

State of Rhode Island and Providence Plantations
Department of Administration
Division of Information Technology
Office of Digital Excellence

February 14, 2014

Rules and Regulations Governing the Information Technology Investment Fund (“ITIF”)

1. Authority and Purpose:

- 1.1 These rules and regulations are promulgated under the authority of Section 2 of Article 26 of Chapter 151 of the 2011 Public Laws, which states in part as follows:

This [Information Technology Investment Fund] shall be used for the purpose of acquiring information technology improvements, including, but not limited to, hardware, software, consulting services, and ongoing maintenance and upgrade contracts for state departments and agencies.

The Division of Information Technology (DoIT) of the Rhode Island Department of Administration shall adopt rules and regulations consistent with the purposes of this chapter and Chapter 35 of Title 42, in order to provide for the orderly and equitable disbursement of funds from the...fund.

- 1.2 The purpose of these rules and regulations is to establish an orderly process for the disbursement of funds in the Technology Investment Fund (“the fund”). This includes the purposes for which the fund may be used, as well as the process for application, review, selection, and disbursement.
- 1.3 While the use of the fund shall not be the exclusive means by which agencies are permitted to acquire information technology improvements, an agency must comply with established rules of application in order to access the fund.
- 1.4 These rules and regulations shall apply to all agencies who request the use of the fund, which may include agencies that are not under the direct auspices of the Chief Information Officer (CIO) and the Division of Information Technology (DoIT), or the Chief Digital Officer (CDO) and the Office of Digital Excellence (ODE)

2. Definitions

- 2.1 “Chief Information Officer” means the individual that oversees the Division of Information Technology within the Department of Administration (“DOA”).
- 2.2 “Chief Digital Officer” means the individual that oversees the Office of Digital Excellence within DOA.

- 2.3 “department director” means the head of a department as enumerated in RIGL Chapter 42-6 and includes the head of the board of governors for higher education, head of the board of regents for elementary and secondary education, and head of the Public Utilities Commission (PUC).
 - 2.4 “state agency/entity” means any department, commission, council, board, bureau, committee, institution, legislative body, or other entity or establishment of the executive, legislative or judicial branches of the State of Rhode Island.
 - 2.5 “state agency head” shall mean the chief executive officer of a state agency.
 - 2.6 “division of information technology” and the “office of digital excellence” are discreet divisions within the department of administration that have been designated by law to be responsible for implementing these rules and regulations.
 - 2.7 “general officer” shall mean the governor, the lieutenant governor, the attorney general, the secretary of state and the general treasurer as defined under RIGL Section 42-11.3-1(1).
 - 2.8 “consumer” shall mean a member of the public who is a citizen of the State of Rhode Island.
3. Purposes for which the ITIF may be used.
 - 3.1 The purpose of the fund is to serve as a funding source for information technology improvement purchases by state agencies.
 - 3.2 All funding established in the Information Technology Investment Fund shall be used for the purchase of information technology improvements, including, but not limited to, hardware, software, consulting services, and ongoing maintenance and upgrade contracts for state departments and agencies.
 - 3.3 All funds must be utilized as prescribed in application documentation and may not be redirected or substituted for any activities not previously authorized.
 - 3.4 Priority will be given to projects that benefit multiple state agencies
 - 3.5 Agencies who sell property with the proceeds going to the ITIF are encouraged to submit applications and will be given special consideration for project funding
 4. Information Technology Investment Fund Review Committee
 - 4.1 The Information Technology Investment Fund Review Committee, “Committee,” shall be a five (5) member committee comprised as follows:
 - 4.1.1 The Chief Information Officer (CIO)
 - 4.1.2 The Chief Digital Officer (CDO)

- 4.1.3 The Director of the Office of Management and Budget or his/her designee
- 4.1.4 A designee of the Director of the Department of Administration
- 4.1.5 The Chief Financial Officer of the Department of Administration

The Chief Digital Officer shall serve as chair of the committee.

