



# State of New Jersey

DEPARTMENT OF THE TREASURY  
DIVISION OF PURCHASE AND PROPERTY  
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January 5, 2015

**To:** All Agency Procurement Officials and CIOs

**From:** Peni MacMeekin  
Technology Licensing Officer  
Information Technology Procurement  
Division of Purchase and Property (DPP)

**Subject:** Software License, Maintenance, Support and Related Services  
CONTRACT PROVIDER AGREEMENT AND NJ MANDATED  
CONTRACTING FORMS

This memo provides a summary of a revision to the requirements of the Method of Operation (MOO) with respect to purchases made under the State's Software Reseller contract (M0003) and modifies information provided in Amendment 6, dated October 10, 2014. Certain types of SaaS purchases will no longer require an agreement to be in place.

### **Update to When a Publisher/Service Provider Agreement is required**

Effective immediately, a Publisher/Service Provider Agreement, and the corresponding contracting forms and certifications, is required to be in place for the following categories of purchases:

1. All purchases of \$50,000 or more;
2. All purchases in which the Publisher/Service Provider require the Using Agency to sign a license or service agreement;
3. SaaS purchases in which any of the following apply (contact the OIT State Contract Manager if you are unsure if your SaaS purchase requires an agreement or not):
  - a. State data is stored by the Provider;
  - b. The solution is managing a critical State business function;
  - c. The solution requires State-specific configurations in order for the State to use the solution; or
  - d. The Office of Information Technology requires a Security Review and Approval.

A purchase that does not fall under one of the above categories does not require a Publisher/Service Provider Agreement, and the corresponding contracting forms and certifications, to be in place for the Provider.

Cooperative Purchasing Partners should ensure that their purchases comply with their purchasing statutes and appropriate regulations for using State contracts.