

# REVIEW OF FORMAL INFORMATION TECHNOLOGY SOLICITATIONS

## Frequently Asked Questions

In accordance with Chapter 404, Statutes of 2010 (AB 2408), the Review of Formal Information Technology (IT) Solicitations Policy Letter 11-03 establishes that all Formal IT Solicitations for IT goods and services must be submitted to the California Technology Agency (Technology Agency) for review no later than 45 business days prior to the planned date for release to the public. Review of Informal IT Solicitations is delegated to the department.

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### 1. Q: How are Formal IT Solicitations defined?

**A:** Formal IT Solicitations are Invitation for Bids (IFB) and Request for Proposals (RFP) valued at more than \$1,000,000 as defined in [Chapter 4, Section B1.0 of Volume 3 of the Department of General Services' \(DGS\) State Contracting Manual \(SCM\)](#). Section B1.0 states, in part:

*Formal solicitations are more complicated, higher in risk and usually of higher dollar value and may be conducted using the IFB or RFP, depending on the degree of specific language needed.*

*The following provides the dollar thresholds for distinguishing between informal and formal IT goods and services solicitations:*

- *Informal Solicitation: \$1,000,000 and less*
- *Formal Solicitation: More than \$1,000,000*

### 2. Q: What is the sequence for the review process? Does it include concurrent review by the Technology Agency and DGS?

**A:** The review process is sequential, first by the Technology Agency, and then by DGS. However, the DGS Procurement Division is typically engaged early in the RFP/IFB development process through release. DGS will therefore be familiar with the solicitation document by the time that the Technology Agency completes its review.

Departments should engage the Technology Agency early in the solicitation document development process, well before the RFP/IFB is submitted for Technology Agency review.

A high-level flow chart of the review process is included as Attachment A.

### 3. Q: If there is no OTech component in the RFP/IFB, do departments still need to submit the Formal IT Solicitation document to the Technology Agency for review?

**A:** Yes; departments are required to submit the Formal IT Solicitations to the Technology Agency for review, regardless of whether the solicitations contain elements that may be provided by OTech. Again, engaging the Technology Agency early in the solicitation document development process will facilitate timely review.

### 4. Q: Are there any additional fees for OTech's review of Formal IT Solicitations?

**A:** No fees associated with OTech's review of Formal IT Solicitation documents are anticipated at this time.

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**5. Q: Will there be an appeal process if the Technology Agency does not support the Formal IT Solicitation?**

**A:** Yes; the Technology Agency will provide departments with the ability to appeal Technology Agency decisions.

**6. Q: Is it necessary for the Technology Agency to review the entire solicitation document, rather than just reviewing the Statement of Work?**

**A:** Yes; the Technology Agency will review the entire solicitation document in totality; however, the primary focus will be on the technical requirements.

**7. Q: Does the Technology Agency want to receive the entire RFP when an Addendum is released?**

**A:** No; the Technology Agency prefers to just receive the Addendum for review, since it will already have received the complete RFP earlier.

**8. Q: If the Technology Agency has not completed review within the 45-day timeframe, can departments assume that the solicitation document is acceptable for release?**

**A:** No; the Technology Agency will provide direct, rather than tacit, notification. The Technology Agency will be working with departments throughout the review period and will provide notice of any concerns in advance of the 45-day timeframe.

**9. Q: What is the timeframe for reviewing Addenda?**

**A:** Addenda review timeframes will depend on their scope and complexity.

**10. Q: Are there Technology Agency confidentiality controls in place?**

**A:** Yes; the Technology Agency is developing a blanket confidentiality agreement to cover all staff who will be reviewing Formal IT Solicitation documents.

**11. Q: Please clarify the statement on page 4 of the draft IT Policy letter:**

**“Departments shall not be relieved of responsibility for major scope deviations within the Formal IT Solicitations or addenda reviewed by the Technology Agency unless:**

- **The department has specifically informed the Technology Agency-Program Management Office (PMO) in writing of such major scope deviations at the time of submittal; and**
- **The Technology Agency-OTech has given written approval of the specific deviation.”**

**A:** The purpose of this statement is to ensure that the Technology Agency is aware of any changes to the solicitation document and to further ensure than any revisions accurately reflect the project FSR.

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#### **12. Q: When is the Review of Formal Information Technology Solicitations Policy effective?**

**A:** The Review of Formal Information Technology Solicitations Policy will become effective when the IT Policy Letter is released. This policy does not apply to Addenda for RFPs that have been issued prior to the policy's actual effective date.

## FORMAL INFORMATION TECHNOLOGY SOLICITATION Review Process

