VITA PROCUREMENT APPROVAL REQUIREMENTS AND PROCESSES FOR INFORMATION TECHNOLOGY SOLICITATIONS AND CONTRACTS

A VITA SCM GUIDE FOR COMMONWEALTH PROCUREMENT OFFICERS AND BUYERS

COVERED TOPICS

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- **AGENCY STAKEHOLDERS**

- **WHO TO CONTACT FOR HELP:** scminfo@vita.virginia.gov

VITA's DELEGATED PROCUREMENT AUTHORITY

- VITA Supply Chain Management's (SCM's) Authority and Delegation Policy is located at this link: IT Procurement: Authority and Delegation Policies

- The policies contained in this document clarify the Virginia Information Technologies Agency's (VITA) statutorily-mandated responsibility for the procurement of information technology (IT) as provided in §2.2-2012 of the *Code of Virginia*, identify situations where Chief Information Officer (CIO) approval is required, specify when VITA may delegate its procurement authority, and outline the policies agencies should follow when purchasing IT under delegated authority from VITA. These policies apply to agencies as defined by §2.2-2006 and used herein as "agency/ies".

INFORMATION TECHNOLOGY (IT) PROCUREMENTS THAT REQUIRE CIO APPROVAL

- Procurements using a joint and cooperative agreement (including GSA), regardless of amount.

- Procurements through an online or public auction, regardless of amount.

- Sole source procurements greater than $100,000.

- Any procurement with a total estimated cost over $1 million, and contracts or amendments thereto.

INFORMATION TECHNOLOGY (IT) PROCUREMENTS THAT REQUIRE CIO APPROVAL

- Any procurement major information technology project as defined by §2.2-2006 of the *Code of Virginia*.

- All joint and cooperative procurement arrangements for the establishment of an IT joint and cooperative contract, regardless of amount.

- In accordance with §2.2-2020 of the *Code of Virginia*, "An executive branch agency shall submit a copy of any Invitation for Bid (IFB) or Request for Proposal (RFP) for a procurement related to an information technology project to the Division. "

INFORMATION TECHNOLOGY (IT) PROCUREMENTS THAT REQUIRE CIO APPROVAL

The Project Management (PM) standard directs the following:

- "The agency shall submit a copy of any Invitation for Bid (IFB) or Request for Proposal (RFP) for procurements associated with Major IT Projects to VITA the Division of Project Management (PMD). The Division supported by subject matter experts shall review the IFB or RFP and recommend its approval or rejection to the CIO. Agency shall submit a copy of proposed final contract, and/or proposed statement of work associated with Major IT Projects for PMD review. Agency shall also submit all amendments to contracts or new statements of work for PMD review. PMD will recommend approval or rejection of the contract, amendment, or statement of work to the CIO. The proposed contract, statement of work, or amendment can be executed only after the CIO's written approval. A project must be granted project initiation approval before a contract or statement of work supporting that project can be executed."

INFORMATION TECHNOLOGY (IT) PROCUREMENTS THAT REQUIRE CIO APPROVAL

- From time to time, and as directed by the Chief Information Officer of the Commonwealth, Agency will also provide for PMD review and CIO approval RFPs, IFBs, contracts, amendments thereto, and statements of work for projects that are not Major IT Projects."

- Also all procurements over 250k must be in the agency IT strategic plan and execution of the procurement must be approved by the CIO before any Purchase Order (PO) or solicitation is executed.

INFORMATION TECHNOLOGY (IT) PROCUREMENTS THAT REQUIRE CIO APPROVAL

- In some instances, the Commonwealth Chief Information Officer (CIO) would have to approve an agency contract modification.

  1. If the original contract is less than $250K, and the modification pushes it above $250K, it then comes under the purview of CIO oversight, and it requires a CIO-approved Procurement Governance Request (PGR) and a contract modification CIO approval.

  2. If the modification exceeds 10% of the original approved PGR amount, then the both the PGR and the contract modification needs to be amended and approved by the CIO.

VITA REQUIRED PROCUREMENT APPROVAL PROCESSES - GENERAL

- *IT Procurements under and over $100,000 and Cloud (SaaS) Approval Processes:*

These delegation requirements and related approval processes are located at this link: IT Procurement: Authority and Delegation Policies. If you have any questions contact: scminfo@vita.virginia.gov

VITA REQUIRED PROCUREMENT APPROVAL PROCESSES - GENERAL

- *Procurement Governance Request (PGR) Approval Process:*

This approval process is required for any procurement valued at $250,000 or greater. A Procurement Business Alignment form (PBA) must be submitted prior to submitting the PGR. Per §2.2-2007.1 of the Code of Virginia, VITA PMD developed this process. More detailed information about the process and instructional YouTube videos for how to complete and submit these forms are available here: Summary of VITA's Procurement Delegation

VITA REQUIRED PROCUREMENT APPROVAL PROCESSES - GENERAL

- *CIO Approval Process:*

  - As stated on slide 6, CIO approval is required for certain procurements and projects.

  - Per the Code of Virginia, VITA PMD developed the processes for any solicitation and contract meeting the criteria for being either a procurement over $1 million dollars in value or designated as a "Major Information Technology Project" will undergo PMD's approval process.

  - An executive branch agency shall submit a copy of any Invitation for Bid (IFB) or Request for Proposal (RFP) for a procurement related to an information technology project to the Division.

VITA REQUIRED PROCUREMENT APPROVAL PROCESSES - GENERAL

- ***CIO Approval Process:***
    - "Major information technology project" means any Commonwealth information technology project that has a total estimated cost of more than $1 million or that has been designated a major information technology project by the CIO pursuant to the Commonwealth Project Management Standard developed under § 2.2-2016.1.

