



**MASTER SERVICES AGREEMENT
USER GUIDE
CONTRACT AWARDS ARE A RESULT OF: RFP MSA 01 MA-01**

CONTRACT NUMBERS:	5-01-70-09 – 5-01-70-33 5-01-70-35 – 5-01-70-60 5-01-70-62 – 5-01-70-69 59 MSA CONTRACTS
CONTRACT TERM:	December 19, 2001 through December 18, 2005
SERVICE:	INFORMATION TECHNOLOGY CONSULTING SERVICES Category I = Independent Project Oversight Activities (Sub-categories = IA and IB) Category II = Project Activities (Sub-categories = IIA, IIB, IIC, IID and IIE) Category III = Miscellaneous Activities (Sub-categories IIIA, IIIB, IIIC and IIID)
DISTRIBUTION CODE:	ALL EDP CONTACTS; LOCAL AGENCY LIST; MSA CONTRACTORS, PD CENTRAL RECORDS
NOTE:	Electronic version of all documents associated with this MSA can be found on the DGS/PD Internet web page: www.dgs.ca.gov/pd
USER GUIDE ISSUE DATE AND EFFECTIVE DATE:	December 19, 2001

DEPARTMENT OF GENERAL SERVICES CONTACT

**Janine Vine
707 3rd Street, 2nd Floor
West Sacramento, CA 95605
Phone: 916/375-4457
Fax: 916/375-4534
E-mail Janine.Vine@dgs.ca.gov**

GERRY ALLEY, Manager, Master Agreements and Contracts Section

INFORMATION TECHNOLOGY CONSULTING SERVICES MSA

USER GUIDE

TABLE OF CONTENTS

Introduction and General Information	Section I
Ordering Procedures	Section II
Service Categories	Section III
Contractor Hourly Rate Schedules	Section IV
Contractor Contacts	Section V
Forms	Section VI

I. INTRODUCTION AND GENERAL INFORMATION

The 2001 Information Technology Consulting Services Master Services Agreement (MSA) provides state agencies, cities, counties, special districts, educational and other public entities with professional consultant services. The contractors can help you achieve your IT Consulting Project objectives.

The MSA offers choices of 59 of contractors. The contract award status is detailed in this Section I, Intent to Award document and Section IV, Contractor Hourly Rate Schedules. Contractors have been selected through a competitive bid selection process that was based on 40% consulting experience and 60% cost.

This MSA expedites the process you use to obtain contractors for information technology consulting services. The agency is responsible for the:

- development of a statement of work for the project and identifies all order related issued in the “request for offer” sent to contractors within the selected MSA service category;
- evaluation of the contractors’ scope of work response(s) to the RFO and rationale for selection;
- choice of the contractor best suited to meeting the agency’s requirements/needs.

The agency manages the project, approves the deliverables, and authorizes payment to the contractor.

PCC 10298 b. states that DGS “makes available to any city, county, city and county, district, or other local governmental body or corporation empowered to expend public funds for the acquisition of goods, information technology or services for assisting the agency in acquisitions conducted”. While the State of California makes this MSA available to local government agencies, each local agency should make its own determination of whether using these competitively bid contracts is consistent with its procurement policies and regulations.

Local agency requirements are listed at the end of this section.

A. DGS/PROCUREMENT DIVISION/MASTER AGREEMENTS & CONTRACTS SECTION (MACS) MSA CONTRACT ADMINISTRATOR

Janine Vine
 707 3rd Street, Second Floor
 West Sacramento, CA 95605
 Voice: 916/375-4457
 Fax: 916/375-4534
 e-mail: Janine.Vine@dgs.ca.gov

B. SERVICE CATEGORIES BASED ON THREE INTERNATIONALLY RECOGNIZED STANDARDS

A recap of the awards for this MSA by category/sub-category are as follows:

Category I = Independent Project Oversight Activities

Sub-category IA = Independent Verification and Validation = 20 awards

Sub-category IB = Project Management Oversight = 36 awards

Category II = Project Activities

Sub-category IIA = Programming = 39 awards

Sub-category IIB = System Integration/Analysis/Design = 44 awards

Sub-category IIC = System Support = 32 awards

Sub-category IID = Project Management = 45 awards

Sub-category IIE = Quality Assurance = 38 awards

Category III = Miscellaneous Activities

Sub-category IIIA = IT Planning = 31 awards

Sub-category IIIB = IT Facilitation = 34 awards

Sub-category IIIC = Training = 29 awards

Sub-category IIID = Report Writing = 36 awards

The standards used to support this MSA are internationally recognized standards. The three approved standards for this MSA are listed below and described in detail in Section III.

1. IEEE
2. ISO
3. PMI

The three standards approved for use in this MSA are standards that qualify and meet the Dept. of Information Technology's intent to require agencies to follow a "recognized standard" for all IT projects.

C. MSA ORDER LIMITS

During the MSA contract term, there will be no order limit per individual order.

D. RESTRICTIONS

There are no restrictions for this MSA.

E. PRICING

Ordering agencies will pay the hourly rate specified in the contractor's MSA contract. Rates may not exceed the contract rate and contractors can agree to reduce their rates on an individual project basis. The contract rates listed in Section IV, CONTRACTORS HOURLY RATE SCHEDULES are fixed rates for the entire four (4) year term of this MSA. Once the ordering agency issues a MSA order, the hourly rates become fixed for the term of the MSA order.

F. PAYMENT

Ordering agencies must comply with Government Code 927 and pay undisputed invoices within the required 30 days. State agencies also may make progress payments to contractors for work performed until the final deliverable is received and accepted. If progress payments are included in the agency's order, the agency shall retain ten percent (10%) of fees billed pending completion of the entire project (PCC 10346 and 12112).

G. DGS ADMINISTRATIVE FEE

The DGS charges the ordering agencies of this MSA an administrative fee. The fee is a specified percentage of contracted services. The fee is not included in the contractor's hourly rates for this MSA. The administrative fee for this MSA is currently **1.21%** of the total order amount. The MACS Unit will bill the agency directly for the administrative fee.

H. PROJECT RELATED EXPENSES

Contractor personnel must be available to interview and work statewide. There is no increase in hourly rates based on location of the work-site. Project costs related to items such as travel, per diem and travel time to the designated base of operation for the project are the included costs of the contractor rates. The ordering agency shall not pay for such costs as a separate item. The ordering agency will determine the base of operation for each project and identify such information in their Request for Offer (RFO) document (see Section V, FORMS).

The only travel expense exception will be when the contractor is required to travel to multiple sites that are not located in the same city or general vicinity as part of the project and this requirement is specified in the projects request for offer and scope

of work documents. All travel expenses must be pre-authorized by the ordering agency and is reimbursed at the then current Dept. of Personnel Administration state rates. The travel expense exception does not pertain to on-site interviews.

I. PROFESSIONAL ERRORS AND OMISSIONS INSURANCE

Some orders issued under this MSA may require the contractor to provide proof of Professional Errors and Omissions Insurance covering any damages caused by an error, omission or any negligent acts. The ordering agency shall determine the minimum limits of the Professional Errors and Omissions Insurance to be provided at no cost to the agency.

J. PERSONNEL WORKING ON PROJECTS

Contractors must include the names, classifications and resumes of personnel including subcontractors who will be assigned to the project. If a contractor's proposal includes subcontractors, the hourly rates and classification equivalent **must** be listed. The rates **cannot** be higher than the prime contractor's published MSA rates.

K. TERM OF MSA

The term of this MSA is December 19, 2001 through December 18, 2005—four (4) years.

L. PERFORMANCE BOND

Some orders issued under this MSA may require the contractor to secure a performance bond. If required, the contractor shall furnish the agency, at no cost, a performance bond in the amount of fifty percent (50%) of the total order amount. The bond shall be on a form from a surety insurer and must guarantee the contractor's compliance with the terms of this MSA. The bond shall be executed prior to commencement of work on the project.

