

Method of Operation

Data Communications Products and Services

M7000 Effective: 2020-2024

1.0 Purpose and Intent

The purpose of these Contracts are to provide a mechanism to purchase data communications products and services for all State agencies and Cooperative Purchasing Participants.

The State of New Jersey has joined the **new** National Association of State Procurement Officials (“NASPO”) Data Communications Products and Services Contract (2020). These new NASPO contracts provide the State of New Jersey with data communications products and services outlined in the specifications for all participating States under Attachment B Scope of Work in the Data Communications Products and Services Master Agreement (MA). See Exhibit 1. Through this program, the State of New Jersey and other participating states are leveraging their collective buying power to achieve significant cost savings for its respective taxpayers. The NASPO Data Communications Products and Services Contract is managed by the State of Utah.

The State of New Jersey has signed Participating Addenda (PA) with the following equipment manufacturers:

Master Agreement #	NJSTART Contract #	Contractor	Link to NJSTART website
AR3227	21-TELE-01506	CISCO	https://www.njstart.gov/bso/external/purchaseorder/poSummary.sdo?docId=21-TELE-01506&releaseNbr=0&parentUrl=contract
AR3189	21-TELE-01400	Cradlepoint	https://www.njstart.gov/bso/external/purchaseorder/poSummary.sdo?docId=21-TELE-01443&releaseNbr=0&parentUrl=contract
AR3230	21-TELE-01518	Extreme Networks	https://www.njstart.gov/bso/external/purchaseorder/poSummary.sdo?docId=21-TELE-01518&releaseNbr=0&parentUrl=contract
AR3288	21-TELE-01517	HPE	https://www.njstart.gov/bso/external/purchaseorder/poSummary.sdo?docId=21-TELE-01517&releaseNbr=0&pare

			ntUrl=contract
AR3232	22-TELE-07908	Juniper	https://www.njstart.gov/bso/external/purchaseorder/poSummary.sdo?docId=22-TELE-07908&releaseNbr=0&parentUrl=contract
AR3229	20-TELE-01195	Palo Alto	https://www.njstart.gov/bso/external/purchaseorder/poSummary.sdo?docId=20-TELE-01195&releaseNbr=0&parentUrl=contract

The PA is a contractual document stipulating New Jersey-specific terms and conditions for each Contractor’s New Jersey based Contract and incorporates by reference all the terms and conditions of each Contractor’s individual Contract with NASPO through the State of Utah. Each Contractor is permitted to sell the products and services as indicated in the MA except those listed in Section 3.1 Limitations below. The PA and MA documents are available under each Contractor’s Contract in NJSTART (see link in above chart) and on the NASPO Data Communications website, <https://www.naspoaluepoint.org/portfolio/data-communications-2019-2026/>

COOPERATIVE PURCHASING PARTNERS: While the State of New Jersey makes this contracting vehicle available to all county, local and quasi-governmental agencies, each Cooperative Purchasing Partner should make its own determination whether using this contracting vehicle is consistent with its procurement policies, rules and regulations.

2.0 Contract Term

The term of these Contracts begin on the date of each Contractor’s Contract based on the PA, through October 2024. The Contracts may be extended beyond the original Contract period for two (2) additional years at the Lead State’s discretion and by mutual agreement and upon review of requirements of Participating Entities, current market conditions, and Contractor performance.

3.0 Method of Operation

Using Agencies may only purchase products and services that are within the scope of each Contractor’s award. Information about products and services available from each awarded Contractor can be accessed through the website referenced in Section 3.2 Contractor’s Scope of Equipment and Services as well each Contractor’s Contract page in NJSTART. See the table below for products and services awarded to each Contractor:

Awarded Vendor	Effective Date	Category 1.2: Networking	Category 1.3: Routers, Switches, Security, and Storage Networking	Category 1.4: Wireless	Category 1.5: Facility Management, Monitoring, and Control

Cisco	05/28/2021	X	X	X	X
Cradlepoint	03/26/2021	X	X	X	
Extreme Networks	05/28/2021	X	X	X	
Hewlett Packard Enterprise	05/28/2021	X	X	X	
Juniper Networks	03/29/2022	X	X		
Palo Alto Networks	06/25/2020		X		

There are no dollar limits on orders. The Contractors may utilize Distributors (known as Fulfillment Partners in the MA) as approved and listed by the Contractors and the State. Approved Distributors are listed under each of the Contractor’s Contract page in NJSTART. However, each Contractor remains solely responsible for the performance of its Distributors under the terms and conditions of the Contract with the State. The State of New Jersey may request the removal of Distributors for cause, including Contractor responsibility reasons.