- 4.2 The Committee shall meet at least monthly to review submissions on its agenda or for the purposes of reporting on existing projects under its scope.
- 4.3 A quorum of the Committee must be established in order for any official action or project funding review to take place. Committee members may participate in person or electronically if necessary.
- 4.4 All meeting minutes shall be made available in a timely manner after the conclusion of an official meeting.
- 4.5 From time to time, the Committee may invite outside parties to participate in the meeting in order to bring specific information or to make presentations as requested.
- 4.6 The Committee shall make recommendations to the Director of DOA for approval. All decisions rendered by the Director of DOA are final.

5. Application for Funding

- 5.1 The application for funding under the Information Technology Investment Fund will be made available on the web site of the Division of Information Technology (DoIT) and the Office of Digital Excellence (ODE)
- 5.2 The application will consist of three main components:
 - 5.2.1 Identifying information related to the applicant agency/entity
 - 5.2.2 A narrative of the necessity for funding and the scope, description and timeline of the project, along with the expected benefits of the project with tangible metrics to measure (e.g., streamlined workflows; cost savings; improved customer service)
 - 5.2.3 An explanation of how the project integrates into the information technology strategy of the agency and/or state.
- 5.3 The application must be signed by the chief executive of the agency/entity.
- 5.4 The application must be submitted at least thirty (30) days prior to the next scheduled meeting of the committee.

- 5.5 Applications shall designate whether the request is for one-time purchase(s), short-term funding (3-12 months) or long-term funding (one year or longer).
- 5.6 A detail budget of projected expenditures shall be a required element of the application.
- 5.7 The application sponsor(s) shall make themselves available to present at the committee review meeting should they be requested to do so.

6. Application Action

- 6.1 An application may be acted upon by the Committee as follows:
 - 6.1.1 The application is approved for funding as submitted
 - 6.1.2 The application is approved for funding with revision
 - 6.1.3 The application is tabled based on further review/information
 - 6.1.4 The application is returned due to missing/incomplete information
 - 6.1.5 The application is denied
- 6.2 Notification of application action by the Committee will be made within ten (10) days of the meeting date.

7. Payments from the Fund

- 7.1 Payments from the fund shall be made in accordance with guidelines established by the chief financial officer of the Department of Administration.
- 7.2 No purchase requisitions for purchases against the fund will be approved until a signed agreement has been received and accepted by the Division of Information technology (DoIT)
- 7.3 Any payments for the procurement of goods and services are subject to the business processes and requirements of the Department of Administration.
- 7.4 All payments that are financed from the fund will be made not by the recipient agency/entity, but by the Division of Information Technology (DoIT)
- 7.5 The applicant shall be apprised of a project timeline based on expected or scheduled payments from the fund.

8 Participation Agreement

- 8.1 An agreement between the Information Technology Investment Fund and the agency/entity shall outline all requirements and conditions of the project funding (“Participation Agreement”).

- 8.2 The Participation Agreement shall have a specific term in effect and may be renewed if required.
- 8.3 The Participation Agreement may not be modified or terminated unless each of the parties agree to such modification or termination.

9 Project Monitoring and Reporting

- 9.1 A requirement for periodic reporting shall be specified in the Participation Agreement. This will include furnishing both status reports and budget data at prescribed intervals.
- 9.2 It is incumbent on the grantee to request approval of the Committee of any material change or revision to the scope, duration, supervision or capital purchases related to the project plan.
- 9.3 Unacceptable performance will lead to revocation of project funding.

10 Fund Terms

- 10.1 The funding award shall be based in the following information technology categorization:
 - 10.1.1 Infrastructure/Improvements
 - 10.1.2 Hardware Purchase/Maintenance
 - 10.1.3 Software Purchase/Maintenance
 - 10.1.4 Application/Systems Development
- 11 Severability. If any provisions of these Rules and Regulations or the application thereof to any person or circumstances shall be held invalid, such invalidity shall not affect the provisions or application of the Rules and Regulations which can be given effect, and to this end the provisions of these Rules and Regulations are declared to be severable.
- 12 Effective Date. Pursuant to RIGL 42-35-4, as amended, the within rules and regulations shall take effect twenty (20) days after they are filed with the Secretary of State.