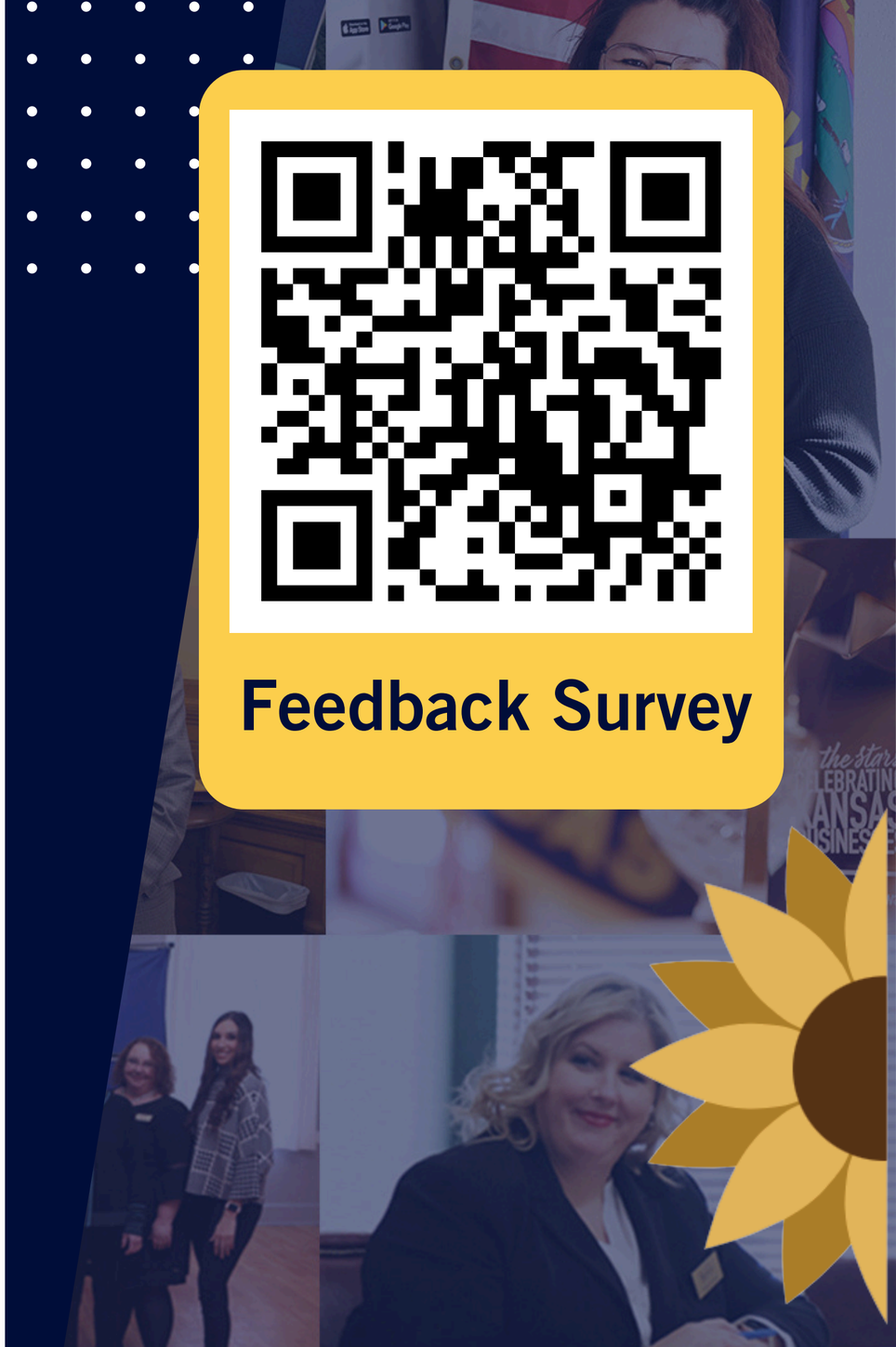
WELCOME

2024

KANSAS AGENCY BUSINESS SUMMIT

NASPO™
National Association of
State Procurement Officials



Feedback Survey

GENERAL SESSION

Information Technology Procurement &
Project Approval

INFORMATION TECHNOLOGY

KANSAS AGENCY BUSINESS SUMMIT

Speaker:
Sara Spinks



Kansas IT Project Management Reporting Requirements

- K.S.A. 75-7209 requires any agency proposing an IT project to submit the project documentation to the branch CITO for approval prior to procurement.
  - Includes review of bid specifications
  - Business Risk Assessment

- 2024 House Substitute for SB291
  - Added the requirement for the review of ALL IT contracts by the branch Chief Information Security Officer (CISO) before signature.

