

WEST VIRGINIA HIGHER EDUCATION POLICY COMMISSION

INFORMATION TECHNOLOGY PROCUREMENT POLICY AND PROCEDURE

Purpose

The purpose of this policy is to establish the procedures for the acquisition of computer hardware, software, and peripherals that are purchased by the West Virginia Higher Education Policy Commission (“Commission”), connect to the Commission’s network, and/or require support by the Commission’s Information Technology Office (ITO).

Please note that there are other requirements beyond those listed here that may apply to particular circumstances. Their omission from this policy and procedure is not an excuse for not meeting all requirements. *See generally*, Series 30, Procedural Rule, Purchasing, the Commission’s rule regarding Purchasing.

Scope

This policy and the procedures outlined herein are applicable to all employees of the Commission, including probationary, part-time, seasonal, and temporary employees. These guidelines cover the acquisition of computing hardware, computer software, peripherals, and software as a service. ITO will assist with procurement of services that help implement or evaluate software.

Policy

The Commission has standards in place for its computer hardware, software, operating systems, computer networks, and peripherals (i.e., printers, hard drives, adapters, mice, keyboards, etc.) (collectively, “IT resources”). This standardization is essential, as it allows the ITO to provide a quality service to the Commission’s users. The main benefits are:

- ITO is familiar with hardware, software, and peripherals, thus speeding up purchasing, troubleshooting, and response.
- ITO is able to stock standard spare equipment in order to reduce downtime.
- Network installations are planned and coordinated centrally by experienced network engineers.
- The Commission can recruit ITO staff with relevant knowledge and skills.

This policy outlines the procedures that allow the Commission to achieve these benefits and to ensure the purchase, delivery, and installation of IT equipment is coordinated successfully and purchased appropriately.

Acquiring any IT resource for the Commission will entail a contract or a license, with “license” commonly used for software and software as a service. Contracts or licenses may be the culmination of an original procurement process (e.g., standard bidding process, request for proposal or sole source), an approved purchase from an existing Statewide or Commission contract, or a P-Card purchase. If you do not have authority to enter into a contract or make

purchases on behalf of the Commission, you may be taking on personal liability for entering into a contract or making a purchase that has not been approved by the appropriate Cabinet-level manager. For example, free online software procured by clicking “I Agree” or its equivalent is a procurement most employees do not have the authority to make. Only the ITO and Cabinet-level managers have such authority.

Procedures

Any request for the purchase or acquisition of any IT resource should be made in consultation with the ITO.

The ITO shall be involved in any software purchase if any of the following will occur:

1. The ITO’s assistance will be required to implement the software;
2. The software will require Commission credentials for authentication;
3. The software will be made generally available to Commission employees outside the requesting office or work unit;
4. Integration with other Commission systems is required; or
5. Ongoing support from the ITO is expected.

The ITO shall be involved in all hardware purchases, including:

1. Desktop or laptop computers;
2. Tablets;
3. The hardware will require Commission credentials for authentication;
4. The hardware will be made generally available to Commission employees outside the requesting office or work unit; or
5. Hardware that is permanently mounted or for which ongoing support from the ITO is expected.

Purchases of peripherals require involvement by the ITO if there is an expectation of future support. ITO involvement is always recommended to ensure device compatibility and best pricing.

The ITO generally does not support hardware or software that has been purchased without ITO involvement. Support for such systems would be best effort and only as time allows.

Standard Hardware or Software

The purchase of any standard hardware shall be made only by the ITO, who shall comply with applicable State competitive bidding and purchasing requirements.

The purchase of any standard software or peripherals to be used by a particular office or work unit priced at \$1,000 or less may be made on that office's or work unit's P-Card only with the prior written approval of the appropriate Cabinet-level manager. The approval of such Cabinet-level manager shall constitute sufficient approval to process the P-Card transaction for payment. Before making any such purchase, the requesting employee or his or her Cabinet-level manager should check with the ITO to see if the requested software or its equivalent is already available under an existing Statewide or Commission contract.

The purchase of any standard software or peripherals to be used by the whole agency or priced at \$1,001 or more can only be made by the ITO.

Non-Standard Hardware or Software

Any Commission employee requesting the purchase of non-standard hardware or software shall first request approval for such purchase from the Cabinet-level manager over his or her office or work unit. If the Cabinet-level manager agrees that such purchase is necessary for the efficient operation of the office or work unit, he or she shall forward such request to the ITO for approval.

The ITO shall determine whether the requested purchase is compatible with existing standards and equipment; its support requirements; and its suitability to the Commission's technology needs. If, after review, the ITO does not approve the proposed purchase, it may ask the requesting office or work unit to reconsider its request or suggest an alternative purchase.

If the ITO does not approve the non-standard purchase and the requesting office or work unit does not accept the proposed alternative, the requesting office or work unit may appeal the ITO's decision to the Executive Vice Chancellor for Administration or his or her designee. The Executive Vice Chancellor for Administration or his or her designee shall meet with the ITO, the Cabinet-level manager of the requesting office or work unit, and any other person deemed necessary to the decision to review the request and the ITO recommendation before making the final determination regarding the proposed purchase. The determination of the Executive Vice Chancellor for Administration shall be final.

Cloud Computing

Data in "the cloud" exists in contrast to systems and services entirely within the control of the Commission and located on State-owned or State-leased property. Because of the sensitivity of much of the Commission's data, and the need for integrity in all of the Commission's data, any agreement, contract or license regarding the use of third-party cloud services requires inclusion of language substantially similar to that set forth in the West Virginia Chief Technology Office's Software as a Service Addendum:

<https://technology.wv.gov/SiteCollectionDocuments/Policies%20Issued%20by%20the%20CTO/2019/WV%20Cloud-SaaS%20Procurement%20Addendum%2011-1-19.pdf>. Any agreement, contract or license for the provision of third-party cloud services shall only be entered into by the ITO upon the prior written approval of the Executive Vice Chancellor for Administration.

Non-Compliance

Computer hardware, software or peripherals not purchased in accordance with this policy shall not be paid for by Commission funds and shall not be connected to any device on the Commission network. Any device that is purchased and connected to the Commission network outside the provisions of this policy shall be removed from the affected computer(s) and/or the Commission's network. Non-compliance with this policy may result in disciplinary action, up to and including termination.

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