

Virginia IT Contingent Labor Contract # VA-210625-CAI

Frequently Asked Questions

1. When will the new contract with Computer Aid (CAI) be effective?

The new contract (VA-210625-CAI) for a Managed Service Provider (MSP) was awarded to Computer Aid, Inc. (CAI) on June 25, 2021 and will go live on January 1, 2022. Transition activities will occur during the second half of 2021.

2. When will the current contract with CAI be terminated?

The existing contract (VA-130620-CAI) with CAI terminates on December 31, 2021. All active staff augmentation and SOW engagements must be transitioned to the new contract effective January 1, 2022.

3. What is changing with the new contract?

- CAI's MSP fee for staff augmentation services is reduced from 8.68% to 4.75% (inclusive of eVA and IFA fees).
- CAI's MSP fee for SOW services is reduced from 8.68% to 6.25% (inclusive of eVA and IFA fees). The limit for SOWs under the new contract will increase from \$2 million to \$3 million.
- New staff augmentation job titles have been added to meet customer demand:
 1. Data Analyst
 2. Data Scientist
 3. Datawarehouse/BI Developer
 4. UI/UX Designer
 5. UI/UX Developer
 6. AI Engineer
 7. Robotics Engineer
- A new staff augmentation rate card has been established and adjusted to reflect changes in market wage rates as well as the reduced CAI MSP fee.
- With the ongoing commitment to promote SWaM businesses, a new field labeled "SWaM Release Only" will be added to VectorVMS on the Requirement Details page for both Staff Augmentation and SOW requirements. This new field will provide Authorized Users/customers the option to release a new requisition ONLY to SWaM suppliers. Should a customer prefer to release a requisition to the full supplier network, SWaMs will continue to receive requisitions 48 hours ahead of other non-SWaM suppliers.

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- VITA is developing a new “Contractor Code of Conduct” which details policies and guidelines for all contractors engaged by an Authorized User of the new contract. Every contractor engaged through the new contract will be required to sign the Code of Conduct as part of CAI’s on-boarding activities. The signed document will be stored in VectorVMS within Compliance Manager on the selected Candidate’s engagement and can be downloaded by the agency if required. The Contractor Code of Conduct is meant to reduce the need for agency specific contractor on-boarding forms. VITA will notify agencies when the document is available for review.
- With an increased focus on ensuring competition through the program, a new exception process will be implemented for documentation and approval of any staff augmentation or SOW requirement that is being named for a specific supplier rather than being competed. Agency users must complete a new form documenting the reasons for the exception and obtain approval from the Agency CIO (or Agency Head). The signed form must be uploaded as an attachment on the approval page when creating your VectorVMS requisition and also emailed to the VITA Supply Chain Management team at SCMInfo@vita.virginia.gov.
- CAI’s standard payment term with their suppliers for staff augmentation engagements is changing to match the Commonwealth’s contractual requirement of payment Net 7 days after receipt of payment from the Commonwealth. Under the current contract, CAI has paid their staff augmentation suppliers regardless of COVA’s payment. It will be critical that agencies meet the requirements of Virginia code (section 2.2-4350) to pay all CAI invoices Net 30 to avoid payment delays to suppliers which could impact payment to contract resources.
- There is a new requirement for all suppliers to carry \$1 million of cyber liability insurance. The coverage requirement for Errors and Omissions (E&O) insurance is increasing from \$1 million to \$2 million.

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- The following Conflict of Interest policies will be implemented. Current staff augmentation engagements that do not comply with these policies will be grandfathered until the resource is no longer engaged in their current role.

1. Contractors that also have a direct or indirect, personal or financial interest in a firm that provides services under this agreement shall not attempt to provide staff augmentation services at the Commonwealth agency where they themselves are engaged as a contract resource.
2. Commonwealth of Virginia employees that also have a direct or indirect, personal or financial interest in a firm that provides services under this agreement shall not attempt to provide staff augmentation services at the Commonwealth agency where they are employed.

4. I like working with specific staffing and consulting firms. Will all of the same staffing and consulting firms be available through the new contract with CAI?

Any supplier wanting to participate under the new contract will need to re-enroll with CAI and agree to the terms of the new subcontractor agreement. Suppliers wishing to participate in the SOW program must be prequalified through CAI's RFI process. Each supplier will make their own business decision as to whether to enroll.

