

### *CIO as IV&V Provider*

**Question 1A:** We would like to have our State's Chief Information Officer (CIO) be the IV&V Overseer. Since the CIO is in a different department, and reports directly to the Governor/Lt. Governor, it seemed removed enough to satisfy the requirement. Is this acceptable to OCSE? *[February 2000]*

**Answer 1A:** Without benefit of an actual organization chart, capabilities statement, and description of duties on the part of the CIO; the CIO would be considered acceptable to provide IV&V services provided the following assumptions are true regarding the CIO position: (1) Organizational independence from the State's IV-D program and its umbrella agency, the State's Department of Social Services (DSS); and (2) the Office of the CIO has the technical resources necessary to perform the work of the IV&V Service Provider, either through in-house staff or through contract resources.

**Question 1B:** Does the CIO govern/oversee/manage the selection process? We presume the CIO participates, to what level is the question at hand. *[February 2000]*

**Answer 1B:** The Office of the CIO is the exclusive agency responsible for performance of all IV&V activities. This includes all governance, oversight and management of IV&V planning, the conduct of IV&V reviews, and the generation of reports of findings and recommendations of those IV&V reviews. IV-D agency and the State's DSS participation shall be limited to support for the IV&V reviews conducted by the CIO, relative to providing for interviewing of cognizant staff, and providing for the availability of necessary project and system documentation, software, code, plans, etc., as deemed appropriate and necessary by the CIO in the execution of the IV&V reviews.

**Question 1C:** Does HHS (ACF/OCSE) have a part in the selection process? We presume yes, but not in charge and perhaps not a voting member? *[February 2000]*

**Answer 1C:** HHS (ACF/OCSE) **does not** have a part to play in the selection process. Procurement processes are the sole dominion of applicable State procurement laws and regulations. However, the procurement process [Request for Proposal (RFP), Invitation to Bid (ITB), etc.,] and subsequent contract are subject to the **prior approval** provisions of Federal regulations at 45 CFR Part 95 and 45 CFR Part 307.15(b)(10). Our Office stands ready to provide technical assistance to your Office as you pursue the procurement process.

**Question 1D:** Does ACF/OCSE participate in the selection process (Regional Office, Central Office or someone)? *[February 2000]*

**Answer 1D:** Neither ACF, OCSE Central Office or Regional Offices participate in the procurement process. This exclusion includes the creation of the procurement vehicle

(RFP, IFB, etc.), proposal evaluation process (including evaluative criteria), and actual selection of the successful offeror to the solicitation for an IV&V Service Provider. We would note, however, that upon creation of the procurement vehicle (e.g., RFP) and prior to its release for bids, it must first be submitted to OCSE Central Office for **review and prior written approval**. Likewise, upon completion by the State of the selection of an offeror to the solicitation, and prior to actual execution of a contract with the successful offeror, OCSE Central Office must again **review and provide prior written approval** of the contract. We would also note that funding for the requisite IV&V Service Provider's contract will be provided through the Advance Planning Document (APD) process. Federal written approval of the RFP and resultant contract are distinct from Federal funding approval for the same. Funding will be provided through the APD for the project.

**Question 1E:** Can HHS (ACF/OCSE) pay the IV&V vendor bills, if they are signed off by the CIO as the overseer? The State would set up an Interagency Cooperative Agreement so they didn't have to get an appropriation just for a pass through (seems redundant). We presume this would be allowed. *[February 2000]*

**Answer 1E:** Expenditures for the IV&V Service Provider are eligible for Federal financial participation (FFP) at the regular (66 percent) rate of reimbursement. You are correct in your assumption that payment for the expenditures of an IV&V Service Provider could be made through an Interagency Agreement with the CIO. The Interagency Agreement will necessarily need to incorporate certain performance criteria and conditions, as delineated in ACF/OCSE's IV&V Assessment Review Report for your project. Specifically, these criteria are:

- The IV&V Service Provider (CIO) must supply all plans, reports, analyses and recommendations to OCSE Central Office **at the same time** it is provided to the Child Support Enforcement Unit of the State's Department of Social Services, as specified in 45 CFR 307.15(b)(10)(ii).
- The State must submit an Advance Planning Document Update (APDU) showing all IV&V activities and their costs (which are eligible for Federal financial participation at the regular [66 percent] matching rate.)
- Procurement of an IV&V Service Provider (if conducted by the CIO), including the resultant contract and the interagency cooperative agreement are subject to **prior approval** by OCSE Central Office as specified in Action Transmittal OCSE-AT-98-26.
- In addition to the IV&V effort's scope of work, deliverables, and schedules, the solicitation document and resultant contract and interagency cooperative agreement (with/between the DSS and CIO) must include the names and qualifications of key personnel (CIO staff and if used, contractor staff) who will actually perform and manage the IV&V services.

**Question 1F:** Could the CIO hire help with the oversight of the IV&V process if it was needed, and then with an interagency cooperative agreement, have HHS (ACF/OCSE) pay the cost? We presume this would be allowed. *[February 2000]*

**Answer 1F:** Yes. Please refer to the above response for specific explanations and conditions.

### **Metrics vs. Matrix**

**Question 2:** In the Recommendations Section of our State's CSES project IV&V Assessment Review Report it states: "Develop performance metrics, which allow tracking of project completion against milestones set by the State. Monitor the performance of the Quality Assurance (QA) function/organization by reviewing its reports and performing spot checks of system documentation." Is the word "metrics" a typo or was some other word intended such as matrix? *[March 2000]*

**Answer 2:** "Metrics" is what was intended. Metrics can be any measurable data taken during the program/software development cycle. Software size and percentage complete are examples of metrics. Typical software size metrics are lines of code (LOC), function points and units (also called procedures, subroutines, subprograms or modules). Whichever measure is used should be appropriate for your system's computer language(s) and design methodology and should be applied consistently across the project.

Other examples of metrics include number of software requirements, number of changes made to the software, number of defects found, a count of where in the development process defects are found, number of outstanding defects to be fixed and their criticality, number of defects found per test or per test phase, etc, etc, etc.

### **IV&V Contract Management**

**Question 3A:** Per discussion with OCSE, we are exploring the idea of having the IV&V contract managed by the State's Department of Revenue (DOR) Inspector General (IG) office. We have presented the idea to the IG and if the DOR agrees, then it will be presented to the State's IV-D CSES Board.

It was mentioned that OCSE needs proof of the IG's independence from IV-D. Would an organizational chart showing that the IG reports directly to the Executive Director suffice? Does OCSE need anything else? *[March 2000]*

**Answer 3A:** An organizational chart and a "mission" statement (i.e., what are the organizational responsibilities, to whom does each organization report, etc.) should contain information on their operational independence.

**Question 3B:** If we choose the above option, the IG would contract with a contractor from the State contract list, using a Statement of Work (SOW) based on the approved SOW, but modified to show the DOR Inspector General wherever contract responsibilities are mentioned. Will OCSE need to prior approve the revised document and the contractor's proposal (which will not change except for date references)? If so, we could send OCSE a redlined version with all changes highlighted to make the OCSE review simpler. *[March 2000]*

**Answer 3B: Yes.** OCSE will need the new contract between the IG and the selected IV&V contractor. Yes, a redlined version of changes would be helpful.

**Question 3C:** Since the IG is in our same agency (DOR), do we still need a Memorandum of Understanding (MOU) between them and us? *[March 2000]*

**Answer 3C: Yes.** The IG will need a MOU with IV-D outlining the IG's responsibilities regarding handling of the IV&V efforts on CAMS, as well as that the IG will not be "editing for public consumption" drafts of IV&V reports, deliverables, etc. but will forward and direct the IV&V contractor to forward any drafts to OCSE when they are delivered by the contractor to the IG and then by the IG to IV-D.

