

Sixty-third
Legislative Assembly
of North Dakota

Introduced by

1 A BILL for an Act to create and enact a new section to chapter 54-59 of the North Dakota
2 Century Code, relating to the creation of a committee to review information technology
3 agreements and contracts and executive steering committees for information technology
4 projects.

5 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

6 **SECTION 1.** A new section to chapter 54-59 of the North Dakota Century Code is created
7 and enacted as follows:

8 **Information technology project contract review committees - Appointment of**
9 **executive steering committees for information technology projects.**

- 10 1. Before issuing any request for proposals or entering any agreement or contract with a
11 vendor for an information technology project that is estimated to cost one million
12 dollars or more, an executive branch agency, except for institutions under the control
13 of the state board of higher education, shall submit the request for proposals,
14 agreement, or contract for review to a committee as provided under subsection 2.
- 15 2. a. The governor shall appoint three members who have received specialized
16 information technology contracting and procurement training to a contract review
17 committee. Of the three members:
- 18 (1) One must be an assistant attorney general who is experienced in reviewing
19 information technology contracts.
- 20 (2) One must be a procurement specialist from the department.
- 21 (3) One must be an information technology project manager from the
22 department.

b. The contract review committee for a proposed information technology project also must include the proposed project's sponsor and another representative appointed by the head of the agency proposing the project.

c. The contract review committee for a project shall review, make recommendations for revision, if necessary, and negotiate each request for proposals, agreement, or contract for an executive branch information technology project estimated to cost one million dollars or more.

d. If three members of the contract review committee vote to recommend approval of a request for proposals, agreement, or contract, the proposed information technology project must be forwarded to an executive steering committee for review and oversight.

3. The director of the office of management and budget shall convene an executive steering committee for each executive branch information technology project that is estimated to cost one million dollars or more. The executive steering committee for a project must consist of the director of the office of management and budget or a designee of the director, the chief information officer or a designee of the officer, the head of the agency contracting for the project, the project sponsor, and a large project oversight analyst designated by the chief information officer. The executive steering committee shall review all project decisions relating to the project contract, project budget, and any change in the scope of the project. If a member of the executive steering committee declares any project decision to be a major project decision, no action may be taken on the decision without receiving approval from four of the members of the executive steering committee.

4. No agreement or contract, including an amendment, revision, or scope change, for an executive branch information technology project estimated to cost one million dollars or more may be entered unless signed by the head of the contracting agency and the chief information officer.

5. If an executive branch information technology project is estimated to cost one million dollars or more, the primary project manager for the agency conducting the project must hold a project management profession credential and must have sufficient experience in project management practices as determined by the chief information

- 1 officer, including having managed or comanaged an information technology project
2 budgeted for at least one million dollars and which was of at least eighteen months in
3 duration and involved coordination of multiple entities.
- 4 6. The governor or the governor's designee shall hold quarterly meetings to review the
5 status of each information technology project that is approved under this section but
6 not completed. Representatives of each executive branch agency that has been
7 approved under this section but not completed shall attend the meetings, as well as
8 representatives of the office of management and budget and the department.