



Department of Administration
 Purchasing Division
 2019 Washington Street East
 Post Office Box 50130
 Charleston, WV 25305-0130

State of West Virginia
Contract

Order Date: 04-01-2022

CORRECT ORDER NUMBER MUST APPEAR
 ON ALL PACKAGES, INVOICES, AND
 SHIPPING PAPERS. QUESTIONS
 CONCERNING THIS ORDER SHOULD BE
 DIRECTED TO THE DEPARTMENT
 CONTACT.

Order Number:	CCT 0231 0231 OOT2000000002 3	Procurement Folder:	674001
Document Name:	CO2: IBM Vue Licensing, Subscription, and Support (OT22084)	Reason for Modification:	Change Order 2 is issued to renew contract for one (1) year.
Document Description:	CO2: IBM Vue Licensing, Subscription, and Support (OT22084)		
Procurement Type:	Central Sole Source		
Buyer Name:	Jessica L Hovanec		
Telephone:	304-558-2314		
Email:	jessica.l.hovanec@wv.gov		
Shipping Method:	Best Way	Effective Start Date:	2020-03-01
Free on Board:	FOB Dest, Freight Prepaid	Effective End Date:	2023-02-28

VENDOR		DEPARTMENT CONTACT	
Vendor Customer Code:	000000103433	Requestor Name:	Andrew C Lore
INTERNATIONAL BUSINESS MACHINES CORPORATION NEW ORCHARD RD		Requestor Phone:	304-352-4944
ARMONK NY 10504 US		Requestor Email:	andrew.c.lore@wv.gov
Vendor Contact Phone:	999-999-9999 Extension:	<div style="font-size: 48px; font-weight: bold;">22</div> <div style="font-size: 24px; font-weight: bold;">FILE LOCATION _____</div>	
Discount Details:			
	Discount Allowed Discount Percentage Discount Days		
#1	No 0.0000 0		
#2	Not Entered		
#3	Not Entered		
#4	Not Entered		

INVOICE TO	SHIP TO
DEPARTMENT OF ADMINISTRATION OFFICE OF TECHNOLOGY 1900 KANAWHA BLVD E, BLDG 5 10TH FLOOR CHARLESTON WV 25305 US	IS&C - DATA CENTER MANAGER DEPARTMENT OF ADMINISTRATION BLDG 6 RM B110 1900 KANAWHA BLVD E CHARLESTON WV 25305-0135 US

4-11-22 BAX

Total Order Amount:	\$2,222,142.57
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Purchasing Division's File Copy

ENTERED

JLH 4/8/2022

PURCHASING DIVISION AUTHORIZATION DATE: <i>Munk Act - 4/8/2022</i> ELECTRONIC SIGNATURE ON FILE	ATTORNEY GENERAL APPROVAL AS TO FORM <i>[Signature]</i> DATE: <i>4/12/2022</i> ELECTRONIC SIGNATURE ON FILE	ENCUMBRANCE CERTIFICATION <i>Beverly Toler</i> DATE: <i>4-12-2022</i> ELECTRONIC SIGNATURE ON FILE
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Extended Description:

Change Order 2: IBM Vue Licensing, Subscription, and Support

Change Order 2 is issued to renew contract for one (1) year according to all terms and conditions, specifications, and pricing contained in the Original Contract and subsequent Change Orders.

Effective Dates: 03/01/2022 - 02/28/2023

2 Renewals Remaining

All provisions of the Original Contract and subsequent Change Orders not modified herein shall remain in full force and effect.

No other changes.

Line	Commodity Code	Quantity	Unit	Unit Price	Total Price
1	81112303	1.00000	EA	1269796.020000	\$1,269,796.02
Service From	Service To	Manufacturer		Model No	

Commodity Line Description: IBM Vue Licensing

Extended Description:

Line	Commodity Code	Quantity	Unit	Unit Price	Total Price
2	81112303	1.00000	EA	317448.850000	\$317,448.85
Service From	Service To	Manufacturer		Model No	

Commodity Line Description: IBM Vue Subscription / Support - Initial Year

Extended Description:

Line	Commodity Code	Quantity	Unit	Unit Price	Total Price
3	81112303	1.00000	EA	317448.850000	\$317,448.85
Service From	Service To	Manufacturer		Model No	

Commodity Line Description: IBM Vue Subscription / Support - Optional Renewal Year 2

Extended Description:

Line	Commodity Code	Quantity	Unit	Unit Price	Total Price
4	81112303	1.00000	EA	317448.850000	\$317,448.85
Service From	Service To	Manufacturer		Model No	

Commodity Line Description: IBM Vue Subscription / Support - Optional Renewal Year 3

Extended Description:



STATE OF WEST VIRGINIA
DEPARTMENT OF ADMINISTRATION
OFFICE OF TECHNOLOGY
State Capitol
Charleston, West Virginia 25305

Mark D. Scott
Cabinet Secretary

Joshua D. Spence
Chief Information Officer

January 25, 2022

Dana W. Dresser II
System z Software Sales Representative
ddresse@us.ibm.com

Subject: Renewal of agreement CCT OOT20*02, IBM Vue Renewal


Dear Mr./Ms. Dresser:

Provisions were included, in the original contract documents, to renew subject contract under the same terms, conditions and pricing. The renewal dates are March 1, 2022 through February 28, 2023. If your company agrees to this renewal, please sign below and return to my attention as soon as possible.