**Question 3D:** The regulations seem to suggest that the agency issuing the IV&V Request for Proposal (RFP) and/or initiating the IV&V contract (in our case, the Department of Social Services) could also be the agency to which the IV&V vendor is responsible regarding performance, e.g. for the purpose of payment under the contract. Could you provide clarification on this issue? *[January 2001]*

**Answer 3D:** You correctly have interpreted the regulatory language you cite as potentially allowing the State's Department of Social Services (DSS) to operationally manage the IV&V contract. However, our Office has determined that there is a real and perceived conflict of interest in the State's DSS managing the IV&V Service Provider contract, and thus will require the contract to be managed by a separate State agency. This agency could be a State Department of Information Technology, State Auditor's Office, or State Department of the Treasury, as examples. For the purpose of payment and overall scope of work, management responsibilities, etc., we look for a "Memorandum of Understanding" or similar interagency agreement between the DSS and whatever State agency is contracted with to provide the State's Child Support Enforcement System (CSES) project with IV&V services.

### Prior Approval / Approval

**Question 4A:** Is it necessary to have the IV&V Request for Proposal (RFP) approved by OCSE Central Office (CO) **before** publishing it to the public? If so, how much time should be allowed for approval by CO after it is submitted? *[March 2000]*

**Answer 4A: Yes.** The RFP and any resulting contract **require the prior written approval** of OCSE CO **prior to their release or execution**, respectively. The State should allow up to 60 days for Federal response to a written request for prior approval. It is the intent of this office to expedite these requests, given the need for such IV&V services.

**Question 4B:** Does the State need to receive approval of the recommended IV&V Service Provider before the Proposal Evaluation Committee issues its Notice of Intent to Award Contract? If approval is required, how much time should be allowed for approval from OCSE Central Office before we issue the Notice of Intent to Award? *[March 2000]*

**Answer 4B: No.** The selection process regarding vendor selection for IV&V service is a State-specific process that does not incorporate Federal intervention. However, please note that the procurement must at a minimum, meet the procurement requirements found in Federal regulations at 45 CFR Part 74.40 through 74.62 in order for the procurement to receive Federal approval and thus, Federal funding. Regarding the length of time to allow for Federal review and approval, the 60-day timeframe applies.

### IV&V Preferred Providers List

**Question 5:** Does the Administration for Children and Families (ACF) have a “preferred list” of vendors who perform IV&V services and would ACF provide that list to the State? If not, could ACF provide a list of vendors that have performed this required IV&V service well in another State? *[January 2001]*

**Answer 5:** ACF **does not** have a “Preferred Providers Listing”. We have, for the purposes of technical assistance, gathered a list of vendors from various GSA sites that do provide, to varying degrees, the types of services that constitute IV&V. Again, we must make clear that ACF does not and cannot endorse, promote, or otherwise attest to the quality or professionalism of any of the firms listed relative to IV&V services. This data is gathered from the U.S. General Services Administration.

### Change in Scope of IV&V

**Question 6:** In the Executive Summary in OCSE's most recent IV&V report it states, "This report sets forth requirements for the State to initially provide for a continuous, ongoing IV&V presence. This is a change from OCSE's initial IV&V Assessment Review report, which required IV&V reviews every 6 months." To better understand what level of participation and resources the State would require of the entity providing the IV&V services, could you better define "continuous, ongoing presence"? *[January 2001]*

**Answer 6:** Our most recent IV&V review found that the need for IV&V services, based on the system development plan proposed by the State's Feasibility Study necessarily has increased from our original assessment of once every 6 months, to a continuous, ongoing presence. This ongoing presence defines a full-time staff of most likely two to four IV&V staff (depending on their skills and abilities and scope of work). This staffing could increase, on an as-needed basis by the State's project, to conduct "go/no go" assessments of the project for senior management at pre-defined, critical project milestones, such as completion of the Detailed Design documentation, completion of a phase-one application coding, or prior to commencement of pilot test. Such increased staffing could also be used for one-time activities such as a system-wide stress test or capacity analysis.