



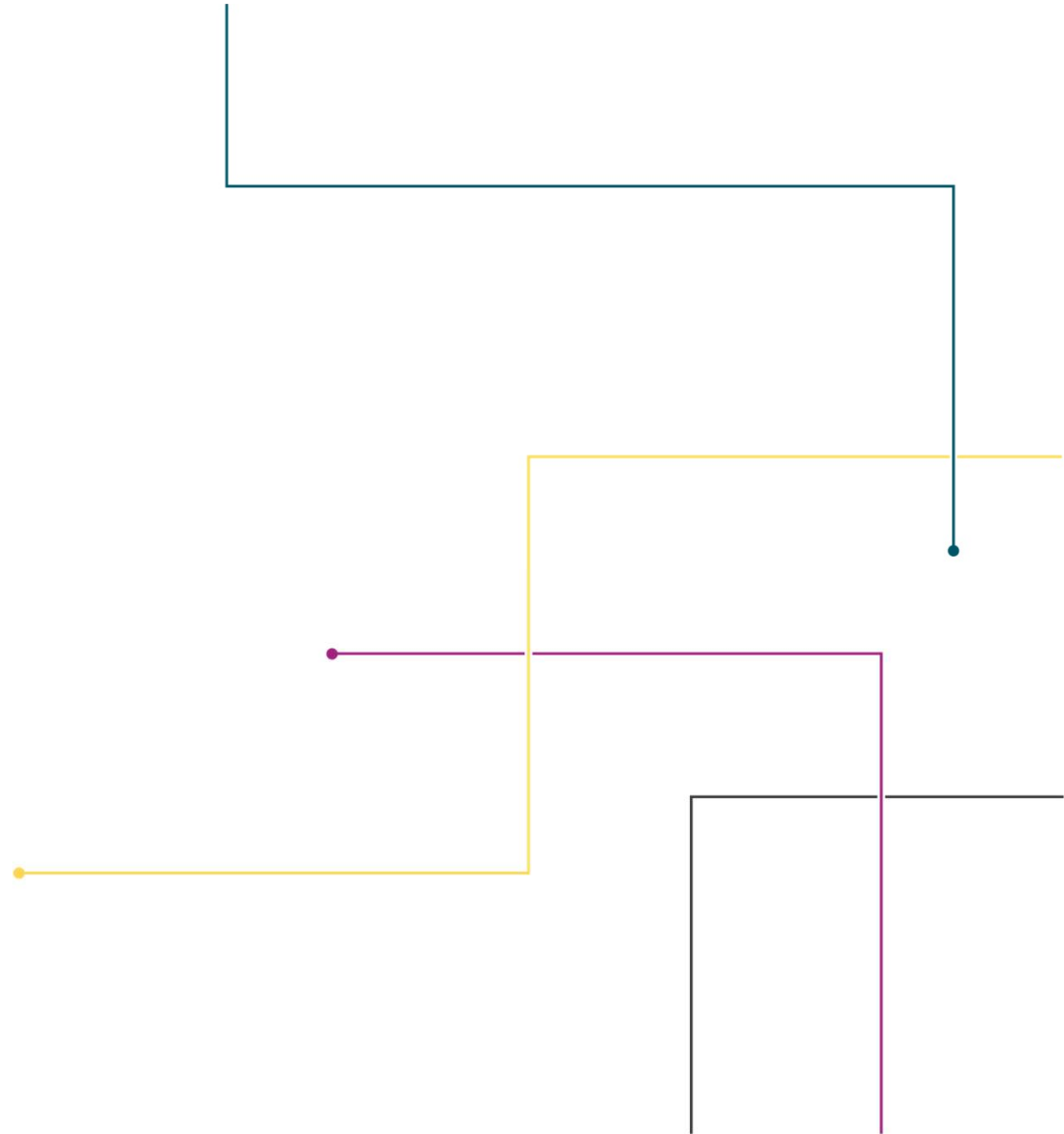
VITA REVIEW PROCESS

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VITA PROCUREMENT

TRAINING SCRIPT

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Introduction

Hello, I'm Rachel Hoffman and joining me is Doug Crenshaw. We work in VITA's procurement team. In this training, we are going to discuss the process that takes place when you submit your IT procurement to VITA for review. We will cover delegated thresholds, VITA's IT governance groups, the submission process and the reviews that take place.

VITA supply chain management (SCM) and procurement are used interchangeably throughout this transcript.

Why does VITA review agency procurements?

VITA's IT procurement authority extends to all executive branch agencies and institutions of higher education unless specifically exempted.

The Chief Information Officer (CIO) of the Commonwealth of Virginia or designee, reviews, approves or disapproves, all executive branch agency procurements, including approval of all agreements and contracts prior to execution. This excludes procurements and contracts delegated to an agency under VITA's procurement authority delegation policy which we will cover in this training.



