

HB

18

HFIN

FILE

HOUSE COMMITTEE REPORT

(11)

Date Referred to Committee: January 29, 1997

FURTHER REFERRALS:

Date of Committee Action: 2/2/97

The FINANCE Committee considered:

HB 18

HOUSE BILL NO. 18

STATE PROCUREMENT DISABILITY PREFERENCES

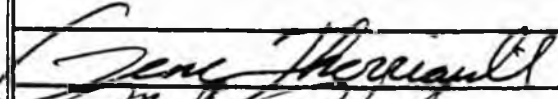
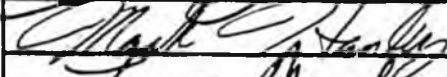


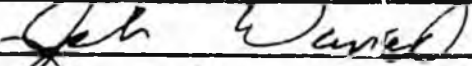
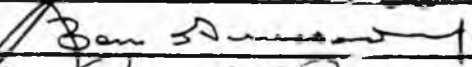
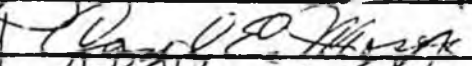
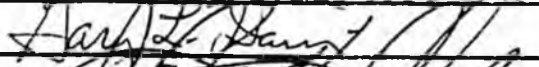


"An Act extending to certain partnerships and corporations the 10 percent procurement preference currently given to certain sole proprietorships who are Alaska bidders and owned by persons with disabilities."

recommends it be replaced with the following committee substitute _____ the same title a new title


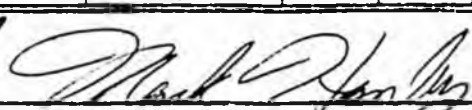
additional referral to _____ Committee
 attached amendment(s)

ADOPTS: _____ Letter of Intent

ATTACHES NEW FISCAL NOTE(S): (Dept) _____ APPROVES PREVIOUS: (Dept/Date) _____
 fiscal note(s) _____ fiscal note(s) _____
 zero fiscal note(s) DOE zero fiscal note(s) DOA 1/29/97

SIGNING WITH RECOMMENDATIONS		DP	DNP	NR	AM
	Theriault	X			
	Haney	X			
	Martin	X			
	Kohring	X			
	J. Davies	X			
	Grussendorf	X			
	J. Moses	X			
	G. Davis	X			
	Kelly	✓			
	FOSTER	X			

CO CHAIR'S SIGNATURE

 
 Theriault Haney

FISCAL NOTE

No. 1
 .il Version: HB 18
 (H) Publish Date: 1/29/97

**STATE OF ALASKA
 1997 LEGISLATIVE SESSION**

Revision Date: _____
 Title: "An Act extending to certain partnerships and corporations the 10 percent procurement preference..."
 Sponsor: James
 Requestor: (H) L&C

Department Affected: Administration
 BRU: General Services
 Component: Purchasing
 COMPONENT SERIAL NO. 60

EXPENDITURES/REVENUES:

(Thousands of Dollars)

OPERATING EXPENDITURES	FY 98	FY 99	FY 00	FY 01	FY 02	FY 03
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0
CAPITAL EXPENDITURES	0.0	0.0	0.0	0.0	0.0	0.0
CHANGE IN REVENUES ()	0.0	0.0	0.0	0.0	0.0	0.0

FUND SOURCE:

(Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
OTHER * CIP receipts						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY 97) cost: \$ 0

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary.)

This bill extends the 10% bid evaluation preference for an Alaska bidder who is a sole proprietor with a disability to partnerships if each partner has a disability and to corporations if wholly owned by individuals with disabilities. The 10% evaluation preference is in addition to other preferences the bidder may qualify for. Under this bill, agency personnel evaluating quotes, bids, or RFPs must calculate the 10% preference for the additional entities if they appear on the disabled vendor list maintained by the Department of Education, Division of Vocational Rehabilitation.

Prepared by: Dugan Pettv. Director *[Signature]*
 Division: General Services

Phone: 465-2250
 Date: _____

Approved by Commissioner: Mark Boyer *[Signature]*
 Agency: Department of Administration

Date: 1/21/97

COMMITTEE COPY

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FISCAL NOTE

STATE OF ALASKA
1997 LEGISLATIVE SESSION

BILL NO. HB 18

Revision Date: _____ Dept. Affected: Education
 Title: An Act extending to certain partnerships and BRU: Vocational Rehabilitation
corporations the 10 percent procurement... Component: Vocational Rehabilitation, Administration
 Sponsor: Representative James
 Requester: Finance COMPONENT SERIAL NO. 202

Expenditures/Revenues: (Thousands of Dollars)

OPERATING EXPENDITURES	FY98	FY99	FY00	FY01	FY02	FY03
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGES IN REVENUES						
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FUNDING: (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
Other:						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of current year (FY97) cost: \$ \$0

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

Amends A.S. 36.30.170(e), expanding the businesses that qualify to bid for contracts under this law. This bill defines "qualifying entity."

