



1.14 Implementing Effective Contract Negotiation and Relationship Management Strategies 101

October 2019

Mary Schwartz, Abt Associates
Heather Dillashaw, ICF

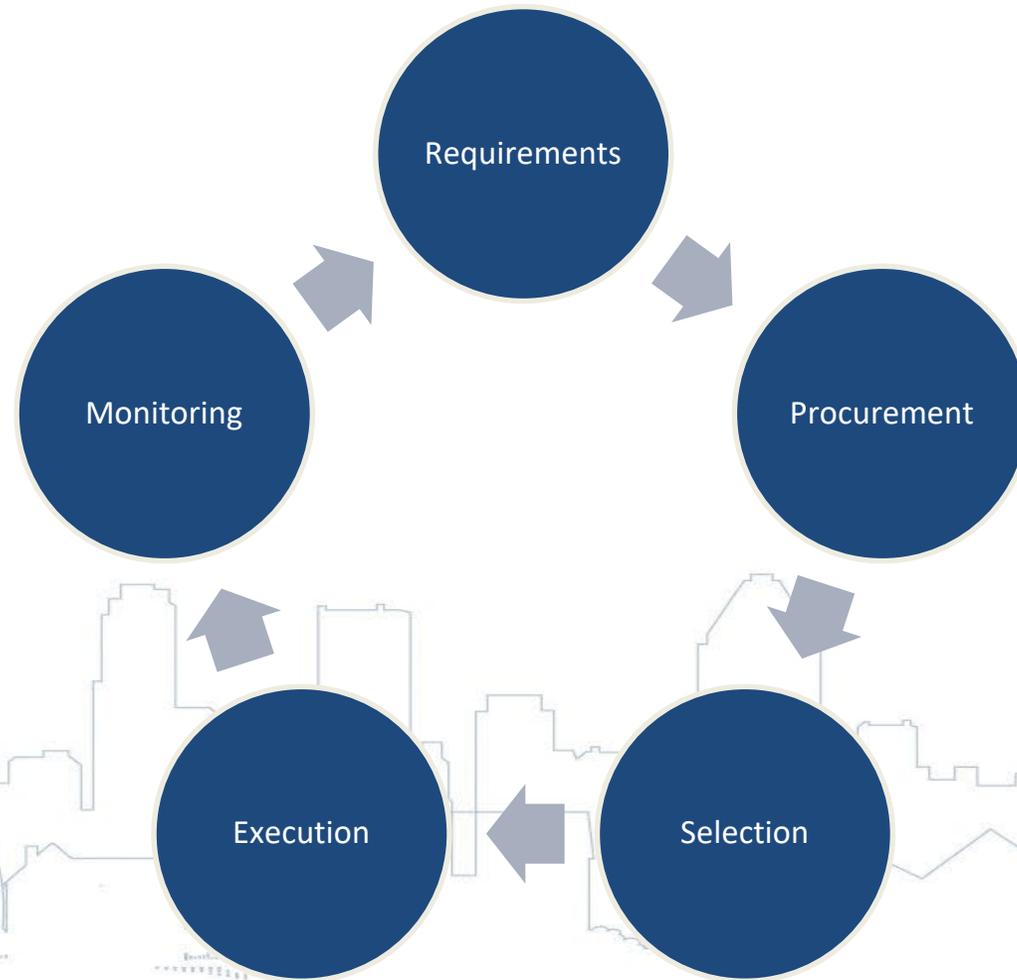


Learning Objectives

In this session you will learn:

- About the contracting lifecycle
- To identify core components of an HMIS contract including writing requirements, procurement and selection, and monitoring
- To utilize the HMIS Software Checklist for writing requirements & monitoring

