

State of Texas
Department of Information Resources



Exhibit 3.3

Critical Deliverables

Texas.gov Payment Services
DIR-ESS-TGOV-PMNT-254

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1 CRITICAL DELIVERABLES – INTRODUCTION

This Exhibit contains the requirements for the Successful Respondent regarding One-Time Critical and Recurring Deliverables. If the Successful Respondent fails to deliver any One-Time or Recurring Critical Deliverable by the date and the Acceptance Criteria described in **Exhibit 3.7 Deliverables and Checkpoints**, the Department of Information Resources (DIR) may detect non-compliance pursuant to **Section 4.5 Acceptance** of the Agreement and apply Deliverable Credits at the frequency and amount set forth in **Exhibit 3.1 Service Level Matrix** until such One-Time or Recurring Critical Deliverable is submitted and approved by DIR. DIR in its sole discretion may elect to waive any Deliverable Credits.

Unless otherwise specified below, the Successful Respondent shall provide each One-Time or Recurring Critical Deliverable set forth in **Exhibit 3.1 Service Level Matrix** as indicated in this Exhibit pursuant to **Section 4.5** of the Agreement. For the avoidance of doubt, (i) if the Effective Date is March 01, 2018, and (ii) if the number of months for delivery of a One-Time Critical Deliverable is three (3) months after the Effective Date, the Successful Respondent must provide the Critical Deliverable to DIR no later than June 01, 2018 unless otherwise mutually agreed to by the Parties.

2 ONE-TIME CRITICAL DELIVERABLES

1.1. Transition Readiness Plan

The Successful Respondent will complete a Transition Readiness Plan that must be approved by DIR at least sixty (60) days prior to the Commencement Date. The purpose and scope of such plan is to outline the plans and milestones for completing the transition of the management and operations of the Services to the Successful Respondent. Items to be addressed include Software license transfers status, lease transfers status, staff employment status, billing process including detail for invoices, status of operating agreements between Successful Respondent and other SCPs and the MSI, knowledge transfer programs, status of operations documentation, Texas.gov portal status, and any other issue for transition of management and operations of the Services to Successful Respondent.

1.2. Transition Plan

Sixty (60) days after Effective Date, the Successful Respondent will provide DIR and DIR Customers with Phase 1 of the plan, as described in the respective Transition Sections of **Exhibit 2.1.2 Statement of Work**, which will address all transition activities for both DIR and DIR Customers in preparation for and including Commencement of Service.

1.3. Service Management Manual (SMM)

The Successful Respondent will develop documentation in accordance with the requirements in **Exhibit 1.3 Service Management Manual**.

The Successful Respondent shall deliver the Service Management Manual in phases, as described in **Exhibit 1.3 Services Management Manual** and **Exhibit 3.1 Service Level Matrix**.

1.4. Evidence of Disaster Recovery Plan at Commencement

The Successful Respondent shall provide evidence, through the most current annual SOC2 Type 2 report, of the existence of a Disaster Recovery Plan and the successful testing of such plan at Commencement.

3 RECURRING CRITICAL DELIVERABLES

3.1 Annual Technology Plan and Roadmap

The Successful Respondent will provide updates to the Technology Plan and the Technology Road Map to the MSI to include proposed updates to reference technical architecture and software currency designations. Successful Respondent will complete its portions of the Technology Roadmap and Technology Plan in alignment with the established annual deliverable cycle. The Roadmap will identify specific, short-term steps and schedules for projects or changes with estimated timing and cost impacts for DIR and DIR Customers.

3.2 Service Management Manual Currency – Quarterly Report

The Successful Respondent will provide a rolling 4 quarter schedule that outlines the processes within the SMM that will be reviewed and updated. The Successful Respondent shall provide a quarterly report of the review findings which demonstrates the currency and accuracy of the SMM processes reviewed in that quarter. The schedule may be modified throughout the year per mutual agreement with DIR.

3.3 Accessibility Scan Results

The Successful Respondent will provide quarterly scan results in accordance with **Exhibit 2.1.2 Payment Services SOW** to demonstrate that the Hosted Payment Page (HPP) template is compliant with Federal and Texas State laws for Accessibility. Successful Respondent shall complete all agreed remediation actions set forth in such plan in accordance with the standards and timeframes provided in **Exhibit 2.1.2 Payment Services SOW**.

3.4 Evidence of Security and Disaster Recovery Plans & Testing

The Successful Respondent shall provide evidence, through an annual SOC2 Type 2 report in accordance with Section 9.8 of the Agreement, of the existence of a Security Plan, and the existence and successful testing of the Disaster Recovery Plan.