Prepared by: Beth Lap6, Special Assistant
 Division: Commissioner's Office

Phone: 465-2803
 Date: _____

Approved by Commissioner: Shirley J. Holloway, Ph.D.

Date: 2-20-97

Agency: Department of Education

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SPONSOR STATEMENT
Rep. James
**HB 18 PROCUREMENT PROCEDURES/
DISABLED PERSONS**
1/24/97

House Bill 18 will allow 100% disabled owned corporations and partnerships to be eligible for disabled bidder preferences

Current law allows disabled owned sole proprietorships to take advantage of certain disabled bidder preferences.

Equal protection under the law requires all like situations to be treated fairly and equally. Current law discriminates against disabled owned corporations and partnerships, it does allow sole proprietorships

HB 18 has a zero fiscal note.

HB 18 is supported by the impacted Departments of Education and Administration.

The Legislature passed this Bill 2 years ago and the Governor vetoed it in error, last year it was lost in the rush of adjournment.

There is no known opposition.

The intent of this legislation is to create fairness.

Witnesses

Dugan Petty Director of Division of General Services-Administration
Dwayne French Director of Voc. Rehab on-line



January 15, 1997

The Honorable Jeannette James
House of Representatives
State Capitol
Juneau, Alaska 99801-1182

Dear Representative James,

We at Karl Bros., Inc. wish to express our sincere thanks for your past efforts to remedy the oversight of AS 36.30.170(c) which prevents Alaskan firms which are 100% handicapped owned but held by more than one individual, from participating in the bidders preference program established by the statute. It would be greatly appreciated if you would take the lead again and sponsor legislation to correct this situation.

Thank you in advance for all your help and efforts.

Sincerely,
Karl Bros., Inc.

A handwritten signature in dark ink, appearing to read "T. A. Karl".

Thomas A. Karl
Chairman & CEO



March 22, 1995

The Honorable Jeannette James
Alaska State Representative
Room 102, State Capitol
Juneau, Ak. 99801-1182

Dear Representative James:

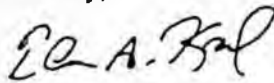
As you may know, Karl Brothers, Inc., is a 100% handicapped owned business, certified by the U.S. Small Business Administration under Section 8(a) and by the Alaska Department of Transportation and Public Facilities as a Disadvantaged Business Enterprise. Karl Brothers offers complete contractor support services and equipment leasing capabilities and other services as shown in the attached brochure (Attachment 1).

Last year, we applied for certification under the bidders' preference law. As you can see in the attached correspondence with the State Division of Vocational Rehabilitation, our application was denied (Attachment 2). We believe the denial, while it may be in accord with the exact language of the law, violates the clear intent of this law, to promote businesses owned by disabled persons.

I am asking you to sponsor corrective legislation as shown in Attachment 3, or an amendment to a related procurement bill, as shown in Attachment 4. I believe this change to the law would allow the division of Vocational Rehabilitation to follow the intent of the original legislation.

Please let me know if you would be willing to sponsor such a bill, and whether any additional information would be helpful to you during the legislative process. I am also asking Senator Sharp for sponsorship in the other house. Thank you for your consideration.

Sincerely,


Thomas A. Karl
President

Attachments

WALTER J. HICKEL, GOVERNOR

DEPARTMENT OF EDUCATION

DIVISION OF VOCATIONAL REHABILITATION

CENTRAL OFFICE
801 WEST 10TH STREET, SUITE 200
JUNEAU, ALASKA 99801-1894
PHONE: (907) 465-2814 (V/TDD)
FAX: (907) 465-2856

December 7, 1994

Karl Brothers Inc.
P.O. Box 58040
Fairbanks, Alaska 99711

Certification AS. 36.30.170

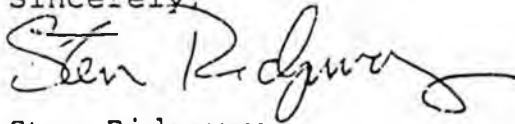
Dear Mr. Karl:

I have reviewed your request for a bidder preference as a sole proprietor and determined that you do not qualify. I have based this decision on the fact that your corporation is not a sole proprietorship.

If the status of you business changes as we have discussed please reapply for certification at the time such a change occurs.

Thank you for you interest.

Sincerely,



Stan Ridgeway
Deputy Director