Definitions

Determining projects subject to Kansas IT Business Risk Assessment

02

"Project" means a planned series of events or activities that is intended to accomplish a specified outcome in a specified time period, under consistent management direction within a state agency or shared among two or more state agencies, and that has an identifiable budget for anticipated expenses.

03

"Information technology project" means an information technology effort by a state agency of defined and limited duration that implements, effects a change in or presents a risk to processes, services, security, systems, records, data, human resources or architecture.



Executive Branch Information Technology Executive Council (ITEC) Policy

ITEC Policy 2400-P – IT Project Plan Approval and Project Status Reporting

Prior approval must be obtained to start an IT project. Approval to proceed on an IT project shall be granted after completion of the Kansas IT Business Risk Assessment and review and approval of all required documentation by the Legislative Joint Committee on IT (JCIT) and branch CITO.

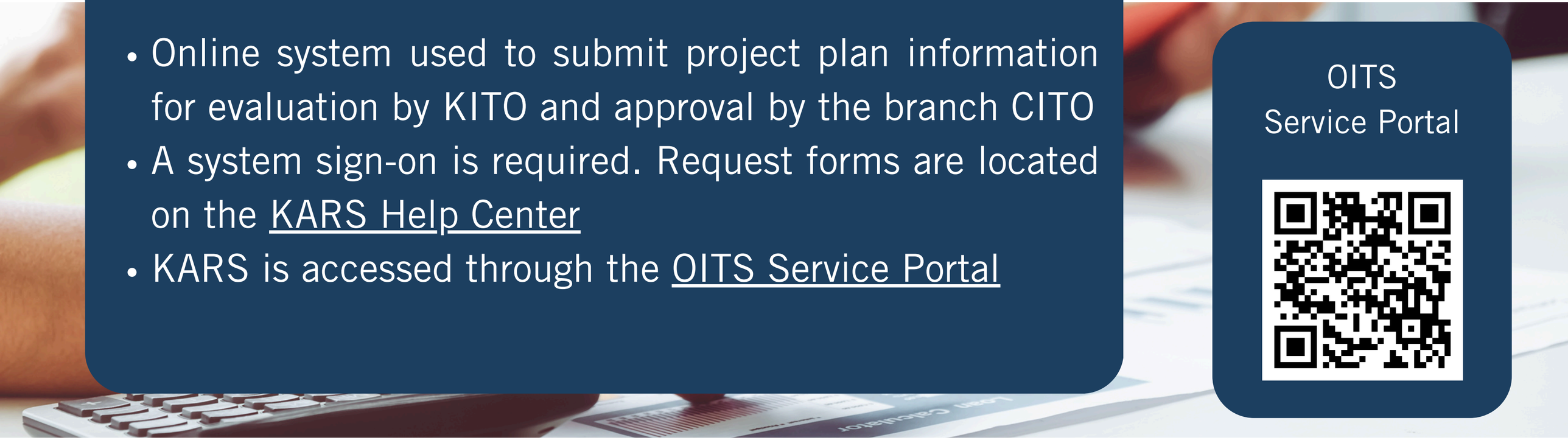


KITO Approval and Reporting System (KARS)

