

**NEW YORK STATE OFFICE OF GENERAL SERVICES
NEW YORK STATE PROCUREMENT
VENDOR REQUEST FOR INFORMATION**

This is NOT a Solicitation

On behalf of the New York State Office of General Services (OGS), New York State Procurement (NYSPro) requests information from vendors that provide information technology (IT) products and services. NYSPro will issue a separate Request for Information (RFI) from Authorized Users regarding their purchasing needs in the covered categories.

Purpose and Objective

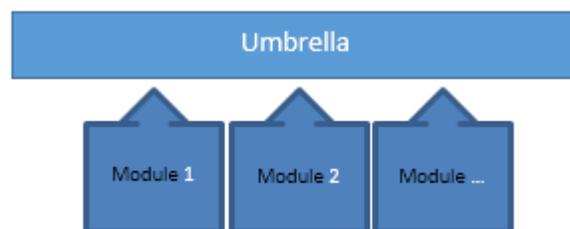
This RFI is based on feedback received informally from State staff and vendors. In an effort to provide efficient and cost effective contracting vehicles that are user friendly for both authorized users and the vendor community, NYSPro is seeking input on a new contractual concept from the vendor community.

The OGS Bidder Notification System (BNS) is being phased out. Starting July 1, 2014, OGS will provide all notifications on bidding opportunities through the New York State Contract Reporter site at <https://www.nyscr.ny.gov>. In order to receive information on OGS bidding opportunities on and after June 30, 2014 YOU MUST REGISTER FOR THE NEW YORK STATE CONTRACT REPORTER AT: <https://www.nyscr.ny.gov> and navigate to the "I want to find contracts to bid on" page to register for your free account. If you do not register for the New York State Contract Reporter, you will not receive information on OGS bidding opportunities after June 30, 2014. Existing BNS users who register through the New York State Contract Reporter site may receive notices from both the BNS and the Contract Reporter for the transition period of February through June 30, 2014. We appreciate your patience during this transition period and encourage you to register at your earliest convenience to take advantage of the added benefits of the new and improved New York State Contract Reporter notification and information portal.

Scope of Request

NYSPro is considering establishment of a new concept for IT contracting. There will be an "umbrella" contract as a base with modules for specific IT areas. The contracts will be established through the periodic recruitment methodology with IT manufacturers only. For purposes of this RFI, the term "manufacturer" will be defined as a company or firm that creates or produces IT software, hardware, appliances, or XaaS offerings. In order to be eligible for a contract, a manufacturer must demonstrate a minimum level of sales to United State public entities (defined as State or US governmental agencies, NYS schools, colleges, universities, villages, towns, counties and, cities). Under the new concept, a manufacturer will be strongly encouraged to authorize a pool of resellers under each module. For the purposes of this RFI, a "reseller" is a company or individual (merchant) that purchases goods or services with the intention of reselling them rather than consuming or using them. This is usually done for profit (but could be resold at a loss).

This new concept consists of a master contract containing all universal significant terms and conditions. This master contract forms a base to which modules or categories of goods and services can be "bolted-on". The modules will contain additional terms and conditions specific to the goods and services included in that module. An IT manufacturer can have all, some, or only one "bolt-on" module (see however note under implementation services). The modules under consideration at this point are: software, hardware, cloud computing, appliances (proprietary hardware and software or hardware cloud packages), connectivity services, and implementation services (see below for additional detail). More modules may be added in the future. If so, the modules will also be added through the periodic recruitment process.



Please see attachment A for a more detailed graphical description.

If a manufacturer chooses not to participate in a specific module at initial sign on, such manufacturer will be required to wait for the next periodic recruitment date in order to add a new module to its umbrella agreement. For example, if the

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manufacturer initially provides a proposal for the software module and later wants to add an appliance module, it would need to wait for the next periodic recruitment to submit a proposal to add the appliance module.

It is anticipated the umbrella contract will contain the contractual terms and conditions present in all NYSPRO contracts. Examples are:

- Appendix A – Standard Clauses for New York State Contracts (January 2014);
- Appendix B – General Specifications; and
- mandated access to manufacturer-specific configuration tools, if available.

