

# Memorandum

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**To:** ITS Customers Requesting Microsoft Software  
**From:** Craig P. Orgeron, Ph.D.  
**Date:** August 8, 2014 (*Updated November 30, 2016*)  
**Re:** Instructions for Use for Microsoft Express Products List 3736  
**CC:** ITS Project File Numbers 40638, 42994

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## 1. Introduction

### 1.1 *Scope*

The Microsoft Express Products List (EPL) 3736 may be used in the acquisition of licenses, maintenance, upgrades, support, training, distribution media, and documentation of Microsoft Licensing Programs. Provided below is a list of Microsoft Software Agreements and products covered under EPL 3736.

1.1.1 Microsoft Academic Select Plus - Level A (#5941227)

1.1.2 Microsoft Enterprise Agreement (EA) - Level D (#01E73755)

1.1.2.1 ITS has executed this Master Enterprise Agreement on behalf of all Mississippi entities. Each entity acquiring Enterprise licensing under this agreement must complete a subsequent Enterprise Enrollment document and sign the Program Signature Form. These documents will be supplied by the reseller, and are necessary to establish the entity's Enterprise Agreement.

1.1.2.2 An Enterprise Agreement is a three-year contract. If the total three year cost exceeds the EPL limit of \$500,000, an EPL Planned Purchase must be submitted to ITS for review and to grant additional spending authority.

1.1.3 Microsoft Campus Agreement/Enrollment for Education Solutions (EES) Agreement - This agreement provides annual subscriptions to colleges and universities based on their Full Time Equivalent (FTE) of students and faculty.

- 1.1.3.1 Consortia Campus Agreement (#01C35668) for all state community colleges - Some individual senior colleges have their own campus agreements in place.
- 1.1.3.2 Consortia Agreement (#01C36077) for all state Institutions of Higher Learning
- 1.1.4 Microsoft School Agreement - This agreement provides annual subscriptions to K-12 schools based on their number of desktop computers. Some K-12 schools have their own agreements in place.
- 1.1.5 Microsoft Open License Program (MOLP) for both Government and Academic - The State does not anticipate the need for any MOLP licenses. This EPL would cover that contingency if the need arises.
- 1.1.6 Microsoft Shrink-wrap Products
- 1.1.7 Microsoft Media Documentation
- 1.2 *EPL Effective Dates - updated*  
The Microsoft EPL 3736 was originally valid through November 30, 2016. The expiration date of this EPL has been extended. **The new expiration date is November 30, 2018.**
- 1.3 *Who May Use*  
This EPL may be used by Mississippi agencies, universities, community/junior colleges, and governing authorities (cities, counties, school districts, etc.) ITS EPLs are multi-vendor awards that meet Mississippi requirements for legal purchases.  
  
See *Item 3. EPL Best Practices* for detailed information about how to make an EPL purchase. See *Item 8. 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 purchase limit is \$500,000 per fiscal year (July - June) for the use of the Microsoft EPL without additional approval from ITS. If you are executing an Enterprise Agreement, the purchase limit is \$500,000 per three year period before needing additional approval from ITS.
  - 1.4.2 For purchases under \$50,000 per fiscal year, 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 fiscal year, 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 \$500,000 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>
- 1.4.5 In the case of an Enterprise Agreement, or when an initial three-year commitment is made for Software Assurance under Select Plus, it is not required that the customer continue to solicit quotations among EPL Vendors after year one of the three-year EA or SA term.
- 1.5 This list is governed under *Procurement Instruments: Express Products Lists (EPLs)* in the ITS Procurement Handbook (Rule 206.2: 011-030). The EPL is not to be confused with state contracts issued by Department of Finance and Administration, Office of Purchasing, Travel and Fleet Management (DFA-OPTFM).
- 1.6 *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 5 below.

## 2. **Approved Vendors for Microsoft EPL 3736**

- 2.1 The following resellers were chosen through Request for Proposal 3736 to administer the Microsoft Software:
- CDW Government
  - Dell Marketing L.P.
  - SHI International
- 2.2 There will be a separate document for each awarded vendor. This document will contain the following information:
- 2.2.1 What Microsoft products vendor is approved to sell
- 2.2.2 How to obtain price quotes
- 2.2.3 How to obtain Microsoft's base pricing for EA purchases
- 2.2.4 Contact and ordering information
- 2.2.5 Service and training rates

- 2.3 Each awarded vendor's document may be found on the Microsoft EPL page under the heading "Vendor Contact and Price Information". Here is a link to the page:  
<http://www.its.ms.gov/Procurement/Pages/Microsoft.aspx>
- 2.4 Quotations may be in the form of a written quotation. Customers may choose to use the vendor's special Mississippi EPL Website for Microsoft to get quotes for products approved under EPL 3736. When doing so please note the following:
- 2.4.1 Do not depend entirely on the published product lists. The published lists are intended as a sampling of products only.
- 2.4.2 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.
- 2.4.3 Ensure that quotes provided by the EPL vendors reference "Microsoft EPL 3736." Note that this is only applicable for Microsoft EPL approved products. Non-EPL items are covered in item 6 of this document.

