

SENATE COMMITTEE AMENDMENTS

2020 Regular Session

Amendments proposed by Senate Committee on Finance to Engrossed House Bill No. 477
by Representative Ivey

1 AMENDMENT NO. 1

2 On page 1, line 2, after "To" and before "enact" insert "amend and reenact R.S. 39:199(E),
3 200(I), 1600(E), 1621(A), (B), and (C)(1), and 1679(B), and to"

4 AMENDMENT NO. 2

5 On page 1, line 4, after "requirements;" and before "to provide" insert "to provide relative
6 to procurement transaction threshold values; to adjust threshold values for price inflation;
7 to provide relative to penalties for intentional violations of the procurement code;"

8 AMENDMENT NO. 3

9 On page 1, between lines 8 and 9, insert the following:

10 "Section 2. R.S. 39:199(E), 200(I), 1600(E), 1621(A) through (C), and 1679(B) are
11 hereby amended and reenacted to read as follows:

12 §199. Methods of procurement

13 * * *

14 E. Method for procuring information technology equipment, software, and
15 maintenance services for public colleges and universities. Notwithstanding any other
16 provisions of this Part, any public college or university may procure, through its
17 purchasing officer, information technology equipment, software, and maintenance
18 services without the advance approval of the office of state procurement when a
19 single expenditure for such materials or combined materials and services does not
20 exceed one hundred fifty thousand dollars.

21 * * *

22 §200. General provisions

23 The following general provisions shall apply to all procurements under this
24 Part:

25 * * *

26 I. Procurement support. All contracts covered under the provisions of this
27 Chapter, in an amount greater than ~~one hundred~~ two hundred twenty-five thousand
28 dollars, whether for purchase or rental payments or fiscal intermediary services in
29 processing claims of health care providers, or master agreements, but excluding
30 taxes, transportation, and other related services, shall be entered into with the
31 assistance of a procurement support team as provided in Paragraph (2) of this
32 Subsection and in accordance with guidelines to be published by the state central
33 purchasing agency.

34 * * *

35 §1600. Other procurement methods

36 * * *

37 E. Negotiation of noncompetitive contracts.

38 The head of the using agency or the agency procurement officer shall
39 negotiate with the highest qualified persons for sole source or emergency
40 procurements or for professional, personal, or those consulting services ~~for less than~~
41 ~~fifty thousand dollars~~ qualifying under R.S. 39:1621(A), or those social services
42 qualifying under R.S. 39:1619(B) at compensation which the head of the using
43 agency determines in writing to be fair and reasonable to the state. In making this
44 determination, the head of the using agency shall take into account, in the following
45 order of importance, the professional or technical competence of proposers, the

1 technical merits of proposals, and the compensation for which the services are to be
2 rendered, including fee. Negotiation of consulting services ~~for fifty thousand dollars~~
3 ~~or more~~ not qualifying under R.S. 39:1621(A) or social services not qualifying under
4 R.S. 39:1619(B) shall be conducted in accordance with R.S. 39:1595(B) hereof.
5 * * *

6 §1621. Consulting service contracts

7 A. Contracts for consulting services which have a total maximum amount of
8 compensation less than ~~fifty~~ seventy-five thousand dollars for a twelve-month period
9 may be awarded without the necessity of competitive bidding or competitive
10 negotiation.

11 B. Contracts for consulting services which have a total maximum amount of
12 compensation of ~~fifty~~ seventy-five thousand dollars or more for a twelve-month
13 period shall be awarded through a request for proposal process under rules and
14 regulations issued by the office of state procurement. Service requirements shall not
15 be artificially divided so as to exempt contracts from the request for proposal
16 process.

17 C.(1) All contracts for consulting services which have a total maximum
18 amount of compensation of ~~one hundred forty two~~ two hundred twenty-five thousand
19 dollars or more may be entered into with the assistance of a procurement support
20 team as provided herein, and in accordance with guidelines promulgated and
21 published by the office of state procurement.
22 * * *

23 §1679. Violations; penalties

24 * * *
25 B. Any person who intentionally violates such law, rule or regulation shall
26 be fined not more than ~~five hundred~~ one thousand dollars, or imprisoned for not
27 more than six months, or both.

28 AMENDMENT NO. 4

29 On page 1, line 16, change "Section 2. This" to "Section 3. Section 1 of this"

30 AMENDMENT NO. 5

31 On page 1, after line 18, insert the following:

32 "Section 4. Sections 2 through 4 of this Act shall become effective upon
33 signature of the governor or, if not signed by the governor, upon expiration of the
34 time for bills to become law without signature by the governor, as provided by
35 Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and
36 subsequently approved by the legislature, Sections 2 through 4 of this Act shall
37 become effective on the day following such approval."