In addition, it is anticipated that the umbrella contract will also include templates and contract use processes as follows:

- formatted statement of work;
- formatted request for quotation;
- standardized price lists;
- standardized data and analytics;
- formatted invoices with detailed information including reseller and subcontractor work payments; and
- standardized sales reports.

The modules under the umbrella concept may contain the following categories:

Module	Brief Description
A. Software	Computer software is a general term that describes computer programs. Related terms such as software programs, applications, scripts, and instruction sets all fall under the category of computer software. On premise only.
B. Hardware	End units, network equipment, storage, enterprise computing, other telecommunications and data communications equipment
C. Cloud Computing	Please see http://csrc.nist.gov/publications/nistpubs/800-145/SP800-145.pdf
D. Appliances/Engineered Services	Proprietary hardware plus proprietary software and hardware plus xaaS
E. Connectivity Services	Please note that this module is limited to telecommunication lines of all descriptions including telephone, ISDN, Cable, T-1, T-3 . . . , light fiber, dark fiber, satellite, wireless, and other means of providing connectivity. Due to the dependency of equipment to carrier, cell and satellite specific equipment will be covered under this category.
F. Implementation Services for Systems Integration	Please note that this module will only address services for implementation and initial configuration. Time and material work or consulting are considered outside the scope of this module. Current explorations center on no specific limit for the implementation and initial configuration services required for system integration. This module may only be available to those manufacturers that are approved for a module in another area of this umbrella concept .

NYSPRO is considering minimum sales thresholds in order for a manufacturer to qualify for a specific module. The intent is to facilitate the State’s ability to focus energy and relationship management to those manufacturers with significant sales to public entities as defined above. At the same time, NYSPRO recognizes the need to foster emerging technologies and smaller vendors in distinct categories. To this end, NYSPRO is exploring the creation of a vehicle similar to the existing Miscellaneous Software Catalog Contracts (<http://www.ogs.ny.gov/purchase/snt/awardnotes/7951821961can.HTM>). The areas currently under consideration are hardware, and XaaS offerings. A separate RFI will be released shortly to gather data on a separate and distinct vehicle.

Content of Response

A vendor is requested to respond to all questions included in this RFI. A response does not bind or obligate the responder or OGS to any agreement of provision or procurement of products referenced. No contract can or will be awarded based on submissions.

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Since this RFI is designed as a tool to collect information and will not result in a procurement contract, it does not fall under the requirements of State Finance Law §§139-j and 139-k (the Procurement Lobbying Law) and there is no restricted period. However, we ask that you direct your questions and responses in writing to the email address listed below. The State of New York thanks you for your assistance in this information collection process.

In order to facilitate the review of the responses, please provide the information in the exact order as listed below. You may put answers within this document directly below each question, maintaining the original formatting of this document.

If any of the information in the response is considered confidential, proprietary or a trade secret, it must be clearly indicated on the appropriate page of the vendor response. Release of such materials is governed by the NYS Freedom of Information Law, which in pertinent part requires the requester to provide specific justification as to why disclosure of particular information in the response would cause substantial injury to the competitive position of the vendor.

Please provide your response no later than 5PM EST on March 30, 2014 to PS_SW_ITF@ogs.ny.gov

Company Demographics

Question	Company Response
Company Name	_____
Division/Location	_____
Headquarter Location	_____
Contact Name	_____
Title	_____
Email Address	_____
Phone Number	_____

If applicable, place an "x" in the appropriate box(es) (<i>check all that apply</i>):	<input type="checkbox"/> NYS Small Business # Employees	<input type="checkbox"/> NYS Minority Owned Business	<input type="checkbox"/> NYS Women Owned Business	
If applicable, place an "x" in the appropriate box(es) (<i>check all that apply</i>):	<input type="checkbox"/> Manufactured Within NYS	<input type="checkbox"/> Solely Manufactured Outside NYS	<input type="checkbox"/> Partially Manufactured Outside NYS	%

1. Please indicate if your company a Manufacturer or Reseller.
 Manufacturer Reseller

2. If your company is a manufacturer, do you utilize resellers?
 Yes No

3. If your company utilizes resellers, do you concur that all reseller activities must comply with the contractual terms and conditions of the resulting agreement between your company and OGS?
 Yes No

4. If your company answered "no" to question 3, please explain why you do not agree with this statement. (*Response field is unlimited.*)

RESPONSE: _____

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The following questions pertain only to the umbrella concept as described in the scope of this RFI.