3.5 Customer Satisfaction Improvement Plan

Three (3) months after the results of the Customer Satisfaction Surveys defined in **Exhibit 3.5 Customer Satisfaction** are available, the Successful Respondent shall provide an improvement plan with specific corrective actions or enhancements to improve customer satisfaction, including modernization of portal technologies, functionality, and usability to improve overall user experience. If no Customer feedback specific to Payment Services is received, the Successful Respondent shall provide written response to DIR offering improvements to customer experience. The Successful Respondent shall measure the applicable improvement of the Services identified in the Customer Satisfaction Surveys as requiring improvement. The Customer Satisfaction Improvement Plan shall be approved by DIR and reported against by the Successful Respondent monthly or such other time as required by DIR.

3.6 CPA File Delivery – TP029

The TP029 File will be delivered to Texas Comptroller of Public Accounts (“CPA”) Treasury and MSI via FTP process on or before 5:00 p.m. each day. TP029 will include only USAS transactions successfully processed (not cancelled or declined), during the previous day.

3.7 CPA File Delivery – USAS Detail

The USAS Detail File will be delivered to Texas Comptroller of Public Accounts (“CPA”) Treasury and MSI via FTP process on or before 7:00 a.m. each Banking day. File will include all transactions successfully processed (not cancelled or declined) since the previous Banking day. The file will not be delivered on Federal Banking holidays, as defined by the federal reserve (<https://www.federalreserve.gov/aboutthefed/k8.htm>).

3.8 CPA File Delivery – ACH

The ACH File will be delivered to Texas Comptroller of Public Accounts (“CPA”) Treasury and MSI via FTP process on or before 5:45 p.m. each Banking Day. File will include all “to be settled” transactions successfully processed (not canceled or declined) since the previous Banking day. The file will not be delivered on Federal Banking holidays, as defined by the federal reserve (<https://www.federalreserve.gov/aboutthefed/k8.htm>).

4 DELIVERABLE ACCEPTANCE CRITERIA

Deliverable expectations and Acceptance Criteria for milestones and Deliverables are defined in **Exhibit 3.7 Deliverables and Checkpoints**. Acceptance Criteria for new milestones and Deliverables developed after contract execution shall be defined in **Exhibit 3.7 Deliverables and Checkpoints**.

At DIR’s discretion, a Deliverable Expectation Document (DED) may be used for Deliverables to document mutually agreed upon Deliverable descriptions, applicable standards, and more clearly define Acceptance Criteria previously documented in **Exhibit 3.7 Deliverables and Checkpoints**. The Successful Respondent and DIR will develop and mutually agree on DED. Deliverable acceptance will be contingent on material compliance with the DED and any rejection of a Deliverable must be accompanied by a description of the material non-compliance with the DED. Any changes to the DED will be approved through mutual agreement between DIR and the Successful Respondent. DIR, in its sole discretion, may choose to forgo the creation of the DED.

The DEDs shall not contradict nor alter the Contract Acceptance Criteria requirements set forth in the Agreement or in **Exhibit 3.7 Deliverables and Checkpoints**. In the absence of a DED, the acceptance criteria for a milestone/Deliverable would be material compliance with the requirements as set forth in the Agreement or in **Exhibit 3.7 Deliverables and Checkpoints**.

The following requirements will be documented in the DEDs:

1. Format of the Deliverables;
2. Deliverable Description;

3. Submission Process and Requirements;
4. Delivery Schedule including Incremental Delivery Dates, if applicable;
5. Review and Comment Requirements (who, when, how); and
6. Acceptance Criteria.

It is critical to the success of the Successful Respondent that the deliverable acceptance process is thorough and that any deficiencies are addressed as early as possible to minimize impacts to the Services. Designated DIR working teams will be reviewing the One-Time and Recurring Deliverables throughout the phases of development.

The status of each Deliverable and any associated issues will be managed through a Deliverables review meeting between DIR and the Successful Respondent. The objective of the meeting is to review the status of all Deliverables, communicate Deliverable owners and Deliverable recipients for upcoming Deliverables, review rejected Deliverables and remediation plans for those Deliverables.

This section describes the process DIR will use for Acceptance of Milestone Deliverables.

A thorough Deliverable acceptance process that addresses deficiencies as early as possible to minimize impacts to the Services is critical. DIR will review the Milestone Deliverables throughout the phases of development. The Successful Respondent will solicit input from DIR as the Milestone Deliverables are developed. The Successful Respondent shall review the expectations in advance so as to obtain acceptance of the final Milestone Deliverable within the Acceptance Review Period. Feedback and suggestions received from DIR will be incorporated into the Milestone Deliverable. The Deliverable acceptance process will comply with **Section 4.5 Acceptance** of the Agreement and the Successful Respondent shall formally document it in the SMM.