

Acquisition Plan Review Standard Operating Procedure

Department of Information Resources (DIR)

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STANDARD OPERATING PROCEDURE

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1. Purpose

For each contract for the development or implementation of a MIRP with a value of at least \$10 million or involving an agency designated for “additional monitoring” by the SAO (Texas Government Code, Section 2261.258), Texas Government Code, Section 2054.304(b), requires agencies to provide QAT with an [Acquisition Plan](#) prior to awarding that contract or executing the agreement. A contract is defined as a contract, grant, or agreement, including a revenue generating contract, an interagency or interlocal grant or agreement, purchase order, or other written expression of terms of agreement or an amendment, modification, renewal, or extension of such for the purchase or sale of goods or services that was entered into or paid for, either in whole or in part, by a state agency or institution of higher education (2022-2023 GAA, 87th Legislature, Article IX, Section 7.04, and Texas Government Code, Chapter 2054).

The purpose of this standard operating procedure (SOP) is to help DIR staff review the Acquisition Plans submitted to QAT by state agencies. This SOP details the following required steps for DIR:

- Review the Project Plan and Registers using the Procedure described in this SOP.
- Document review results.
- Communicate the review results to the QAT and the submitting agency.
- Complete the review process.

2. Background

Many MIRPs involve the acquisition of technology related goods and/or services from vendors, and often, those projects involve multiple procurements. The Acquisition Plan helps QAT understand how a particular state agency will define the parties’ roles, measure vendor performance, and control changes to a project’s scope.

Before issuing a vendor solicitation for a project with a value of at least \$10 million, agencies are required to develop the following, consistent with the *Texas Procurement and Contract Management Guide*:

- A procurement plan with anticipated service levels and performance standards for each vendor; and
- A method to monitor changes to the scope of each contract (Texas Government Code, Section 2054.305).

Additionally, agencies are required to develop procurement timelines including all required reviews and the full number of days for review as part of their Acquisition Plan.

A state agency may also use DIR’s Statewide Project Delivery Framework Acquisition Plan Template (link to [Acquisition Plan Template](#)) to comply with the above requirement. An Acquisition Plan must be documented in the procurement file for any project involving a

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procurement. Once an Acquisition Plan is filed with QAT, an agency may proceed with forming solicitations.

Agencies assigned a rating of “additional monitoring warranted” under Texas Government Code, Section 2261.258(a)(1), are required to provide an Acquisition Plan for all MIRPs (Texas Administrative Code, Chapter 216).

3. Scope

This SOP applies to the Texas Project Delivery Framework Acquisition Plan required for state agencies and IHEs’ MIRPs.

4. Requirements

DIR staff will only review Acquisition Plans for MIRPs that have been **approved** by the QAT. The Project Plan should be reviewed together with the required Acquisition Plan (covered in a separate SOP) to verify that the information reported is consistent in the two documents. A DIR review of the Project Plan is targeted for a two-week turnaround.

5. Procedure

Review Steps

Agencies submit their approved Acquisition Plan through the QAT@dir.texas.gov and projectdelivery@dir.texas.gov mailboxes and upload to the existing associated project in DIR’s Statewide Project Automated Reporting (SPAR) system. The DIR Statewide Project Delivery Project Manager will have created an associated project entry in DIR’s Statewide Project Automated Reporting (SPAR) system for the agency to enter project details and upload project documents during the Business Case review and approval step prior to Acquisition Plan creation. If the agency does not have an existing SPAR license, the Project Manager creates a SPAR account for the agency representative/liaison and informs that person on how to access their projects in the system.

DIR’s Strategic Sourcing Director tracks project review statuses in a Project Spreadsheet.

While the QAT has at least **30 days** to review, the DIR review completion is targeted for two weeks (14 business days) from receipt of the Acquisition Plan using the following procedures:

*Review both the Acquisition Plan using the following checklist to track any missing or incorrect information. Based on the content of the documents under review, answer the questions accurately. Respond “Yes”, “No”, or “NA”. **Responses of “No” and “NA” may require further examination.***

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The checklist asks general questions related to format and approval requirements for the deliverable and has sections that are titled to correspond to the Template sections. The Acquisition Plan Template line-item indicator appears in parenthesis just after the question, if applicable.

