized to provide the personal services. • For maintenance and repair, only manufacturer authorizations are acceptable. • For installation services, contractors self-certify qualification in CMAS Contractor Packet, Exhibit R. Consulting Services – Purchase orders for services of an advisory nature that provide a recommended course of action or personal expertise (product of the mind). The Contractor must submit Best Customer Reference forms (minimum of three) describing work that their firm has performed within the last two years to substantiate their company is qualified to perform the consulting services offered (see below for Best Customer Reference forms). The reference must include a narrative that details "what you did" for the customer and should not replicate the contract service description. However, the reference narrative must explicitly demonstrate the expertise being offered and correlate (one-for-one match) with the description of services/skills in the referenced multiple award contract. For example, if the CMAS applicant is providing COBOL programming, then the narrative must substantiate that the Contractor performed COBOL programming. The references can be from either the private or public sector. A reference that simply identifies a "project name" or provides a general description like "project management" will not be accepted because this provides no insight into the Contractor's capabilities. Lack of detail will delay the process. Use attachments when necessary. The customer must initial the attachments. The Contractor must select CMAS Products and Services Codes that correlate with the services described in the narrative and the skill categories in the multiple award contract offered. Use Exhibit T-3, Personal/Consulting Services Matrix, to provide this information.

EXHIBIT T – SERVICES REQUIREMENTS

Software Services	Software services are required to be performed by publisher-authorized personnel and meet publisher documented specifications, unless otherwise specifically stated in the purchase order/Statement of Work. The Contractor certifies compliance with this requirement in CMAS Contractor Packet, Exhibit R. Also, the CMAS Unit or agency may request proof of authorization or qualification.
Agencies Review Resumes	Agencies are required to review resumes before order placement to substantiate level of expertise.
Education and Experience Requirements	The Contractor is required to provide qualified personnel that meet the educational and/or experience requirements that are stipulated in the federal GSA schedule(s) or non-federal GSA multiple award contract(s). This must be addressed in your firm's Letter of Offer (see CMAS Contractor Packet, Exhibit P).
Master and Statewide Contracts	Contractors are typically prohibited from offering products, services and prices from existing CMAS contracts, statewide annual or master contracts issued by the Department of General Services, Procurement Division.
DGS Approves Orders for Non-IT Services	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 DGS/PD, it will be stamped approved and signed by DGS/PD and returned to the agency for issuance to the Contractor. Contractors are prohibited from accepting purchase orders exceeding $50,000 without the DGS/PD stamp of approval and signature. Violation of this requirement may result in contract termination. Agencies must send purchase orders that exceed $50,000 to the following address for review and approval: Department of General Services Procurement Division Contract Negotiations Unit 707 Third Street, Second Floor West Sacramento, CA 95605
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 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 (State Administrative Manual, Section 5202 and PCC 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.
Progress Payments	For progress payments, See CMAS Contractor Packet, Section 5, Payments and Invoices, Progress Payments.

EXHIBIT T

PERSONAL/CONSULTING SERVICES REQUIREMENTS AND INSTRUCTIONS

BEST CUSTOMER REFERENCE FORMS – INSTRUCTIONS	
Company (CMAS Applicant)	Enter the name of the company that is the service provider. This is the CMAS applicant.
Project Title	Enter the project title.
Project Begin Date	Enter the project start date for services performed within the last two years.
Project End Date	Enter the last date services were performed. If the project has been started but not completed, enter "On-going" **and** identify the task(s) completed in the narrative. Only the completed components of the project will qualify for consideration.
Customer Name	Enter the name of the reference customer that received the services.
Street Address	Enter the street address for the reference customer.
City, State and Zip Code	Enter the city, state, and zip code for the reference customer.
Contact Person	Print the name of the contact person who signed the Best Customer Reference Form, and the attached narrative, and who has direct knowledge of the services provided.
Contact Phone Number	Enter a phone number for the contact person.
Narrative Description of Project and Services Provided/Performed	On an attached sheet, provide the following: 1. Describe the project 2. Identify the tasks and services completed to-date that your firm provided/performed on the project. Clearly demonstrate the correlation between the skill categories in the base contract* and the services provided by your firm on the project. 3. Customer must sign attachments if applicable. **Base contract is the federal GSA schedule, or other non-federal GSA multiple award contract, that is used to establish the CMAS contract.*

EXHIBIT T

PERSONAL/CONSULTING SERVICES REQUIREMENTS AND INSTRUCTIONS

BEST CUSTOMER REFERENCE FORMS – INSTRUCTIONS	
Products and Services Codes	The Contractor selected CMAS Products and Services Codes must correlate with the services provided in the customer reference narrative and the skill categories in the base contract.
Questions	Only the contact person must answer all the questions. Explain all "No" answers.
Signature and Title	The contact person must sign the form and attachments (if applicable) and print his/her title.
Personal/Consulting Services Matrix	Complete the matrix (Exhibit T-3) as applicable all submitted Best Customer References.

