

---

## 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 429 Engrossed

2016 Regular Session

Broadwater

**Abstract:** Provides relative to group purchasing of school materials, equipment, and supplies.

Present law authorizes any public school district or public school to participate in a school district purchasing cooperative for the purchase of materials, equipment, and supplies. Defines such a cooperative as an organization, whether profit or not for profit, of which two or more public school districts are members and which solicits proposals or bids from vendors for services, materials, equipment, or supplies of the type and nature as may be purchased by a public school district or public school.

Present law authorizes cooperative members to purchase materials, equipment, and supplies in accordance with contracts submitted to the cooperative by a vendor. Requires cooperatives to use the following request for proposals process in the solicitation of vendors for materials, equipment, and supplies:

- (1) Public notice shall be given by the placement of an advertisement in the official journal of the state at least once; advertisements may also be placed in other newspapers, trade journals, and websites at the cooperative's discretion.
- (2) The notice shall include the nature of the materials, equipment, or supplies sought and may include information on the estimated quantity sought and the time frame for purchase by cooperative members.
- (3) The advertisement shall appear at least 15 days before the last day that proposals may be submitted.
- (4) The notice shall be provided at least 15 days before the last day for proposals to be accepted, to persons, firms, or companies which have requested to be notified of requests for proposals.
- (5) The notice shall include information with regard to the deadline for submission of proposals and contact information for questions concerning the solicitation.
- (6) The responsible and responsive proposal that provides the lowest price shall be selected.
- (7) The selected vendor shall agree to make the subject materials, equipment, or supplies available for the price set forth in the proposal to any member of the school district purchasing cooperative.

Proposed law repeals present law and instead authorizes purchasing through a group purchasing organization. Requires that any agreement with such an organization provide that the organization submit a price list for materials and supplies offered by it and that the prices quoted on the list remain in effect for a stated period of time, not less than three months. Also provides that any such price list shall be considered a valid and binding bid by the organization.

Proposed law provides that price lists submitted by a qualified group purchasing organization shall not be a public record and shall not be available for public inspection. Also provides that the agreement setting forth the existence of the price list and the effective date thereof is a public record and that the portion of the price list setting forth the materials or supplies being purchased shall become a public record at the time of opening of bids for those materials or supplies.

Proposed law authorizes a school board to purchase equipment from a qualified group purchasing organization if the price for such equipment is less than that for the same or substantially similar equipment on the state bid list.

(Amends R.S. 38:2212.1(N)(1)-(4)(intro. para.); Repeals R.S. 38:2212.1(N)(4)(a)-(g))

#### Summary of Amendments Adopted by House

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

1. Add provision that authorizes a school board to purchase equipment from a qualified group purchasing organization if the price for such equipment is less than that for the same or substantially similar equipment on the state bid list.