### 3. **EPL Best Practices**

- 3.1 ITS always suggests as part of best practices that EPL customers obtain quotations from multiple EPL vendors, carefully comparing "apples-to-apples" as much as possible. Customers should choose a "lowest and best" vendor based predominantly on cost but should also consider such factors as technical evaluation, installation services, and qualifications of proposed staff, references, and previous history with the vendor.
- 3.2 *Evaluate your technical needs.*  
Work with the vendor(s) to verify which software license or maintenance versions best fit your needs.
- 3.3 *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.
- 3.4 *Obtain Microsoft's base pricing for Enterprise Agreements*  
Upon request, EPL vendors are required to provide Microsoft's base pricing as a condition of their EPL contract. This pricing, plus the EPL vendor's percentage markup, becomes the basis for the cost of purchases made throughout the life of the EA. If the EPL vendor does not provide this pricing as part of their quote, EPL customers entering into an initial EA agreement should request that the vendor provide Microsoft's base pricing for the products being purchased. Keep a copy of this pricing in your purchase/audit file. For any EA purchase requiring ITS' involvement, a copy of Microsoft's base pricing at the time the EPL customer's initial EA contract was signed should be included with the project request submitted to ITS.

- 3.5 *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 the vendors if the license is perpetual or subscription based.
- 3.6 *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.
- 3.7 *Place your order.*
- 3.7.1 Place EPL orders directly with the approved EPL vendor.
- 3.7.2 When purchasing true-up licenses, do not include any other products on your purchase order. If you need to purchase additional products when purchasing true-up licenses, you should issue a separate purchase order for those products.
- 3.7.3 It is the customer's responsibility to alert the vendor if the customer is using the EPL as the purchasing mechanism. Also the customer must reference the EPL on the purchase order. Reference RFP Number 3736-MICROSOFT EPL on your purchase order.
- 3.7.4 Confirm all orders with the vendor and then issue appropriate purchase orders.
- 3.7.5 Shipping costs are included as part of the purchase price.

4. **Select Plus Affiliate Registration Form**

Each customer is encouraged to fill out a separate "Select Plus Affiliate Registration Form." Request the form from your chosen EPL vendor under EPL 3736. You will be able to easily track your licenses, Product Keys, and Software Assurance Benefits. By registering through one of the approved EPL vendors, many of the minimum requirements for a separate registration are waived giving you the benefit of the state price. Some registered affiliates may also be eligible to receive a CD/DVD update kit periodically until the end of the Select License agreement. Any state entity (government or education) should take advantage of having its own registration number under the State Microsoft Agreement. Microsoft would like to help. If you have any questions, contact one of the representatives below:

Government: Michael Sylver at [msylver@microsoft.com](mailto:msylver@microsoft.com) or (248) 990-2538  
Academic: Bill Campman at [billc@microsoft.com](mailto:billc@microsoft.com) or (850) 544-2807

5. **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 Microsoft EPL

<b>NIGP Code:</b>	<b>Use For:</b>
20811	Application Software, Microcomputer
20880	Software, Microcomputer (Not Otherwise Classified)
92045	Software Maintenance/Support
92046	Software Updating Services
92007	Computer Services, Application Software

6. **Non-EPL Items**

Approved Microsoft EPL vendors may also sell other software and hardware that may appear on their respective websites. Remember that this EPL only covers Microsoft software. Any other items ordered from an approved Microsoft EPL vendor must be purchased using alternative procurement methods.

Non-EPL items included on the same EPL as approved Microsoft items should be clearly labeled as non-EPL.

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

7.1 ITS believes the EPLs are valid purchase instruments for the use of ARRA funds.

7.2 We recommend that customers complete the following steps when purchasing from EPLs with ARRA funds:

7.2.1 Obtain written quotations from multiple EPL sellers if applicable

7.2.2 Ensure the quotations state that ARRA funds will be used for the purchase

7.2.3 All quotations should be maintained in the purchase file

7.3 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, awarded, and published for the use of any public entity in the state in accordance with the Instructions for Use published by ITS.

7.4 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.

8. **What Goes in Your Purchase/Audit File**  
Make sure you provide adequate documentation for your file that you followed **EPL Best Practices**. (Refer to *Item 3. EPL Best Practices* for details.) ITS has completed “Step 1” of the evaluation in compiling this list. It is your responsibility to evaluate and choose the products and services that best meet your needs.  
At a minimum include:
- 8.1 A copy of the purchase order.
  - 8.2 A copy of the vendor’s document found on the main Microsoft EPL page as noted in item 2 above.
  - 8.3 A copy of either the written quotation from the selected vendor or the page containing pricing for your particular purchase from the selected vendor’s EPL website.
  - 8.4 A copy of Microsoft’s base pricing (EA only).
  - 8.5 Any additional project related documentation or justification.
9. **To Report Problems or Request Assistance**
- 9.1 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:
    - 9.1.1 E-mail: [isshelp@its.ms.gov](mailto:isshelp@its.ms.gov)
    - 9.1.2 FAX: (601) 713-6380
    - 9.1.3 Mail: ITS, 3771 Eastwood Drive, Jackson, MS 39211
  - 9.2 If you have questions about using the EPL, please contact the Procurement Help Desk at (601) 432-8166 or [isshelp@its.ms.gov](mailto:isshelp@its.ms.gov).
  - 9.3 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/Microsoft.aspx>.**