Why does VITA review agency procurements?

The Commonwealth CIO is also responsible for development and governance of the Commonwealth's strategic plan for information technology. This includes reporting to the Secretary of Administration the progress executive branch agencies have made toward accomplishing the Commonwealth's strategic plan.

VITA procurement, specifically, provides oversight and guidance to agencies on the purchase of information technology (IT) and telecommunications goods and services. This includes establishing procurement policies, standards and guidelines.

Highlighted code language

2.2-2006

"Commonwealth information technology project" means any state agency information technology project that is under Commonwealth governance and oversight.

2.2-2007.3

Develop a comprehensive six-year Commonwealth strategic plan for information technology to include (i) specific projects that implement the plan; (ii) a plan for the acquisition, management, and use of information technology by executive branch agencies; (iii) a report of the progress of any ongoing enterprise information technology projects, any factors or risks that might affect their successful completion, and any changes to their projected implementation costs and schedules; and (iv) a report on the progress made by executive branch agencies toward accomplishing the Commonwealth strategic plan for information technology.

Highlighted code language

2.2-2012

The CIO shall review, and approve or disapprove, all executive branch agency procurements of information technology, including approval of all agreements and contracts prior to the execution of the procurement.

2.2-2018.1

- A. Executive branch agencies shall obtain CIO approval prior to the initiation of any Commonwealth information technology project or procurement. When selecting an information technology investment, executive branch agencies and public institutions of higher education shall submit to the Division an investment business case, outlining the business value of the investment, the proposed technology solution, if known, and an explanation of how the project will support the agency strategic plan, the agency's secretariat's strategic plan, and the Commonwealth strategic plan for information technology...

Highlighted code language

2.2-2018.1

B. The Division shall review each investment business case submitted in accordance with this section and recommend its approval or rejection to the CIO pursuant to the policies and procedures developed in § 2.2-2016.1

2.2-2020

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. The Division shall review the IFB or RFP and recommend its approval or rejection to the CIO. The agency shall submit a copy of any proposed contract or final contract to the Division. The Division shall review the proposed contract or final contract and recommend its approval or rejection to the CIO.....

Agency delegated authority and threshold limits

VITA must review and the Commonwealth CIO must approve:

- **ALL** IT procurements or contracts in excess of \$250,000;
- **ALL** cloud procurements and contracts. Agencies have \$0 delegated authority;
- **ALL** sole source contracts in excess of \$250,000;
- **ALL** cooperative procurements (including GSA). Agencies have \$0 delegated authority;
- **ALL** procurements that are classified as major projects, generally in excess of \$1M; and
- **ALL** high-risk solicitations and contracts. The criteria a solicitation and contract must meet to qualify as high-risk is defined by the Code of Virginia 2.2-4303.01.

Agency delegated authority and threshold limits

Please note: Agencies are authorized to conduct procurements for non-infrastructure* goods and services under \$250,000, that are **NOT** cloud hosted or a cooperative. These do not require a procurement governance request (PGR) or VITA approval.

*Infrastructure services include network, PCs, printers, email and messaging services purchased utilizing VITA's service portal.



High-risk code language

A high-risk solicitation or contract is defined by the Code of Virginia 2.2-4303.01 as:

- Exceeding \$10 million over the initial term of the contract, or
- Exceeding \$5 million over the initial term of the contract and meeting one of the following criteria:
 - The goods or services are being procured by two or more state bodies;
 - The anticipated term of the initial contract, excluding renewals, is greater than five years;
 - The state body has not procured similar goods or services within the past five years; and
 - Per legislative enactment, an existing contract that meets the criteria of high-risk has two or more remaining renewals.



VITA'S IT governance groups

Agency IT investments, including procurements, are guided by the requirements and best practices established by VITA's IT governance groups. These groups are the:

- Information technology investment management division (ITIMD);
- Project management division (PMD);
- Commonwealth security and risk management (CSRM);
- Enterprise architecture (EA); and
- Supply chain management (SCM).

For more information on the IT governance groups, please visit VITA's website.



VITA reviews by procurement type

Next we'll discuss VITA reviews by procurement type.

The table displayed, lays out the reviews taking place by our IT governance groups when you submit your solicitation or contract to VITA for review. You will notice that the type of procurement determines the review required.

This table is available on our website under the procurement tab.

