

HOUSE OF REPRESENTATIVES

Olympia Washington

BilAnalysis

BilNo. HB 1735

Employment opportunities/people with disabilities
Brief title

Public Arg: 2/18/97

Reps. Reams/Quall/Doumit
Sponsor

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BACKGROUND:

The Department of General Administration purchases materials, supplies, services, and equipment for all state institutions, state elective offices, and institutions of higher education. However, an agency may make its purchases direct from a vendor if it has notified the department that such purchases are more cost-effective.

All purchases, whether by the Department of General Administration or by the agency itself, must be made using a competitive bidding process. A formal sealed bidding process must be used for purchases of \$35,000 or more, except in various specified circumstances, such as emergency purchases, single source purchases, purchases involving special facilities or services, and purchases involving market conditions. Purchases of from \$400 to \$35,000 may be made under a less formal process using telephone or written quotations from at least three vendors. Purchases below \$400 may be made without using a competitive bidding process and are made based upon buyer experience and market knowledge. These dollar figures are adjusted for inflation every two years.

The Department of General Administration has a central store/warehouse for centralized storage and distribution of supplies, equipment, and other common items.

State agencies are authorized to negotiate directly with sheltered workshops, group training homes, and day training homes to purchase products and services manufactured or provided by such entities. These purchases are to be at the fair market price as determined by the Department of General Administration using the last comparable bid or price paid for similar products or services and increases in labor costs since this last price was paid.

Purchases by the Legislature are exempt from these requirements, including competitive bidding requirements.

Continued

State agencies and the Legislature are required to make purchases of goods and services that are produced or provided in whole or part from class C inmate work programs operated by the Department of Corrections through contract, unless the Department of General Administration finds the articles or products do not meet reasonable requirements, are not of equal or better quality, or the price is higher than otherwise available.

SUMMARY:

A community rehabilitation program is established for state agencies other than institutions of higher education, to purchase products or services.

State agencies other than institutions of higher education are encouraged to establish supported employment positions for people with disabilities who need long-term ongoing support in order to succeed on the job.

A commission for purchase from community rehabilitation programs is created. The commission consists of 10 members, five of whom are appointed by the Governor to represent various agencies and organizations and five at-large members who are appointed by the commission. The five appointed by the Governor represent (1) The Department of General Administration; (2) the Health and Rehabilitation Services Division of the Department of Social and Health Services; (3) the Governor's Committee on Disabilities and Employment; (4) an advocacy organization for people with disabilities; (5) a community rehabilitation program. Commission members do not receive compensation but are reimbursed for actual and necessary expenses.

The commission:

- o Certifies community rehabilitation programs providing or facilitating vocational services to persons with disabilities from which state agencies may purchase products and services;
- o Monitor, when negotiated bidding process is used by state agencies, contracts with community rehabilitation programs for the provision of products and services;
- o Establishes procedure to determine when the ceiling for such purchases has been reached and
- o Contract with a central non-profit agency for assistance in carrying out its duties.

Continued

The commission is funded through a certification fee imposed on community rehabilitation programs that participate under this system of awarding contracts.

State agencies other than institutions of higher education are required to purchase products or services from certified community rehabilitation programs if the program can provide the products or services and the products or services meet the agency's expectation of quality. A certified community rehabilitation program that seeks to bid on a contract notifies the agency and the agency is required to meet with representatives of the community rehabilitation program and the central non-profit agency designated by the commission and make a good faith effort to negotiate a contract.

A ceiling on state agency purchases from community rehabilitation programs is established at an amount equal to 2.5 percent of the total annual state budget dollars for goods and services as established by the Office of Financial Management.

State agencies may not purchase products or services from sheltered workshops until the ceiling on state agency purchases from community rehabilitation programs has been met.

These provisions take effect on January 1, 1998.

The Legislature is required to review and make findings concerning community rehabilitation programs by December 15, 2002.

FISCAL NOTE: Not requested.

EFFECTIVE DATE: Sections 1 through 3 and 5 through 12 of this act take effect January 1, 1998.