M. DISABLED VETERAN BUSINESS ENTERPRISE

One (1) firm on this MSA is certified as a DVBE and is designated in the contact information listed in Section V, Contractor Contacts. The Disabled Veteran Business Enterprise (DVBE) participation goals were not included as a bid requirement for this MSA. For each individual project, as the agency business needs are being developed, ordering agencies should decide whether to require MSA contractors to meet DVBE participation goals or to not include such a requirement in the contract for the individual project.

N. TARGET AREA CONTRACT PREFERENCE ACT (TACPA), LOCAL AGENCY MILITARY BASE RECOVERY AREA (LAMBRA), AND ENTERPRISE ZONE ACT (EZA)

If more than 10% of a project is to be performed at a site designated by the ordering state agency, the TACPA, LAMBRA and EZA preferences do not apply to the project and the documentation is not attached to the statement of work. Any questions regarding these preferences should be referred to the Dispute Resolution Unit of DGS, Procurement Division at 916/375-4601.

O. SMALL BUSINESS PREFERENCE

Ten (10) firms on this MSA are certified as small businesses and are designated in the contact information listed in Section V, Contractor Contacts. This preference was applied to each bid during the evaluation and selection process. The ordering agency will be responsible for tracking dollars spent through the use of a certified small business during the term of this MSA.

P. REPORTING REQUIREMENTS

1. FOR ORDERING AGENCIES

- a. Upon completion of the project, the agency shall complete the MSA Contract Performance Report in Section VI, FORMS. The completed form should be sent to the MACS MSA Contract Administrator. Ordering agencies may also use the Contract/Contractor Evaluation Form (STD. 4).
- b. If the contractor's performance is unsatisfactory, the ordering agency must send a copy of the completed Std. 4 to the DGS, Office of Legal Services within five (5) days after the completion of the evaluation. The contractor must be notified and sent a copy of the unsatisfactory Std. 4 evaluation within fifteen days after its completion.
- c. Effective January 1, 2001, agencies must report specific information on independent sole proprietor contractors to the Employment Development Department (EDD) as required by Senate Bill 542. The information must be reported within 20 days of entering into a contract for \$600 or more, or if there is no contract, within 20 days of when the payments total \$600 or more in any calendar year, whichever occurs sooner.

NOTE: For assistance in reporting to EDD, please call 916/657-0529, the EDD Tax branch, Accounts Services Group.

Q. LOCAL AGENCIES GUIDELINES FOR USE OF THIS MSA

1. Local agencies must have obtained internal approval prior to issuing an order against this MSA. Local agencies must agree to all the terms and conditions of this MSA when issuing orders against this MSA.
2. Local agencies may use their own contract forms but must include all pertinent information as required by State ordering agencies—the data elements are described in Section VI, Forms

3. DGS charges the users of this MSA an administrative fee. The DGS administrative fee is a specified percentage of contracted services. DGS annually sets the percentage for such administrative fee. Agencies using this MSA should check the DGS website for current rates. The DGS administrative fee is not included in the contractor's hourly rates for this MSA. Local agencies must agree to the State's administrative fee. The State will bill the local agency for using this MSA as outlined above.
4. The DVBE participation goals do not apply to MSA orders issued by local agencies.
5. The Small Business preference does not apply to MSA orders issued by local agencies. Local agencies are not required to track dollars spent through the use of certified small businesses.
6. Local Agency Reporting—send one copy of the approved order/contract form along with a copy of the Contractor and Evaluation and Selection Form (refer to Section VI, Forms) to DGS/Procurement Division, Attn: Master Agreements and Contracts Section (MACS). The local agency resolution, if required, approving use of the MSA must be attached to the approval order/contract. The local agency order/contract document **must** include the DGS billing code. If a local agency has not been assigned a DGS billing code, it should fax its name and complete billing address to the DGS/PD/MACS at 916/375-4442