

Frequently Asked Questions (FAQ)

(Statewide Agile Resources and Teams 2024)

- Does the Government have an updated schedule for releasing the first Work Order under FA2?
 - There is no schedule for WOs. The submittal of Agile WOs has already begun. Work orders are now being received via the DoIT Intake process and reviewed/processed by the DGS OSP Team.
- Can you estimate the anticipated Work Order frequency (e.g., weekly/monthly)?
 - DGS OSP cannot determine or estimate the number of WOs that will be submitted using the new Statewide Agile contract. The DGS OSP Team sees the WOs when they are transferred from the DoIT Intake process.
- How will decisions to bypass rotation or redistribute awards based on fees be documented and communicated to FA2 awardees?
 - DGS OSP will process the equitable rotation of WOs. DGS OSP will do its best to ensure a fair distribution of WOs between the vendors in each Functional Area. If a vendor is bypassed for a WO, a 'waiver form' will be completed and retained in the WO file for auditing purposes.
- Will all Work Orders issued under this vehicle align with Major IT Development Projects (MITDPs)?
 - No
- Please confirm how we should align the rate resets (within the financial proposal) between the contract and the Work Order.
 - The contract labor rates reset after every February 28th. (i.e., the rates for Year 2 will be reset on March 1, 2026, because Year 1 ends on 2/28/2026).
- The Agile contract is for a period of 10 years, which began when the contract was fully executed on 2/28/2025. Based on the 10-year term, the yearly rates will run on the following schedule:
 - Year 1: 3/1/25 – 2/28/26
 - Year 2: 3/1/26 – 2/28/27
 - Year 3: 3/1/27 – 2/28/28
 - Year 4: 3/1/28 – 2/28/29
 - Year 5: 3/1/29 – 2/28/30
 - Year 6: 3/1/30 – 2/28/31
 - Year 7: 3/1/31 – 2/28/32
 - Year 8: 3/1/32 – 2/28/33
 - Year 9: 3/1/33 – 2/28/34
 - Year 10: 3/1/34 – 2/28/35

- As a newly onboarded vendor under Functional Area 1, could we reach out to consultants currently engaged with vendors not part of the Agile teams to explore their interest in joining us?
 - If this concerns MBE/VSBE, the vendors can add additional MBE/VSBE firms. However, adding additional firms should not replace and/or remove any work from the current subcontractors already contracted to perform specific work.
- Is a standardized template/instructions available for the vendors to submit the Monthly Usage Report?
 - Yes, a standardized monthly usage report template can be used. The template has been placed on the DGS OSP Procurement webpage under the 'NEW' Agile contract. **Note:** The monthly report must be filled out even if there are no transactions for the month. If there are no transactions, please fill in your vendor info, check the 'Zero Sales' box, and return the report to dgs.statewidecontractsusagereport@maryland.gov.
- Does the Monthly Usage Report need to be submitted if there are no transactions for the month?
 - Yes, please refer to the response to the prior question.
- In reference to the payment timeline for submitting the 1% fee report, does the 1% fee become due after their invoices are paid?
 - The 1% Fee is assessed on the sales or purchases made against the Statewide contract for the calendar month; not against the payments made to the vendor by the State for these purchase activities. Therefore, in many instances, the 1% Fee will need to be reported and paid before the vendor receives a payment from the State for these purchases. The 1% fee is against purchase activity, not against invoice payments by the State for activities.
- Do we have any guidance on the labor rates for fund certs?
 - The Labor Rates (Min-Max) for the FA1, FA2, and FA3 functional areas have been placed on the DGS OSP Procurement webpage.
- Do WO requests need to go to BPW for approval?
 - No
- Is an ISO 27001 certification acceptable to replace the annual SOC2 Type 2 Audit Report requirement? (**FA2 Vendors Only**)
 - Yes, ISO 270001 is an acceptable replacement for the SOC2 contract requirement. Note that the ISO certification must be valid (not expired).
- Who reviews WO requests at DGS and communicates the approvals?
 - The DGS OSP Team (Natalie Grasso/Johnny Harris @ dgs.osp-oco@maryland.gov).

