Software Acquisition

Reference is made to the ministerial instructions No 001/MINICT/20212 of 12/03/2012 related to the procurement of information and communications technology for goods and services by Rwanda public institutions providing guidance on leading procurement proceedings of ICT related supplies and other services on behalf of all government institutions by RDB which was later transferred to RISA.Click Here

- RISA framework contract [Mandatory]
- Inhouse Development [Recommended]
- External Procurement Process [Mandatory]
- Request for Proposal [Mandatory]
- Technical evaluation [Mandatory]
- Financial evaluation[Mandatory]
- Negotiations and Contracting [Mandatory]

RISA framework contract [Mandatory]

Once the project is approved as per the process defined in the ICT Spend Control Guidelines for Public institutions , the software can be developed inhouse or procured from an external vendor. For Government of Rwanda institutions software should be acquired through the RISA framework contract.

> In exceptional cases which require approval from RISA, external procurement and tender process may be followed.

Inhouse Development [Recommended]

An institution can internally develop and implement the solution if they have the required resources, skills and capacity. The agile approach is recommended for software development. Before opting for inhouse development an institution should consider the following:

- Assess the availability of skilled personnel and expertise within the institution for developing the software successfully.
- Consider long-term maintenance and support requirements and in-house capacity.
- Determine the scalability of in-house solutions to meet future needs.
- Analyze potential risks and challenges associated with in-house development.
- Explore interoperability with existing government systems and infrastructure.
- Evaluate the feasibility of collaboration with other agencies for shared solutions.
- Consider the time-to-market for in-house development versus using the RISA framework contract for outsourcing.
- Assess the impact on budget allocations and resource allocations within the agency.
- Evaluate security requirements to ensure compliance with data protection regulations.

External Procurement Process [Mandatory]

For externally procured software, RISA should be involved as it has the mandate of ensuring centralized software procurement. Government institutions should follow the following process for external procurement:

1. The institution submits the Terms of References (ToRs) including the Software Requirement Specifications to RISA.
2. RISA reviews the Terms of Reference and provides inputs and either approves or rejects the procurement request with reasons in consultation with the requesting institution.
3. If the Terms of Reference are approved, they are submitted to the designated service provider under the framework contract.
4. In the event the solution cannot be implemented under the framework contract, the institution shall officially request a no-objection from RISA to utilize other alternative options.
5. Once a no-objection is received from RISA, the institution will follow the RPPA public procurement process. The following should be considered at the various procurement stages.

Request for Proposal [Mandatory]

A request for proposal (RFP) document is developed based on the Terms of Reference and software specifications. Evaluation criteria should also be developed to guide the evaluation process. The RFP and evaluation criteria should cover the following:

1.Technical capabilities of the vendor. This includes:

a. Experience of the vendor in successfully delivering similar projects
b. Experience and qualifications of the proposed vendor team

2. Strengths of the proposed solution. This includes:

a. Fit of the proposed solution and how it addresses the institution’s requirements
b. Proposed methodology and approach for implementation

3. Financial proposal which includes assessing the total cost of ownership of the proposed software

> **Outputs:** Request for Proposal, Evaluation criteria

Technical evaluation [Mandatory]

Technical evaluation involves evaluating the technical proposal based on the evaluation criteria. Where possible this can include requesting vendors to demonstrate their solutions as well as making reference calls or visits to validate vendor’s experience.

Financial evaluation[Mandatory]

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Financial proposals should be evaluated as per the evaluation criteria and in accordance with the Public Procurement guidelines. When evaluating the cost of the proposed solutions, it is important to consider total cost of ownership including acquisition or development cost, any applicable licenses, maintenance and support costs.

> **Outputs:** Tender Evaluation Report

Negotiations and Contracting [Mandatory]

Contracting process involves the following:

1. **Negotiations -** Negotiations with the selected vendor covering the scope of work and financial proposal.
2. **Contract drafting:** The contract should be drafted by the institution's legal team and technical input from IT team. The contract should include the agreed terms and conditions of the software procurement, including the price, the scope of work, the support and maintenance terms and the termination terms.
3. **Contract review:** The contract should be reviewed with the vendor to ensure that the terms and conditions are acceptable to both parties. Contract review process should follow the Public Procurement guidelines.
4. **Contract signing:** The contract should be signed by both parties before the software project commences.

> **Outputs:** Vendor Contract

The section below details the stages of the software development process. While these are shown sequentially, they can be implemented using the agile methodology.