Procurement Type	Cloud Hosted	CIO Approval Required	IT Governance Reviews					
			ITIMD*	PMD*	EA*	CSRM*	ECOS*	SCM*
\$ amount under 250k	yes	X					X	X
	no							
\$ amount 250k - 1m	yes	X	X	X	X	X	X	X
	no	X	X	X	X	X		
\$ amount over 1m (generally classified as a major project)	yes	X	X	X	X	X	X	X
	no	X	X	X	X	X		X
cooperatives (any \$ amount)	yes	X	X	X	X	X	X	X
	no	X	X	X	X	X		X
sole source (over \$250k)	yes	X	X	X	X	X	X	X
	no	X	X	X	X	X		X
high-risk contract	yes	X	X	X	X	X	X	X
	no	X	X	X	X	X		X

*Information Technology Investment Management Division (ITIMD)

Project Management Division (PMD)

Enterprise Architecture (EA)

Commonwealth Security and Risk

Management (CSRM)

Enterprise Cloud Oversight Service (ECOS)

Supply Chain Management (SCM)





Procurement governance request (PGR)

While we will not go into the procurement governance request (PGR) process in detail, there are several activities taking place between your agency IT department and VITA prior to the creation of a PGR however, it is at this point the procurement process begins.

Your agency information technology resource (AITR) will submit a PGR in the Commonwealth technology portfolio: Enterprise 1, for review and approval by the Commonwealth CIO. The PGR documents the description, justification, proposed method, estimated cost and funding source for the procurement.



Procurement governance request (PGR)

VITA's project management division (PMD) coordinates the internal review of the PGR to ensure the procurement conforms to your agency's IT strategic plan, and is compliant with required Commonwealth policies, standards and guidelines including IT and VITA related statutory laws.



Steps to submit a solicitation or contract for VITA review

Let's discuss the steps to submit a solicitation or contract for VITA review.

Step 1: Partner with your AITR to determine when your agency has an approved PGR. Your AITR will receive an approval letter from their VITA PMD contact indicating your agency can proceed with the procurement. Your agency must have an approved PGR prior to posting and award.

An agency should not draft the request for proposal (RFP) before receiving the approved PGR. In the event the procurement is not approved, your efforts would be lost.



Steps to submit a solicitation or contract for VITA review

Step 2: Once you have a final draft of your solicitation or contract ready for review, complete the minimum contractual requirements matrix. The matrix is available on our website at the link below. It is important to note:

- A matrix must be submitted for all IT solicitations and contracts requiring VITA review;
- The matrix provides the minimum requirements your solicitation and contract must contain; and
- If your solicitation or contract qualifies as high risk per the Code of Virginia, you must indicate this on your matrix.

Minimum requirements matrix:

<https://www.vita.virginia.gov/procurement/policies--procedures/procurement-forms/>



Steps to submit a solicitation or contract for VITA review

Step 3: Determine if your agency is considering a cloud hosted solution. If so, you will need to include the following documents in your solicitation or contract package:

1. The enterprise cloud oversight services (ECOS) assessment questionnaire, located at <https://vccc.vita.virginia.gov/vita>, needs to be included in your solicitation for suppliers to complete as part of their proposal. The questionnaire will need to be submitted in VITA's service portal for review once you've determined which suppliers are moving forward into negotiations.
1. If you are not using VITA's contract templates, you will need to obtain our cloud terms and conditions to include in your solicitation or contract. In the event a supplier returns the cloud terms and conditions with redlines, these edits will need to be routed to VITA's cloud services team for a response prior to contract award.



Steps to submit a solicitation or contract for VITA review

For additional information on the ECOS process, please view our training video, “Cloud Procurements and the ECOS Process” at: <https://www.vita.virginia.gov> under the procurement tab.

Step 4: Have your AITR submit your solicitation or contract package in the Commonwealth technology portfolio: Enterprise 1. Make sure to include all supporting documents and attachments.



Steps to submit a solicitation or contract for VITA review

Step 5: Make sure your agency contact at the Office of the Attorney General (OAG) reviews your solicitation or contract package if your procurement is classified as high-risk or a major project. SCM suggests you submit the package to your OAG at the same time you submit to VITA so the reviews can occur concurrently.

- For procurements classified as a major project, your OAG will need to review your contract, prior to award, for legal sufficiency and will provide feedback as needed.
- For high-risk procurements, your OAG reviews the solicitation prior to posting and the contract prior to award. Your agency will receive a letter from its OAG representative if approved.

Please note:

VITA will require your OAG approval letter before recommending approval to the Commonwealth CIO.

Steps that are required prior to the release of the solicitation also apply to your contract before execution.



What happens after your solicitation or contract is submitted to VITA?

Now that your solicitation or contract has been submitted for VITA review, the documents will be distributed based on the type of procurement to the appropriate IT governance groups.

For procurements classified as a major project, VITA strives to complete a review of your solicitation or contract within ten (10) working days. In the event edits or changes are required, your agency will be contacted by your PMD or procurement contact to make revisions. You will need to resubmit your solicitation or contract to VITA procurement to confirm the revisions have been addressed.

