



Stage 1 Business Analysis

California Department of Technology, SIMM 19A.3 (Ver. 3.0.9, 02/01/2022)

1.1 General Information

1. **Agency or State entity Name:** [Choose an item.](#)

If Agency/State entity is not in the list, enter here with the [organization code](#).

2667 – Office of the Inspector General, High-Speed Rail

2. **Proposal Name and Acronym:** **OIG-HSR Whistleblower Complaint Receipt and Investigation System**

3. **Proposal Description:** (Provide a brief description of your proposal in 500 characters or less.)

OIG-HSR proposes to acquire software to receive, track, securely store, and investigate whistleblower complaints regarding violations of laws and regulations, mismanagement, waste, abuse, and dangers to public health and safety pertaining to the California High-Speed Rail. In doing so, OIG-HSR must maintain the confidentiality of complaints in accordance with requirements established in Public Utilities Code sections 187030(b)(3) and 187032(a)(3).

4. **Proposed Project Execution Start Date:** **8/1/2024**

5. **S1BA Version Number:** **Version 1**

1.2 Submittal Information

1. **Contact Information**

Contact Name: [Amanda Millen](#)

Contact Email: Amanda.millen@oig.hsr.ca.gov

Contact Phone: [916-281-8763](tel:916-281-8763)

2. **Submission Type:** **New Submission**

If Withdraw, select Reason: [Choose an item.](#)

If Other, specify reason here: [Click or tap here to enter text.](#)

Sections Changed, if this is a Submission Update: (List all sections changed.)

[Click or tap here to enter text.](#)

Summary of Changes: (Summarize updates made.)

[Click or tap here to enter text.](#)

3. Attach [Project Approval Executive Transmittal](#) to your email submission.
4. Attach [Stage 1 Project Reportability Assessment](#) to your email submission.

1.3 Business Sponsorship

1. Executive Champion (Sponsor)

Title: [Inspector General](#)

Name: [Ben Belnap](#)

Business Program Area: [department director](#)

2. Business Owner

Title: [Chief Deputy Inspector General](#)

Name: [Mark Reinardy](#)

Business Program Area: [chief deputy director](#)

3. Product Owner

Title: [Deputy Inspector General](#)

Name: [Amanda Millen](#)

Business Program Area: [Administration, Investigations, and Strategic Initiatives](#)

TIP: Copy and paste or click the + button in the lower right corner on any section to add additional Executive Champions, Business Owners, or Product Owners with their related Business Program Areas as needed.

1.4 Stakeholder Assessment

The Stakeholder Assessment is designed to give the project team an overview of communication channels that the state entity needs to manage throughout the project. More stakeholders may result in increased complexity to a project.

1. Indicate which of the following are interested in this proposal and/or the outcome of the project. (Select 'Yes' or 'No' for each.)

State Entity Only: No

Other Departments/State Entities: Yes

Public: Yes

Federal Entities: No

Governor's Office: Yes

Legislature: Yes

Media: No

Local Entities: No

Special Interest Groups: No

Other: No

2. Describe how each group marked 'Yes' will be involved in the planning process.

OIG-HSR executive leadership will be directly involved in the planning process. The Inspector General has responsibility for the mission of the OIG-HSR, including execution of its statutory responsibilities to receive and investigate whistleblower complaints and, in so doing, to protect from disclosure the identities of whistleblowers. The Inspector General will function as Executive Sponsor for the project and will facilitate communication on the progress of the project to external stakeholders, including the High-Speed Rail Authority, members of the Legislature, and the Governor's Office. The Chief Deputy Inspector General will act as the Business Owner for the project, provide oversight of project planning, and review and approve business requirements and strategies. The Inspector General and Chief Deputy Inspector General will also monitor progress on the project and provide guidance and oversight to ensure that the whistleblower system established through this project achieves the ultimate goal of the project: to provide a secure method for receiving and investigating whistleblower complaints to fulfill the OIG-HSR's statutory responsibilities.

