

HOW NYS CONTRACTS FOR SOFTWARE
NYS OFFICE OF GENERAL SERVICES - PROCUREMENT SERVICES GROUP
(Updated August 2010)

BACKGROUND:

The OGS Procurement Services Group (PSG) provides centralized statewide contracts for software and other commodities, services and technologies for use by all state agencies, political sub-divisions (such as municipalities, towns, villages, etc.), and others authorized by law to use state contracts.

Due to the proliferation of software contract requests over recent years, **OGS has developed a three part plan for the acquisition of software and related services.**

SOFTWARE PLAN:

The OGS three-part plan for the acquisition of software and related services is as follows:

1. The State of New York through the OGS PSG participated in a multi-state initiative with Massachusetts and other Northeast States for miscellaneous software catalog contracts under the Commonwealth of Massachusetts RFR ITS42. The reseller contract awards, commencing July 2010 include: Dell Marketing, LP (Dell), EnPointe Technologies, Sales Inc. (EnPointe), and SHI International Corp. (SHI). With these three catalog software resellers, state agencies and political subdivisions have a contractual vehicle to quickly and easily obtain needed software from distributors, while at the same time seek competitive contract quotes from each of the three reseller contracts.

Individual software developers will be able to sell their software to authorized users through Dell, EnPointe, and SHI, provided that certain terms, conditions, and pricing parameters are met. Copies of the contracts are available on the OGS website at www.ogs.state.ny.us or you may contact Stephanie Laffin at 518-473-9440 or by e-mail at stephanie.laffin@ogs.state.ny.us. Interested software developers may contact Dell, EnPointe, and SHI to make arrangements to be added to their New York State centralized reseller contract. Publishers listed on the Catalog contract "prohibited software list" are not available for acquisition.

2. OGS has a standard "software template" available to software developers on a continuous recruitment basis. This template has uniform terms and conditions to serve as the basis for contract negotiations for a direct centralized contract with New York State.

To qualify for a direct contract, a software developer must have volume sales of at least \$500,000 annually under the software catalog contract or provide evidence that the developer has licensed \$500,000 in volume with authorized users of PSG contracts. Meeting these standards does not entitle a software developer to a direct contract with the state, but is the minimum threshold to be considered for eligibility.

3. In the future, when the current catalog contracts are nearing expiration, NYS will again either join with the Multi-state initiative or develop a New York State specific competitive bid for contracts with miscellaneous software resellers. The purpose will remain the same; to provide authorized users a contractual vehicle to quickly and easily obtain needed software from major software distributors. As is currently the case, individual software developers will be able to license their software to authorized users through one of these contractual vehicles provided that certain terms, conditions, and pricing parameters are met.

If you are a software developer not currently meeting the minimum threshold, you are encouraged to develop a relationship with all three catalog software contractors (Dell, EnPointe, and SHI).

If you are a reseller and are interested in bidding on future software catalog contract opportunities as described in item 3 above, you are requested to register online at <http://www.ogs.state.ny.us> using the Online Vendor Registration for Bidder Notification Service (OVR/BNS).

If you are a software developer, have met the sales volume requirement, and want to be considered for a direct negotiated contract, the link below contains the terms and conditions required for direct centralized software contracts with the State of New York. Proof of qualifying sales volume must be sent for approval prior to any proposal submission to PSG.

Responses can be mailed to:

New York State Office of General Services
Procurement Services Group Team 12
38th Fl. Corning Tower Empire State Plaza
Albany, NY 12242
Attn: James Jasiewicz, Purchasing Officer

If you have any questions you may contact one of the following individuals:
James Jasiewicz (v): 518-486-5238 or e-mail: james.jasiewicz@ogs.state.ny.us
Kathy McAuley (v): 518-486-6812 or e-mail: kathy.mcauley@ogs.state.ny.us

Please Note: Pursuant to State Finance Law §§139-j and 139-k, this solicitation includes and imposes certain restrictions on communications between OGS and an Offerer/bidder during the procurement process. Please refer to the clause contained herein:

SUMMARY OF POLICY AND PROHIBITIONS ON PROCUREMENT LOBBYING and then reference the web site. Prior to sending in any contract offer you are encouraged to familiarize yourself with these regulations. Information about the Lobbying Act and the text of the Act are available at the following URL:
<http://www.ogs.state.ny.us/aboutOgs/regulations/defaultAdvisoryCouncil.html>

[SOFTWARE TEMPLATE](#)