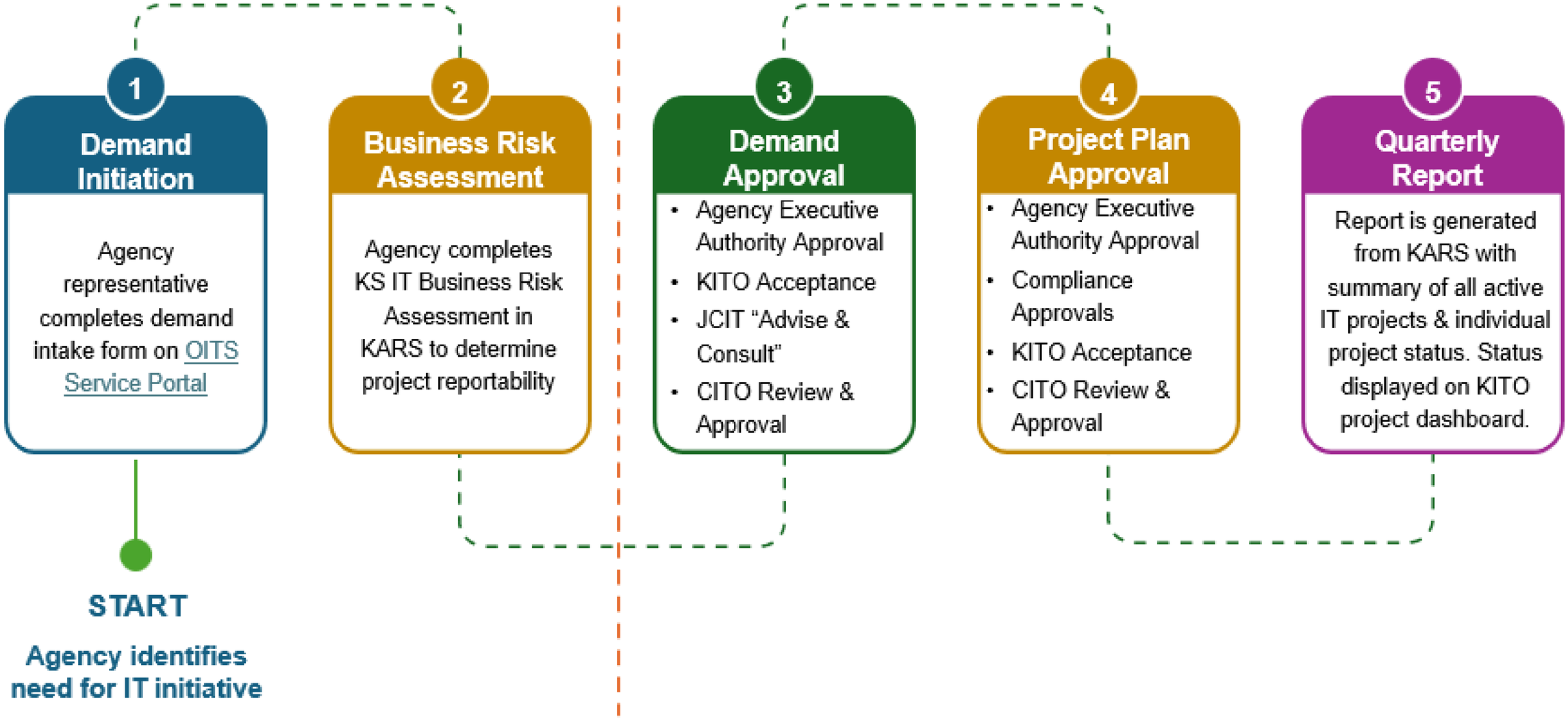
- Online system used to submit project plan information for evaluation by KITO and approval by the branch CITO
- A system sign-on is required. Request forms are located on the KARS Help Center
- KARS is accessed through the OITS Service Portal

KARS
Help Center

OITS
Service Portal



KITO Approval & Reporting Process Overall Process Flow



Demands, Projects, and CITO Approvals

01

For reportable IT projects, two separate branch CITO approvals must take place:

- Prior to procurement
- Prior to execution

02

A project plan submitted for initial branch CITO approval prior to procurement is termed a demand and includes high-level, estimated information about the proposed initiative.

03

Subsequently, while being prepared for the second branch CITO approval prior to execution (and thereafter), it is designated as a project and includes more detailed, finalized information.