5. If a manufacturer, please indicate which modules your company might wish to provide under the proposed umbrella concept, the sales model your company employees for each module, as well as sales to public entities for the period of 1/1/13 through 12/31/13.

Module	Wish to Provide Module	Sales Model	Total Sales
A. Software	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Manufacturer Direct <input type="checkbox"/> Authorized Reseller <input type="checkbox"/> Both	Click here to enter text.
B. Hardware	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Manufacturer Direct <input type="checkbox"/> Authorized Reseller <input type="checkbox"/> Both	Click here to enter text.
C. Cloud Computing	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Manufacturer Direct <input type="checkbox"/> Authorized Reseller <input type="checkbox"/> Both	Click here to enter text.
D. Appliances/Engineered Services	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Manufacturer Direct <input type="checkbox"/> Authorized Reseller <input type="checkbox"/> Both	Click here to enter text.
E. Connectivity Services	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Manufacturer Direct <input type="checkbox"/> Authorized Reseller <input type="checkbox"/> Both	Click here to enter text.
F. Implementation Services for Systems Integration	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Manufacturer Direct <input type="checkbox"/> Authorized Reseller <input type="checkbox"/> Both	Click here to enter text.

6. If a reseller, please indicate which modules your company might wish to provide under the proposed umbrella concept.

Module	Wish to Provide Module
A. Software	<input type="checkbox"/> Yes <input type="checkbox"/> No
B. Hardware	<input type="checkbox"/> Yes <input type="checkbox"/> No
C. Cloud Computing	<input type="checkbox"/> Yes <input type="checkbox"/> No
D. Appliances/Engineered Services	<input type="checkbox"/> Yes <input type="checkbox"/> No
E. Connectivity Services	<input type="checkbox"/> Yes <input type="checkbox"/> No
F. Implementation Services for Systems Integration	<input type="checkbox"/> Yes <input type="checkbox"/> No

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7. Please indicate if there are additional modules that you suggest be considered for inclusion in the umbrella concept. *(Response field is limited to 300 characters.)*

RESPONSE: _____

8. Are you aware of any emerging technologies that would not fall under the modules as described within this RFI? *(Response field is limited to 300 characters.)*

RESPONSE: _____

9. New York State is evaluating the potential to pursue new contract models. Please describe in detail the contract models your company would recommend and why your company recommends this model for New York State. Include any recommendations and pros and cons of the recommended model. *(Response field is limited to 300 characters.)*

RESPONSE: _____

10. Please use examples to describe your company's experience with US public entities who successfully implemented this type of concept. *(Response field is limited to 300 characters.)*

RESPONSE: _____

11. Please list any contracts with US public entities that support your responses to questions 9 and 10 above. If more than 5 contracts are held please list your 5 highest dollar value contracts.

Contract Number	Brief Contract Description	Agency	Contract Value	Link to Contract
Click here to enter text.	Click here to enter text.	Click here to enter text.	Click here to enter text.	Click here to enter text.
Click here to enter text.	Click here to enter text.	Click here to enter text.	Click here to enter text.	Click here to enter text.
Click here to enter text.	Click here to enter text.	Click here to enter text.	Click here to enter text.	Click here to enter text.
Click here to enter text.	Click here to enter text.	Click here to enter text.	Click here to enter text.	Click here to enter text.
Click here to enter text.	Click here to enter text.	Click here to enter text.	Click here to enter text.	Click here to enter text.