The Contracting Life Cycle

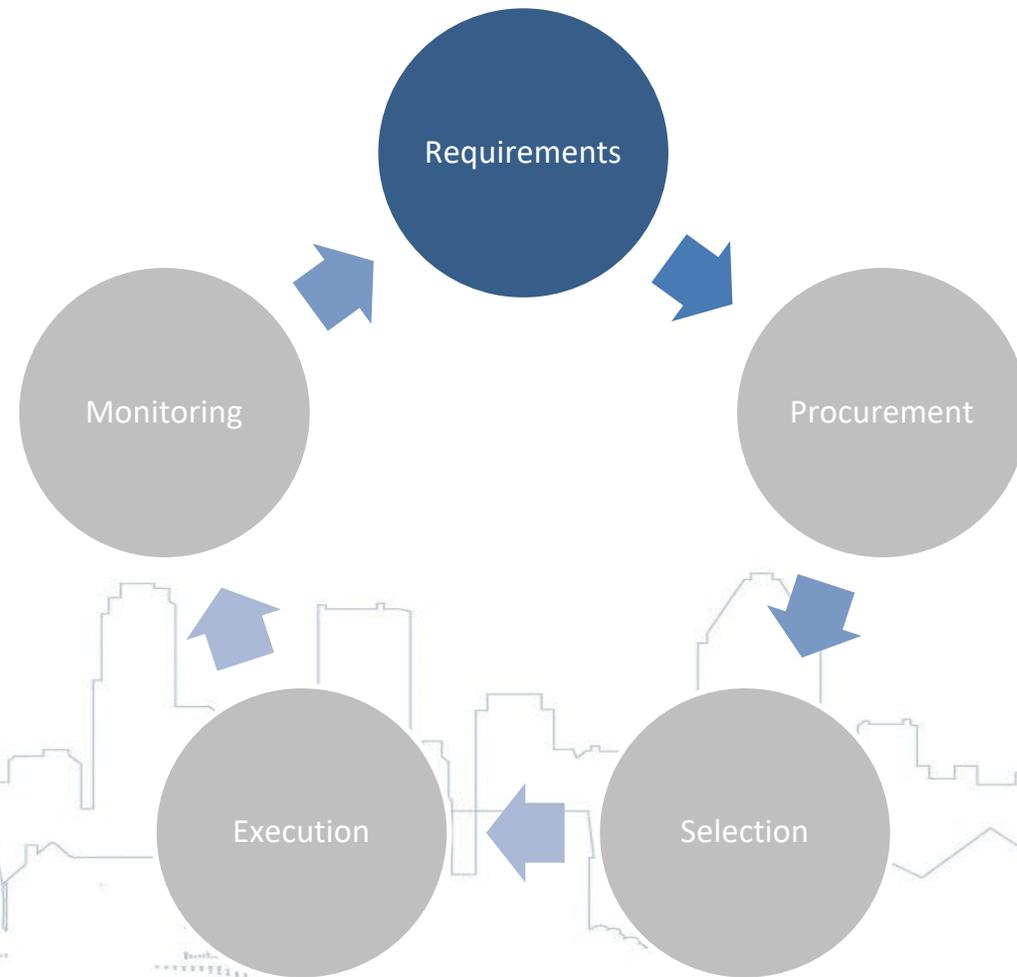


What is a contract

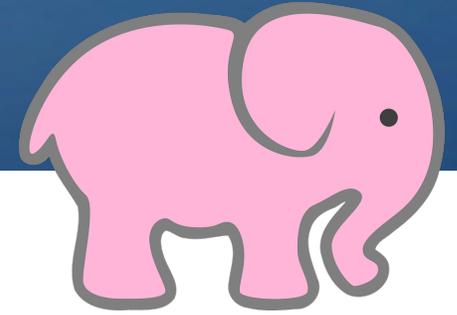
- A contract refers to a **written** or **spoken** agreement, enforceable by law.
- A Memorandum of Understanding (MOU) refers to a type of agreement between parties, similar to a contract



The Contracting Life Cycle



Requirements



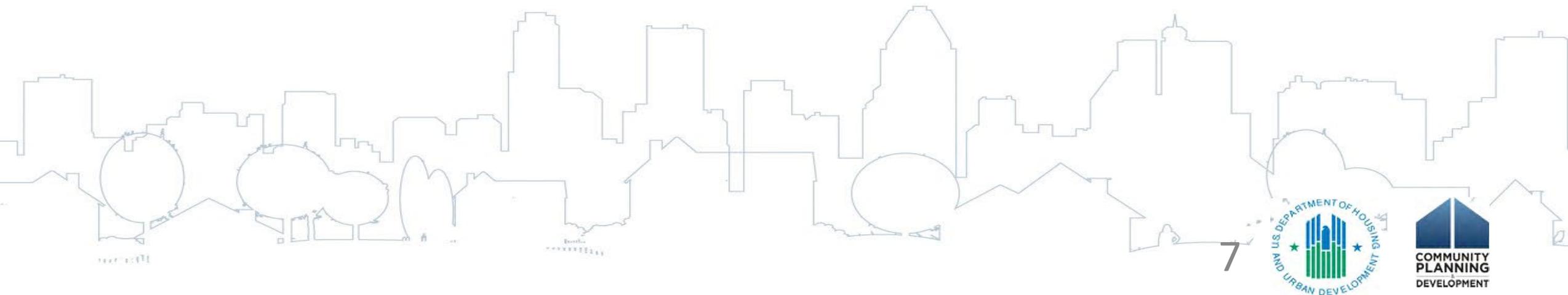
- Whose elephant is it? (Courtesy of and apologies to Molly McEvilley)

