

Memorandum

To: ITS Customers Requesting Software from Certain Specific Manufacturers

From: Craig P. Orgeron, Ph.D.

Date: August 1, 2015 (*Updated August 8, 2016*)

Re: Instructions for Use for the Software Express Products List 3758

1. Introduction

1.1 *Covered Software*

The Software Express Products List (EPL) 3758 may be used in the acquisition of licenses, maintenance, upgrades, support, training, distribution media, and documentation from the following software manufacturers' volume license agreements or open license pricing. **ONLY THE SOFTWARE FROM THESE NAMED MANUFACTURERS IS APPROVED UNDER EPL 3758.**

- 1.1.1 Adobe CLP and TLP. FLP products are excluded
- 1.1.2 Attachmate
- 1.1.3 Autodesk
- 1.1.4 Citrix
- 1.1.5 Corel
- 1.1.6 Computer Associates
- 1.1.7 EMC – Networker and Replistor software only
- 1.1.8 IBM Passport Agreement
- 1.1.9 McAfee
- 1.1.10 Novell
- 1.1.11 Open Text (formerly Hummingbird)
- 1.1.12 Quest (acquired by Dell)
- 1.1.13 SAP Business Objects (Crystal Reports/Decisions)
- 1.1.14 Sophos
- 1.1.15 Symantec Government/Academic
- 1.1.16 Trend Micro
- 1.1.17 VMWare

1.2 *Awarded Vendors*

The following resellers were chosen through Request for Proposal 3758 to administer the software sales:

- CDW Government LLC

- Dell Marketing L.P.
- Insight Public Sector
- MNJ Technologies Direct
- SHI International

All orders should be placed through one of these vendors. The awarded vendors may only sell the software titles shown in the list above.

1.3 *Who May Use*

- 1.3.1 This EPL may be used by Mississippi agencies, universities, community/junior colleges and local governing authorities (cities, counties, school districts, etc.). ITS EPLs are multi-vendor awards that meet Mississippi requirements for legal purchase.
- 1.3.2 See *Item 3. EPL Best Practices* for detailed information about how to make an EPL purchase. See *Item 7. What Goes in Your Purchase/Audit File* for specifics about how to document an EPL purchase.

1.4 *Dollar Limitations of Use*

- 1.4.1 The maximum dollar limitation of this EPL (without coming through ITS) is \$250,000 per project. Each software manufacturer would be considered a separate project. This limit is applicable to all categories of EPL users.
- 1.4.2 For purchases under \$50,000 per project, the customer may elect to request quotations from a single EPL vendor or, if available, more than one EPL vendor.
- 1.4.3 **For purchases over \$50,000 per project, the customer must obtain quotations from two or more EPL vendors.** The customer should select the lowest and best proposal using guidelines published within this document without further ITS involvement. This requirement assumes there is a multi-vendor award for the product in question.
- 1.4.4 Projects costing in excess of \$250,000 are beyond the scope of this delegated process and subject to further ITS review and authorization. Authorization to exceed the EPL dollar limitation is described in the ITS Procurement Handbook under the *EPL Planned Purchase* process, Rule 207.7: 013-080. Below is the link to Procurement Handbook.

<http://www.its.ms.gov/Procurement/Documents/ISS%20Procurement%20Manual.pdf>

1.5 *EPL 3758 Effective Dates*

The Software EPL 3758 is valid from signature date of this memo through June 30, 2017.

- 1.6 This list is governed under Procurement Instruments: Express Products Lists (EPLs) in the ITS Procurement Handbook. The EPL is not to be confused with

“state contracts” issued by the Department of Finance and Administration, Office of Purchase, Travel and Fleet Management (DFA-OPTFM).

1.7 *Mississippi’s Accountability System for Government Information and Collaboration (MAGIC)*

State agency customers are required to purchase through Mississippi’s Accountability System for Government Information and Collaboration (MAGIC). These customers will need the contract number and NIGP codes to complete their purchasing. The contract number and the vendor’s supplier number are provided with the ordering information for each vendor. See item 2 below. The NIGP codes are located in item 4 below.

2. **How to Contact Vendors and Obtain Price Quotations for Software EPL 3758**

2.1 Customers may work with one or more of the vendors for pricing quotes. Quotations may be in the form of a written quotation (FAX or E-Mail is acceptable.) The price among the awarded vendors may vary. Customers may choose to use the vendor’s special Mississippi Website to get quotes for products approved under EPL 3758. When doing so note the following:

2.1.1 Do not depend entirely on the published product lists. The published lists are intended as a sampling of products only.

2.1.2 Because the published price list may not contain all products or the latest pricing, you should get quotes from approved EPL vendors before making a purchase.