12. NYS may require that a manufacturer demonstrate minimum sales to US public entities to qualify for a contract under the umbrella concept. Please indicate your suggestion for minimum annual sales volume in each of the modules below.

Module	Recommended Annual Sales Volume Requirement
A. Software	Click here to enter text.
B. Hardware	Click here to enter text.
C. Cloud Computing	Click here to enter text.
D. Appliances/Engineered Services	Click here to enter text.
E. Connectivity Services	Click here to enter text.
F. Implementation Services for Systems Integration	Click here to enter text.

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13. NYS may require that a manufacturer provide a completed Consensus Assessments Initiative Questionnaire® ([CAIQ](#)) to qualify as part of the Cloud Computing module. Please provide your experiences with this document and challenges it may pose. *(Response field is limited to 300 characters.)*

RESPONSE: _____

14. New York State is evaluating the potential to pursue new cloud computing offerings such as SaaS, PaaS, HaaS, IaaS, NaaS, EaaS, and Web Hosting. Please describe in detail the offerings your company would recommend and why your company recommends this model for New York State. Include any recommendations and pros and cons of the recommended model. *(Response field is limited to 300 characters.)*

RESPONSE: _____

15. Please provide any feedback on the umbrella contract concept described within the scope of this RFI. *(Response field is unlimited.)*

RESPONSE: _____

Attachment A—The Umbrella Base Overview

The Base agreement may contain Appendix A, Appendix B, a contract wide glossary, add/deletion language, formatted price list, formatted sales report, formatted quote, a series of formatted SOW documents, Insurances, liability, and all other common terms and conditions.

Product control definition: Information Technology (IT) is the application of [computers](#) and [telecommunications equipment](#) to store, retrieve, transmit and manipulate data, often in the context of a business or other enterprise. The term is commonly used as a synonym for computers and computer networks, but it also encompasses other information distribution technologies and telephones. Several [industries](#) are associated with information technology, such as [computer hardware](#), [software](#), [electronics](#), [semiconductors](#), [internet](#), [telecom equipment](#), [e-commerce](#) and computer services.

Large scale IT support Infrastructure such as enterprise UPS, Switch gear, generators, and cooling systems are not covered by this concept.

<u>Software</u>	<u>Hardware</u>	<u>Cloud Computing</u>	<u>Appliances</u>	<u>Connectivity Services</u>	<u>Implementation Services</u>
<ul style="list-style-type: none"> • Appendix B terms that apply only to Software • On Premise only • Delivery (physical/electronic) • SLAs • Maintenance • Extended Warranty • Support • Contract threshold \$x million sales • Most Favored Nation Status • Acceptance terms • Subscription based software • Reinstatement fees language 	<ul style="list-style-type: none"> • Appendix B terms that apply only to Hardware • Delivery language • SLAs • Maintenance • Extended Warranty • Support • Contract threshold \$x million sales • Most Favored Nation Status • Acceptance terms • Trade in terms 	<ul style="list-style-type: none"> • New terms that will apply only to xAAS • Security levels • Availability • Response metrics • Data/analytics recovery • Data ownership and removal from cloud vendors upon exit. • Contract threshold \$x million all gov entity sales • Most Favored Nation Status • Acceptance terms • SLA • Mandatory CAIQ[®] submission with Application 	<ul style="list-style-type: none"> • New terms that apply only to Appliances • Delivery times • Hardware/Software • Hardware/xAAS • SLAs • Maintenance • Support • Contract threshold \$x million sales • Most Favored Nation Status • Acceptance terms 	<ul style="list-style-type: none"> • Reverse auctions • Availability • Response metrics • Acceptance terms • Cell and Satellite phones are allowed in this category only as a part of the service plan package. • Most Favored Nation Status 	<ul style="list-style-type: none"> • Training • Installation • Configuration • Cloud configuration • Ownership of customization • Contract threshold \$x million • Most Favored Nation Status • Acceptance terms • Only open to holders of other categories • Deliverable based SOWs for full implementation. • SOWs must comply with SFL 163 and consolidate required services in to a single package for a full year period.