It's the CoC Leadership's Elephant	It's the HMIS Lead's Elephant	It's the Vendor's Elephant	It's HUD's Elephant
<p>§578.7(b) Designating and Operating an HMIS</p> <p>The Continuum of Care must:</p> <p>(1) Designate a single Homeless Management Information System (HMIS)...</p> <p>(2) Designate an eligible applicant to manage the Continuum's HMIS, which will be known as the HMIS Lead;</p> <p>Yes, and...</p>	<p>2 CFR 200 §200.318</p> <p>(b) [HMIS Lead] must maintain oversight to ensure that contractors perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders.</p> <p>(h) [HMIS Lead] must award contracts only to responsible contractors possessing the ability to perform successfully under the terms and conditions of a proposed procurement.</p> <p>Yes, and...</p>	<p>The Contract with Our Vendor Says...</p> <p>...that the software will be compliant with all HUD-defined HMIS requirements.</p> <p>Yes, and must be more specific than this in the eventual contract because...</p>	<p>HUD HMIS Requirements</p> <ul style="list-style-type: none"> • Data collection (some) • Reporting (some) • Security and privacy (some) <p>HUD makes some rules for some elephant behavior – but it is not HUD's elephant (because there is no contract between HUD and the HMIS Vendors).</p>

Requirements

- CoC Leadership & HMIS Lead need to understand the HUD Requirements so they can write a Scope of Work for the HMIS Software Vendor that incorporates and expands to local needs. Here are some headers:

Category	Requirement	Have to Have (Functionalities)	Nice to Have (Features)
----------	-------------	--------------------------------	-------------------------



Bug vs. Feature

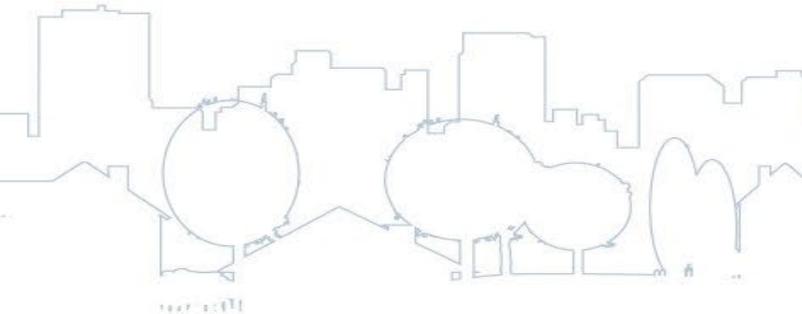


Paul Grenfell
@evilpaul_atebit



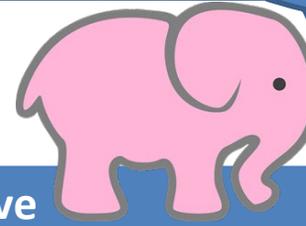
[Follow](#)

Possibly the nerdiest joke ever..



Requirements

Now I'm the
HMIS Lead's
elephant!



- For example:

Category	Requirement	Have to Have (Functionalities)	Nice to Have (Features)
Reporting	Produce APR for upload to HUD on regular grant cycle deadlines (annually for each CoC grant) and for ongoing data quality monitoring of CoC grantees	<ul style="list-style-type: none">• CSV export to HUD specifications*• Data quality output (in addition to APR .csv files) to highlight missing/low quality elements by client & project• Start date, end date, single or multi-project, single or multi-project type filters in addition to HUD required parameters	<p>Multiple formats for output of results:</p> <ul style="list-style-type: none">• Excel• Web page• Hyperlink to client data• Summary <p>Visualizations of output</p>

