

Original sponsor: Rules Committee

Offered: 4/27/81  
Referred: Rules

1 IN THE HOUSE BY THE RULES COMMITTEE  
2 CS FOR HOUSE BILL NO. 156 (Rules) am  
3 IN THE LEGISLATURE OF THE STATE OF ALASKA  
4 TWELFTH LEGISLATURE - FIRST SESSION  
5 A BILL

6 For an Act entitled: "An Act relating to legislative contracts."  
7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

8 \* Section 1. AS 24 is amended by adding a new chapter to read:  
9 CHAPTER 23. LEGISLATIVE CONTRACT PROCEDURE.

10 Sec. 24.23.010. APPLICATION. This chapter applies to contracts  
11 for services to be provided to a legislative agency or committee unless  
12 (1) the total amount of a contract or contracts awarded to a  
13 person in a 12-month period does not exceed \$5,000;

14 (2) the contract is a written employment contract for serv-  
15 ices to be performed under direct supervision regardless of the exist-  
16 ence of an employer-employee relationship and a written justification  
17 signed by the person responsible for awarding the contract is filed  
18 with the Legislative Affairs Agency;

19 (3) the contract is for construction, repair, or maintenance  
20 of a structure and does not exceed \$5,000;

21 (4) the contract is awarded based on competitive bids ob-  
22 tained under the competitive bid procedure provided in AS 37.05.230; or

23 (5) the service is to be provided by an agency or department  
24 of the state government or by a municipality.

25 Sec. 24.23.020. REQUESTS FOR PROPOSALS. (a) A formal written  
26 request for proposals soliciting an offer to perform the services  
27 required under a contract must be extended to a sufficient number of  
28 providers of the required services to assure that public interest in  
29 competition is adequately served. Proposals from at least six firms

1 shall be solicited for contracts in excess of \$100,000 if the expertise  
2 required is widely available. Proposals from at least three firms  
3 shall be solicited for contracts of less than \$100,000 if the expertise  
4 required is widely available. Formal advertising in a medium which  
5 will reasonably bring the proposal to the attention of persons able to  
6 provide the required service may be substituted for direct solicitation  
7 or used jointly with direct solicitation of proposals.

8 (b) A request for proposals need not be extended if

9 (1) there is a single source of the expertise or knowledge  
10 required or if one person or firm can clearly perform the required  
11 tasks more satisfactorily because of the person's or firm's prior work;  
12 however, this exemption from a request for proposals applies only when  
13 a legislative committee by vote of the majority of the members of the  
14 committee has approved the exemption and a written justification signed  
15 by the person responsible for awarding the contract which details the  
16 reasons for the exemption is filed with the Legislative Affairs Agency  
17 as a public record. Any proposed contract to be awarded under this  
18 exemption must also be approved by the committee before it is valid; or

19 (2) the contract is for services provided to the office of  
20 the ombudsman for an investigation under AS 24.55.100.

21 (c) A proposal should be designed to demonstrate to legislative  
22 committees and staff who will review the proposal that the proposed  
23 research project represents a sound approach to the investigation of an  
24 important public policy question. A proposal should be self-contained  
25 and written with care and thoroughness.

26 (d) Unless the contract is for services exempt under AS 24.23.010  
27 or (b) of this section, a contract for

28 (1) the Legislative Affairs Agency shall be approved by the  
29 Legislative Council;

1 (2) the legislative finance division or the legislative  
2 audit division shall be approved by the Legislative Budget and Audit  
3 Committee.

4 Sec. 24.23.030. AWARD OF CONTRACT. (a) If a contract is made by  
5 a legislative committee, execution of the contract on behalf of the  
6 committee must be authorized by a majority vote of the full membership  
7 of the committee. The contract must be executed by the provider of the  
8 service and the project director, be approved by the executive director  
9 of the Legislative Affairs Agency, the director of the legislative  
10 finance division or the legislative audit division, and be approved as  
11 to form by the legislative legal counsel.

12 (b) A contract awarded under this section shall contain the  
13 amount of the contract stated on its first page.

14 Sec. 24.23.035. EVALUATION. (a) If a contract is awarded by a  
15 legislative committee, the committee or the project director must  
16 provide a written evaluation of the services provided under the con-  
17 tract before final payment may be made. The evaluation is open for  
18 public inspection.

19 Sec. 24.23.040. FILING. A copy of each contract must be filed  
20 with the Legislative Affairs Agency, the ombudsman, the legislative  
21 finance division, or the legislative audit division, and is open for  
22 public inspection. The request for proposals and each proposal sub-  
23 mitted must be attached to the filed copy unless the contract is one in  
24 which requests for proposals are not required.

25 \* Sec. 2. AS 24.55 is amended by adding a new section to read:

26 Sec. 24.55.315. CONTRACT PROCEDURES. The ombudsman shall adopt  
27 by regulations procedures consistent with AS 24.23 to be followed by  
28 the office of the ombudsman in contracting for services.