

Original sponsor: Bowman, Kelley,
McKinnon, et al

Offered: 5/31/75
Referred: Rules

1 IN THE HOUSE

BY THE FINANCE COMMITTEE

2 SENATE CS FOR CS FOR HOUSE BILL NO. 429

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the public facility procurement
7 policy of the state; and providing for an effective
8 date."

9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

10 * Section 1. AS 35.10 is amended by adding new sections to read:

11 ARTICLE 5. PUBLIC FACILITY PROCUREMENT POLICY.

12 Sec. 35.10.160. FINDINGS AND PURPOSE. The legislature finds that
13 since the needs of the state for physical facilities of all kinds are
14 diverse the planning, design and construction of public facilities
15 should be executed in accordance with facility procurement policies
16 development by the Department of Public Works and reviewed annually by
17 the legislature.

18 Sec. 35.10.170. DUTIES OF DEPARTMENT. In addition to other duties
19 prescribed by statute, the department shall

20 (1) develop facility procurement policies for the planning,
21 design, construction, maintenance and operation of public facilities of
22 the state;

23 (2) develop and maintain an inventory of physical facilities
24 currently owned or occupied by the state;

25 (3) make projections of future public facility needs of the
26 state, analyze facilities needed, and establish methodology for program
27 planning and facilities project planning, design and construction;

28 (4) engage in experimental projects as necessary relating to
29 any available or future method of facility procurement, design or con-

1 construction and any method of improving existing design, planning and
2 construction techniques;

3 (5) develop life cycle costs of public facilities of the
4 state;

5 (6) develop life cycle costing methodologies for the follow-
6 ing special purposes:

7 (A) budget forecasting to support facility program
8 planning and analysis,

9 (B) systematic cost estimating to forecast planning,
10 design and construction,

11 (C) budget forecasting to support development of annual
12 maintenance and operating strategies and life cycle cost plans,

13 (D) alternative methods of space acquisition and space
14 equalization which will maximize the effectiveness of public funds;

15 (7) apply for and accept, on behalf of the state, grants from
16 the federal government or an agency of it or from another state founda-
17 tion, corporation, association or individual for any of the functions or
18 purposes of the department and may expend any of the money received
19 under this section for any of the functions or purposes.

20 Sec. 35.10.180. PHYSICAL FACILITY PROCUREMENT AND PLANNING POLI-
21 CIES. (a) The department shall develop and keep current by periodic
22 revision physical facility procurement and planning policies for rural
23 schools, public buildings, and other state facilities, and shall develop
24 regulations and guidelines for the implementation of these policies.

25 (b) In developing and revising these policies the department shall
26 seek public review and evaluation by any reasonable means and shall

27 (1) consult and cooperate with officials of the federal
28 government, local governments, other political subdivisions of the state
29 and other interested persons regarding physical facility procurement

1 planning;

2 (2) request and receive from an agency or other unit of the
3 state government the assistance and data needed to carry out the re-
4 quirements of this section.

5 (c) The commissioner shall submit copies of proposed policies and
6 plans annually, within 10 days after the legislature convenes, to the
7 legislature. The legislature may approve, reject or modify the policies
8 and plans by concurrent resolution. If the legislature fails to act
9 during the legislative session, the policies and plans are approved.

10 Sec. 35.10.190. COORDINATION BY DEPARTMENT. (a) The department
11 shall coordinate the procurement of physical facilities for the state to
12 insure the greatest cost savings of planning, design and contractual
13 techniques.

14 (b) When the state or an agency of the state determines that a
15 public facility is to be constructed or renovated, it shall, unless
16 exempted by regulations of the department, submit to the department an
17 application for a certificate that the proposed facility complies with
18 adopted facility procurement policies. The department may reject the
19 application but if it does so it shall state in writing the reasons for
20 the rejection. If a written statement that the application is rejected
21 does not issue within 30 days after receipt of the application by the
22 department, unless the department and the applicant have agreed upon an
23 extension of time for consideration, the certificate of compliance shall
24 not be required. Except as provided otherwise by regulation or by this
25 section no public facility of the state may be constructed or renovated
26 by the state unless a certificate that the facility complies with
27 adopted facility procurement has been issued.

28 Sec. 35.10.200. DEFINITIONS. In secs. 160 - 200 of this chapter,

29 (1) "life cycle costs" means analytic techniques which pro-

1 vide data to describe the first cost of procurement of public facilities
2 and the maintenance cost, operation cost and occupancy cost of the
3 facilities;

4 (2) "policies" includes but is not limited to budget ac-
5 counting and cost planning techniques, facility design techniques, and
6 contractual techniques for the procurement of labor, materials and
7 contractual services;

8 (3) "public facilities" does not include highways or vessels
9 of the marine highway system.

10 * Sec. 2. There is within the Department of Public Works a public facil-
11 ity procurement planning fund. The fund is a working capital reserve fund
12 and consists of money appropriated by the legislature for the purpose of
13 providing procurement planning working capital and is available on a reim-
14 bursable basis for procurement planning. The fund shall be used by the
15 commissioner to develop facility procurement planning methodologies for
16 submission for review by the legislature by January 1, 1976. The commis-
17 sioner shall prepare a report delineating the various procurement policies
18 which shall govern the expenditures of capital funds by the state and shall
19 delineate the amounts of preplanning funds necessary for the implementation
20 of these policies.

21 * Sec. 3. AS 35.05.040 is amended by adding a new paragraph to read:

22 (10) procure directly materials, labor and contractual ser-
23 vices for planning, designing and constructing public facilities of the
24 state.

25 * Sec. 4. AS 35.10.200(4) is amended to read:

26 (4) "public facilities" does not include highways or vessels
27 of the marine highway system or the facilities for which responsibility
28 is charged to the Department of Transportation under AS 44.42.

29 * Sec. 5. Section 5 of this Act takes effect on the effective date of

1 a version of House Bill No. 63.

2 * Sec. 6. Sections 1 - 4 of this Act take effect immediately in accor-
3 dance with AS 01.10.070(c).

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