2.2 Directions for Price Quotations from **CDW Government**

Access this link:

<http://www.its.ms.gov/Procurement/Documents/software/3758-CDW-G.pdf>

2.3 Directions for Price Quotations from **Dell Marketing L.P.**

Access this link:

<http://www.its.ms.gov/Procurement/Documents/software/3758-Dell.pdf>

2.4 Directions for Price Quotations from **Insight Public Sector, Inc.**

Access this link:

<http://www.its.ms.gov/Procurement/Documents/software/3758-Insight.pdf>

2.5 Directions for Price Quotations from **MNJ Technologies Direct, Inc.**

Access this link:

<http://www.its.ms.gov/Procurement/Documents/software/3758-MNJ.pdf>

2.6 Directions for Price Quotations from **SHI International**

Access this link:

<http://www.its.ms.gov/Procurement/Documents/software/3758-SHI.pdf>

3. **EPL Best Practices**

- 3.1 *Evaluate your technical needs.* Work with the vendor(s) to verify the software license or maintenance versions that best fit your needs.
- 3.2 *Negotiate for best pricing.* EPL prices are “not-to-exceed” proposals that may be lowered but not raised. Check with the EPL vendor for availability and for quantity discounts.
- 3.3 *Consider life-cycle maintenance costs.* Investigate the total life cycle cost, including maintenance costs and requirements. Some license agreements require the customer to purchase subsequent software maintenance. Be sure to ask your vendor.
- 3.4 *Consider contracts.* Each awarded vendor has signed a Master Purchase Agreement with ITS. The purchase order from any individual customer will serve as a supplement to these agreements. Additional terms and conditions may be negotiated between the customer and vendor at the time of sale, as needed, as a supplement to the Master Agreement. You may request a copy of a vendor’s Master Agreement from the vendor or from ITS. Additionally, you may request a copy of the underlying agreement between ITS and the software manufacturer if needed.
- 3.5 *Place your order.* Place EPL orders directly with the vendor. Please reference Software EPL number 3758 on your purchase order. Shipping costs are included as part of the purchase price.

4. **NIGP Codes for MAGIC**

State agency customers will be required to use NIGP codes when purchasing through Mississippi’s Accountability System for Government Information and Collaboration (MAGIC). The following NIGP codes will be used for products purchased using the Software EPL.

Object NIGP Code:	Use For:
20811	Application Software, Microcomputer
20880	Software, Microcomputer (Not Otherwise Classified)
92045	Software Maintenance/Support
92046	Software Updating Services

5. **NON-EPL Items**

Vendors who are approved under Software EPL 3758 also sell other software and hardware that may appear on their respective websites. Please remember that the only manufacturers approved under EPL 3758 are listed in item 1.1, “Covered Software.” Items ordered that are **not** from these manufacturers must be purchased using alternative procurement methods. Your authority for purchasing these items would need to be based on other public purchasing mechanisms, with accompanying documentation for your audit trail. We suggest non-EPL items ordered on the same purchase order as EPL items be clearly labeled as such.

6. **American Recovery and Reinvestment Act (ARRA) of 2009**

- 6.1 To the best of our knowledge, the EPLs are valid purchase instruments for the use of ARRA funds.
- 6.2 We recommend that customers using these instruments for purchases using ARRA funds obtain written quotations from multiple EPL sellers, that the request for quotations state that ARRA funds will be used for the purchase, and that all quotations be maintained in the purchase file.
- 6.3 ITS EPLs are established based on sealed proposals submitted by vendors in response to RFPs advertised in accordance with all state statutory requirements for legal procurements of IT products. The EPL RFPs were advertised both in a newspaper with statewide circulation and on the Mississippi Development Authority (MDA) [Mississippi Procurement Technical Assistance Program](#) website. Advertisements exceeded the minimum timeframes required for ARRA purchases. Proposals received in response to these RFPs were evaluated, validated, and published for the use of any public entity in the state in accordance with the Instructions for Use published by ITS.
- 6.4 Each vendor has a designation in their contact information as to whether or not they are an ARRA participant. Those vendors noted as ARRA participants have agreed to work with EPL customers to fulfill purchases that are funded by ARRA. The Master Agreement for these vendors includes conditions pertaining specifically to ARRA purchases.

7. **What Goes in Your Purchase/Audit File**

- 7.1 A copy of the purchase order
- 7.2 A copy of the vendor's document found on the main Software EPL page as noted in item 2 above.
- 7.3 A copy of the product and pricing information for each product being purchased. This may be the written FAX/E-Mail Quotation from the selected vendor or the page containing pricing for your particular purchase from the selected vendor's website.
- 7.4 Any additional project-related documentation or justification.

8. **To Report Problems or Request Assistance**

- 8.1 If you have any feedback that may help us to improve this process, or if you have any problems with your EPL order, please let ITS know. We suggest you notify the vendor of the problem in writing and send a copy to ITS. You may contact us in writing by one of the following ways:

8.1.1 E-mail: isshelp@its.ms.gov

8.1.2 FAX: (601) 713-6380

Mail: ITS, 3771 Eastwood Drive, Jackson, MS 39211

- 8.2 If you have questions about using the EPL, please contact the **Procurement Help Desk at (601) 432-8166**.
- 8.3 ITS is also available to host a “mini-class” on how to use our EPLs at a customer’s request. Please contact the Procurement Help Desk if interested.

Copies of this document are available on the Internet at
<http://www.its.ms.gov/Procurement/Pages/Software.aspx>.