

<h1>ACF</h1> <p>Administration for Children and Families</p>	U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES Administration on Children, Youth, and Families	
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INFORMATION MEMORANDUM

To: State Public Assistance Agencies, State Information Executives, And Other Interested Parties

Subject: FEDERAL/STATE INFORMATION TECHNOLOGY POLICY

Optional checklist for states and territories to use in requesting an exemption of prior approval for Information Technology acquisition documents

Legal and Related References:

45 CFR PART 95.611(b)(1)(iii)

Purpose:

This Information Memorandum provides guidance to the states and territories (hereafter referred to as states) seeking an exemption from federal prior approval regulations related to state Information Technology products and services acquisition documents.

Background:

As part of the Department's efforts to expedite the federal approval of states' Information Technology (IT) documentation submissions, the enclosed acquisition checklist provides an optional tool for states to use to provide assurances that an acquisition of automated data processing equipment and/or services complies with all federal regulations and policies. This document is now available on the ACF website at: <http://www.acf.hhs.gov/programs/cse/>

The acquisition checklist was developed jointly by the Department of Agriculture's Food and Nutrition Service and the Department of Health and Human Services, with input from state members of the Advance Planning Document (APD) reform workgroup. A similar IM is being issued by those program offices.

Discussion:

The use of this checklist to meet the regulatory requirements of prior federal approval of state acquisition documents as specified at 45 CFR 95.613 is optional on the part of the States. States still retain the option of submitting the request for proposal, invitation for bid or other acquisition solicitation documents to

the federal government for review, analysis and prior approval.

States may submit this acquisition checklist as part of the Annual or As-Needed APD Update, or as a stand-alone document. The checklist is acquisition specific. State staff should fill out and submit a separate checklist for each anticipated acquisition.

The federal approving authority will provide written acceptance or denial of the state acquisition checklist within 60 days of submittal. The resultant contract must be submitted for prior approval unless specifically waived in writing by the Department(s).

This checklist may be used for Request for Proposals, Requests for Quote, Invitations to Bid, or similar state and local acquisition documents. This checklist is **not** to be used for sole source acquisitions, including contract amendments, which exceed the regulatory submission threshold (i.e. \$1 million). This checklist may not be used for contracts or Advance Planning Documents. States and territories must continue to submit the acquisition document(s) associated with these procurements to the Department(s) for federal prior approval.

INQUIRIES: Please send comments and suggestions to Thom Carroll at TCarroll@acf.hhs.gov at ACYF/Children's Bureau.

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