EXHIBIT T-1 – BEST CUSTOMER REFERENCE FORM
(Use Exhibit T-2 for Independent Verification & Validation)

Company (CMAS Applicant)		
Project Title		
Project Term	**Project Begin Date**	**Project End Date**
Customer Name **Street Address** **City, State and Zip Code** **Contact Person** **Contact Phone Number**		
Narrative Description of Project and Services Provided/Performed	On an attached sheet, provide the following: 1. Describe the project 2. Identify the tasks and services completed to-date that your firm provided/performed on the project. Clearly demonstrate the correlation between the skill categories in the base contract* and the services provided by your firm on the project. 3. Customer must sign attachments if applicable. **Base contract is the federal GSA schedule, or other non-federal GSA multiple award contract, that is used to establish the CMAS contract.*	
Products and Services Codes	The Contractor selected CMAS Products and Services Codes must correlate with the services provided in the customer reference narrative and the skill categories in the base contract.	

QUESTIONS	CIRCLE ONE
1. Was the project completed within the original project time frames?	YES NO
2. Was the project completed within the original project budget?	YES NO
3. Were the Project Management services provided at the cost contracted for?	YES NO NA
4. Were problems with the project addressed and resolved promptly?	YES NO NA
5. Did the work performed meet the project goals?	YES NO NA
6. Would you use this company again?	YES NO

Contact Name Signature:_____

Title (print):_____ **Date:** _____

PLEASE EXPLAIN IF THE ANSWER TO 1 THROUGH 6 ABOVE IS NO:

EXHIBIT T-2 – BEST CUSTOMER REFERENCE FORM
For Independent Verification & Validation (IV&V)

Company (CMAS Applicant)		
Project Title		
Project Term	**Project Begin Date**	**Project End Date**
Customer Name **Street Address** **City, State and Zip Code** **Contact Person** **Contact Phone Number**		
Narrative Description of Project and Services Provided/Performed	On an attached sheet, provide the following: 1. Describe the project 2. Identify the tasks and services completed to-date that your firm provided/performed on the project. Clearly demonstrate the correlation between the skill categories in the base contract* and the services provided by your firm on the project. 3. Customer must sign attachments if applicable. **Base contract is the federal GSA schedule, or other non-federal GSA multiple award contract, that is used to establish the CMAS contract.*	
Products and Services Codes	The Contractor selected CMAS Products and Services Codes must correlate with the services provided in the customer reference narrative and the skill categories in the base contract.	

QUESTIONS	CIRCLE ONE
1. Was ANSI/IEEE Std 1012-1998, or equivalent standard, used in conducting the IV&V services?	YES NO
2. Was the project completed within the original project timeframes?	YES NO
3. Was the project completed within the original project budget?	YES NO NA
4. Was the original contracted scope of the software verification and validation plan followed?	YES NO NA
5. Was the software verification and validation plan complete?	YES NO NA
6. Was the software verification and validation report complete?	YES NO

Customer Contact Name Signature:_____

Title (print):_____ **Date:**_____

PLEASE EXPLAIN IF THE ANSWER TO 1 THROUGH 6 ABOVE IS NO:

EXHIBIT T- 3

PERSONAL/CONSULTING SERVICES MATRIX
(Sample Matrix – Submit with the Best Customer Reference Forms)

REQUESTED JOB TITLES	CMAS PRODUCT & SERVICES CODES	REFERENCED CUSTOMER
Sr. Programming Specialist Sr. IT Trainer System Planner	1402-Consulting-Programming 1198-Training-Software 2056-Training-IT System Mgmt 1249-Consulting-IT Project Planning	ABC Company
System Planner Sr. Analyst Jr. Programmer	1249-Consulting-IT Project Planning 222-Consulting-IT Require Analysis 1212-Consulting-System Analysis 1402-Consulting-Programming	XYZ Department
	SAMPLE	

EXHIBIT U – PRODUCTS AND SERVICES CODES

See CMAS web site www.dgs.ca.gov/pd (click on CMAS) for the most current list of Products and Services Codes.