- Is there an Attachment A - Position Description template?
 - The Attachment A template has been placed on the DGS OSP Procurement webpage under the NEW Agile contract.
- Can we add new MBE/VSBE subcontractors to our team during the work order release time?
 - Yes, the vendors can add additional MBE/VSBE firms if they do not replace and/or take away the work from the current subcontractors already contracted to perform specific work.
- Are the subcontractors required to meet the same insurance guidelines as the Agile vendors?
 - Yes, refer to the RFP Section 3.6.6 'Subcontractor Insurance.' It states that the Contractor shall require any subcontractors to obtain and maintain comparable levels of coverage and shall provide the CM/Designee with the same documentation as is required of the Contractor.
- To ensure the State benefits from the most accurate, actionable market insights and fully understands firms' "specialized experience", please confirm that Functional Area awardees are permitted to engage with relevant agencies proactively. Proactive Market Research Engagement.
 - The WO process does not allow the contractors to engage with relevant agencies proactively. All inquiries must go through the Contract Monitor or Designee.
- Are vendors required to send the MBE and VSBE Monthly Usage Report even when there are no work orders?
 - Yes.
- Please clarify whether MBE/VSBE reporting/tracking is handled at the contract level or the work order level. [**Note:** *The vendors were instructed to send their blank reports to OSP Compliance, so it has been assumed that reporting/tracking is done at the contract level.*]
 - MBE/VSBE compliance is on each Work Order.
- Are the MBE/VSBE agreed-upon vendor goals placed on the individual WOs? Or are the goals placed on the life of the contract (10 yrs)?
 - MBE/VSBE goals are placed on each Work Order.
- Where should the monthly MBE/VSBE compliance reporting/tracking be sent?
 - The monthly compliance reports should be sent to the following email address: dgs.osp-compliance@maryland.gov and cc: Shirley Jackson from the OSP Compliance Team at shirley.jackson@maryland.gov.

- As the Prime, how is compliance with the MBE (25%) and VSBE (5%) subgoals measured? Is the percentage calculated based on the percentage of labor categories assigned to subcontractors, or on the percentage of revenue earned by subcontractors? Or something else?
 - The compliance is calculated based on the total dollar amount of the Work Order.

- MBE/VSBE Payment Forms
 - All the documents for the MBE/VSBE forms are in the RFP under Attachment D (MBE Payment forms) and Attachment E (VSBE Payment forms).

- Should the monitoring of the MBE/VSBE goals be between the Requesting Agency and the selected Agile vendor? If not, what is the process?
 - DGS OSP does not monitor and/or perform compliance on agency contracts. It's the agency's responsibility to perform its own goal compliance.

- How do I add additional MBE and/or VSBE subcontractors to my contract?
 - For adding an MBE subcontractor, the Prime Vendor is required to submit an updated D1A and D3 form. For adding a VSBE subcontractor, an updated E3 and E4 form is required. These forms should be submitted to the DGS OSP MBE/VSBE Liaison at dgs.osp-compliance@maryland.gov for review and approval.

- What should a vendor do to ensure they are prepared to conduct background checks under the Agile contract.
 - Vendors will need to obtain a CJIS number to conduct the required background checks outlined in the Agile contract RFP. It may take approximately a month to obtain a CJIS number and a vendor may use this link for additional information: [DPSCS Private Party Petitioner Package - CJIS Number](#).

- Are all State agencies exempt from sales/use tax?
 - Yes, the State is generally exempt from federal excise taxes, Maryland sales and use taxes, District of Columbia sales taxes and transportation taxes. The Contractor, however, is not exempt from such sales and use taxes and may be liable for the same. [Refer to the RFP - Section 3.3.1 (F)].

- How do I get information on the ACH Direct Deposit guidelines?
 - Please refer to the following guidelines in regards to ACH direct deposit payments: <https://www.marylandcomptroller.gov/state-agencies/accounting/eft-ach-for-vendors.html>

- How many State agencies are permitted to use the Agile contract?
 - The Statewide Agile contract is open and available for any State agency to use.

- Is there an option to request a waiver for the 'new' MD Tech Tax? If so, what are the requirements for such a waiver?
 - There is no general waiver for the new MD Tech Tax. However, specific exemptions apply to certain entities, including qualified cybersecurity firms and specific university research partners.
 - **Specific Exemptions and Requirements:** Exemptions to the new **3%** sales and Use tax on data and information technology services, effective **July 1, 2025**, generally fall into specific categories:
 - **Specific Industry/Location Exemptions:**
 - Sales of cloud computing services to a **qualified cybersecurity business**. A "qualified cybersecurity business" is a for-profit entity primarily engaged in developing proprietary cybersecurity technology or providing cybersecurity services.
 - Sales to or by a qualified company located in the **University of Maryland's Discovery District**, provided the services are related to research or development of quantum computing.