

**Fiscal:** Fiscal impact issued

**Revenue:** No Revenue Impact

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**Action Date:** 06/11/15

**Action:** Do Pass With Amendments To The A-Eng Bill. (Printed B-Eng.)

**Meeting Dates:** 06/11

**Vote:**

Yeas: 3 - Boquist, Burdick, Rosenbaum

Exc: 2 - Beyer, Ferrioli

**Prepared By:** Erin Seiler, Committee Administrator

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**WHAT THE MEASURE DOES:**

Requires state contracting agency to use solicitation template and contract form developed by the Attorney General and the Department of Administrative Services (DAS) as basis for all public procurements and contracts. Allows exception for unique procurements if agency receives approval from the Attorney General or DAS. Requires person conducting procurements for state agency to complete training or have professional experience. Requires DAS to establish training and experience requirements. Directs Secretary of State (SOS) and State Treasurer to develop and use own forms and templates and establish training and experience standards for own staff conducting procurements or administering public contracts no later than December 31, 2017. Requires person that conducts procurement or administers public contract for SOS or State Treasurer to meet established standards by December 31, 2018. Requires DAS to develop recommendations for promoting best practices, and to report to Legislative Assembly by November 30, 2015. Becomes operative January 1, 2016. Declares emergency, effective upon passage.

**ISSUES DISCUSSED:**

- Collaborations with vendors
- Risk involved in public contracting
- Ability for state agencies to negotiate conditions of contracts
- Importance and challenges of information technology projects

**EFFECT OF COMMITTEE AMENDMENT:**

Permits state contracting agency, in accordance with Public Contracting Code, to negotiate terms and conditions of contract form and template, but may not vary from terms and conditions without advice of Attorney General or legal counsel approved by Attorney General, if state contracting agency anticipates form or template will result in public contract price that exceeds \$150,000. Requires SOS and State Treasurer establish standards for education and training to conduct procurement or administer a public contract not later than December 31, 2017. Requires person that conducts procurement or administers public contract for SOS or State Treasurer to meet established standards by December 31, 2018.

**BACKGROUND:**

The Department of Administrative Services recently contracted with a consulting firm about making improvements in contracts and purchasing processes, and one of the recommendations was for Oregon state government to develop standardized forms and contracts for state agency procurements. The Oregon Department of Justice reviewed 3,200 state agency contracts, and found that agencies had used over 400 different forms. Other states are currently working on making similar improvements to contract forms, as well as providing increased training for state employees who administer contracts.