5. If the staffing or consulting firm I use now does not wish to re-enroll in the MSP's subcontractor network, how does this impact my existing staff augmentation engagement or SOW project?

If a staff augmentation supplier with a current engagement chooses not to re-enroll, CAI will work to transition the resource to another supplier. In the event a SOW vendor with an active engagement chooses not to re-enroll, CAI will work with the agency and VITA to determine if the SOW can be completed under the terms of the current contract. SOW suppliers are contractually obligated under the current contract to complete their SOW projects.

6. Why has the process changed to submit a requisition for a named resource?

The ITCL Program policy requires that requisitions for staff augmentation and SOW projects be competed. Recognizing that there are circumstances in which a particular

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individual or firm may be the only and/or best option to provide these services, the exception process has been established. This process will provide the Agency CIO with a means to document and approve the request. It will also provide the CIO of the Commonwealth visibility and insight into why customers require the use of “named” engagements over the program policy requirement for competition.

7. Will Vector training be available to end-users who are new to the ITCL program?

Training guides and pre-recorded training webinars will be available to all users. This training material and other contract documentation will be stored within VectorVMS for easy, as needed access. If you require additional training or you have training questions, please contact your CAI Account Manager or CAI’s help desk.

8. Why are transition activities required if CAI is still the MSP?

While the Commonwealth is not engaging with a different MSP, the current and new contracts contain different terms. Current staff augmentation and SOW engagements tied to the terms of the current contract must end on December 31, 2021 when the current contract is terminated, and new engagements must be created effective January 1, 2022 to reflect all of the terms of the new contract. Also, before the new contract goes live on January 1, 2022, CAI must establish new subcontractor agreements with every supplier in their network to flow down all the terms and conditions of the new contract.

9. Why are new VectorVMS requirements and engagements needed for 2022?

VectorVMS is configured with the job titles and corresponding rates that are mandated per the contract. The current job titles and rates that users see today match those in CAI’s current contract. For the new contract, CAI will configure a new set of job titles and rates in VectorVMS that correspond to those in the new contract. In order to transition current staff augmentation and SOW engagements to the new contract, CAI must create new requisitions and engagements in VectorVMS using those new job titles and rates to ensure proper invoicing to agencies and payment to suppliers.

10. Will I have to create the new VectorVMS requisitions for all of my current staff augmentation contractors who I wish to transition to the new contract?

No. CAI will enter all of the new requisitions for transitioning resources on behalf of the state’s Authorized Users/customers.

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11. Why is CAI requiring new POs for my existing staff augmentation and SOW engagements?

All existing staff augmentation and SOW resources will be transitioned to the new contract effective January 1, 2022. As a result, new purchase orders must be issued under the new contract number. The new purchase orders will also reflect the reduced hourly rates and milestone payments as a result of CAI's lower MSP fee under the new contract. The new purchase orders should reflect a start date of January 1, 2022.

12. How long can we place new staff augmentation orders under the current contract?

New staff augmentation requisitions may be released under the current contract through November 30, 2021. There will be freeze on the release of any new requisitions during the month of December.

13. What happens if I release a new staff augmentation requisition between now and November 30, 2021?

All staff augmentation requisitions released through November 30, 2021 will use the current contract job titles and rates. These requirements must be engaged under the current contract no later than December 31, 2021, so agencies should carefully consider the recruitment cycle times and desired start date for each position. The initial purchase orders for these engagements will be issued under the current contract number (VA-130620-CAI) with enough funds to carry the contractor through December 31, 2021. It's important to remember that these engagements must still be transitioned to the new contract effective January 1, 2022, which will require that a new requirement, new engagement and new purchase order under VA-210625-CAI be issued before December 31st. Agency users should consult with their CAI Account Manager to determine the right course of action for new requirements and the transition activities required.

14. When can I start placing staff augmentation resources under the new contract?

Staff augmentation requisitions for the new contract will not be released before January 1, 2022. Effective November 1, 2021, users will see both the current job titles and new job titles in VectorVMS. Users may create new requisitions using the new job titles with the understanding that these requisitions will not be released until after January 1st. Agencies needing to engage a contractor before December 31, 2021 must use the current list of job titles/rates.

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15. Can I take advantage of the lower rates now?

No. All engagements will remain under the current rate structure until January 1, 2022.

16. My staff augmentation engagement will be ending by the end of the year. Do I need to transition this engagement to the new contract?