OIG-HSR's Deputy Inspector General – Administration, Investigations, and Strategic Initiatives (Deputy General) oversees the OIG-HSR investigations division including receipt, review, tracking, and investigation of whistleblower complaints. The Deputy Inspector General also oversees the administration division, including the OIG-HSR's information technology and procurement functions. The Deputy Inspector General will be involved in all aspects of the planning process, including acting as the Product Owner for the project; clarifying and documenting project goals; documenting and supporting business requirements; leading market research; documenting alternative solutions, and conducting procurement activities for OIG-HSR.

Individuals from other state departments that may be impacted by the project include staff and contractors of the High-Speed Rail Authority (Authority) who, as individuals or groups thereof, may become whistleblowers under the law. The OIG-HSR cannot adequately restrict access to whistleblower complaint information. Specifically, because the Authority provides all IT equipment and services to the OIG-HSR, the Authority has access to incoming and outgoing emails and call records, as well as to OIG-HSR records and documentation. As a result, OIG-HSR cannot adequately prevent disclosure of whistleblower complaint information. OIG-HSR's statutory

mandate and professional standards do not permit the office to accept assurances from the Authority that it will respect the confidentiality of this data in lieu of being able to ensure and demonstrate a secure and confidential method.

As such, Authority staff and contractors will benefit from this project because it would establish a system wherein the OIG-HSR would be able to restrict access to information regarding whistleblower complaints, including by prohibiting access to Authority staff. Those access restrictions will provide whistleblowers with a secure method to submit whistleblower complaints and provide assurance that their identities will remain confidential. That assurance may make potential whistleblowers more likely to report wrongdoing. Except for the involvement of the Chief Information Officer (described below), neither Authority staff nor contractor employees will be directly involved in the planning process. However, the OIG-HSR has collected and will continue to collect input and perspective from Authority staff and contractors regarding attributes of a whistleblower system that would make them comfortable submitting complaints. OIG-HSR will consider that input when developing business requirements and evaluating alternatives for the project.

The Authority, specifically its Information Technology Office led by Chief Information Officer Patty Nisonger (Authority CIO), is a stakeholder because the Authority provides information technology services and equipment to OIG-HSR including network, servers, email, laptops, and phones. Although a primary goal of the proposed project would be to prohibit access to all Authority staff, including its information technology staff, OIG-HSR staff will likely access the secure system using Authority equipment and services. Therefore, the OIG-HSR will coordinate with the Authority CIO throughout the duration of the project to ensure that any IT solution procured through this project meets information security and other reasonable requirements in Authority information technology policy. Because of OIG-HSR independence requirements established in statute and the OIG-HSR's adopted professional standards, the Authority's involvement in the project must otherwise be limited.

The Governor's Office and Legislature will benefit from the project because the project will improve oversight of the high-speed rail project as well as accountability and transparency by allowing the OIG-HSR to receive whistleblower complaints as intended by statute. Additionally, the system will provide the OIG-HSR with the ability to accurately track and report data regarding the whistleblower complaints it receives, thereby helping fulfill reporting requirements in statutes and providing additional information for these stakeholders regarding challenges facing the high-speed rail project and necessary resolutions. The Governor and Legislature will not be directly involved in the planning process for this project; however, the OIG-HSR will provide them with regular updates regarding the status of the project.

Members of the public are stakeholders of the project because, in addition to the fact that the project inherently serves the public interest through the increased transparency and accountability described above, the project will provide members of the public who are potential whistleblowers with a secure method to submit complaints regarding alleged wrongdoing at the high-speed rail. Members of the public will not be directly involved in the project.

1.5 Business Program

1. **Business Program Name:** OIG-HSR Investigations
2. **Program Background and Context:** (Provide a brief overview of the entity's business program(s) current operations.)

