

MINUTES

CIO Management Council



Meeting Date: January 28, 2009

Attendees: Dugan Petty, Troy Rutten, Bob DeVyldere, Ben Berry, Baron Rodriguez, Albert Gauthier, Trygve Larson, Rick Howard, and Dorothy Oliver

EISPD Staff: Sean McSpaden, Nick Betsacon, Scott Riordan, and Charlene Wood

Others: Barry Nathan (ODOT), and Lee McAtee (Impac)

Dugan Petty called the meeting to order at 10:30 a.m.

Approval of Minutes – Agenda Overview – Dugan Petty

The January 13, 2009 minutes were approved as revised.

The action items were completed as assigned.

IT Terms and Conditions Workgroup Update – Sean McSpaden

Sean reported at the December 9, 2008 CIOC meeting a decision was made to work with the State Procurement Office (SPO) and the Department of Justice (DOJ) to form an IT Contract Terms and Conditions workgroup. The charge of the group is to review and revise Oregon specific contract terms and conditions. This will improve vendor competition for state bidding opportunities and streamline the contract negotiation process.

The kick off meeting was held on January 22, 2009. The workgroup discussed the national effort to establish a set of standard IT terms and conditions that would serve as a common foundation for states across the nation. Two documents were distributed at the meeting; 1) Iowa study on Limitation on Liability and 2) IT Professional Services contract. Between now and February 9, the workgroup agreed to identify problems, challenges and opportunities.

The workgroup members include Karen Johnson, Dianne Lancaster, Sean McSpaden, Jana Hart, David Almond, Julie Bozzi, Ben Berry, Rick Howard, Baron Rodriguez, Ed Klimowicz, DAS Risk Management Representative TBD, and a representative from the Information Technology Association of America.

Bob reported there has been discussion with SPO on holding an informational forum in March.

Action: Iowa study on Limitation on Liability and IT Professional Services contract will be posted to the Intranet.

Statewide Quality Assurance Price Agreement – Sean McSpaden & Nick Betsacon

This topic will be discussed at a future CIOMC meeting.

House Bill 2145 and House Bill 2146 – Dugan Petty & Sean McSpaden

Dugan provided summaries for House Bill 2145 and House Bill 2146 to the members. House Bill 2145 was developed to clarify and correct a number of outdated statutes. House Bill 2145 changes the procedures for

managing agency information resources as well as information technology services and assets. House Bill 2145 removes DAS authority to operate central repair, maintenance services, and clerical pool services for state agencies and deletes obsolete provisions relating to departmental functions.

House Bill 2145 streamlines routine processes such as setting IT standards, deleting the requirement for “a continuous” inventory; and removing the requirement for DAS to ensure state agencies implement a portfolio based management system.

House Bill 2146 was developed at the request of DAS/EISPD. House Bill 2146 seeks to allow DAS to establish rates and user fees for web-based services and certain on-line transactions accessed through the state web portal. DAS currently has authority to establish video conferencing and statewide online access user fees for Internet services. DAS’s ability to maintain and support the current e-government infrastructure is seriously constrained by the assessment-funding model. Under the current fixed-price funding model, DAS cannot effectively address the growing demand for web-based services. Accordingly, agencies have a tougher time keeping pace with citizen expectations for access to on-line services and information. The transaction fee would be used on web-based transactions where the volume of transactions and the benefit to the citizen or business partner justify the fee. A transaction fee allows program funding to keep pace with the growing number of applications and transactions needed to meet the information and business needs of both citizens and agencies. This solution provides the funding flexibility needed to provide the citizens and state business partners with increased and accelerated access to government information and services via the Internet. 24 states have used a similar transaction fee model to fund costs associated with expanding demand. Dugan reported House Bill 2145 and House Bill 2146 would be heard by the Rules committee on February 11 or 16.

Dorothy added that if there are places in the statute whose language prohibits us from moving forward with the fees we envision for E-government perhaps we should be adding overarching language as they did for the “in writing” issue. The language used for the “in writing”:

84.022 Provision of information in writing; presentation of records. (1) If parties have agreed to conduct a transaction by electronic means and a law requires a person to provide, send or deliver information in writing to another person, the requirement is satisfied if the information is provided, sent or delivered, as the case may be, in an electronic record capable of retention by the recipient at the time of receipt. An electronic record is not capable of retention by the recipient if the sender or its information processing system inhibits the ability of the recipient to print or store the electronic record.

(2) If a law other than ORS 84.001 to 84.061 requires a record (i) to be posted or displayed in a certain manner, (ii) to be sent, communicated or transmitted by a specified method, or (iii) to contain information that is formatted in a certain manner, the following rules apply:

(a) The record must be posted or displayed in the manner specified in the other law.

(b) Except as otherwise provided in subsection (4)(b) of this section, the record must be sent, communicated or transmitted by the method specified in the other law.

(c) The record must contain the information formatted in the manner specified in the other law.

(3) If a sender inhibits the ability of a recipient to The reference to the JLCIMT will be replaced with “appropriate committee”. store or print an electronic record, the electronic record is not enforceable against the recipient.

(4) The requirements of this section may not be varied by agreement, but:

(a) To the extent a law other than ORS 84.001 to 84.061 requires information to be provided, sent or delivered in writing but permits that requirement to be varied by agreement, the requirement under subsection (1) of this section that the information be in the form of an electronic record capable of retention may also be varied by agreement; and

(b) A requirement under a law other than ORS 84.001 to 84.061 to send, communicate, or transmit a record by first-class mail, postage prepaid may be varied by agreement to the extent permitted by the other law. [2001 c.535 §8]

This topic will be discussed at a future CIOMC meeting.

Current or Proposed Workgroup Discussion – Dugan Petty

Sean provided a list and current status on current workgroups:

- IT Terms and Conditions
- IT Managed Service Provider (MSP)
- Technology Refresh Committee and PC/Laptop Contract
- Peripherals
- Successful Enterprise Initiatives
- Agile Development
- EA core team
- EIRMS
- IT Service Management Pilot – where do we go from here?

Sean requested permission to send a message to the CIO Council from the State Procurement Office (SPO) requesting CIO participation in the IT MSP workgroup. The MSP contract is set to renew March 2010. The members agreed the request should be sent.

Dorothy Oliver and Baron Rodriguez agreed to be alternate CIOMC representatives in the MSP workgroup.

Action: Sean will e-mail the MSP workgroup request to the CIO Council.

Action: Dugan will meet with John Koreski to discuss the direction of the ITSM pilot.

Dugan adjourned the meeting at 12:05 p.m.

Next meeting:

February 10, 2009

1:00 - 2:30 p.m.

DAS Executive Building

155 Cottage St NE

Conference Room B