No. If you have a current staff augmentation engagement that is ending between now and December 31, 2021, there is no action required.

17. Will the hourly rate paid by the agency for my existing staff augmentation engagements that I transition to the new contract change?

Yes. The new contract offers reduced fees which results in a lower bill rate to Authorized Users/customers. When engagements are transitioned to the new contract effective January 1, 2022, bill rates will be adjusted and new purchase orders will be required to document the new contract number and reduced rate.

18. Will the hourly rate paid to the supplier for my existing staff augmentation engagements that I transition to the new contract change?

No. There will be no impact to the supplier's rate.

19. My current staff augmentation PO has funding that lasts past December 31, 2021. Can I just transition the current PO to the new contract?

No. The current PO is tied to the current contract which is ending on 12/31/2021. A new PO must be created for the transition and be tied to the new contract, terms and rates.

20. Why are the new staff augmentation POs due by November 19, 2021 if the transition date isn't until January 1, 2022?

CAI has to create new requisitions and new engagements in VectorVMS for every staff augmentation resource who will transition to the new contract. There are currently over 900 contractors billing through the contract. Having the new POs in hand by November 19th will provide CAI adequate time to process the new engagements by December 31, 2021.

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21. I have a current purchase order that expires prior to December 31, 2021. What do I do?

All current engagements will run under the current contract through December 31, 2021. If your current PO expires prior to December 31st and want to keep your contractor engaged through the end of the year, you'll need to revise the current PO to add enough funding to cover the 2021 costs. You'll also need to create a new PO under the new contract number with the revised rate for funding from January 1, 2022 forward.

22. I received a spreadsheet from CAI listing all of my current contractors, the current bill rate and the revised bill rate starting January 1, 2022. How did CAI calculate the new bill rate?

The new bill rate reflects the lower CAI MSP fee. There is no change to the vendor rate.

23. I've returned the spreadsheet to CAI confirming my current contractors that will be transitioned. What happens if I hire additional contractors between now and the end of 2021?

The transition spreadsheets that CAI sent to Authorized Users and agency customers included all active engagements as of October 6, 2021. CAI will review the engagements in VectorVMS every two weeks, beginning October 18th, and send updated transition spreadsheets to those customers with new engagements so that they can confirm the transition of those resources.

24. I've returned the spreadsheet to CAI confirming my current contractors that will be transitioned. What happens next?

Once you confirm your transitions, you may begin the process to create your new purchase orders under the new contract information for the transitioning resources using the 1/1/2022 bill rates listed on the spreadsheet. CAI will create draft requirements for your transitioning resources. When the new, corresponding POs are received by CAI, the requirements will be released to the appropriate vendor for candidate submission. CAI will engage the resource for a start date of 1/1/2022 under the new contract.

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25. What is the timeline for the staff augmentation transition activities?

The table below lists the high level transition activities. CAI will work closely with agencies throughout October, November and December to ensure a smooth transition.

Staff Augmentation Transition Activities	Schedule
CAI provides spreadsheets listing current engagements and new contract rates	10/04/21 - 10/15/21
Agency confirms contractor list and rates	10/04/21 - 10/15/21
CAI creates new requisitions in VectorVMS	10/19/21 - 11/16/21
Agency submits new PO to CAI reflecting new contract number and revised rate	No later than 11/19/21
Vendors submit candidates against new requirements	11/19/21 - 12/31/21
CAI creates new engagements	11/19/21 - 12/31/21
Contractors begin work on new engagements	1/01/22

26. Will new SOR and SOW templates be provided to reflect the new contract number and any required changes to terms and conditions?

Yes. New SOR and SOW templates will be developed and posted on VITA's ITCL web page by November 1, 2021. Users may also request the new templates from their CAI Account Manager after that date. The revised templates will include the new contract number, mandated provisions for sexual harassment training, and Executive Directive 18 other changes based on agency feedback.

27. My active SOW has a current purchase order that covers the full cost of the project. Why do I have to transition this SOW to the new contract?

Active SOWs will not be allowed to run past December 31, 2021 under the existing contract. The agency will benefit from transitioning the SOW to the new contract as any remaining milestone payments due after December 31st will be reduced. The transitioned SOW will also be subject to the terms and conditions of the new contract.

28. How long can we release new SOW requisitions under the current contract?

New SOW requisitions may be released under the current contract through November 30, 2021. There will be freeze on the release of any new SORs during the month of December.

