



Department of General Services

Procurement Division

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Broadcast Date: August 8, 2012

Bulletin #: E-11-12

**TO: Purchasing Authority Contacts (PACs)
Procurement and Contracting Officers (PCOs)
Suppliers Attending the August 29, 2012 Meeting**

**RE: Additional Supplier Information for the Renegotiation of Standard Terms
and Conditions for Information Technology Contracts**

This Broadcast Bulletin serves as a reminder that the State of California intends to enter negotiations with the information technology (IT) supplier community to modify the Standard Terms and Conditions for IT contracts (please see original Broadcast Bulletin #: K-36-12, dated July 17, 2012). In addition, the Broadcast Bulletin provides additional information for suppliers intending to participate in the negotiations.

State's Preliminary Meeting

- The State's preliminary meeting scheduled for August 29, 2012 will be an all-day meeting from 9:00 AM to 5:00 PM at the DGS Headquarters in West Sacramento. Participants will be given time for lunch and will need to make their own arrangements.

**Supplier Responsibilities:
(Prior to the August 29, 2012 meeting)**

- Suppliers should draft memoranda addressing current issues and problems with the existing terms and conditions and potential mitigations. Suppliers are not required, but may draft specific language to address these concerns.
- These memoranda should be transmitted to DGS, Procurement Division by August 22, 2012 in order to give staff time to categorize the issues and establish a working agenda.
- Failure to compose and transmit the memoranda will not prevent an issue from being discussed at the August 29th meeting but may prevent the issue from receiving full attention.

- These proposals and issues will guide the individual breakout sessions at the August 29th meeting.

Draft DGS/PD Ground Rules for Negotiations

It is the Department of General Services, Procurement Division's intent to update the Standard Terms and Conditions for IT contracts, limited to the GSPD-401IT and IT Special Provisions to further establish an equal basis upon which suppliers can bid on IT contracts. The current GSPD-401IT and Special Provisions will serve as a basis for these negotiations.

- These discussions are not about the PCC 6611 process or the recent granting of authority for such negotiations to CTA.
- Proposed changes or solutions should not require changes to statutes (e.g. the elimination of the Iran Contracting Act or DVBE requirement).
- Suppliers may submit a redline copy of their proposed changes

Any contractor intending to participate should contact:

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