Community Example

Comply with HMIS
Data Standards

Household ID (as defined in the HMIS
Data Standards) versus “Global ID”

The HMIS Software contains all the Project Descriptor Data Elements (PDDE) and response categories.ⁱ

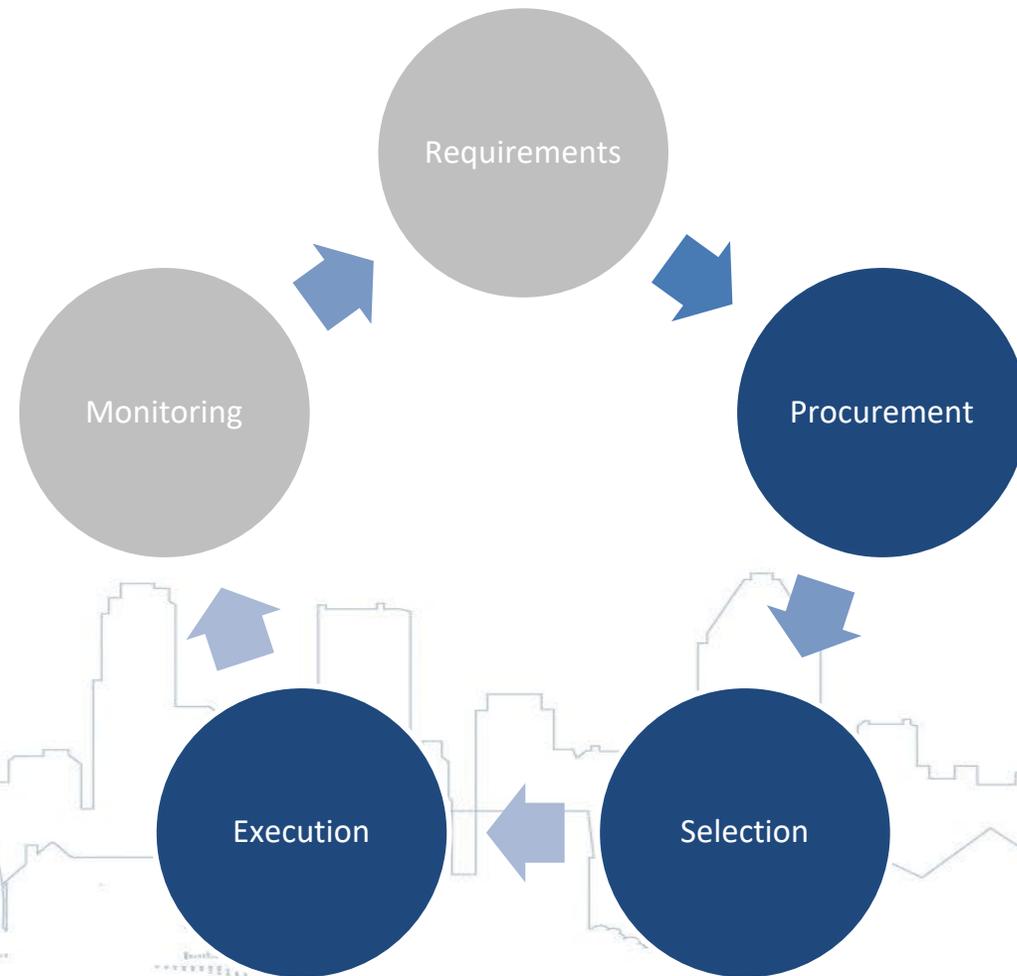
The HMIS Software contains all the Universal Data Elements (UDE) and response categories.ⁱⁱ

The HMIS Software contains all the common Program Specific Data Elements (PSDE) and response categories.ⁱⁱⁱ

The HMIS Software contains all the individual federal partner Program Specific Data Elements (PSDE) and response categories.^{iv}