General Questions	Yes/No/NA
Was the Acquisition Plan submitted as a searchable PDF file?	
Was the Acquisition Plan completed using the currently published template?	
Are project information fields filled out completely?	
Procurement Overview	Yes/No/NA
Is the approach for how the procured goods and/or services will be used to address the business problem described and aligned with the Business Case Section 1.1? (1.1)	
Is additional background information that supports and defines the overall procurement process listed and described, including identification of the estimated total contract amount, duration of need, projected life of the project, and whether the contract will involve a master contract for use by multiple entities? (1.2)	
Does the procurement scope for the project appropriately define the goods and/or services that will be delivered (in Project Includes table)? (1.3)	
Does the procurement scope for the project appropriately define the goods and/or services that are outside of the procurement scope (in Project Excludes table)? (1.3)	
Are assumptions (related to business, technology, resources, scope, expectations, or schedules) that impact and further clarify the procurement scope and overall procurement effort listed and aligned with the Business Case Section 1.2.3 and the Project Plan Section 1.5? (1.4)	
Are constraints (related to schedule, budget, resources, products to be reused, technology to be deployed, products to be acquired, and interfaces to other products) that impact the procurement process listed and aligned with Business Case Section 1.2.4 and the Project Plan Section 1.6? (1.5)	
Are potential risks (including information security) that impact the procurement process and the eventual contract listed, detailed, and aligned with the Business Case Section 1.2.5? (1.6)	
Are there selections for insurance types being considered, if any, to mitigate risk for this procurement, including minimum amounts of coverage, as applicable? If not selected, are reasons listed for why each insurance type was not considered? (1.7) (NOTE: This section must be completed for agencies assigned a status of additional monitoring (as determined by the State Auditor's Office) to meet Texas Administrative Code, Chapter 216.)	

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Are QAT Best Practices Considered and Implemented selected, appropriate, and aligned with the selections in the Business Case Section 1.2.1 and the Project Plan Section 1.3? (1.8) (NOTE: This section must be completed for agencies assigned a status of additional monitoring (as determined by the State Auditor’s Office) to meet Texas Administrative Code, Chapter 216.)	
Are the factors or characteristics that are deemed critical to the success of the contract, such that, in their absence the contract will fail described? (1.9) (NOTE: This section must be completed for agencies assigned a status of additional monitoring (as determined by the State Auditor’s Office) to meet Texas Administrative Code, Chapter 216.)	
Is there a brief description relevant to contracting history, and does the description identify similar projects initiated to solicit and contract similar goods and/or services within the last four years? (1.10)	
Market Research	Yes/No/NA
Is the approach used to accomplish market research, including why a particular approach was used, described? (2.1)	
Are the sources used in procurement research and key lessons learned listed in the table? (2.1)	
Is there an appropriate description of the extent and results of the market research, including the effects of the market research in formulating and defining the procurement strategy? (2.2)	
Procurement Approach	Yes/No/NA
Is the sourcing approach (example: full outsourcing, partial outsourcing, insourcing, multisource) and justification for why the planned sourcing is in the best interest of the state described? Does the sourcing approach justification state why existing staff cannot provide the desired goods and/or services described? (3.1.1)	
Does the description for the selection of the planned procurement method (example: leveraged procurement, competitive bid, competitive proposal) state why the choice is in the best interest of the state? Does the description indicate whether the procurement will involve modular contracting, statement of work(s), DCS/STS, or other types of procurement methods or sources? (3.1.2)	
Are the selections for which Data Center Services and/or Shared Technology Services (STS) are being considered, if any, for the procurement appropriate and aligned with the Business Case? (3.1.3)	
Is the description for how sources for competition will be identified, promoted, and sustained until a contract is awarded appropriate? If competition is not a consideration or achievable, is a basis and justification for that decision provided? (3.1.4)	
Are the types of goods and/or services (examples: Product Concept/Prototype, Independent Verification and Validation (IV&V), procurement methods (examples: Request for Proposals (RFP), Request for Information (RFI)), and contract dollar values identified as part of the procurement scope listed and appropriate? (3.1.5)	