VITA REQUIRED PROCUREMENT APPROVAL PROCESSES - GENERAL

- Review and approve or disapprove the selection or termination of any Commonwealth information technology project.

- The CIO shall disapprove any executive branch agency request to initiate a major information technology project or related procurement if funding for such project has not been included in the budget bill in accordance with § 2.2-1509.3, unless the Governor has determined that an emergency exists and a major information technology project is necessary to address the emergency.

VITA REQUIRED PROCUREMENT APPROVAL PROCESSES - GENERAL

- The CIO shall disapprove any Commonwealth information technology projects that do not conform to the Commonwealth strategic plan for information technology developed and approved pursuant to subdivision A 3 of § 2.2-2007.1 or to the strategic plan of executive branch agencies developed and approved pursuant to § 2.2-2014.

VITA REQUIRED PROCUREMENT APPROVAL PROCESSES – GENERAL

- Sole Source and IT Joint and Cooperative Procurement approval policies are located here: SCM Policies. If you have any questions please contact: scminfo@vita.virginia.gov

Note: While the business owner, project manager or AITR will normally be responsible for submitting PMD required PBA and PGR forms and completing the PMD processes, procurement officers should also know about this as it may affect the procurement schedule and activities.

SOLICITATIONS

- Based on the criteria and required approvals developed by VITA PMD summarized on the previous slide, your solicitation package will be submitted, more than likely by your business owner or project manager, to your assigned VITA PMD consultant who will distribute it for VITA review by SCM, Security, Enterprise Architecture and your assigned VITA Customer Account Manager and assigned VITA PMD consultant.

- Your business owner or project manager will have performed a lot of preliminary work before this point following the VITA Project Management Policies, Standards and Guidelines found here: Information Technology Resource Management (ITRM) Policies, Standards and Guidelines

SOLICITATIONS

- The complete set of solicitation documents must be sent, along with a completed Minimum Requirements Matrix, downloadable at this location: VITA Minimum Contractual Requirements for "Major" Technology Projects and Delegated Procurements

- If your solicitation allows for offerors to offer a Cloud or SaaS solution, you must include two additional documents in your solicitation package—a Security Assessment spreadsheet that all such offerors must complete and submit with their proposals and a required exhibit of Additional Cloud Services Terms and Conditions to protect your agency, your data and your SaaS investment. Additional information about this is located here: Commonwealth Security and Cloud Requirements for Solicitations and Contracts.

SOLICITATIONS

- Your Information Security Office, business owner or AITR will help develop the technical/functional requirements for the business need of the procurement and can provide you explanation and guidance on this. The required Assessment form can be downloaded here: Enterprise Cloud Oversight Services (ECOS). You may obtain the exhibit of Additional Cloud Services Terms and Conditions by contacting scminfo@vita.virginia.gov or enterpriseservices@vita.virginia.gov

CONTRACTS

- Based on the criteria and required approvals developed by VITA PMD summarized on slide 6, your final contract package will be submitted, more than likely by your business owner or project manager, to your assigned VITA PMD consultant who will distribute it for VITA review by SCM, Security, Enterprise Architecture and your assigned VITA Customer Account Manager and assigned VITA PMD consultant. However, prior to being submitted to VITA, it is required that the final negotiated contract must first be reviewed by your OAG for legal sufficiency.

- As with the solicitation package review, the complete set of contract documents must be sent to VITA, along with a completed Minimum Requirements Matrix, downloadable at this location: VITA Minimum Contractual Requirements for "Major" Technology Projects and Delegated Procurements to ensure that any negotiations did not negatively impact these requirements.

CONTRACTS

- It is important to note that if the contract is for a Cloud (SaaS) solution, before any award can be made, VITA's Enterprise Cloud Oversight Services (ECOS), must provide approval of the vendor's SaaS application, based on the Assessment submitted with the vendor's proposal and ensure that the exhibit of Cloud Services Terms and Conditions are included in the contract and that any negotiated edits to these terms are acceptable and approved by the ECOS team. The policy for this is located here: Third Party Use Policy. The process and required IT Service Catalog Work Request forms are located here: Enterprise Cloud Oversight Services (ECOS)

CONTRACTS

- If your procurement requires CIO approval, no award can be made until your assigned VITA PMD consultant has provided the formal CIO letter approving the procurement. Please refer to chapter 29, Award and Post-Award of IT Contracts, subsection 29.5, Notice of award and notice of intent to award, for guidance on Notices of Intent to Award for <u>very important</u> guidance. This can be found here: <u>IT Procurement Manual: BUY IT (2017)</u>.

- **Note:** For an IT Project associated procurement the Project must have project initiation approval (PIA) prior to or at the same time as the award.

AGENCY STAKEHOLDERS

Depending on the dollar value, complexity and criticality of your procurement or project, the following individuals are typical stakeholders for the VITA Procurement Approval processes:

- From your agency:

    o The business owner and/or project manager

    o The information security officer (ISO)

    o The information technology resource (AITR)

    o Your agency's office of attorney general (OAG) representative

AGENCY STAKEHOLDERS

- From VITA:

  o The agency VITA designated customer account manager (CAM)
  o The agency VITA designated project management consultant
  o VITA Supply Chain Management (SCM)
  o VITA Enterprise Cloud Oversight Services (ECOS) team
  o The commonwealth's Chief Information Officer (CIO)

VITA highly recommends that commonwealth procurement officers and buyers become familiar with the requirements and processes on the preceding slides to enhance collaboration with your Stakeholders and provide you with increased knowledge to support the success of your procurements.

WHO TO CONTACT FOR HELP

If you need additional assistance or guidance please contact any of the following:

- Your business owner/project manager for the

  procurement or project

- VITA SCM at: scminfo@vita.virginia.gov

- Your designated VITA CAM

- Your designated VITA PMD representative