Required Demand Information

- Estimated start and end dates
- Business case information
  - Business program background and context
  - Statement of intent and business objectives
  - Business need
  - In-scope and out-of-scope
- Stakeholders
  - Sponsor / Business Owner
  - Finance Director / CFO
  - PMO Director
  - Executive Authority (Agency Head)
  - IT Director / CIO
- Estimated cost information
- Funding sources
- Specifications for bids or proposals

Kansas IT Business Risk Assessment Process Overview



Phase 1: Business Risk Screening

Initial, high-level – Quantitative – Objective – Straightforward – Brief – identifies low risk IT activities that do not require additional risk assessment.

Phase 2: Business Risk Evaluation

Detailed risk questions regarding 5 primary risk categories: Strategic, Operational, Financial, Security & Compliance, Reputational

KITO Reportability

Based on Business Risk Evaluation score, KARS determines reportability of the proposed IT demand

$10 Million and Up IT Projects

Projects that cost $10 million or more also REQUIRE:

- **Feasibility Study Report**
- **Independent Verification and Validation Contractor (ITEC-2510-P)**



INFORMATION TECHNOLOGY

KANSAS AGENCY BUSINESS SUMMIT

Speaker:
Cole Robison



Digital Accessibility



Technologies designed and developed so that everyone, especially including people with disabilities, can use them

- People can perceive, understand, navigate, and interact with the technology
- Technologies are compatible with assistive technology
- Providing accessibility means reducing barriers to use



EXAMPLES

- Clear headings & landmarks for navigation
- Colors with good contrast
- Video captions
- Keyboard compatibility
- Text alternatives for images

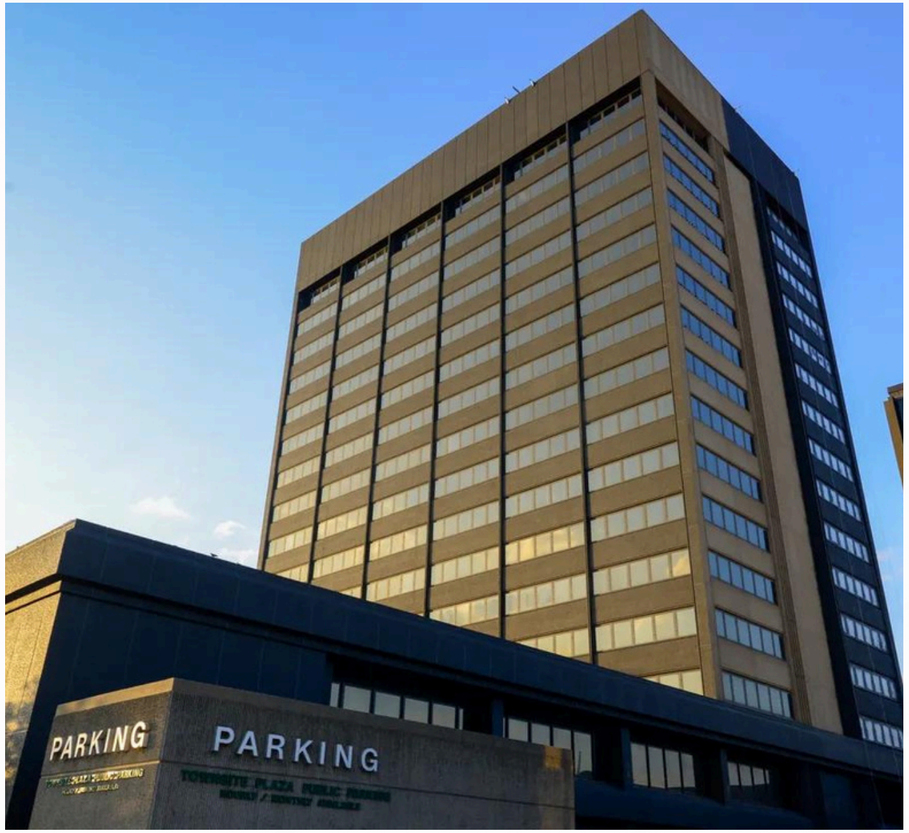
Legal Requirements: State Policy



ITEC Policy 1210

- Technical requirements for information and communication technology (ICT) to ensure accessibility and usability by individuals with disabilities
- Adopts Federal Section 508 ICT Accessibility Standards
- Based on Web Content Accessibility Guidelines (WCAG)
  - WCAG is an international industry standard for making web content accessible to people with disabilities, developed by the World Wide Web Consortium.
  - Applied to non-web ICT as well