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29. What if I have a new SOR to release between now and November 30, 2021?

Customers/agencies must consider the anticipated start date of the SOW project when determining whether to release a SOR under the current contract. If the project is scheduled to start prior to December 31, 2021, releasing under the current contract would be required. The SOW would be engaged under the current contract and still need to be transitioned to the new contract effective January 1, 2022 via a Change Order. This will require that the customer to create two separate purchase orders: one for milestones delivered prior to December 31, 2021, and a second to cover milestones delivered after January 1, 2022.

If an agency needs to release a SOR before November 30th but anticipates that the SOW project will start after January 1, 2022, CAI will recommend releasing the SOR under the new contract number and using the new SOR template. In this situation, the resulting SOW would be engaged after December 31, 2021, requiring the agency to create only one purchase order under the new contract number.

Authorized Users and agency customers should consult with their CAI Account Manager to determine the right approach for new SOW requirements.

30. My SOW project will be completed by the end of the year. Do I need to transition this engagement to the new contract?

No. If your current SOW is completed between now and December 30, 2021, there is no action required. Please keep in mind, however, that all final milestones must be submitted and approved prior to December 31st.

31. Will the price of my active SOW change when it's transitioned under the new contract?

Yes. The new contract offers reduced MSP fee from CAI which results in a lower price of SOW milestone payments completed after December 31, 2021. When SOW engagements are transitioned to the new contract effective January 1, 2022, any remaining milestone payments will be reduced to reflect the lower fee. A Change Order to the SOW and new purchase order will be required to document the new contract number and remaining/reduced milestone payments. CAI will work directly with customers who have active SOW engagements in November and December to identify milestones that need to be transitioned.

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32. Will the milestone payments to the supplier for my existing SOW engagements change after the transition?

No. There will be no impact to the supplier's payments.

33. What is the timeline for the SOW transition activities?

The table below lists the high level transition activities. CAI will work closely with agencies through October, November and December to ensure a smooth transition.

SOW Transition Activities	Schedule
CAI works with agencies to review outstanding milestones on current SOW engagements	11/01/21 - 12/01/21
CAI drafts Change Orders on active SOWs documenting transfer of the SOW under the new contract and reduced payments on outstanding milestones	11/15/21 - 12/31/21
CAI and agencies execute Change Orders	11/15/21 - 12/31/21
Agency submits new PO to CAI reflecting new contract number and outstanding milestone payments at reduced amounts	11/22/21 - 12/31/21
CAI executes Change Order with vendor	12/01/21 - 12/31/21
CAI revises VectorVMS engagements for remaining milestone payments	12/01/21 - 12/31/21
Vendor begins submitting milestones under new engagement	1/01/22

34. How will CAI ensure that ITCL resources under the new contract are in compliance with Executive Directive 18?

Per the Interim Guidance document provided by VITA, CAI will continue to require all of its suppliers to comply with the ED #18 requirements as outlined below:

CONTRACT (CONTINGENT WORKERS) COVERED BY ED#18 – Contractor workers engaged through a state contract who work on-site or perform public facing services on behalf of state agencies.

REQUIREMENT OF COVERED CONTRACT WORKERS TO DISCLOSE VACCINATION STATUS:

- All contract workers must disclose their vaccination status to their employers (the contracting vendor that employs them).

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- The contracting vendor must certify that contract workers who work on-site or perform public-facing services comply with one of these requirements:
 - a. They are fully vaccinated or
 - b. If not fully vaccinated, they are required to wear a mask, and maintain social distance, and adhere to all other agency safety protocols while working on-site or engaged in-person with the public.

REQUIREMENT OF COVERED CONTRACT WORKERS TO WEAR A MASK:

Covered contract workers who are not fully vaccinated must cover their mouth and nose with a mask in accordance with the Centers for Disease Control and Prevention while indoors and conducting public business.

TESTING:

Ed#18 does not require that covered contract workers be tested.

CAI has created a new Compliance Item in VectorVMS, "Contractor Safe Workplace Attestation" which will automatically be required for all staff augmentation engagements.

Suppliers will attest to compliance with ED #18 within the VectorVMS compliance item. For SOW contractors, CAI has revised the SOR and SOW templates to include language for compliance with Executive Directive 18.

35. Who should I contact for additional information?

Please contact your CAI Account Manager or the CAI help desk at VAITCL.Help@cai.io.