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Is the description for why the planned procurement steps are being recommended appropriate? (3.1.5) (NOTE: For the procurement of cloud computing services, Texas Government Code, Section 2054.0593, mandates that state agencies must only enter or renew contracts to receive cloud computing services that comply with the Texas Risk and Authorization Management Program (TX-RAMP) requirements.)	
Roles and Responsibilities	Yes/No/NA
Are the responsibilities and each role to be included in this procurement listed? (3.2) (NOTE: This section must be completed for agencies assigned a status of additional monitoring (as determined by the State Auditor’s Office) to meet Texas Administrative Code, Chapter 216.)	
Evaluation and Award	Yes/No/NA
Does the evaluation approach seem feasible and include evaluation factors and the overall use of the approach for vendor selection? Are weighted requirements provided in a tabular view? (3.3)	
Is the description of the tools used for vendor selection appropriate, and does it include any conditions imposed by the tools, such as how the evaluation factors are defined and used? (3.3)	
Procurement Key Action Dates	Yes/No/NA
Are the major dates (actual calendar dates) for <u>presolicitation</u> activities that require an essential action to occur to move the procurement forward (examples: QAT and/or Contract Advisory Team reviews based on contract value thresholds) indicated in the table and aligned with the Project Plan Section 3.5 Schedule Allocation milestones? (3.3)	
Are the major dates (actual calendar dates) for <u>solicitation</u> activities that require an essential action to occur to move the procurement forward (examples: QAT, Contract Advisory Team, federal reviews) indicated in the table and aligned with the Project Plan Section 3.5 Schedule Allocation milestones? (3.3)	
Performance and Service Standards Approach	Yes/No/NA
Is there an appropriate description of the approach for defining performance standards and measurements, specifically in terms of the procurement scope, assumptions, constraints, and strategy. Does the description align with the performance standards and measurements in the Project Plan Performance Register or Quality Assurance Surveillance Plan? (4.1)	
Is there an appropriate description of the approach for how service standards and measurements will be defined, specifically in terms of the procurement scope, assumptions, constraints, and strategy? (4.2)	
Contract Management Approach	Yes/No/NA
Does the approach for vendor orientation describe how the vendor(s) will be onboarded to the project? (5.1)	

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Is the approach to contract change management appropriate, including descriptions of agency-required change documentation and processes? (5.2)	
Does the description for deliverables management detail how all planned and actual contractor deliverables and services will be tracked and managed, including due dates, actual submission dates, approval/rejection, and other data as needed? (5.3)	
Is the method for how general vendor performance and compliance will be tracked and managed throughout the life of the contract (examples: HUB reporting, insurance compliance, CPA's Vendor Performance Tracking System (VPTS) requirements, other statutory requirements) described and appropriate? (5.4)	
Is the method(s) for how invoices will be managed described and appropriate? (5.5)	
Is the method(s) for how contractual disputes will be handled, including escalation of dispute issues to appropriate agency staff, described and appropriate to ensure contractual issues can be addressed and mitigated? (5.6)	
Is the approach for contract closeout described and appropriate to ensure all required activities (example: VPTS reporting) are completed? (5.7)	
Are the tools (examples: VPTS and/or agency-specific contract management tools) used to manage the contract, contractual requirements, and deliverables described?	
Glossary	Yes/No/NA
Are all terms and acronyms required to interpret the Acquisition Plan defined? (6)	
Revision History	Yes/No/NA
Is revision history information included for the current submission? (7)	
Appendices	Yes/No/NA
Are relevant appendices included? (8)	

Post-Checklist Steps

After completing the Review Steps, the assigned reviewer will do the following to complete the Review Procedure:

- a. The reviewer sends DIR's Strategic Sourcing Director an email summary of any comments and any "No"/"NA" checklist responses that may need revision.
- b. The director reviews edits/comments from the reviewer and submits them to QAT via email or discussion at a scheduled QAT meeting.
- c. At QAT direction, the director may send project comments directly to agency.

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Comment Period Steps

The QAT acknowledges receipt of the Acquisition Plan and provides any comments to the agency, as needed. The comment period may include meeting with agencies to discuss issues or concerns.

If QAT has recommendations, then the agency is required to comply with the recommendations or submit a written explanation to QAT@dir.texas.gov stating their rationale for why the recommendations are not applicable to the project under review.

The agency shall resubmit the Acquisition Plan addressing the comments made by QAT.

The DIR Statewide Project Delivery Project Manager ensures the Acquisition Plan PDF is uploaded in SPAR.

6. Revision History

Version	Date	Name	Description
1.0	06/23/2023	Jenn Norman/Heather Hardy	V1.0

7. Acronyms

DIR – Department of Information Resources
 MIRP – Major Information Resources Project
 QAT – Quality Assurance Team
 SPAR – Statewide Project Automated Reporting
 SOP - Standard Operating Procedure