



The Commonwealth of Massachusetts
AUDITOR OF THE COMMONWEALTH
STATE HOUSE, BOSTON 02133

SUZANNE M. BUMP, ESQ.
AUDITOR

November 17, 2015

TEL: 617-727-2075

Dr. Valerie Roberson
President
Roxbury Community College
1234 Columbus Avenue
Roxbury Crossing, MA 02120

Re: Roxbury Community College Privatization Proposal

Dear Dr. Roberson:

On October 6, 2015, the Office of the State Auditor (OSA) received certification from the Executive Office of Administration and Finance regarding Roxbury Community College's (RCC) proposal to privatize its Information Technology (IT) services, which initiated OSA's review of the proposal under the Privatization Law, M.G.L. c. 7, §§ 52-55. RCC has demonstrated that the proposed privatization contract is in the public interest in that it meets applicable quality and fiscal standards required by the Privatization Law. However, because of RCC's failure to competitively bid the proposed contract, as expressly required in M.G.L. c. 7, § 54(1), I cannot approve the awarding of this contract. Therefore, pursuant to M.G.L. c. 7, § 55(a), I am notifying you of my objection.

While public institutions of higher education are exempt from the procurement regulations of 801 CMR 21.00, the Privatization Law requires that an agency "shall solicit competitive sealed bids." This office looks forward to reviewing a revised proposal that includes a procurement process that is conducted in accordance with the Commonwealth's best practices to achieve an open, fair and competitive procurement. This office acknowledges that you will continue to require and use your current service provider until a successor agreement is executed. We do not object to your current service provider bidding on your publicized procurement, provided that you sufficiently describe your current IT environment and create criteria for potential bidders that are sufficiently reasonable and fair so as not to give the incumbent provider any unfair advantage.

Please note that, in accordance with Section 55(d), this objection is final and binding on RCC until such time as a revised certificate, free of the above mentioned defect, is submitted and approved by this office. Such material will be subject to review after RCC makes a submission in compliance with M.G.L. c. 7, §§ 52-55 and related OSA Privatization Guidelines.

As always, this office stands ready to discuss our findings and provide further assistance to RCC. In that regard, please feel free to contact Deputy Auditor and General Counsel, Gerald A. McDonough, at (857) 242-5526.

Sincerely,

A handwritten signature in black ink, appearing to read "Suzanne M. Bump".

Suzanne M. Bump
Auditor of the Commonwealth

cc: William D. Hart