ITS **Mississippi Department of Information Technology Services**

3771 Eastwood Drive
Jackson, MS 39211-6381
Phone: 601-432-8000
Fax: 601-713-6380
www.its.ms.gov

Craig P. Orgeron, CPM, Ph.D., Executive Director

Instructions for Use Memorandum

To: ITS Customers Requesting Microsoft Software

From: Craig P. Orgeron, CPM, Ph.D   *Initial CPO*

Date: October 25, 2024

Re: Instructions for Use for Microsoft Purchases utilizing the NASPO ValuePoint (NVP) Software Value-Added Reseller (SVAR) Cooperative Agreement

CC: ITS Project File Numbers 46432

1. **Introduction**

   The NASPO ValuePoint Cooperative Purchasing Organization is a multi-state contracting consortium of state and local governments, of which the State of Mississippi is a member. Administered by the National Association of State Procurement Officials (NASPO), ValuePoint seeks to provide the most cost-effective and efficient acquisition of quality products and services by combining the requirements of multi-state governmental agencies.

   Every NASPO ValuePoint (NVP) contract is the result of a formal competitive solicitation conducted by trained, professional procurement officials of a lead state's central procurement office, under the direction of the lead state's State Procurement Official, and in accordance with that state's procurement statutes, regulations, and policies.

   Products available on the NASPO SVAR are divided into three Categories. <u>This document is only for Category 2: Microsoft purchases.</u> An Instructions For Use for Category 1: General Software is available on the ITS Website.

   ITS will establish Participating Addendums (PAs) with awarded resellers. A list of currently available PAs as well as vendor specific information will be maintained on the NASPO SVAR: Microsoft information page on the ITS website.

   Note: Throughout this document, "Participating Addendum" may be used interchangeably with "agreement" or "contract."

2. **Scope**

   2.1 The SVAR: Microsoft may be used in the acquisition of Microsoft software licenses, software maintenance, software upgrades, software support, training, distribution media, documentation of Microsoft Licensing Programs, and Microsoft Azure.

   2.2 Provided below is a list of Microsoft Software Agreements and products covered under SVAR: Microsoft.

   2.2.1 Microsoft Government Select Plus – Level D (#8448630)

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

2.2.3   Microsoft Enterprise Agreement (EA) - Level D (#8482868)

2.2.3.1   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.

2.2.3.2   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.

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

2.2.4.1   Consortia Campus Agreement (#01C36077) for all state Institutions of Higher Learning

2.2.5   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.

2.2.6   Microsoft Open License Program (MOLP) for both Government and Academic - The State does not anticipate the need for any MOLP licenses. This agreement would cover that contingency if the need arises.

2.2.7   Microsoft Shrink-wrap Products

2.2.8   Microsoft Media Documentation

2.2.9   Microsoft Azure (pay-as-you-go utilization and monetary commit)

3.   **Out of Scope Items**

Approved SVAR: Microsoft vendor websites may also include other software and hardware available for purchase. This Instructions For Use only covers the purchase of Microsoft products and related services as described above. **Any other items ordered from an approved vendor must be purchased using alternative procurement methods.**

4.   **Effective Dates**

The NASPO SVAR: Microsoft expires **April 24, 2027.**

PURCHASES MADE FROM THIS LIST MAY NOT EXCEED $500,000 PER PROJECT.

Pricing on this list expires 04/24/2027.

Customer MUST obtain pricing from valid NASPO SVAR: Microsoft vendors. Any projects over $500,000 are beyond the scope of this process and subject to further ITS review and authorization.

5. **Who May Use**

    5.1   The SVAR: Microsoft may be used by Mississippi agencies, universities, community/junior colleges, and governing authorities (cities, counties, school districts, etc.)

    5.2   Any entity using the SVAR: Microsoft must abide by this Instructions for Use Memorandum even if that entity is not under ITS purview.

    5.3   Local governmental entities are able to use the SVAR: Microsoft in lieu of conducting their own procurements, based on MS Code 31-7-13(m)(xi) that allows 'governing authorities' to do so as an exception to the bidding requirements found in Public Purchasing Code.

6. **Dollar Limitations of Use**

    6.1   The purchase limit is $500,000 per fiscal year (July - June) for the use of the SVAR: Microsoft 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.

    6.2   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 dollar limitation is described in the [ITS Procurement Handbook](#) under the *EPL Planned Purchase* process, Rule 207.7: 013-080. The Procurement Handbook is available in the Publications section of the ITS website.

    6.3   Projects costing in excess of $3,000,000 are subject to ITS Board approval. A business case must be completed on all IT projects requiring ITS Board Approval prior to purchase. ITS has developed an IT Project Business Case Workbook to assist agencies in preparing the business case. Other advanced planning documentation such as a grant application might be substituted for the Business Case if it provides the necessary justification for the technology project. Please work with the IT Planning Coordinator at ITS to determine if the documentation may be substituted. Business case documentation may be found on the ITS website at:

        https://www.its.ms.gov/services/planning-agency-it-plans

7. **Special Instructions for Enterprise Agreement (EA) and Select Plus Academic Purchases**

    7.1   *Academic Select Plus Affiliate Registration Form*
Each customer is encouraged to fill out a separate "Select Plus Affiliate Registration Form". You may request the form from your selected vendor. With this form, you will be able to easily track your licenses, product keys, and software assurance benefits. By registering through one of the approved vendors, many of the minimum requirements for a separate registration are waived, giving you the benefit of the state price.