The Using Agency must obtain a minimum of three (3) quotes from at least three (3) Distributors and must accept the lowest quote. However, it is suggested that Using Agencies seek quotes from as many Distributors as possible from a specific Contractor in order to ensure the lowest possible price. The purpose of these Contracts are to ensure the best possible price for products and services that meet the needs of the agency.

3.1 Limitations:

3.1.1. Unified Communications

These Contracts may not be used for the procurement of products and services under the Unified Communications category. Unified Communications products and services are offered under current NJ State Contract T1316 Telecommunications Equipment and Services and T1466 Video Conferencing Equipment and Services.

3.1.2 Cabling Installation Services

These Contracts may not be used for the procurement of cabling installation services. Cabling installation services are permissible under these Contracts provided the installation services are tied to the purchase and installation of equipment purchased under these Contracts and/or labor to add on to existing systems/equipment purchased under these Contracts. The cabling installation services may not exceed 20% of the total order. Cabling installation services are offered under NJ State Contract T1778 Cabling Products and Services/Data Center Management Solutions and T2989 Communications Wiring Services.

3.1.3 Mobile Device Management (MDM)

These Contracts may not be used for the procurement of MDM under the Wireless category. MDM technology is offered under the current NJ State Contract. T216A Wireless Devices and Services.

3.1.4 Cloud Solutions

The scope of the PA for **all Contractors** excludes the following from Master Agreement Attachment B:

- A. Section 1.2.2.3 *Cloud Portal and Automation*;
- B. Section 1.3.2.7 *Cloud-based services for Network Communications Integrity*; and
- C. Section 1.4.5 *Cloud-based services for Access Points*.

This Section and Section 3.0 *Method of Operation* will be updated should the State permit cloud solutions by these Contractors.

3.1.5 Services

Using Agencies may only purchase services directly related to the installation, ongoing support, maintenance and/or optimization of the products offered under these Contracts. Said purchased services from Contractor and/or its Distributor may be obtained without purchasing equipment offered under these Contracts (i.e., standalone Purchase Orders for services only are permitted). Each Contractor must include the authorized services on its respective website (i.e., pricelists). Distributors are not permitted to offer Using Agencies any other services not specified on the Contractor's website and/or on its pricelists referenced below in Section 3.2.

3.1.6 Leasing

Financing, leasing, and renting is not permitted under this PA for State agencies. Cooperative Purchasing Partners, as defined in PA Section 6.0(2)-(5) may finance their purchase, if permitted under law. If financing is through a lease agreement, that agreement is separate from the PA and is between the Contractor and the respective Cooperative Purchasing Partner only.

3.1.7 Purchases Related to Public Works

Before making a purchase under these Contracts related to a public work, as defined below, the Using Agency must first advise the Contractor that the purchase is related to a public work. The Contractor will then assist the Using Agency in identifying products that meet the State's requirements under N.J.S.A. 52:32-1 (Buy American). If compliant products are available, the Using Agency may seek those products from the Contractor or its Distributors, as outlined in this Method of Operation. If the Contractor cannot offer compliant products, the Using Agency must seek another product or solution that is compliant.

For purposes of this Method of Operation, "public work," as defined in N.J.S.A. 34:11-56.25(5), means construction, reconstruction, demolition, alteration, custom fabrication, or repair work, or maintenance work, including painting and decorating, done under contract and paid for in whole or in part out of the funds of a public body, except work performed under a rehabilitation program. "Public work" shall also mean construction, reconstruction, demolition, alteration, custom fabrication, or repair work, done on any property or premises, whether or not the work is paid for from public funds, if, at the time of the entering into of the contract the property or premises is owned by the public body or:

- A. Not less than 55% of the property or premises is leased by a public body, or is subject to

an agreement to be subsequently leased by the public body; and

- B. The portion of the property or premises that is leased or subject to an agreement to be subsequently leased by the public body measures more than 20,000 square feet.

