

RÉSUMÉ DIGEST

ACT 395 (HB 376)

2015 Regular Session

Harris

New law requires the Board of Regents to develop a notification system to assist in providing opportunities for public and private postsecondary institutions to receive, administer, or monitor federal grants received by the state. Requires state agencies to notify the Board of Regents of federal grant programs for which the agency is responsible.

New law requires state agencies to notify the Board of Regents prior to initiating any competitive RFP for any contract fully funded by federal funds. The Board of Regents shall develop guidelines and procedures to provide for notifying public and private postsecondary institutions of the services called for by such federally funded contracts and coordinating responses of the institutions to determine if the services called for are readily susceptible of being performed by employees or students of such institutions.

New law shall only apply to grant programs fully funded with federal funds, excluding programs administered by the Community Development Block Grant (CDBG) Program and grants that require matching funds.

New law defines private postsecondary institutions as having the meaning provided in existing law for the TOPS Program (R.S. 17:3048.1).

Existing law requires that, for contracts awarded through an RFP process, the agency shall give notice in the official journal of the state and provide written notice to persons, firms, or corporations who are known to be in a position to furnish such services prior to the last day proposals will be accepted.

New law additionally requires the agency to provide notice to the Board of Regents prior to the last day proposals will be accepted.

Existing law requires that, prior to approval to enter into a proposed professional, personal, consulting, or social service contract valued in excess of \$5,000, the using agency shall certify to the state chief procurement officer that certain criteria are met, including certification that no employee of that agency is both competent and available to perform the services called for by the proposed contract or the services called for are not the type readily susceptible of being performed by persons who are employed by the state on a continuing basis.

New law additionally requires using agencies to certify that the Board of Regents has been notified in accordance with new law of possible services called for that are of the type readily susceptible of being performed by persons who are employed by or students of a postsecondary institution.

Effective September 1, 2015.

(Amends R.S. 39:1595(A)(2) and (B)(1), (2), and (3); Adds R.S. 39:136 and 1623(A)(8))