

BY: Conference Committee

AMENDMENTS TO SENATE BILL NO. 719

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after “requirements;” insert “exempting certain unsolicited proposals from a certain requirement that procurement be by competitive sealed bid; establishing an interagency panel to review unsolicited proposals and to make certain determinations subject to certain requirements and procedures; providing for the effect of certain action or inaction by the interagency panel;”; and in line 14, after “programs;” insert “providing for certain reconsideration by the interagency panel of approval of an unsolicited proposal;”.

AMENDMENT NO. 2

On page 2, after line 29, insert:

“(2) “BUSINESS AND ECONOMIC DEVELOPMENT SERVICES” MEANS SERVICES PROCURED BY THE DEPARTMENT OF BUSINESS AND ECONOMIC DEVELOPMENT.”;

and in line 30, strike “(2)” and substitute “(3)”.

On page 3, in line 15, after “OF” insert “;

(I)”;

in the same line, strike the first “OR” and substitute “;

(II)”;

and in line 16, after “SERVICES” insert “;OR

(Over)

(III) BUSINESS AND ECONOMIC DEVELOPMENT SERVICES".

AMENDMENT NO. 3

On page 3, in line 1, strike "(3)" and substitute "(4)"; after line 17, insert:

"(C) (1) THERE IS AN INTERAGENCY PANEL CONSISTING OF REPRESENTATIVES APPOINTED BY THE GOVERNOR FROM THE FOLLOWING:

(I) THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE;

(II) THE DEPARTMENT OF HUMAN RESOURCES;

(III) THE DEPARTMENT OF LABOR, LICENSING, AND REGULATION;

(IV) THE DEPARTMENT OF JUVENILE JUSTICE;

(V) THE OFFICE FOR INDIVIDUALS WITH DISABILITIES;

(VI) THE DEPARTMENT OF AGING;

(VII) THE DEPARTMENT OF BUSINESS AND ECONOMIC DEVELOPMENT; AND

(VIII) THE COUNCIL ON MANAGEMENT AND PRODUCTIVITY;

(2) (I) A PROCUREMENT OFFICER SHALL FORWARD AN UNSOLICITED PROPOSAL SUBMITTED UNDER THIS SECTION TO THE INTERAGENCY PANEL DESCRIBED UNDER PARAGRAPH (1) OF THIS SUBSECTION FOR REVIEW AND A DETERMINATION AS TO WHETHER THE UNSOLICITED PROPOSAL MEETS THE REQUIREMENTS OF SUBSECTION (A) OF THIS SECTION.

(II) THE INTERAGENCY PANEL SHALL MAKE A DETERMINATION AS TO WHETHER THE UNSOLICITED PROPOSAL MEETS THE REQUIREMENTS OF SUBSECTION (A) OF THIS SECTION BY A MAJORITY VOTE OF THE PANEL:

- DESIGNEES;
1. AT A MEETING OF PANEL MEMBERS OR THEIR
 2. BY A TELEPHONE POLL OF PANEL MEMBERS; OR
 3. IN WRITING.

(III) IF THE INTERAGENCY PANEL DETERMINES THAT THE UNSOLICITED PROPOSAL DOES NOT MEET THE REQUIREMENTS OF SUBSECTION (A) OF THIS SECTION, THE PROCUREMENT OFFICER MAY NOT AWARD A PROCUREMENT CONTRACT BASED ON THE UNSOLICITED PROPOSAL.

(IV) 1. THE INTERAGENCY PANEL SHALL MAKE A DETERMINATION UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH WITHIN 30 DAYS AFTER RECEIVING THE UNSOLICITED PROPOSAL FOR REVIEW.

2. IF THE INTERAGENCY PANEL FAILS TO MAKE A DETERMINATION UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH WITHIN THE 30-DAY PERIOD ESTABLISHED UNDER THIS SUBPARAGRAPH, THE UNSOLICITED PROPOSAL SHALL BE DEEMED TO HAVE BEEN DISAPPROVED BY THE INTERAGENCY PANEL.”;

and in lines 18, 22, 26, 28, and 30, strike “(C)”, “(D)”, “(E)”, “(F)” and “(G)”, respectively, and substitute “(D)”, “(E)”, “(F)”, “(G)”, and “(H)”, respectively.

AMENDMENT NO. 4

On page 4, in line 1, strike “(H)” and substitute “(I)”; and after line 17, insert:

“(3) IF, DURING THE 30-DAY PERIOD ESTABLISHED UNDER PARAGRAPH (1) OF THIS SUBSECTION, A PERSON PETITIONS THE INTERAGENCY PANEL FOR RECONSIDERATION OF A DETERMINATION OF APPROVAL UNDER SUBSECTION (B) OF THIS SECTION, THE INTERAGENCY PANEL SHALL RECONSIDER THE DETERMINATION OF APPROVAL AND MAKE WRITTEN FINDINGS AFFIRMING OR

(Over)

REVERSING THE DETERMINATION OF APPROVAL.”;

in line 18, strike “(I)” and substitute “(J)”; in line 19, strike “(G)” and substitute “(I)”; in line 23, strike “(J)” and substitute “(K)”; in line 30, strike “AND”; in line 31, after “AGING” insert “; AND”

(7) THE DEPARTMENT OF BUSINESS AND ECONOMIC DEVELOPMENT”.