The OIG-HSR is a newly established department that, under state law, is independent of the Authority and every other governmental entity. The first ever OIG-HSR Inspector General was appointed in September 2023, and the Inspector General has since been working to develop the department, which includes an Investigations division. The OIG-HSR Investigations division conducts investigations in fulfillment of OIG-HSR responsibilities established in state law. Public Utilities Code 187030(b)(3) requires the OIG-HSR to conduct investigations relating to the delivery of the California high-speed rail project. Public Utilities Code 18732(a)(3) establishes that in furtherance its investigative responsibilities, the OIG-HSR receives and investigates complaints and information from any person concerning the existence of an activity constituting a violation of law, rules, or regulations, or mismanagement, gross waste of funds, abuse of authority, or a substantial or specific danger to the public health and safety. The statute further requires that once a complaint or information has been received, the OIG-HSR shall not disclose the identity of the complainant without consent.

At present, and consistent with Public Utilities Code 187022(a), the Authority provides to OIG-HSR all information technology goods and services the OIG-HSR uses in the daily fulfillment of its responsibilities. These goods and services include network, servers, email, phones, and laptops. In the absence of an access-controlled whistleblower complaint system, OIG-HSR currently must accept whistleblower complaints via phone and email, both of which are provided by the Authority. Additionally, all documentation pertaining to OIG-HSR work, including whistleblower complaint investigations, is by necessity stored on a drive within the Authority's network. The inherent access this arrangement provides the Authority to confidential whistleblower materials is inconsistent with state law and professional standards governing such investigations.

3. **How will this proposed project impact the product or services supported by the state entity?**

This proposed project would change the channels through which OIG-HSR receives whistleblower complaints. Currently, OIG-HSR has two channels through which whistleblowers can submit complaints and information: an Authority-provided email address and an Authority-provided telephone. Upon implementation of this proposed project, the OIG-HSR would receive whistleblower complaints through a separate, third-party phone line and webpage. Complaints would then route to an access-controlled software for OIG-HSR review and investigation.

Implementation of the proposed project would also allow OIG-HSR to begin collecting complaints anonymously. Consistent with best practice, the OIG-HSR would develop complaint submission forms designed to help ensure that anonymous complainants submit sufficient information with their complaint.

Because the methods for submitting complaints would change, OIG-HSR would develop and distribute communications to Authority staff and contractors to educate them on those new

methods, as well as on the OIG-HSR's ability to protect the confidentiality and/or anonymity of complaints.

In addition to receiving complaints differently, the project would result in OIG-HSR changing the way it stores documentation related to the receipt and investigation of whistleblower complaints. Currently, OIG-HSR stores all documentation pertaining to its work, including investigations, on an Authority-provided document management system. After implementing this project, the OIG-HSR would instead receive and store all documentation pertaining to whistleblower complaints within case management software. OIG-HSR would establish access control protocols, including prohibiting access to the system to individuals outside of OIG-HSR's investigations division and establishing role-based access permissions within the investigations division. OIG-HSR would begin documenting its reviews and investigations into whistleblower complaints within the case management software obtained through this proposed project. To do so, OIG-HSR would establish policies and procedures for documenting those investigations within the software and in accordance with the OIG-HSR's adopted professional standards.

This proposed project would automate certain OIG-HSR case management steps, including but not limited to opening a case within the software, assigning case numbers for tracking purposes, generating electronic forms for documenting case information, and routing investigation evidence and analysis for supervisory review. Additionally, the proposed project would automate the tracking and analysis of key data pertaining to whistleblower complaints and investigations. For example, the software acquired through this project would track and generate reports on data regarding the number and types of complaints received, and the status of those complaints and any associated investigations. It would also automate the tracking and reporting of performance measures, such as related to the time to review complaints, time to close investigations, and staff hours used to conduct investigations.

Finally, this proposed project would require that the OIG-HSR develop and provide training to management and staff within the investigations division regarding the new methods of receiving complaints and documenting investigations within the software.

TIP: Copy and paste or click the + button in the lower right corner to add Business Programs, with background and context and impact descriptions as needed.

