

## **Memorandum of Understanding between the Maine, Vermont and New Hampshire State Librarians, (SCOOP) and the Massachusetts Higher Education Consortium**

The Maine, New Hampshire and Vermont State Cooperative Libraries (SCOOP) and the Massachusetts Higher Education Consortium (“MHEC”) seek to achieve greater efficiency and cost savings by coordinating and collaborating on the procurement of certain commodities and services. Both organizations desire to explore interacting on a collaborative basis to develop potential synergies and benefits as follows:

- 1) Provide a higher level of contract development expertise to serve a common membership in selected areas.
- 2) Capitalize on the strengths and resources of each organization, e.g., MHEC’s ability to conduct public bidding and contracting, and SCOOP’s expertise in the area of Library System Services and Supplies.
- 3) Reduce redundancy and complexity by working together on selected projects.
- 4) Improve interaction and communications with our respective members.
- 5) Reduce costs by increased member participation, purchases and support through collaboration.

The purpose of this Memorandum of Understanding (“MOU”) is to clearly identify the roles and responsibilities of SCOOP and MHEC as they relate to a shared procurement of contracts for Comprehensive Library System Services and Supplies.

### **The responsibilities of the SCOOP shall be as follows:**

1. Provide a Contracting/Strategic Sourcing representative(s) to actively participate on the MHEC Strategic Sourcing Team (“Team”)
2. Provide MHEC with the specific language for inclusion of Eligible Purchasers into the competitive solicitation
3. Research SCOOP members’ historical, present and anticipated service requirements, assist with researching the Library System Services and Supplies industry including past sourcing activities in this industry, determine SCOOP member’s historical and anticipated annual spend on Library Services and Supplies and communicate those requirements and information to the Team
4. Provide the Team with any specific SCOOP contract requirements and/or documents to participate in the development of the solicitation
5. Post notification of the solicitation on the State web site and distribute to SCOOP members, as appropriate, for additional posting or distribution and refer any interested bidders to the Library Procurement Contract Manager at MHEC

6. Participate in the development of the evaluation criteria and in the bid review, evaluation and award process; contract (s) will be awarded to the most responsive and responsible bidder (s) that best meets the bid specifications and requirements
7. Refer all questions related to the bid to the MHEC Library Procurement Contract Manager
8. Participate in requests for debriefings, if requested by MHEC
9. Publish contract information on the SCOOP State Library webpage
10. Identify an SCOOP contact person for issues related to this agreement and resulting contract(s) and provide notification to MHEC of any changes in primary contact information
11. Coordinate and support MHEC in the promotion and development of the new contract throughout the contract duration including but not limited to sharing of SCOOP member information with MHEC, regular outreach and contract updates to SCOOP members and coordinating/hosting regular training sessions on the contract to SCOOP members.
12. Report contract performance issues and concerns to the MHEC Strategic Library Procurement Contract Manager in a timely manner.

**The responsibilities of MHEC shall be as follows:**

- 1) Provide one staff person to be designated as the Library Procurement Contract Manager (“LPC”) to actively assemble and lead the Strategic Sourcing Team and SCOOP Task Force to hold regularly scheduled meetings, and to serve as the primary point of contact for the solicitation, which will be procured following all public procurement requirements based on M.G.L. Chapter 30B and the overall principles of best value
- 2) Survey and otherwise solicit input from MHEC members on their business requirements for the Comprehensive Library System Services and Supplies solicitation and communicate those requirements to the Team for inclusion in the solicitation
- 3) Write the solicitation document based on the requirements of State Laws and the overall principles of best value and incorporate all State Terms and Conditions, Forms, Required Specifications and procurement requirements in addition to any SCOOP requirements either through incorporation of a separate participating addendum to be issued as part of the solicitation or through incorporation of SCOOP requirements into the solicitation specifications
- 4) Provide notification language to SCOOP for posting on their website, post notice of the Comprehensive Library Services and Supplies solicitation on the MHEC webpage and provide email notification to MHEC pre-qualified businesses and other businesses identified by SCOOP on the availability of the solicitation
- 5) Lead the development of the evaluation criteria and the bid review, evaluation, negotiation and contract award process

- 6) Manage requests for debriefings
- 7) Execute contracts on behalf of MHEC with successful bidders
- 8) Establish a primary contact for all issues related to this agreement and provide notification to the SCOOP contract contact of any changes in primary contact information
- 9) Supervise and direct its own employees providing services pursuant to this agreement
- 10) Provide contract training to MHEC members in addition to special training sessions for SCOOP members coordinated and hosted by SCOOP and assume responsibility for all contract management responsibilities for MHEC members, including:
  - a) Managing the record copy of the procurement and contract file;
  - b) Serving as the primary point of contact for responding to and resolving contract performance issues and disputes in a timely manner;
  - c) Collecting of all applicable contract reports, including, but not limited to individual reporting to each state librarian
  - d) Using reports and performance measures to monitor contract and contractor effectiveness on a regular basis, and
  - e) Making decisions on contractor removal, retention, execution of options to renew and enrollment periods, as needed, consistent with MHEC's policies and procedures and in consultation with SCOOP Librarians.

#### **Changes to the MOU**

This MOU shall become effective upon the signature of both parties.

The language of this Memorandum of Understanding may be amended at any time by mutual agreement of both parties.

#### **Termination**

Either party may terminate their participation in this Memorandum of Understanding at any time upon 60 day written notice. If the parties choose to terminate this agreement prior to the end of the Comprehensive Library Services and Supplies contract, the parties shall develop a plan for notifying their respective members and for receiving final payment for all qualifying purchases made prior to the termination of the agreement. In the event of termination, members of SCOOP may continue to purchase from the Comprehensive Library Services and Supplies contract as members of the MHEC.