3.2 Contractor's Contact Information

The Contractor may only fill Contract orders from the scope of products and services for which the Contractor has been awarded a Contract with the exception of those listed in Section 3.1 above. Contractors are contractually bound to keep their respective website information current and accurate.

Contractor	Point of Contact for Contractor	Contractor's Website	Active (Yes or No)
Cisco Systems, Inc.	Name: Cody Lynch Phone: 604-647-2343 Email: nvp-help@cisco.com	https://www.naspovaluepoint.org/portfolio/data-communications-2019-2026/cisco-systems-inc/	Yes
Cradlepoint, Inc.	Name: Stephanie Wildman, CPPB Phone: 208-493-5040 Email: stephanie.wildman@cradlepoint.com	https://www.naspovaluepoint.org/portfolio/data-communications-2019-2026/cradlepoint-inc/	Yes
Extreme Networks	Name: Michael Swierk Phone: 603-952-6909 Email: mswierk@extremenetworks.com	https://www.naspovaluepoint.org/portfolio/data-communications-2019-2026/extreme-networks/	Yes
HPE	Name: Nancy Schwarz Phone: 480-636-0267 Email: nancy.schwarz@hpe.com	https://www.naspovaluepoint.org/portfolio/data-communications-2019-2026/hewlett-packard-enterprise-company/	Yes
Juniper Networks	Name: Roxanne Bieniek Phone: 978-589-0636 Email: rbieniek@juniper.net	https://www.naspovaluepoint.org/portfolio/data-communications-2019-2026/juniper-networks-us-inc/	Yes
Palo Alto Networks, Inc.	Name: Ryan Campbell/Jassy Ahluwalia Phone: 408-684-2946 Email: SLED_Contracts@paloaltonetworks.com	https://www.naspovaluepoint.org/portfolio/data-communications-2019-2026/paloalto-networks-us-inc/	Yes

		2019-2026/palo-alto-networks-inc/	
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3.3 Pricing

Each Contractor has been awarded a Contract based on the percent off the current global Manufacturers Suggested Retail Price (MSRP) Schedule applicable to United States customers. This is considered the baseline or minimum Contract discount. Each Contractor's Distributors may offer additional, incremental discounts for the products and services, which are above and beyond the Contractor's minimum Contract discounts. The Contractor's Distributors cannot offer less favorable pricing discounts than the established minimum contract discounts. This will enable the Using Agencies to avail themselves of the best possible price and promote competition within the authorized reseller/partner community. Using Agencies must go to each Contractor's respective contract website to access its minimum Contract discounts and the pricelists for equipment and services that are authorized for sale referenced in Method of Operation (MOO) Section 3.2.

3.4 Price Guarantee Period

The Data Communication Provider's Discount rate shall remain in effect for the first year of the NASPO Master Agreement. Following the first year, the Contractor may request a price increase which will be subject to prior approval by the Lead State of Utah.

3.5 Freight Terms of Sale: F.O.B. Destination, Freight Prepaid

Each Contractor or its Distributors shall ship all products F.O.B. Destination, shipping and handling prepaid by the Contractor or its Distributors.

3.6 Warranties

Each Contractor has provided warranties for the equipment and services that it is authorized to sell and/or license as set forth in Section 10 Performance Guarantee, in its respective PA with the State of New Jersey and in the NASPO MA with the State of Utah. Using Agencies should refer to each Contractor's PA under attachments of its Contract page in NJSTART.

3.7 Value Added Services

Value Added Services are available from Contractors for each award category as shown in the chart in MOO Section 3.0 above. Value Added Services include:

- Maintenance Services
- Professional Services
- Partner Services
- Training

See MOO Exhibit 1, Scope of Work, Section II, Value Added Services, for a description of the types of Value Added Services available and check the Contractor website listed in MOO Section 3.2 above for Contractor details for such services.

3.8 Categories of Products and Services Covered by this Contract

EXHIBIT 1 ATTACHMENT B SCOPE OF WORK