

HCS HBs 1818 & 2345 -- NEGOTIATION OF STATE CONTRACT PROVISIONS

SPONSOR: Voss

COMMITTEE ACTION: Voted "Do Pass with HCS by Consent" by the Standing Committee on General Laws by a vote of 16 to 0. Voted "Do Pass- Consent" by the Standing Committee on Consent and House Procedure by a vote of 9 to 0.

The following is a summary of the House Committee Substitute for HB 1818.

This bill allows for post-award negotiations with the lowest and best responsive vendor if identified in the solicitation along with the time frame for post-award negotiations. The Commissioner of the Office of Administration may waive post-award negotiations.

Certain contract provisions must be reserved for post-award negotiations after the notice of award. If the negotiations fail, the Commissioner may cancel the award and award the contract to the next lowest and best vendor.

The following is a summary of the public testimony from the committee hearing. The testimony was based on the introduced version of the bill.

PROPOSERS: Supporters say that this bill allows the Office of Administration to negotiate contracts after the award of the contract has been made. The current law, without this bill, produces unnecessary costs for State government. The bill allows for the acceleration of the amount of time required from inception to implementation of awarded contracts. For large IT projects, a number of vendors will often put forth proposals. When the Commissioner of the Office of Administration releases the scoring of these proposals, they want to be able to move on a contract without having to negotiate with every single potential vendor. This legislation would allow for this and would save countless hours that are currently dedicated to having to negotiate with every potential vendor. This legislation benefits the vendors as well. Vendors often don't want to go through the unnecessary negotiation process that can take months if they were never being considered for the contract in the first place.

Testifying in person for the bill were Representative Voss; Arnie C. Dienoff; Maximus; and Hannah Swan, Office Of Administration.

OPPOSERS: There was no opposition voiced to the committee.

Written testimony has been submitted for this bill. The full written testimony and witnesses testifying online can be found under Testimony on the bill page on the House website.