

LEGISLATURE OF NEBRASKA
ONE HUNDRED FIFTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 814

Introduced by Schumacher, 22.

Read first time January 04, 2018

Committee:

- 1 A BILL FOR AN ACT relating to state government; to amend section 73-504,
- 2 Revised Statutes Cumulative Supplement, 2016; to provide a procedure
- 3 for resolving protests of service contract procurement protests; to
- 4 require rules and regulations; to harmonize provisions; and to
- 5 repeal the original section.
- 6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 73-504, Revised Statutes Cumulative Supplement,
2 2016, is amended to read:

3 73-504 (1) Except as provided in section 73-507:

4 (a) ~~(1)~~ All state agencies shall comply with the review and
5 competitive bidding processes provided in this section for contracts for
6 services. Unless otherwise exempt, no state agency shall expend funds for
7 contracts for services without complying with this section;

8 (b) ~~(2)~~ All proposed state agency contracts for services in excess
9 of fifty thousand dollars shall be bid in the manner prescribed by the
10 division procurement manual or a process approved by the Director of
11 Administrative Services. Bidding may be performed at the state agency
12 level or by the division. Any state agency may request that the division
13 conduct the competitive bidding process;

14 (c) ~~(3)~~ If the bidding process is at the state agency level, then
15 state agency directors shall ensure that bid documents for each contract
16 for services in excess of fifty thousand dollars are prereviewed by the
17 division and that any changes to the proposed contract that differ from
18 the bid documents in the proposed contract for services are reviewed by
19 the division before signature by the parties;

20 (d) ~~(4)~~ State agency directors, in cooperation with the division,
21 shall be responsible for appropriate public notice of an impending
22 contractual services project in excess of fifty thousand dollars in
23 accordance with the division's procurement manual and sections 73-501 to
24 73-510; and

25 (e) ~~(5)~~ State agency directors, in cooperation with the division,
26 shall be responsible for ensuring that a request for contractual services
27 in excess of fifty thousand dollars is filed with the division for
28 dissemination or web site access to vendors interested in competing for
29 contracts for services.

30 (2) The Department of Administrative Services shall immediately
31 adopt and promulgate rules and regulations providing that any protest of

1 an agency procurement decision awarded pursuant to this section involving
2 an award in excess of XXX dollars shall be deemed to be a contested case
3 under the Administrative Procedure Act and shall be subject to judicial
4 review under section 84-917.

5 Sec. 2. Original section 73-504, Revised Statutes Cumulative
6 Supplement, 2016, is repealed.