

1 A bill to be entitled
2 An act relating to information technology procurement;
3 amending s. 282.0051, F.S.; requiring the Department
4 of Management Services, through the Florida Digital
5 Service, to establish certain project management and
6 oversight standards for state agency compliance;
7 requiring the department to perform project oversight
8 on information technology projects that have total
9 project costs of a certain amount or more; providing
10 requirements for information technology projects that
11 have a total project cost over a certain amount;
12 amending s. 287.0591, F.S.; removing obsolete
13 language; authorizing the department to execute
14 certain contracts if the Secretary of Management
15 Services and the state chief information officer
16 certify certain information in writing; requiring an
17 agency to issue a request for quotes to all vendors
18 approved to provide certain commodities or services in
19 certain circumstances; requiring the department to
20 prequalify firms and individuals to provide certain
21 services on state term contract by a certain date;
22 requiring the department to consider certain
23 information in order to prequalify a firm or
24 individual; providing for the disqualification of a
25 firm or individual from state term contract

26 | eligibility; authorizing a prequalified firm or
27 | individual to respond to certain requests for quotes;
28 | providing an effective date.

29 |
30 | Be It Enacted by the Legislature of the State of Florida:

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32 | Section 1. Paragraphs (c) and (n) of subsection (1) and
33 | subsection (4) of section 282.0051, Florida Statutes, are
34 | amended to read:

35 | 282.0051 Department of Management Services; Florida
36 | Digital Service; powers, duties, and functions.—

37 | (1) The Florida Digital Service has been created within
38 | the department to propose innovative solutions that securely
39 | modernize state government, including technology and information
40 | services, to achieve value through digital transformation and
41 | interoperability, and to fully support the cloud-first policy as
42 | specified in s. 282.206. The department, through the Florida
43 | Digital Service, shall have the following powers, duties, and
44 | functions:

45 | (c) Establish project management and oversight standards
46 | with which state agencies must comply when implementing
47 | information technology projects. The department, acting through
48 | the Florida Digital Service, shall provide training
49 | opportunities to state agencies to assist in the adoption of the
50 | project management and oversight standards. To support data-

51 | driven decisionmaking, the standards must include, but are not
 52 | limited to:

53 | 1. Performance measurements and metrics that objectively
 54 | reflect the status of an information technology project based on
 55 | a defined and documented project scope, cost, and schedule.

56 | 2. Methodologies for calculating acceptable variances in
 57 | the projected versus actual scope, schedule, or cost of an
 58 | information technology project.

59 | 3. Reporting requirements, including requirements designed
 60 | to alert all defined stakeholders that an information technology
 61 | project has exceeded acceptable variances defined and documented
 62 | in a project plan.

63 | 4. Content, format, and frequency of project updates.

64 | 5. Technical standards to ensure an information technology
 65 | project complies with the enterprise architecture.

66 | (n)1. Notwithstanding any other law, provide project
 67 | oversight on any information technology project of the
 68 | Department of Financial Services, the Department of Legal
 69 | Affairs, and the Department of Agriculture and Consumer Services
 70 | which has a total project cost of \$20 ~~\$25~~ million or more ~~and~~
 71 | ~~which impacts one or more other agencies~~. Such information
 72 | technology projects must also comply with the applicable
 73 | information technology architecture, project management and
 74 | oversight, and reporting standards established by the
 75 | department, acting through the Florida Digital Service.

76 2. When performing the project oversight function
77 specified in subparagraph 1., report at least quarterly to the
78 Executive Office of the Governor, the President of the Senate,
79 and the Speaker of the House of Representatives on any
80 information technology project that the department, acting
81 through the Florida Digital Service, identifies as high-risk due
82 to the project exceeding acceptable variance ranges defined and
83 documented in the project plan. The report shall include a risk
84 assessment, including fiscal risks, associated with proceeding
85 to the next stage of the project and a recommendation for
86 corrective actions required, including suspension or termination
87 of the project.

88 (4) For information technology projects that have a total
89 project cost of over \$5 million ~~Upon the adoption of the~~
90 ~~enterprise architecture standards in rule, the department,~~
91 ~~acting through the Florida Digital Service, may develop a~~
92 ~~process to:~~

93 (a) State agencies must provide the Florida Digital
94 Service with ~~Receive~~ written notice ~~from the entities within the~~
95 ~~enterprise~~ of any planned procurement of an information
96 technology project ~~that is subject to enterprise architecture~~
97 ~~standards.~~

98 (b) The Florida Digital Service must participate in the
99 development of specifications and recommend modifications to any
100 planned procurement of an information technology project by

101 state agencies so that the procurement complies with the
102 enterprise architecture.

103 (c) The Florida Digital Service must participate in post-
104 award contract monitoring.

105 Section 2. Section 287.0591, Florida Statutes, is amended
106 to read:

107 287.0591 Information technology.—

108 (1) ~~Beginning July 1, 2014,~~ Any competitive solicitation
109 issued by the department for a state term contract for
110 information technology commodities must include a term that does
111 not exceed 48 months.

112 (2) ~~Beginning September 1, 2015,~~ Any competitive
113 solicitation issued by the department for a state term contract
114 for information technology consultant services or information
115 technology staff augmentation contractual services must include
116 a term that does not exceed 48 months.

117 (3) The department may execute a state term contract for
118 information technology commodities, consultant services, or
119 staff augmentation contractual services that exceeds the 48-
120 month requirement if the Secretary of Management Services and
121 the state chief information officer certify in writing to the
122 Executive Office of the Governor that a longer contract term is
123 in the best interest of the state.

124 (4) If the department issues a competitive solicitation
125 for information technology commodities, consultant services, or

126 staff augmentation contractual services, the Florida Digital
127 Service within the department shall participate in such
128 solicitations.

129 (5) If an agency issues a request for quotes to purchase
130 information technology commodities, information technology
131 consultant services, or information technology staff
132 augmentation contractual services from the state term contract,
133 the agency must issue a request for quotes to all vendors
134 approved to provide such commodities or services. Use of a
135 request for quotes does not constitute a decision or intended
136 decision that is subject to protest under s. 120.57(3).

137 (6) Beginning October 1, 2021, and each October 1
138 thereafter, the department shall prequalify firms and
139 individuals to provide information technology staff augmentation
140 contractual services on state term contract. In order to
141 prequalify a firm or individual for participation on the state
142 term contract, the department must consider, at a minimum, the
143 capability, experience, and past performance record of the firm
144 or individual. A firm or individual removed from the source of
145 supply pursuant to s. 287.042(1)(b) or placed on a disqualified
146 vendor list pursuant to s. 287.133 or s. 287.134 is immediately
147 disqualified from state term contract eligibility. Once a firm
148 or individual has been prequalified to provide information
149 technology staff augmentation contractual services on state term
150 contract, the firm or individual may respond to requests for

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151 | quotes from an agency to provide such services.

152 | Section 3. This act shall take effect July 1, 2021.