

GREEN SHEET REDIGEST

HB 477

2020 Regular Session

Ivey

PURCHASING/PROCUREMENT CD: Provides relative to technology procurement

DIGEST

Present law (R.S. 39:196 et seq.) provides procedures and requirements for agencies in the executive branch of state government (other than agencies headed by a statewide elected official) to use for the purchase, lease, and rental of information technology equipment, related services, and software. Present law (R.S. 39:1551 et seq.) provides procedures and requirements for state procurement.

Proposed law retains present law and additionally provides that an agency shall not be required to follow the procedures provided in present law for procurement of software and the hardware used to support the software if the alternative procedures to be used by the agency are approved by the Jt. Legislative Committee on Technology and Cybersecurity and the specific procurement is approved by the Jt. Legislative Committee on the Budget.

Present law provides that public colleges or universities may procure information technology equipment, software and maintenance services without the advance approval of the office of state procurement when a single expenditure for such materials and/or services does not exceed \$100,000. Proposed law changes the threshold from \$100,000 to \$150,000.

Present law provides that all contracts for information technology procurement in excess of \$100,000 require the assistance of a procurement support team. Proposed law changes the threshold from \$100,000 to \$225,000.

Present law provides that contracts for consulting services with a total maximum compensation of less than \$50,000 per year may be awarded without competitive bidding or competitive negotiation. Proposed law raises the amount of consulting services that can be awarded without competitive bidding or competitive negotiation from \$50,000 to \$75,000.

Present law provides that contracts for consulting services with a total maximum compensation of \$50,000 or more per year shall be awarded pursuant to a request for proposals. Proposed law raises that amount from \$50,000 to \$75,000.

Present law provides that all contracts for consulting services which have a total maximum amount of compensation of \$140,000 or more per year may be entered into with the assistance of a procurement support team. Proposed law increases that amount from \$140,000 to \$225,000.

Present law provides that any person who intentionally violates the La. Procurement Code or any rule or regulation with respect to purchasing shall be fined not more than \$500 or imprisoned for not more than six months, or both. Proposed law raises the amount of the fine from \$500 to \$1,000.

Effective if and when House Bill No. 636 of this 2020 R.S. is enacted and becomes effective.

(Adds R.S. 39:199.1)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Appropriations to the original bill:

1. Make technical changes.

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Finance to the engrossed bill

1. Changes procurement transaction threshold values for procuring information technology equipment, software, and maintenance services for public colleges and universities without advance approval of the office of state procurement from \$100,000 to \$150,000.
2. Changes procurement transaction threshold values for procuring support teams for information technology procurement from \$100,000 to \$225,000.
3. Changes amount of consulting services contracts that do not require competitive bidding or competitive negotiation from \$50,000 to \$75,000.
4. Changes amount of consulting services contracts that require competitive bidding or competitive negotiation from \$50,000 to \$75,000.
5. Changes amount of contracts for consulting services which require a procurement support team from \$140,000 to \$225,000.
6. Changes amount of fines for an intentional violation of the La. Procurement Code or rule from \$500 to \$1,000.