When approved, your agency's AITR will receive an approval letter from the Commonwealth CIO via your agency's PMD contact.



What happens after your solicitation or contract is submitted to VITA?

For high-risk solicitations and contracts:

1. VITA and the OAG are allotted thirty (30) business days to complete an extensive review of your solicitation or contract to ensure it meets the requirements of the high-risk statute.
2. If changes are required, VITA procurement will make comments and suggestions indicating how your agency can bring the documents into compliance with code requirements.
3. VITA procurement will reach out to you to schedule a time to review the documents. Following this discussion, your documents will be returned to you for revisions.
4. You will need to submit your revised documents to VITA procurement for a follow up review to ensure the code requirements have been met. The thirty (30) business day review timeframe will restart.



What happens after your solicitation or contract is submitted to VITA?

For high-risk solicitations continued:

5. Upon receipt of your OAG's approval letter stating your RFP meets high-risk requirements, a copy must be sent to scminfo@vita.virginia.gov. Only then will VITA procurement recommend that the Commonwealth CIO approve your solicitation for posting or contract for award.

Additional information on high-risk reviews can be found in chapter 30 of the Buy IT Manual.

Tips for a successful review

Here are tips on how you can ensure a successful review of your agency's solicitation or contract:

1. Use VITA's IT RFP and contract templates. We recommend using these templates because they are designed for IT procurements and already contain statutory and other IT related terms you need. For training on how to use VITA templates, please email scminfo@vita.virginia.gov.
2. Avoid adding Division of Purchase and Supply (DPS) language to VITA templates. This may create confusion for your suppliers. For example, a reference to the vendor's manual in your IT solicitation could create an issue since this manual sets forth the rules and regulations for vendors on general goods and services and is not applicable to IT procurements.
3. Ensure your solicitation or contract meets all applicable requirements in the minimum requirements matrix.
4. Include appropriate IT contractual provisions, and terms that comply with applicable Virginia law and policy.



Tips for a successful review

5. Incorporate performance measures, including remedies, in the event your supplier fails to meet the service requirements of your contract.
6. Remove duplicate or conflicting language and terms.



Closing

Thank you for viewing this training session on the VITA review process. We hope you found this information informative and useful.

If you have questions on the content presented, you may contact us directly or email us at scminfo@vita.virginia.gov.

Additional resources

- VITA's "Authority and Delegation Policy" at <https://www.vita.virginia.gov/media/vitavirginiagov/supply-chain/pdf/Authority-and-Delegation-Policy.pdf>
- VITA's IT procurement manual, chapter 29, "Award and Post-Award of IT Contracts" at <https://www.vita.virginia.gov/procurement/it-procurement-manual/chapter-29---award-and-post-award-of-it-contracts/>
- VITA's IT procurement manual, chapter 30, "High-Risk IT Solicitations and Contracts" at <https://www.vita.virginia.gov/procurement/it-procurement-manual/chapter-30---high-risk-it--solicitations-and-contracts/>
- The "VITA Procurement Approval Requirements and Processes Guide" for procurement officers and buyers at <https://www.vita.virginia.gov/media/vitavirginiagov/supply-chain/pdf/VITA-ProcurementApproval-Req-Processes-Guide-for-Procurement-Officers-Buyers.pdf>

Additional resources

- The training video “Performance Measures” located on the procurement tab, of the VITA website, under the training option.
- The training video “Cloud Procurements and the ECOS Process” located on the procurement tab, of the VITA website, under the training option.
- The high-risk solicitations and contracts webpage at <https://www.vita.virginia.gov/procurement/high-risk-contracts-overview/>
- VITA’s IT governance groups at <https://www.vita.virginia.gov/policy-governance/>
- Project Management Divisions (PMD) “Project Management Guideline” at <https://www.vita.virginia.gov/media/vitavirginiagov/it-governance/pdf/COVProjectMgmtGuideCPM11004.pdf>
- Procurement governance request (PGR) purpose and scope at <https://www.vita.virginia.gov/procurement/policies-procedures/summary-of-vitas-procurement-delegation/>



Additional resources

- The commonwealth technology portfolio at <https://www.vita.virginia.gov/policy-governance/governance-tools/commonwealth-technology-portfolio/>
- Information technology resource management (ITRM) policies, standards and guidelines at <https://www.vita.virginia.gov/policy-governance/itrm-policies-standards/>
- Commonwealth security and cloud requirements for solicitations and contracts at <https://www.vita.virginia.gov/media/vitavirginiagov/supply-chain/pdf/Commonwealth-Security-and-Cloud-Requirements-2018-07-01.pdf>
- ECOS high level process and oversight touch points at <https://www.vita.virginia.gov/media/vitavirginiagov/supply-chain/pdf/ECOS-High-Level-Process-and-Oversight-Touch-Points.pdf>