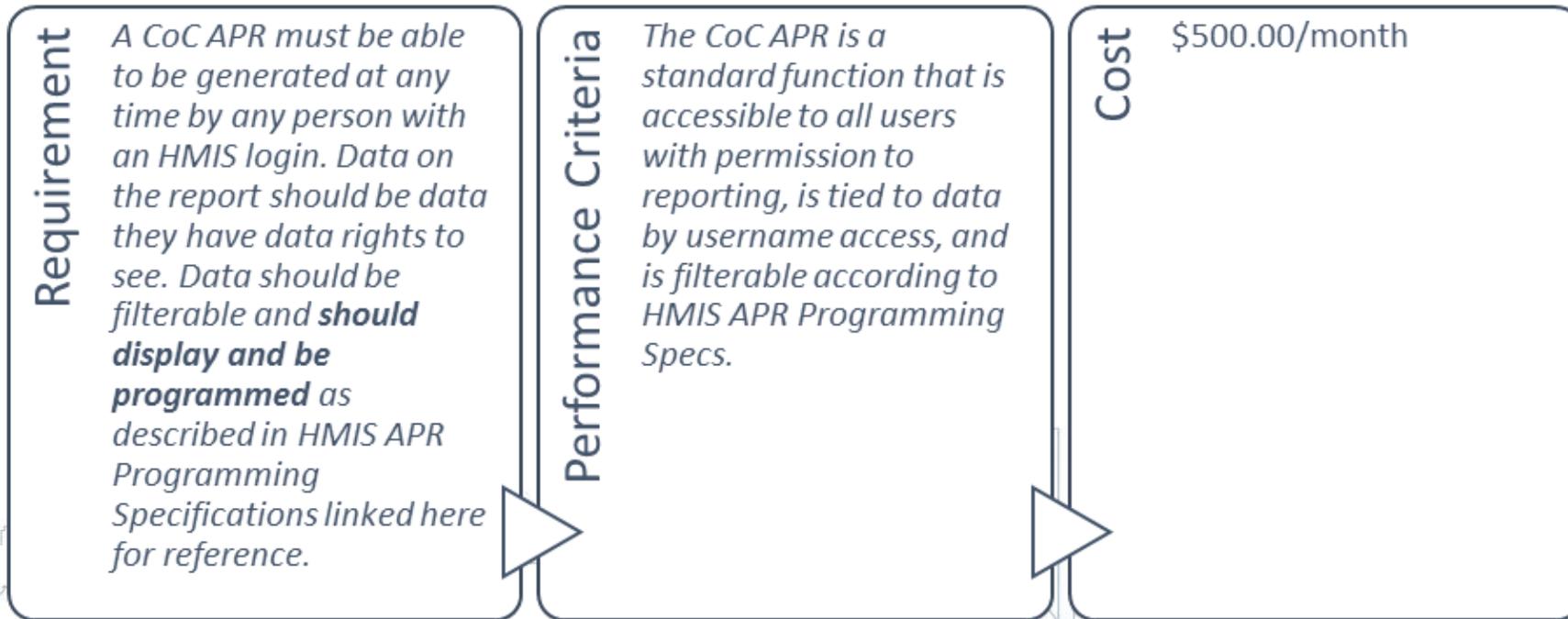
The HMIS Software contains all the Metadata Elements (ME).^v

The Contracting Life Cycle



Procurement / Selection / Execution

- Procurement: The Scope of Work for the contract with the vendor IS THE RFP for the competition and choices are limited for how they can respond