Pricing on this list expires 04/24/2027.

Customer MUST obtain pricing from valid NASPO SVAR: Microsoft vendors. Any projects over $500,000 are beyond the scope of this process and subject to further ITS review and authorization.

7.2   *Three-Year Commitment for EAs and Select Plus Software Assurance*
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 vendors after year one of the three-year EA or SA term.

7.3   *Adding Additional Products During the Life of an EA*
During the three-year commitment of an EA, customers who need additional in-scope products not included in the original solicitation may add them to their existing EA without resoliciting quotes if the agency can document the benefits (ex: cost savings, software assurance coverage, MSFT discounts, etc.) and include those benefits in their project file.

When customers purchase true-up licenses or add additional products to their EA, the increase must be considered for the Dollar Limit prior to purchase or reservation and may become subject to the EPL Planned Purchase process. (Refer to Item 5. **Dollar Limitations of Use**). It is important to forecast your use for the entire three-year period before entering into the agreement so that the dollar limitations can be applied correctly.

8.   <u>Special Instructions for Azure Cloud Purchases</u>

8.1   State Government Agencies within the Enterprise State Network

8.1.1   State agency customers within the Enterprise State Network managed by ITS will not add Azure Cloud Purchases to their EA directly but should open a Service Request Ticket through the ITS Technical Support Service Center for assignment to an ITS Operations Project Manager. State agency customers within the Enterprise State Network managed by ITS will not solicit quotes for Azure Cloud Purchases. The Partner Agency should include at minimum a brief description of the environment being requested. A ticket may be entered by one of the follow methods:

8.1.1.1   Online: https://servicedesk.dc.ms.gov/CAisd/pdmweb.exe

8.1.1.2   E-mail: Service.Center@its.ms.gov

8.1.1.3   Phone: 601-432-8080

8.1.2   The ITS Operations Project Manager will work with the Partner Agency and current Public/Private Cloud EA Vendor to establish account information so usage billing can be passed through correctly.

8.1.3   The Partner Agency will be responsible for the administration and charges associated with the requested cloud environment.

8.1.4   Sections 11, 12, 13, and 14 are not applicable for Azure Cloud purchasing only.

PURCHASES MADE FROM THIS LIST MAY NOT EXCEED $500,000 PER PROJECT.   Page 4

Pricing on this list expires 04/24/2027.

Customer MUST obtain pricing from valid NASPO SVAR: Microsoft vendors. Any projects over $500,000 are beyond the scope of this process and subject to further ITS review and authorization.

8.2   Non-State Government Entities (IHLs, Community Colleges, local governing authorities) and State Agencies outside of the Enterprise State Network

      8.2.1   Non-State Government Entities and State Agencies outside of the Enterprise State Network have two options, listed below.

            8.2.1.1   Inclusion on entity's Enterprise Agreement (EA)

            8.2.1.2   NASPO Cloud Solutions Cooperative

                  8.2.1.2.1   https://www.its.ms.gov/procurement/express-products-lists-epls-and-cooperative-purchasing-agreements

                  8.2.1.2.2   Please note that purchasing Azure through a Cloud Service Provider (CSP) could require a technical migration in the future. Please consult with Microsoft support prior to choosing this option.

8.3   Justification for choosing Microsoft Azure must be well-documented on the Justification for Brand Specification Request Form available on the ITS website and kept with your purchase/audit file. The ITS Procurement Handbook, Chapter 10: Rule 210.4: 019-030, provides guidance on when it is appropriate to issue brand specific specifications.

Note: It is not necessary to submit this form to ITS for SVAR: Microsoft purchases unless you are using the ITS Planned Purchase Procedure.

9.   **Approved Vendors for SVAR: Microsoft**

9.1   There is a separate instruction document for each awarded vendor, which may be found on the SVAR: Microsoft page under the heading "Vendor Contact and Price Information". Below is a link to the page:

https://www.its.ms.gov/procurement/microsoft-epl-3736

10.   **SVAR: Microsoft Best Practices**

10.1   *Evaluate your current and anticipated technical needs.*
Work with the vendor(s) to verify which software license or maintenance versions best fit your needs. Microsoft can also help with this. If you have questions, contact one of the representatives below:

Government: Jennifer Fechter at Jennifer.Fechter@microsoft.com and Lynne Bekdash at lbekdash@microsoft.com or (732) 476-5708

Academic: George Freiberger at gefrei@microsoft.com or (678) 577-1142

10.2   *Negotiate for best pricing*

PURCHASES MADE FROM THIS LIST MAY NOT EXCEED $500,000 PER PROJECT.

Pricing on this list expires 04/24/2027.

Customer MUST obtain pricing from valid NASPO SVAR: Microsoft vendors. Any projects over $500,000 are beyond the scope of this process and subject to further ITS review and authorization.

