

During the term of the PA, the MSP has been able to provide ITPS via Subs for 45 state agencies and issue approximately 576 separate Hourly-based WOCs totaling \$30.1 Million and 339 separate Project-based WOCs totaling \$23.7 Million for a variety of ITPS needs.

Proposed Processes:

SPO proposes the following processes:

1. A special procurement process applied retroactively to May 4, 2005, to clarify and resolve the original special procurement's description of the Program as it evolved.

2. RFP #102-1493-08 (RFP) to re-solicit for an MSP under the Program. The RFP will result in an enhanced version of the current Program, including: maintenance services to be structured as a service-level WOC, higher standards for MSP performance, expansion of AP participation, and other Program and System improvements. SPO plans to advertise RFP #102-1492-08 in 2009 and award a new PA before the present PA expires on May 4, 2010.

A. Competitive Multistep Solicitation. SPO intends to use the competitive sealed proposal method, pursuant to ORS 279B.060 and OAR 125-247-0261. SPO intends to conduct a combination of the following methods for Competitive Sealed Proposals: a) Competitive Ranges; b) Discussions and Revised Proposals; c) Best and Final Offers; d) Multistep Proposals; e) Revised Rounds of Negotiations; and f) Negotiations.

B. Stakeholder Workgroup. SPO will facilitate a stakeholder workgroup comprised of state agencies and Oregon Cooperative Procurement Program (ORCPP) participants as subject matter experts (SME) to obtain input on their needs for temporary IT professional services, skill sets, enhancement of the MSP Program and processes for obtaining experienced and qualified IT professionals to work on projects and meet hourly staffing needs, and obtain comments and recommendations on the contents of the RFP prior to solicitation.

C. Special Approvals. SPO will coordinate with the DAS Enterprise Information Strategy and Policy Division. SPO and agencies may be required to submit one or more Information Resource Requests, as needed, and supporting documentation in order to meet the statewide IT investment policy. SPO will contact DAS Labor Relations and SEIU to ensure that all contracting out requirements are met and obtain DOJ approval to release the RFP and legal sufficiency approval on the PA awarded pursuant to the RFP. Agencies must also meet legal and union requirements.

D. CIOMC and DPO. DAS SPO will coordinate with the Chief Information Officer Management Council (CIOMC) and Designated Procurement Officers (DPO) to provide updates on the status of the RFP and to obtain referrals of IT staff to be invited to participate on the MSP Re-Bid Workgroup.

3. Documentation. APs will be required to document their WOC file on the selection process.

11. Justification for use of Special Procurement: Describe the circumstances that justify the use of a Special Procurement. Attach relevant documentation.

The MSP Program meets the needs of state agencies and ORCPP members and needs to continue because of its efficiency and effectiveness. The rate management strategy has reduced state costs for IT projects by approximately 25%.

The National Association of State Procurement Officials (NASPO) awarded SPO the 2009 Gold Cronin Award for Procurement Excellence. The award recognized the MSP procurement initiative for its innovation, transferability, service improvement, uniqueness and originality, demonstrable cost-reduction, and the involvement of using agencies.

12. Findings to Satisfy the Required Standards: This proposed special procurement:

X (a) will be unlikely to encourage favoritism in the awarding of public contracts or to substantially diminish competition for public contracts because: The Program is a means for the subcontractors to compete to provide Services through WOCs. MSP administers the Program and the APs use the Program to procure Services in fair and competitive processes. The MSP sends out opportunity notices, and APs evaluate multiple offers for each opportunity. The MSP screens and adds IT firms to its pool of subcontractors on an open continuous basis.

(Please provide specific information that demonstrates how the proposed Special Procurement meets this requirement.); and

X (b)(i) will result in substantial cost savings to the contracting agency or to the public because: The State will realize cost savings as a result of the MSP recruiting and screening qualified IT professionals on a regular basis to augment their pool of subcontractors that submit offers on opportunities entered into the System by APs. Skill sets will be defined and rates will be set and used for all WOC executed

(Please provide the total estimate cost savings to be gained and the rationale for determining the cost savings); or

X (b)(ii) will otherwise substantially promote the public interest in a manner that could not practicably be realized by complying with the requirements of ORS 279B.055, 279B.060, 279B.065, or 279B.070, or any rules adopted thereunder because:

The public will be better served in that APs will be able to meet their IT needs faster and enable them to meet program needs more efficiently and effectively than the alternatives, such as individual procurements within each entity.

(Please provide specific information that demonstrates how the proposed Special Procurement meets this requirement.)

13. Optional Signature: The signature of the Agency Head or designee (e.g., Designated Procurement Officer) is not required on the Request submitted through ORPIN. Agency may also elect to attach a signed Request as a pdf file through ORPIN or submit a signed hard-copy Request.

Name

Date

Agency Head or designee (i.e., Designated Procurement Officer)

REQUEST FOR SPECIAL PROCUREMENT

PART B. The State Procurement Office of the Department of Administrative Services completes Part B.

STATUTORY AND RULE AUTHORITY:

ORS 279B.085(3) states the Director of the Department of Administrative Services may approve a special procurement if the Director finds that a written request submitted under ORS 279B.085(2) demonstrates that the use of a special procurement as described in the request, or an alternative procedure prescribed by the Director will:

- (a) Be unlikely to encourage favoritism in the awarding of public contracts or to substantially diminish competition for public contracts; and
- (b)(A) Result in substantial cost savings to the contracting agency or to the public; or
- (B) Otherwise substantially promote the public interest in a manner that could not practicably be realized by complying with requirements that are applicable under ORS 279B.055, 279B.060, 279B.065 or 279B.070 or under any rules adopted thereunder.

OAR 125-246-0170 delegates the authority of the Director to approve special procurements to the Chief Procurement Officer of the State Procurement Office, Department of Administrative Services. OAR 125-247-0285 through 125-247-0288 implement ORS 279B.085.

FINDINGS:

The findings are accepted, adopted, and incorporated by reference herein.

CONDITIONS OF APPROVAL:

Notice of Approval of the Special Procurement.

1. SPO shall post the notice;
2. The Special Procurement may not be used until after the completion of the seven (7) day notice period required pursuant to OAR 125-247-0287(4), and either:
 - a. No protests or objections were received by SPO in response to this notice, or
 - b. If any protest or objection is received during the notice period, then not until:
 - i. A copy of it is delivered to the External Operations Analyst for this Special Procurement, and
 - ii. The Chief Procurement Officer or delegatee confirms in writing the first possible award date.

APPROVED:



 Dianne Lancaster
 Chief Procurement Officer
 Department of Administrative Services

11/16/09

 Date

SP #286-08