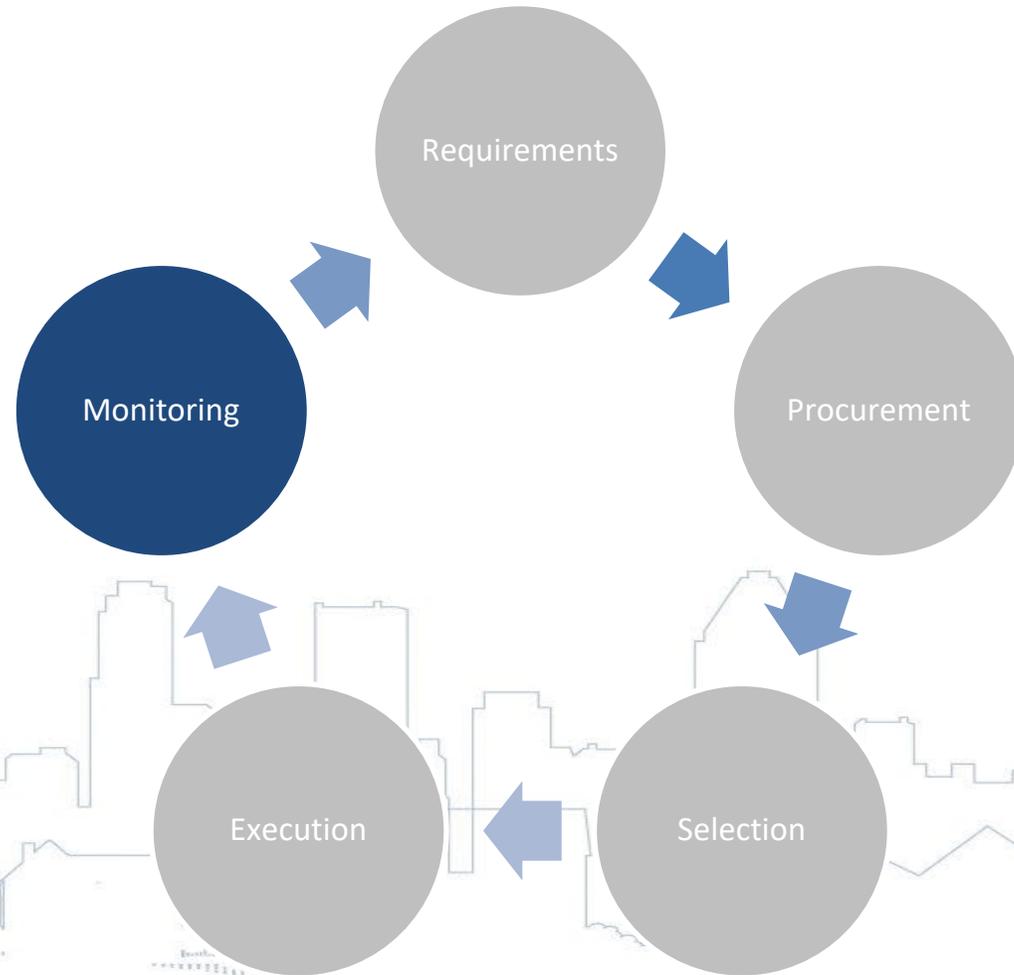
Procurement / Selection / Execution

- Selection: Each stage of the selection process ensures thorough scoring against the possibility that the vendor can carry out the scope of work (according to the words they write in their response, the hands-on demonstration of their product, and what other customers say about those functionalities/features)

Procurement / Selection / Execution

- Execution: The contract is essentially already written because the Scope of Work was defined in the beginning (in addition to other terms/conditions at RFP release)
- Requires minimal negotiation – negotiation occurred during the RFP response and selection

The Contracting Life Cycle



Monitoring

Purpose of monitoring:

- Get the right software
- At the right price
- While reducing risk, and
- Meeting community's needs