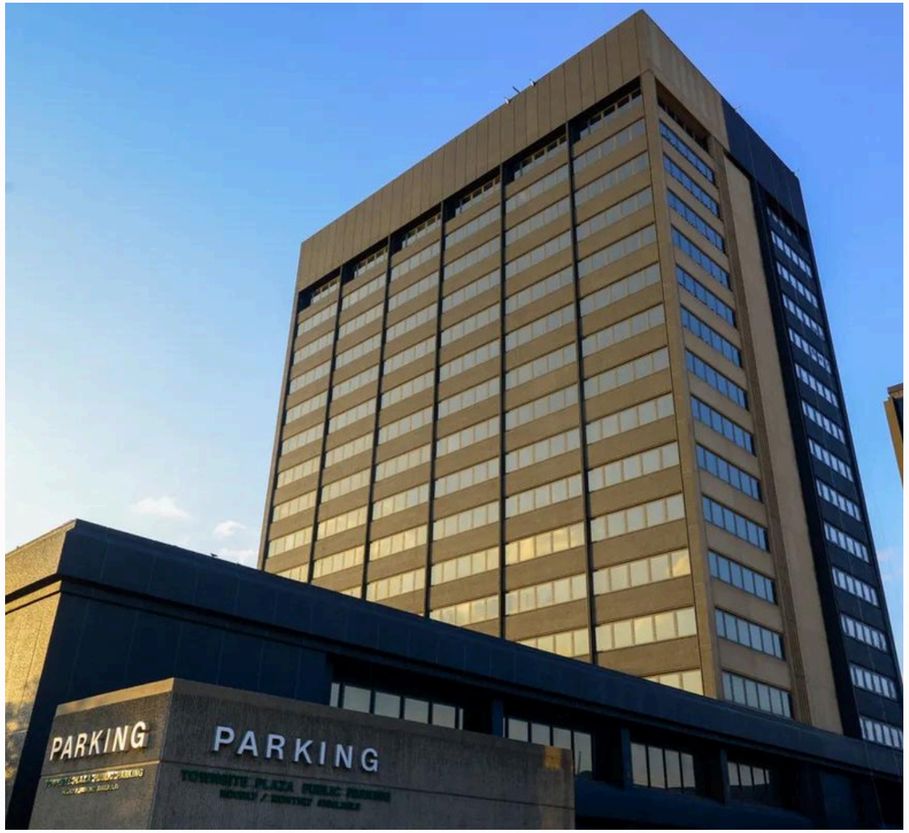
Legal Requirements: Federal Law (1)



New Federal ADA Title II Rule

- “Nondiscrimination on the Basis of Disability; Accessibility of Web Information and Services of State and Local Government Entities”
- New rule on the accessibility of web content and mobile apps provided by state and local governments
- Updates the regulations for Title II of the Americans with Disabilities Act (ADA)
  - The ADA is a federal civil rights law that prohibits discrimination against people with disabilities in everyday activities.
  - Title II is the section that covers requirements for state and local governments.

Legal Requirements: Federal Law (2)



New Federal ADA Title II Rule (continued)

- This new rule was announced April 8, 2024, and published in the Federal Register April 24, 2024.
- The compliance date for large public entities (50,000 or more people) is April 24, 2026. For small entities (0 to 49,999 people), it is April 26, 2027.
- Also sets WCAG as the technical standard

QUESTION

Multiple Choice

Who is responsible for ensuring accessibility of ICT?

A: COMPLIANCE OFFICERS

B: CONTENT CREATORS

C: SOFTWARE DEVELOPERS

D: PROCUREMENT OFFICERS

E: QUALITY ASSURANCE TESTERS

F: ALL OF THE ABOVE

Procurement’s Role



- Procuring accessible products and services is key to ensuring the State’s ICT is accessible.
- Procurement plays its usual role of including, evaluating, and enforcing requirements.
- Just need to recognize that accessibility requirements are project requirements

What You Can Do



- Make sure accessibility requirements are included in RFP specifications, contract language, etc.
  - Can cite ITEC Policy 1210, ADA Title II
- Require and evaluate VPATs/ACRs
  - The Voluntary Product Accessibility Template® (VPAT®) is the standard reporting format for identifying the accessibility of ICT products and services.
  - Lists the individual criteria of the standards (i.e., WCAG), with space to indicate the level of support and explanatory remarks for each one.
  - A completed VPAT is called an Accessibility Conformance Report (ACR).
  - Vendors often already have these available for their products, or can complete them upon request.

