

2024 Regular Session

HOUSE BILL NO. 878

BY REPRESENTATIVE RISER

PUBLIC CONTRACTS: Provides relative to fire departments and public safety departments or agencies entering into an agreement with group purchasing organizations

1 AN ACT

2 To enact R.S. 38:2212.1(P), relative to local governmental subdivisions' fire and public
3 safety departments agreements with group purchasing organizations; to provide for
4 agreements with qualified group purchasing organizations for purchases; to provide
5 for price lists and their duration; to prohibit price lists from being public records; to
6 define qualified group purchasing organization; to allow the purchase of materials,
7 equipment, and supplies from a qualified group purchasing organization when prices
8 meet certain criteria; and to provide for related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 38:2212.1(P) is hereby enacted to read as follows:

11 §2212.1. Advertisement and letting to lowest responsible bidder; materials and
12 supplies; exemptions

13 * * *

14 P.(1) Notwithstanding any provision of law, contained in this Part, to the
15 contrary, any municipal or parish fire department, volunteer fire department, fire
16 protection district or non-profit corporation under contract with a fire protection
17 district, municipal police department, or related public safety department or agency
18 may enter into an agreement with one or more qualified group purchasing
19 organizations for the purchase of materials, equipment, and supplies, including any

1 installation thereof. Any such agreement shall require the qualified group purchasing
2 organization to submit a price list for materials, equipment, and supplies it offers.
3 The prices quoted on the list shall remain in effect for not less than three months.
4 Any such price list shall be considered to be a valid and binding bid by the qualified
5 group purchasing organization during the effective period of the agreement and no
6 additional bid by the qualified group purchasing organization is necessary.

7 (2) The price list submitted by a qualified group purchasing organization is
8 not a public record and shall not be available for public inspection. The agreement
9 establishing the price list and its effective date is, however, a public record, and that
10 portion of the price list establishing the price of the materials, equipment, or supplies
11 being purchased shall become a public record at the time of opening of bids or upon
12 the execution of a contract for the purchase of materials, equipment, or supplies.

13 (3) As used in this Subsection, "qualified group purchasing organization"
14 means an organization, whether for profit or not-for-profit, of which two or more of
15 the public departments, agencies, or non-profit corporations described in Paragraph
16 (1) of this Subsection, hereinafter referred to as fire, public safety, or police
17 authority, are participating or voting members thereof and which solicit proposals
18 or bids from vendors of materials, equipment, or supplies of the type and nature as
19 may be purchased by any such department, agency, or non-profit corporation.

20 (4) Furthermore, any such fire, public safety, or police authority may
21 purchase materials, equipment, or supplies directly from or through a qualified group
22 purchasing organization if either the price is less than that for the same or
23 substantially similar materials, equipment, or supplies on the state contract or bid list,
24 or if the same or substantially similar materials, equipment, or supplies are not under
25 state contract or on the state bid list. Nothing contained in this Subsection shall be
26 construed to authorize a municipal or public fire department or fire protection district
27 to purchase materials, equipment, or supplies from or through an entity or vendor
28 other than a qualified group purchasing organization as defined in this Subsection
29 without using a procurement process otherwise provided by state law.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 878 Original

2024 Regular Session

Riser

Abstract: Provides for agreements by municipal and parish fire departments, volunteer fire departments, fire protection districts, municipal police departments, or related public safety departments or agencies with qualified group purchasing organizations for purchases.

Proposed law provides for agreements by municipal and parish fire departments, volunteer fire departments, fire protection districts, municipal police departments, or related public safety departments or agencies to be made with qualified group purchasing organizations for purchases.

Proposed law requires the group purchasing organization to submit a price list and maintain those prices for at least three months and for those prices to be deemed a valid and binding bid.

Proposed law prohibits the price lists from being considered public records, but provides that the price list will be considered public record when it is made part of a contract.

Proposed law defines "qualified group purchasing organization".

Proposed law allows the purchase of materials, equipment, and supplies from a qualified group purchasing organization when prices are less than those for substantially similar products on the state contract list or when similar products are not on the state contract list.

Proposed law prohibits purchases through an entity or vendor that is not a qualified group purchasing organization without using state procurement procedures in present law.

(Adds R.S. 38:2212.1(P))