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001-020 Acquisitions within ITS Purview

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1. **Information Technology Equipment, Software, and Services:**
   Section 25-53-3 of the Mississippi Code of 1972 defines ITS' authority over the acquisition of any information technology, computer or telecommunications equipment, electronic word processing and office systems, or services utilized in connection therewith, including, but not limited to, all phases of computer software and consulting services and insurance on all state-owned computer equipment. Acquisition of computer or telecommunications equipment or services means the purchase, lease, rental, or acquisition in any other manner of any such computer or telecommunications equipment or services. Telecommunications equipment, systems, and related services are defined as the equipment and means to provide telecommunications transmission facilities; telephone systems, including voice processing systems; facsimile systems; radio paging services; satellite radio, telephone, and dispatch services; mobile telephone services, including cellular mobile telephone services; intercom and paging systems; video teleconferencing systems; personal communications networks and services; and any and all systems based on emerging and future telecommunications technologies related to any of these devices or services.

   Please note that, unlike public purchasing law, the statute that defines ITS' purview over technology acquisitions includes **services.** All technology services, whether for direct, hands-on skills such as application development and network support, or for such technology consulting services as technology training (both classroom and on-the-job), technology studies, project management, technology advisory roles, quality assurance support, and facilities management, are within ITS purview.

2. **Global Positioning System (GPS) and Navigation devices**
   The Global positioning System (GPS) is a U.S. space-based radio-navigation system that provides reliable positioning, navigation, and timing services to civilian users. For anyone with a GPS receiver, the system provides location and time.

   ITS wants to emphasize the fact that it **does** have purchasing purview over GPS and navigation devices under the following conditions:

   - When the GPS and navigation capability is integrated into a PocketPC or WinCE product
   - When the GPS and navigation capability is integrated into a Palm OS device
   - When the GPS and navigation capability is integrated into a Linux PDA device
   - When the GPS and navigation capability is integrated into a Blackberry
   - When the GPS and navigation capability is integrated into a smart mobile device running on the Symbian OS

3. **Electronic Government:**
   Private companies are offering partnerships with all levels of government to provide the tools and resources to implement internet-based services and business solutions ("E-Government") with little or no up-front investment of money by the government entities. These companies use various funding mechanisms to recoup their expenses and to realize a profit from these services. Per an Attorney General Official Opinion dated August 25, 2000, the Attorney General's office affirmed that pursuant to state statute, ITS has the authority to establish a procedure requiring the definition of requirements and a competitive contract award for the procurement of E-government services, regardless of the funds actually paid up-front by a state entity.

   For purchases in which (1) the value of the goods and services exceeds $50,000 ($25,000 for projects funded by the American Recovery and Reinvestment Act), (2) there is a competitive market, and (3) there is potential for vendor profit from the project, contracts must be awarded based on an open and competitive process that allows the state to compare offerings to obtain the best product, service, and value, regardless of monies paid directly to the vendor by the state entity. The competitive process ensures the state's requirements are well-defined, project contracts are negotiated to protect the state's interest, and the vendor selected is the one with the most advantageous combination of cost and services.

The same Attorney General's opinion also affirmed that state statute gives ITS the authority and responsibility to establish infrastructure standards for E-Government that must be utilized and conformed to by all state agencies. These standards must be incorporated into any specifications for the procurement of E-Government products and services.

For any procurement related to E-Government, the purchaser should submit a procurement request form to ITS to initiate the project.

4. **Internet and Application Service Providers**

ITS wants to emphasize the fact that services offered through Internet Services Providers and Applications Services Providers are subject to ITS oversight. These services include but, as technology evolves, are not limited to the following examples:

- Internet access and related services packaging
- applications and database hosting/processing
- website development, content management and hosting
- email hosting; equipment co-location services
- data back-up and recovery services
- disaster recovery services
- business continuation services
- network operations center services
- electronic payment processing
- systems and security administration
- line of business outsourcing such as electronic reservations management, help desk and/or license sales
- related outsourced IT services

5. **Printers/Copiers:**

ITS has jurisdiction over the procurement of stand-alone and networked printers, while the Department of Finance and Administration (DFA), Office of Purchasing, Travel, and Fleet Management is responsible for the purchase of copiers. As multifunction devices have become available, the line between equipment under ITS purview and equipment under OPT purview has become less distinct. ITS and DFA monitor this technology convergence and its impact on the ITS and DFA customers and procurement approach.

Customers may purchase devices whose primary function is copying from DFA state contracts. If the device purchased from the DFA contract will be networked and the total purchase price is over $250,000 (or if the total cost for the term of a lease is over $250,000), the customer must submit an Exemption Request for ITS approval. This process ensures that ITS is aware of large network print device purchases.

Devices that are purchased to function primarily as network or stand-alone printers may be procured through the ITS Express Products List (EPL) or through a procurement request to ITS.

6. **Document Imaging and Management:**

Document imaging and management systems scan, store, index, and retrieve documents and other business data electronically. Documents are converted to digitized images, typically via a document scanner. Standard components of document management systems include document capture, document storage and archiving, document indexing and retrieval, document exporting capability, and security to protect documents from unauthorized access. Document imaging and document management, including hardware, software, imaging services, and/or any other related consulting services, are within the purview of ITS. Equipment and services for analog methods of data imaging and retrieval, such as microfilm, are not within ITS purview.

7. **Management Consulting Contracts:**

Procurements of consulting services for a study that is the initial phase of an application development project, for functional or conceptual systems design, data modeling, network design, network security, and technology infrastructure recommendations are examples of consulting contracts that require ITS approval. Other consulting studies, such as business process reengineering, process analysis, and general management studies, may fall under the purview of ITS or of the Personal Services Contract Review Board (PSCRB), depending on the specific project deliverables. If the study's primary focus is technology, the services should be procured through ITS. If the primary deliverable from a management consulting contract is a report in which recommendations of technology are included but are not the primary component, the services may be procured through ITS or the PSCRB, at the customer's discretion. If the customer is uncertain whether ITS approval is required for a specific project, the customer may contact the ITS Procurement Help Desk at (601) 576-HELP (576-4357) and/or may submit an Exemption Request to ITS for written documentation that the specific project does not require ITS approval.

Regardless of the procurement mechanism used for a management consulting contract, once the customer is ready to proceed with technology purchases based on recommendations from a consulting study, including the study report with the technology procurement request is beneficial to both the customer and to ITS and helps expedite the purchasing process.

8. Donations and Gifts of Information Technology:

Recipients of donations and gifts of older information technology near or at the end of their life-cycle should assess the cost of the items received in terms of usefulness relative to newer technology. Many older technology items are more costly to uninstall, relocate, reinstall, operate, and maintain than new equipment of the same type.

A donation or gift requires ITS approval if the costs of installing, operating, and supporting the equipment exceed amounts delegated to the recipient under the [1]Delegation of Approval Procedure. ITS will be glad to assist in assessing the value of donations and gifts of information technology on request.

9. Other Examples of Procurements Under ITS Purview:

Equipment or services for a specialized application whose primary function or purpose is other than information technology and for which any computer chip or telecommunications component is secondary or incidental to the equipment's primary function are outside the purview of ITS.

See [2]**001-030 Exceptions to ITS Purview** for a list of some specific items that do not require ITS approval and for instructions on obtaining confirmation regarding ITS purview for a specific procurement.