Taking It Further



Other options for evaluating accessibility include:

- Requiring demonstration of accessibility compliance features
- Including questions in an RFP to determine the maturity of vendors' accessibility policies and practices
- Requiring third-party accessibility audits

Include Accessibility in Vendor Evaluation (1)



Evaluate accessibility when evaluating vendors/options

- **Before** selecting one, signing a contract, etc. Don’t wait until after!

Include Accessibility in Vendor Evaluation (2)



Not only is this the way to fulfill obligations and achieve the required outcome of ensuring that the technology you're procuring is accessible, but in cases where no fully accessible option is available, you'll need to be able to document that your selection "best meets the standards consistent with … business needs". This of course requires understanding not only the chosen solution's accessibility disposition, but also that of the other options for comparison.

Recap

- Digital accessibility ensures that everyone, especially including people with disabilities, can use the technologies we provide.
- It’s the law.
- Procuring accessible products and services is key.
- Accessibility requirements are project requirements.
- Evaluate accessibility as part of bid evaluation, before selection.
- Select only accessible products.



INFORMATION TECHNOLOGY

KANSAS AGENCY BUSINESS SUMMIT



Speaker:
Kelly Johnson

RFP Specifications

- RFP Specifications are the most important part of the RFP. These specifications
  - Convey what the agency desires
  - Interface
  - Reports
  - Internal security levels (role-based security)
- Provides the technical requirement and existing environment allowing bidders to respond to the needs of the agency.
  - Is the system an upgrade?
  - Is this to be cloud based? Vendor hosted? Local?
  - Who is to maintain the system after go live.
  - What is the required timeline
  - What is the most important
  - Is the agency looking for additional modules in the future?

RFP Specifications

- Provide the vendor with the security requirements of the system.
  - ITEC
  - CJIS
  - IRS 1075
  - Other
- Describe any system integration that is required.
  - Mainframe
  - Existing programs or agency data sharing
  - External interfaces to other states or organizations
- Inform the vendor if training is needed, ongoing maintenance, optional upgrades, etc.
- What features has the agency seen that they want? Don’t want?

RFP Specifications

- The agency must be detailed in their requirements as additional specifications cannot be added once the RFP is published. Changes often require the bid to start over.
- The agency needs to do market research and have demonstrations BEFORE the RFP is created. This allows the agency to see features they would like and to include those specifications in the RFP. These cannot be so granular that they eliminate competition but should allow the agency to see ideas that they could use in a modernized platform.
- Talk to other states or agencies in similar situations.
- Agencies can communicate with vendors prior to the publication of an RFP. Once it is published, all conversations must go through OPC. This is why demos prior to the bid are helpful.
- Vendor cannot write the bid and bid on it as well.

RFP Specifications

- Specifications are the basis for all subsequent activities. Questions to vendors must be based on a specification, demonstrations are allowed for vendors to show how their product fulfills the specification requirements, technical evaluation documents are based on how the PNC rates the vendor fulfilling the requirements.
- Often, agencies see a new feature they want in a vendor's response. If it is not part of the original specifications, it cannot be a determining factor for award. This is alleviated by visiting with vendors prior to specification development.
- Detailed specifications vastly reduce the number of questions an agency will receive during the Q/A phase of the bidding process.
- Agencies cannot use past performance as a factor in an award. This statement means that an agency cannot rate a vendor higher than another because of their past performance. If performance is a requirement, list it as a specification
- Bottom line, specifications must be detailed to allow the agency to have a clear path to evaluate the vendors strengths. Market research is a must for the agency before developing specifications

RFP Specifications

- OPC is scanning specifications closely and returning them if the questions are too vague. Statements such as “We would like” or “Preferred”, should be replaced with required.
- If an agency is considering additional modules later, include them in the specifications. Declare that these are not part of the initial purchase but may be considered at a future date. This is preferred over the word optional.