Pricing may be lowered but not raised. Check with the vendor for availability and for quantity discounts.

10.3   *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 the vendors if the license is perpetual or subscription based.

10.4   *Consider contracts*
Each awarded vendor has signed an agreement with ITS. The purchase order from any individual customer will serve as a supplement to these agreements. You may request a copy of a vendor's agreement from the vendor or from ITS. Additionally, you may request a copy of the underlying agreement between ITS and Microsoft if needed. Additional terms and conditions may be negotiated between the customer and vendor at the time of sale, as needed, as a supplement.

11.   **Obtain Quotations and Select Lowest and Best**

11.1   Customers must obtain written quotes from at least two valid vendors (three if over $1,000,000) in order to receive contract prices. Contact information for approved vendors is provided in the Vendor Contact Information pages on the ITS website. Prices displayed on vendor's websites will often not be the contract price.

11.2   All quotations must include a printed reference to the applicable NASPO ValuePoint SVAR Agreement.

11.3   All items quoted must be within the scope of this Instructions For Use document.

11.4   Resellers are required to honor all quotes for thirty (30) calendar days. If it is known that a price increase will occur during the thirty calendar days following the quote, the reseller may provide two quotes, based on the date the order is received.

12.   **Place Your Order**

12.1   Select the lowest cost quotation that meets your requirements.

12.2   Place your order directly with the approved resellers. Some vendor sites may have shopping cart functionality. Utilizing this functionality will NOT ensure you get the contracted price. Orders should be placed as directed in the Vendor Contact Information pages on the ITS website.

12.3   Confirm your order with the vendor and issue appropriate purchase orders:

12.3.1   Reference <u>NASPO SVAR: Microsoft</u> on your purchase order.

12.3.2   The purchase order and quote should match in terms of items purchased, quantities purchased, and total amount.

PURCHASES MADE FROM THIS LIST MAY NOT EXCEED $500,000 PER PROJECT.   Page 6

Pricing on this list expires 04/24/2027.

Customer MUST obtain pricing from valid NASPO SVAR: Microsoft vendors. Any projects over $500,000 are beyond the scope of this process and subject to further ITS review and authorization.

13. **Mississippi's Accountability System for Government Information and Collaboration (MAGIC)**

13.1 State agency customers are required to purchase through Mississippi's Accountability System for Government Information and Collaboration (MAGIC).

13.2 The contract number and the vendor's supplier number are provided with the ordering information for each vendor.

13.3 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 SVAR: Microsoft:

NIGP Code:	Use For:
20811	Application Software, Microcomputer
20880	Software, Microcomputer (Not Otherwise Classified)
92045	Software Maintenance/Support
92046	Software Updating Services
92007	Computer Services, Application Software
92005	Computer Services, App, Infrastructure, Hosting & Cloud Comp

13.4 The following must be uploaded to MAGIC as attachments to your Purchase Order for SVAR: Microsoft purchases:

13.4.1 Quotations from at least two valid vendors
(For EA True-Up purchases or Select Plus Software Assurance Years 2 and 3, only one quote is required.)

13.4.2 A copy of this Instructions for Use Memorandum.

13.4.3 A copy of the winning vendor's Contact Information Page

13.4.4 If the purchase is related to a project that is a part of the Agency's IT Plan, a copy of the related approved planning form from the ITS planning system.

13.4.5 Please note that if MAGIC routes your Purchase Order to ITS for approval, ITS will vet the information provided and may have additional requirements before approving your Purchase Order. Any deviation from this Instructions for Use Memorandum may result in delays in the approval of your purchase.

PURCHASES MADE FROM THIS LIST MAY NOT EXCEED $500,000 PER PROJECT.

Pricing on this list expires 04/24/2027.

Customer MUST obtain pricing from valid NASPO SVAR: Microsoft vendors. Any projects over $500,000 are beyond the scope of this process and subject to further ITS review and authorization.

14.   <u>**What Goes in Your Purchase/Audit File?**</u>

Make sure you provide adequate documentation that you followed the recommendations and directives in this Instructions for Use Memorandum. At a minimum, include:

14.1   A copy of the purchase order.

14.2   Copies of all quotations received.

14.3   A copy of this Instructions for Use Memorandum.

14.4   A copy of the winning vendor's Contact Information Page.

14.5   If the purchase is related to a project that is part of the Agency's IT Plan, a copy of the related approved planning form from the ITS planning system.

14.6   Any additional project related documentation or justification.

15.   <u>**To Report Problems or Request Assistance**</u>

15.1   If you have any feedback that may help us to improve this process, or if you have any problems with your 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:

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

15.1.2   FAX: (601) 713-6380

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

15.2   If you have questions about using this procurement method, please contact the Procurement Help Desk at isshelp@its.ms.gov.

PURCHASES MADE FROM THIS LIST MAY NOT EXCEED $500,000 PER PROJECT.   Page 8

Pricing on this list expires 04/24/2027.

Customer MUST obtain pricing from valid NASPO SVAR: Microsoft vendors. Any projects over $500,000 are beyond the scope of this process and subject to further ITS review and authorization.