Also, attached is the WV Purchasing Affidavit that is to be part of the agreement and is required to be properly completed.

Please contact me if you have any questions.

Sincerely,


Andrew Lore
WVOT Procurement Manager/ISMII
1900 Kanawha Blvd. E., Bldg. 5, 10th Floor
Charleston, WV 25305
304-957-8267

Attachment

We agree to renew the contract for the period as stated above under the same terms, conditions and pricing as in the original purchase order and any change orders thereto.

Linda Beckner


Name/Signature


Date



STATE OF WEST VIRGINIA
DEPARTMENT OF ADMINISTRATION
OFFICE OF TECHNOLOGY

State Capitol
Charleston, West Virginia 25305

Mark Scott
Cabinet Secretary

Joshua D. Spence
Chief Information Officer

TO: Jessica Hovanec
Senior Buyer, Purchasing Division

FROM: Andrew Lore *AL*
WVOT Procurement Manager/ISMII, West Virginia Office of Technology

SUBJECT: CCT OOT20*02 Change Order 2 – IBM Vue Renewal

DATE: April 1, 2022

The WVOT is requesting Change Order 2 to CCT OOT20*02. This Change Order is to renew the contract under the same pricing, specifications, and terms found in the Original Contract and subsequent Change Orders. The WVOT recognizes this renewal is late; however, IBM sales rep for the State of WV changed and it took considerable time finding the correct contact.

Attached are the Vendor's Memo, Purchasing Affidavit, and other relevant documentation.

Please let me know if you need anything further to support this request.

*Backdate
affidavit*



Lore, Andrew C <andrew.c.lore@wv.gov>

Re: CIO Approval for IBM Vue Renewal

1 message

Fout, Tara H <Tara.H.Fout@wv.gov>
To: "Lore, Andrew C" <andrew.c.lore@wv.gov>

Wed, Mar 30, 2022 at 10:44 AM

Approved.

On Wed, Mar 30, 2022 at 9:19 AM Lore, Andrew C <andrew.c.lore@wv.gov> wrote:

Hope,

Can you provide CIO Approval for the renewal of IBM Vue for Heather's team? The cost is \$317,448.85 and is paid via Excess Lottery Funds.

Andrew Lore

WVOT Procurement Manager/ISMII

West Virginia Office of Technology

1900 Kanawha Blvd., E.

Building 5, 10th Floor

Charleston, WV 25305

T: 304-352-4944



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Thanks,

Hope



MARK D. SCOTT
CABINET SECRETARY


STATE OF WEST VIRGINIA
DEPARTMENT OF ADMINISTRATION

W. MICHAEL SHEETS
DIRECTOR

PURCHASING DIVISION

MEMORANDUM

TO: Frank Whittaker, CPPB, Assistant Director, WV Purchasing Division

FROM: James Meadows, CPPO, General Counsel, WV Purchasing Division 

DATE: April 4, 2022

RE: HB 4499; Purchasing Affidavit; Interested Party Disclosure

Pursuant to your request, I have investigated the impact of the recently passed House Bill 4499 on the bidding/contract award process as it relates to the Purchasing Affidavit and the Interested Party Disclosure Form. More specifically, you asked if the buying staff would need to continue collecting the two forms for contracts put out to bid, but not yet awarded, prior to the law change. My conclusion is that continuing to collect those forms is not necessary.

House Bill 4499 was a bill sponsored by the Governor's office, and made effective from passage, that made changes to various provisions of the West Virginia Code to make the procurement process more efficient. Two notable changes are the elimination of the need to collect the Purchasing Affidavit (previously found in W. Va. § Code 5A-3-10a) and the Interested Party Disclosure form (previously found in W. Va. Code § 6D-1-2) prior to award. Since the need for those forms prior to award was statutorily driven, and the statutes have now been modified, I see no reason to continue collecting them.

Once concern was that the solicitations issued prior to the laws passage reference the applicable statutes and indicate that the two forms will be needed prior to award. Those references were found in term 37 and term 43 of the General Terms and Conditions. From a priority standpoint, the change to the law would certainly trump the solicitation's terms and conditions. To help explain that inaccurate statement and the lack of the two forms in the procurement file,

however, please request that procurement staff include a copy of this memo in all solicitation files that went out to bid prior to HB 4499 passing and contain the old versions of term 37 and term 43.

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