1.6 Project Justification

1. Strategic Business Alignment

Enterprise Architect

Title: Deputy of Administration, Investigations, and Strategic Initiatives

Name: Amanda Millen

Strategic Plan Last Updated? Click or tap to enter a date.

Strategic Business Goal: Click or tap here to enter text.

Alignment: The first ever Inspector General was appointed in September 2023, and the OIG-HSR's development of its first strategic plan is in development. This project aligns with our office's statutory responsibilities and professional requirements as described in detail above and below.

TIP: Copy and paste or click the + button in the lower right corner to add Strategic Business Goals and Alignments as needed.

Mandate(s): State

Bill Number/Code, if applicable: Public Utilities Codes 187030(b)(3) and 187032(a)(3)

Add the Bill language that includes system-relevant requirements:

(excerpted) The duties and responsibilities of the Inspector General shall include to conduct audits and investigations relating to delivery of the project.

In connection with duties authorized pursuant to this division, the Office of the Inspector General may receive and investigate complaints or information from any person concerning the existence of an activity constituting a violation of laws, rules, or regulations, or mismanagement, gross waste of funds, abuse of authority, or a substantial and specific danger to the public health and safety. Once a complaint or information has been received from an employee of the High-Speed Rail Authority or one of its contractors, the Inspector General shall not disclose the identity of the employee without consent of the employee, unless the Inspector General determines that the disclosure is unavoidable during the course of the investigation or the disclosure is made to an official of the Department of Justice responsible for determining whether a prosecution should be undertaken.

TIP: Copy and paste or click the + button in the lower right corner to add Bill Numbers/Codes and relevant language as needed.

2. Business Driver(s)

Financial Benefit: Yes

Increased Revenue: No

Cost Savings: Yes

Cost Avoidance: Yes

Cost Recovery: No

Will the state incur a financial penalty or sanction if this proposal is not implemented? No

If the answer to the above question is "Yes," please explain:

[Click or tap here to enter text.](#)

Improvement

Better Services to the People of California: Yes

Efficiencies to Program Operations: Yes

Improved Equity, Diversity, and/or Inclusivity: No

Improved Health and/or Human Safety: No

Improved Information Security: Yes

Improved Business Continuity: No

Improved Technology Recovery: No

Technology Refresh: No

Technology End of Life: No

1.7 Business Outcomes Desired

Executive Summary of the Business Problem or Opportunity:

This proposed project will enable the OIG-HSR to meet its statutory mandate to protect the confidentiality of whistleblowers as well as the integrity of related investigations. The Authority's provision of information technology goods and services to OIG-HSR has allowed OIG-HSR to develop its statutory functions more rapidly, including performing risk assessments and reviews of the Authority's business plan and project update report. Additionally, the Authority's provision of those goods and services is cost-efficient for the state because it avoids the need for OIG-HSR to establish separate comprehensive IT functionality such as by hiring its own IT personnel and securing separate IT equipment, servers, etc. However, through its provision of those goods and services, the Authority has the inherent ability to access OIG-HSR's records related to the receipt and investigation of whistleblower complaints, including records containing identifying information regarding whistleblowers. Its access to those records is particularly problematic because as the entity overseeing planning and construction of the high-speed rail, the Authority is likely to be a primary subject of whistleblower complaints the OIG-HSR receives and/or be in a contracted relationship with the subject(s). The proposed project will allow OIG-HSR to prevent the Authority's access to whistleblower complaint information and demonstrate the OIG-HSR's ability to do so, thereby meeting its statutory responsibility to prevent disclosure of a whistleblower's identity and building confidence in the integrity of its processes. Specifically, the project would do so by providing OIG-HSR a means to confidentially receive whistleblower complaints, collect and store documentation and other electronic records from whistleblowers, and document investigations into complaints while controlling access to all that information. The proposed project would avoid the costs of establishing separate information technology functionality for the OIG-HSR because the project would allow OIG-HSR to continue to leverage Authority information technology resources while still protecting the confidentiality of complaints.

