

ARIZONA STATE SENATE

Fifty-Seventh Legislature, First Regular Session

<u>VETOED</u> <u>AMENDED</u> FACT SHEET FOR H.B. 2895

task order contracts; website; posting

Purpose

Requires a state governmental unit, school district, or city, town or county government that enters into a task order contract with a contractor in Arizona to conspicuously post the contract on the state governmental unit's website. Outlines personal or proprietary information that may be exempt from the posting requirements.

Background

Contracts by state government units must be awarded by competitive sealed bidding. Invitations for bids must be issued and include a purchase description and all contractual terms and conditions applicable to the procurement. Adequate notice of the invitation for bids must be given a reasonable amount of time before the opening date of the bids and may be published in a newspaper of general circulation or electronically on a designated website (A.R.S. § 41-2533).

Cities, towns, counties and outlined special districts (agents) must publish written notice of intent to receive, accept and approve bids and contracts for various projects in qualified newspapers of general circulation within the county in which the agent is located. Statute prescribes the manner, frequency and time period in which an agent must publish the notice and allows notices to be provided by electronic means (A.R.S. §§ 11-255; 32-101; and 32-201).

The state maintains an official electronic procurement system authorized by the State Procurement Officer (eProcurement System). Procurement files for state contracts may be located in the eProcurement System, the Office of the Director of the Arizona Department of Administration or at a public procurement unit (A.A.C. R2-7-101).

There is no anticipated fiscal impact to the state General Fund associated with this legislation.

Provisions

- 1. Requires a state governmental unit, school district, or city, town or county government that enters into a task order contract with a contractor in Arizona to conspicuously post the contract on the state governmental unit's website.
- 2. Allows a contractor to redact any personal or proprietary information from the contract before the contract is posted on the entity's website.
- 3. Prohibits the following information from being redacted:
 - a) the total dollar amount of the contract;

- b) the identity of the contractor;
- c) a description of the services that will be performed under the contract; and
- d) the length of the contract.
- 4. Defines *task order contract* as an indefinite delivery or indefinite quantity contract for supplies or services that provides for the issuance of a task order for services or supplies during the contractual period.
- 5. Becomes effective on the general effective date.

Amendments Adopted by Committee

- 1. Applies the task order contract posting requirement to a school district, city, town or county.
- 2. Makes a technical change.

Amendments Adopted by Committee of the Whole

- 1. Allows a contractor to redact outlined personal or proprietary information from the contract before the contract is posted on the entity's website.
- 2. Makes conforming changes.

Governor's Veto Message

The Governor indicates in her <u>veto message</u> that H.B. 2895 is too broad and would hinder the state's ability to receive services necessary to support Arizonans.

House Action				Senate Action			
3 rd Read	2/20/25 2/26/25	DP	4-3-1-0 37-22-1	GOV 3 rd Read	3/19/25 5/6/25	DPA	4-3-0 17-11-2
Final Read	5/7/25		34-23-3				

Vetoed by the Governor on 5/13/25

Prepared by Senate Research May 14, 2025 AN/slp