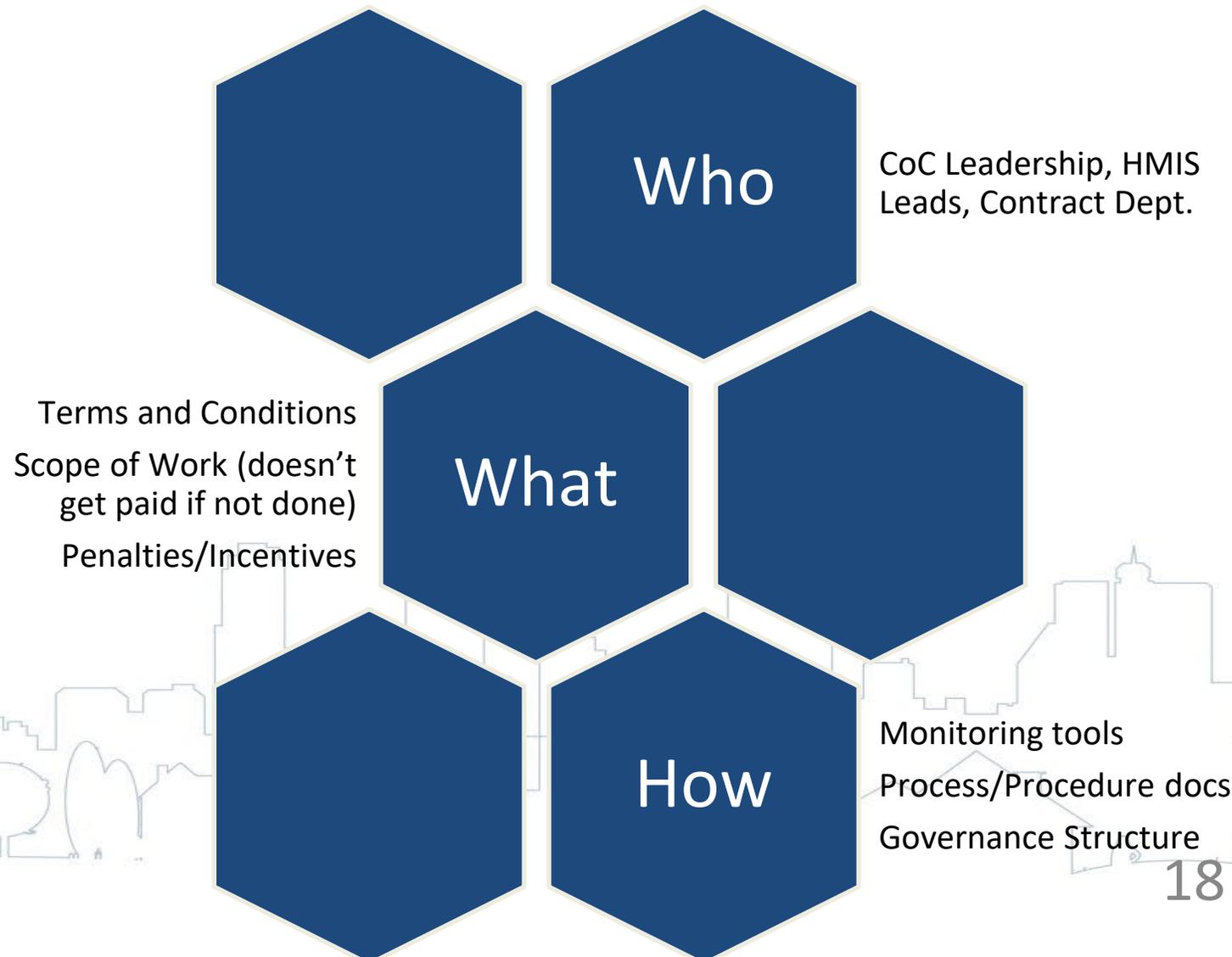
When should you monitor?

- Monthly – against the Scope of Work when you pay the bill
- Annually – against contract terms & conditions

HMIS Vendor Monitoring Tool

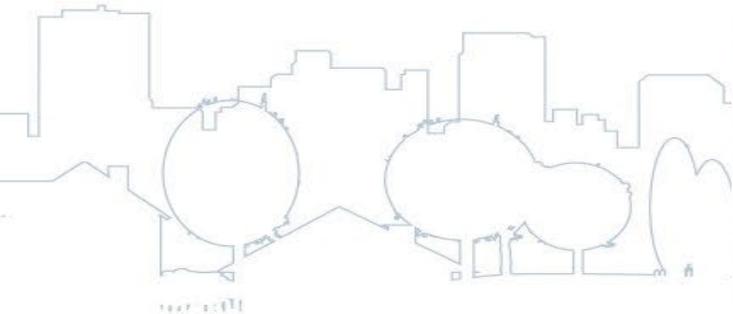
- Monitoring or Measurement Question:
 - Does the HMIS software have the ability to de-duplicate client records?
- Response or Finding:
 - The HMIS software de-duplicates client records using the following Universal Data Elements: First Name, Last Name, Date of Birth, and SSN, but not at the rate of confidence specified in the contract
- Improvement Strategy:
 - Review HUD requirements on de-duplication from the 2004 HUD HMIS Technical Standards
 - The HMIS Lead should clarify contractual terms and conditions for the de-duplication of client records, including accuracy requirements of client merger or de-duplication processes, and the client data that is used in the de-duplication process, such as First Name, Last Name, Date of Birth, and SSN
 - Withhold payments for this specific functionality as defined in the contract

Monitoring





Vendor Change



Vendor Change

- HUD would prefer that a CoC exhaust all options before considering a transition from one HMIS Software Vendor to another.
- Challenges are often human-related, not technology
- Challenges might be related to:
 - Issues of CoC capacity to oversee the HMIS implementation
 - HMIS staff capacity to operate the HMIS
 - Ineffective end user training
 - Insufficient resources (i.e. number of staff, funding, skills)
 - Overly customized functionality
 - Providers undervaluing HMIS.

But, I can't...