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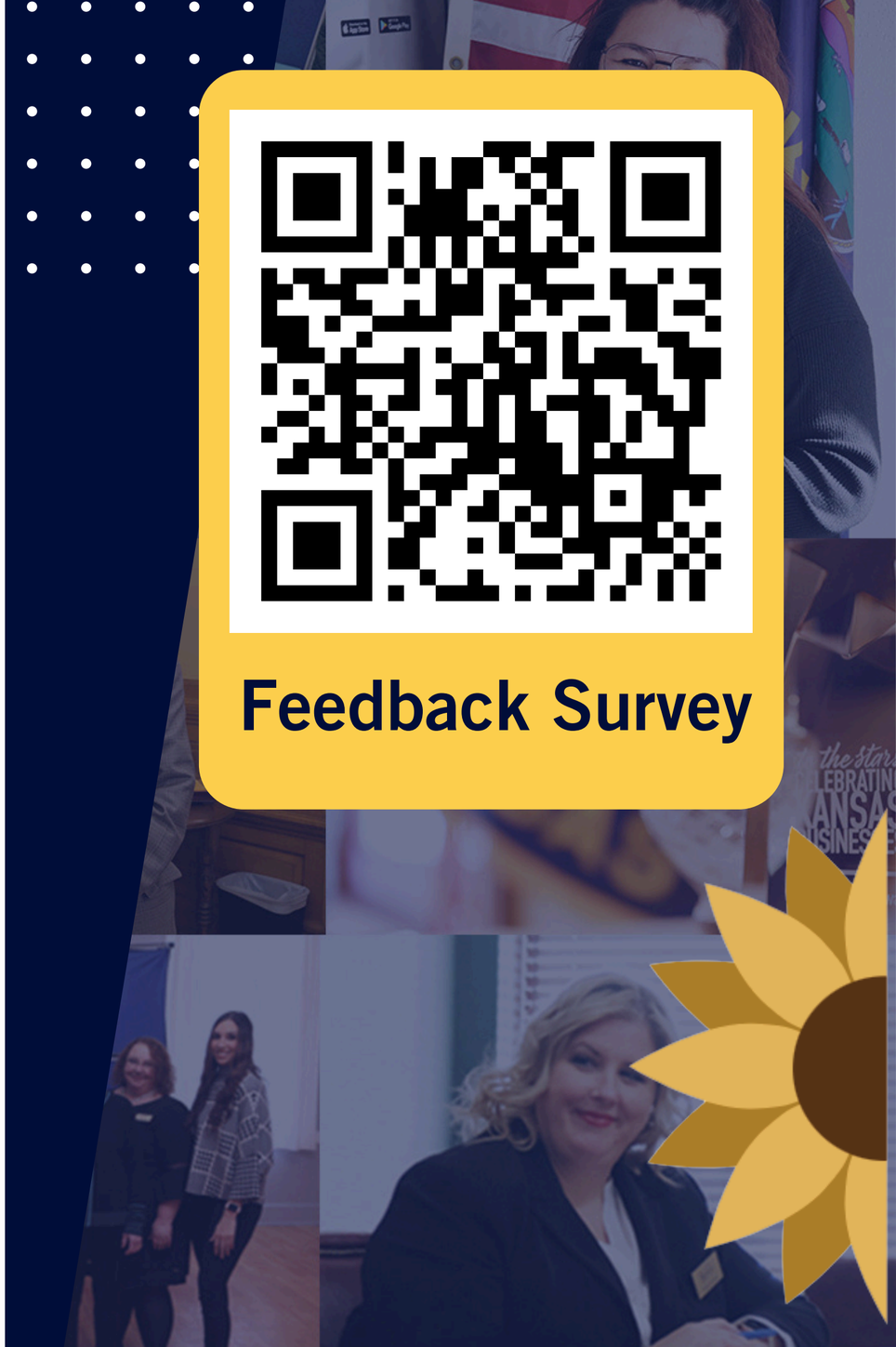

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