

REGULATIONS OF THE DEPARTMENT OF PROCUREMENT SERVICES
FOR
TASK ORDER, ORDER, AND AMENDMENT PROCEDURES FOR HARDWARE,
SOFTWARE AND TECHNOLOGY SERVICES MASTER AGREEMENTS

I. Statement of Authority

These regulations are issued pursuant to the following section of the Municipal Code of Chicago:

Section 2-92-615 of the Municipal Code of Chicago (the “Ordinance”) authorizes the Chief Procurement Officer to solicit and enter into contracts through competitive sealed proposals through a request for proposals or request for qualifications. Subsection (b) further authorizes the Chief Procurement Officer to enter into contracts in the form of master agreements with one or more entities for the provision of goods, work, or services, including the purchase of hardware, peripherals, technology services, and the licensing of software, through a request for qualifications or request for proposals process. The Chief Procurement Officer, or her designee, is authorized to award task orders and revise product offerings and service offerings and associated pricing under such master agreements. The Chief Procurement Officer is further authorized to “promulgate rules governing the task order, ordering and amendment procedures.”

II. Application and Statement of Purpose

These regulations describe the process for issuing task orders and ordering pursuant to technology master agreements, and for revising product and service offerings and associated pricing under such master agreements.

III. Items that May Be Purchased; Pricing and Adjustments

Master Agreements for hardware and software may include the following categories of items: (i) items, and corresponding prices, which are most frequently used (referred to herein as the “Basket”); (ii) items not in the Basket, but included in the contractor’s online catalog; and (iii) items that are neither in the Basket or on the online catalog.

No software may be purchased if the contractor is not either the manufacturer or an authorized reseller of the software; and no hardware may be purchased if the contractor is not the manufacturer or an authorized distributor of the hardware; and no services may be provided if the contractor is not authorized by the manufacturer to provide such services.

A. Basket Items

1. Master Agreements shall provide that the City pay a fixed price for the Basket during the term of the agreement, i.e., Basket prices are not subject to increase unless the agreement expressly provides for price increases.

2. Basket products may be changed as follows:
 - a. At any time, the Chief Procurement Officer, or the Commissioner of the Department of Innovation and Technology, if so provided in the Master Agreement, may add items to the Basket, subject to the agreement of the contractor. A summary of the additions to the Basket initiated by the Commissioner of the Department of Innovation and Technology during the preceding period must be submitted, in writing, to the Chief Procurement Officer on a periodic basis, but no less than annually, for approval.
 - b. Master Agreements shall require that the contractor provide the City with ordering data categorized by commodity on a periodic basis.

B. Online Catalog Items

1. The catalog must be of general applicability to the contractor's customers, not a catalog tailored for City use. However, if there is a catalog that is generally applicable to larger purchasers, or to the government, which has more favorable pricing, this is the catalog that should be used.
2. The Master Agreement shall require that the Chief Procurement Officer be provided advance, written notice of catalog item price increases and of discontinuance of catalog items.

C. Items not in Basket or Online Catalog

At any time, the City may request items not in the Basket or online catalog, subject to contractor agreement to provide such items.

IV. Placing Orders

The Commissioner of the using department or his or her designee may place orders pursuant to the Master Agreement terms.

V. Statement of Work (Task Order) Services

Task Orders may be issued by the Commissioner of the using department with the approval of the Chief Procurement Officer for support and maintenance services that are not included in the original product order. Warranty services shall be considered part of the original product order.