This proposed project will also better encourage potential whistleblowers to submit complaints and

information about possible wrongdoing. Whistleblowers may fear retaliation or other negative consequence if the Authority discovers their identity and may be deterred from submitting complaints when they observe that the OIG-HSR receives complaints through an email provided by the Authority. Even if the Authority never sought to do so in practice, the appearance created by its ability to monitor OIG-HSR whistleblower data runs contrary to the goals of state law. Conversely, this project would allow OIG-HSR to provide assurance to whistleblowers that their identities will remain confidential and that the Authority has no ability to access information regarding their complaint.

This project would also allow the OIG-HSR to more effectively document its compliance with professional standards for investigations conducted by offices of inspectors general. Those standards include, for example, requirements to document supervisory review and to maintain chain of custody for evidence collected during investigations. The OIG-HSR has worked to establish protocols for documenting compliance with standards within its Authority-provided document management system; however, that system was not designed for documenting investigations and has limited functionality to assist the OIG-HSR in meeting standards. For example, the system has limited version control capability, which creates challenges for documenting both supervisory review and chain of custody. The project would address those limitations by providing OIG-HSR a reliable means of handling these key tasks. Additionally, the project would enhance the efficiency with which the OIG-HSR documents investigations because it would allow automation of certain case management steps, such as routing evidence and analysis for review.

This project would also improve OIG-HSR's ability to track, review, and report on data regarding whistleblower complaints. State law requires the OIG-HSR to annually report information regarding the status of its work and its findings, including investigations. Currently, the OIG-HSR only means of tracking data about whistleblower complaints is manual tracking on a spreadsheet. The project would automate the collection, analysis, and reporting of data regarding whistleblower complaints including the number, types, and status of whistleblower complaints and the associated investigations, thereby better ensuring the completeness and accuracy of required reporting. That automation would reduce staff hours that would otherwise be required to manually perform those tasks. The project would also provide data tracking that would benefit internal performance by allowing OIG-HSR management to track the time and resources used during investigations. This added functionality would also improve the OIG-HSR's ability to establish and track progress toward key incremental performance measures, such as time taken to review complaints, time spent completing investigations, and staff hours used to conduct investigations.

Objective ID: 1.1

Objective: Achieve the ability to restrict access to whistleblower complaints and information to only OIG-HSR staff by the end of fiscal year 2024-25.

Metric: Time to completion.

Baseline: Unable to prohibit access to complaints and information to all Authority staff.

Target Result: Ability to restrict access to only OIG-HSR investigations division staff by the end of fiscal year 2024-25.

Objective ID: 1.2

Objective: Achieve the ability to receive whistleblower complaints anonymously by the end of fiscal year 2024-25.

Metric: Time to completion.

Baseline: Unable to receive whistleblower complaints anonymously.

Target Result: Achieve the ability to receive whistleblower complaints anonymously by the end of fiscal year 2024-25.

Objective ID: 1.3

Objective: Achieve the ability to confidentially correspond with whistleblowers by the end of fiscal year 2024-25.

Metric: Time to completion.

Baseline: The Authority has access to OIG-HSR email and phone records; therefore, OIG-HSR cannot protect the confidentiality of communications with whistleblowers.

Target Result: OIG-HSR investigations staff can confidentially correspond with whistleblowers by the end of fiscal year 2024-25.

Objective ID: 1.4

Objective: Establish procedures for documenting review and investigation of whistleblower complaints in accordance with professional standards within the new case management software by the end of fiscal year 2024-25.

Metric: Time to completion.

Baseline: N/A no existing case management system.

Target Result: Procedures developed by the end of fiscal year 2024-25

Objective ID: 1.5

Objective: Develop and begin tracking performance measures related to review and investigation of whistleblower complaints by the end of fiscal year 2024-25.

Metric: Time to completion.

Baseline: No existing performance measures or automated reports.

Target Result: Establishment of performance measures and automated reports regarding those measures by the end of fiscal year 2024-25.