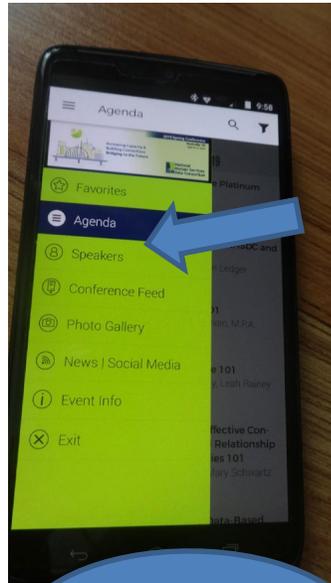
- ...Procure
Then work on monitoring or amending
- ...Amend
Then work on monitoring or procuring
- ...Monitor
Then work on amending or procuring

Scope of Work - Small Group Work

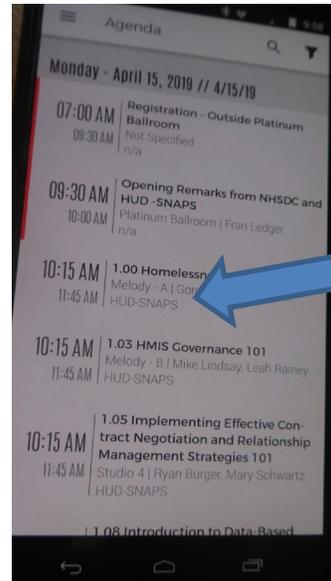
- In pairs: What do you use HMIS for? Are those uses written down anywhere?
- Pair up with another pair: What is the vision for HMIS in three years; five years; longer? What would it take to get there contractually?
- Report out to large group: Barriers & Benefits to contracting changes?

Evaluate This Session on Your Conference App! (It takes 5 minutes to complete)

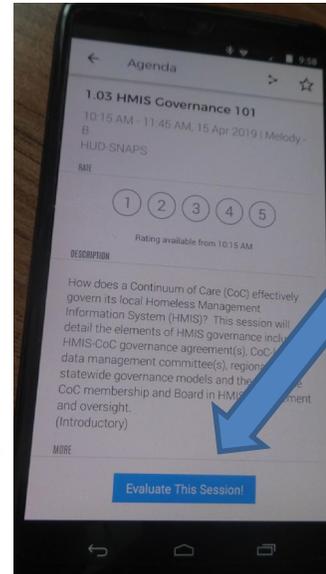
1) Select “Agenda” from the navigation menu.



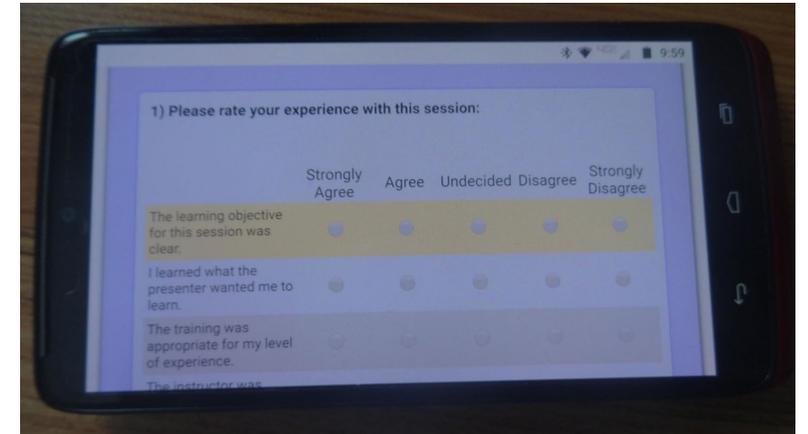
2) Select the name of the session.



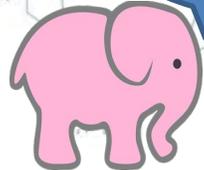
3) Select the blue “Evaluate This Session”.



4) Complete the Evaluation and Select “Finish”.



Rate Me!



TIP:

Turn your phone horizontally to see rating options.

23



HUD Certificate-of-Completion

Reminder: HUD is offering a Certificate-of-Completion for completing at least 4 sessions within either track:

- 1) HMIS Fundamentals Track
- 2) System Planning with Data Track

To earn credit for completion of this session, please complete the evaluation on the conference app and include contact details when prompted

Questions?

Mary_Schwartz@abtassoc.com

Heather.Dillashaw@icf.com

