

2010 -- S 2443

LC00013

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2010

A N A C T

RELATING TO PUBLIC PROPERTY AND WORKS - STATE PURCHASES

Introduced By: Senators Lenihan, Sosnowski, E O'Neill, Pinga, and Sheehan

Date Introduced: February 11, 2010

Referred To: Senate Government Oversight

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 37-2-6 of the General Laws in Chapter 37-2 entitled "State
2 Purchases" is hereby amended to read as follows:

3 **37-2-6. Determinations.** – (a) Every determination required by this chapter shall be in
4 writing, ~~and shall be~~ based upon detailed written findings of fact by the public official making the
5 determination, ~~and shall include the date and the name of the person making the determination.~~

6 (b) Every determination required by this chapter shall be available to the public as a
7 public record at the time the determination is made, and shall be posted on the division's website
8 in accordance with section 37-2-6.1 no later than three (3) business days after the determination is
9 made. A contract award that requires a written determination shall be made no sooner than five
10 (5) business days after the posting of that determination on the division's website in accordance
11 with section 37-2-6.1, unless the chief purchasing officer determines in writing that it is in the
12 state's best interest to waive or shorten the five (5) day posting requirement.

13 (c) These determinations and written findings shall be retained in an official contract file
14 in the office of the chief purchasing ~~office~~ officer, the using agency, or public agency
15 administering the contract.

16 SECTION 2. Chapter 37-2 of the General Laws entitled "State Purchases" is hereby
17 amended by adding thereto the following section:

18 **37-2-6.1. Database of determinations.** -- The chief purchasing officer shall maintain, on
19 the division's website, an online database of determinations required by this chapter, except for

1 determinations required by section 37-2-33. The online database shall be easily accessible to the
2 public, and shall be organized to promote transparency and accessibility of state purchasing
3 decisions. The chief purchasing officer shall create a prominent link from the division's website
4 to the database. The database shall be searchable by terms, including, but not limited to, the
5 following:

- 6 (1) The specific section of this chapter requiring the determination;
- 7 (2) The public official who signed the written determination;
- 8 (3) The date the determination was signed;
- 9 (4) The state agency or governmental entity requesting the procurement;
- 10 (5) The purchase order number;
- 11 (6) The vendor name; and
- 12 (7) Value ranges for the dollar amount of the contracts awarded pursuant to this chapter.

13 SECTION 3. This act shall take effect on January 1, 2011.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
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RELATING TO PUBLIC PROPERTY AND WORKS - STATE PURCHASES

1 This act would require that determinations made regarding state purchases be in detail
2 and made available to the public. The act would also require that an online database of
3 determinations be maintained.

4 This act would take effect on January 1, 2011.

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