TIP: Copy and paste or click the + button in the lower right corner to add Objectives as needed. Please number for reference.

TIP: Objectives should identify WHAT needs to be achieved or solved. Each objective should identify HOW the problem statement can be solved and must have a target result that is specific, measurable, attainable, realistic, and time-bound. Objective must cover the specific. Metric and Baseline must detail how the objective is measurable. Target Result needs to support the attainable, realistic, and time-bound requirements.

1.8 Project Management

1. Project Management Risk Score: 32.5

(Attach a completed [Statewide Information Management Manual \(SIMM\) Section 45 Appendix A Project Management Risk Assessment Template](#) to the email submission.)

2. Project Approval Lifecycle Completion and Project Execution Capacity Assessment

Does the proposal development or project execution anticipate sharing resources (state staff, vendors, consultants, or financial) with other priorities within the Agency/state entity (projects, PALs, or programmatic/technology workload)?

Answer: Yes

Does the Agency/state entity anticipate this proposal will result in the creation of new business processes or changes to existing business processes?

Answer (No, New, Existing, or Both): Both New and Existing Processes

1.9 Initial Complexity Assessment

1. Business Complexity Score: 0.9

(Attach a completed [SIMM Section 45 Appendix C](#) to the email submission.)

2. Noncompliance Issues: (Indicate if your current operations include noncompliance issues and provide a narrative explaining how the business process is noncompliant.)

Programmatic regulations: No

HIPAA/CIIS/FTI/PII/PCI: No

Security: No

ADA: No

Other. (see below) Choose Yes or No.

Not Applicable: Choose Yes or No.

Noncompliance Description:

Public Utilities Code sections 187030(b)(3) and 187032(a)(3) require the OIG-HSR to protect the confidentiality of whistleblower complaints. We are not aware of any breach of confidentiality of whistleblower information. However, at present the OIG-HSR does not have the ability to prohibit the Authority from accessing whistleblower complaint information.

3. Additional Assessment Criteria

If there is an existing Privacy Threshold Assessment/Privacy Information Assessment, include it as an attachment to your email submission.

How many locations and total users is the project anticipated to affect?

Number of locations: 1

Estimated Number of Transactions/Business Events (per cycle): [estimated 4 per month](#).

Approximate number of internal end-users: 5

Approximate number of external end-users: [open to the public and Authority staff and contractors, estimated 4 per month](#).

1.10 Funding

Planning

1. Does the Agency/state entity anticipate requesting additional resources through a budget action to **complete planning** through the project approval lifecycle framework? [Yes](#)

If Yes, when will a budget action be submitted to your Agency/DOF for planning dollars?

[8/31/2024](#)

2. Please provide the Funding Source(s) and dates funds for planning will be made available:

[State Transportation Fund 0046](#)

Project Implementation Funding

1. Has the funding source(s) been identified for **project implementation**? [Yes](#)

If known, please provide the Funding Source(s) and dates funds for implementation will be made available:

[0046 State Transportation Fund. Funds for implementation to be available upon approval by DOF during fiscal year 2024-25.](#)

Will a budget action be submitted to your Agency/DOF? [Yes](#)

If "Yes" is selected, specify when this BCP will be submitted: [August 2024](#)

2. Please provide a rough order of magnitude (ROM) estimate as to the total cost of the project: [Less than \\$10 Million](#)

End of agency/state entity document.

Please ensure ADA compliance before submitting this document to CDT.

When ready, submit Stage 1 and all attachments in an email to ProjectOversight@state.ca.gov.

Department of Technology Use Only

Original "New Submission" Date: [8/8/2024](#)

Form Received Date: [8/8/2024](#)

Form Accepted Date: [8/8/2024](#)

Form Status: [Approved](#)

Form Status Date: [10/31/2024](#)

Form Disposition: [Completed](#)

If Other, specify: [Click or tap here to enter text.](#)

Form Disposition Date: [10/31/2024](#)

Department of Technology Project Number (0000-000): [2667-002](#)