
DIGEST

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HB 726 Original

2016 Regular Session

Jay Morris

Abstract: Provides for certain provisions related to professional, personal, consulting and social services contracts that are not competitively bid or negotiated.

Present law provides relative to state contracts for the procurement of supplies and services.

Present law (R.S. 39:1597) provides for the award of required supplies, services, or major repairs without competition when the chief procurement officer of the state determines there is only one source for the supply, service, or major repair.

Proposed law retains present law and requires the chief procurement officer make available on the office of state procurement website any contract awarded as a result of the written determination of only one source and the written determination. Further requires the commissioner of administration to provide a procedure to review the determination and contract awarded in the event a person or entity other than the contractor awarded the contract reports to the commissioner that they are also a source of the supply, service, or major repair item.

Present law (R.S. 39:1617) authorizes contracts for professional services to be awarded without competitive bid or negotiation. Proposed law repeals present law.

Present law (R.S. 39:1619(B) and (C)) authorizes contracts for social services to be awarded without competitive bid or negotiation if the chief procurement officer determines that any of the following conditions are present:

- (1) Services are available only from one source.
- (2) The legislature has made an appropriation for the contractor via the appropriations bill.
- (3) A quasi-public or non-profit has been established in coordination with the state to provide the contracted service.
- (4) Local matching funds of greater than 10% of the contract amount are required to be contributed by the contractor.
- (5) The nature of the services being provided necessitates that a continuity of contractors be maintained.

- (6) An emergency exists which will not permit the delay in procurement necessitated by the request for proposal procedure.
- (7) The total contract amount is less than \$250,000 per twelve-month period.
- (8) The contract is with another governmental entity or governmental body.
- (9) Funds are specifically designated by the federal government for a particular private or public contractor or political subdivision.
- (10) The contract is with a social service contractor who supplies services under a contract in existence as of November 30, 1985, as long as such contractor continues to supply substantially the same services and the using agency certifies:
 - (a) The services are satisfactory.
 - (b) They intend to continue contracting with that contractor.

Proposed law repeals present law.

Present law (R.S. 39:1620) authorizes contracts for personal services to be awarded without competitive bid or negotiation. Proposed law repeals present law.

Present law (R.S. 39:1621(A)) authorizes consulting service contracts that are less than \$50,000 for a 12-month period to be awarded without competitive bid or negotiation. Proposed law repeals present law.

(Amends R.S. 39:1597, 1600(E), and 1621; Repeals R.S. 39:1617, 1619(B) and (C), and 1620)