

House Bill 445

By: Representatives Powell of the 23rd, Coleman of the 142nd, Teague of the 58th, Teper of the 61st, Coan of the 82nd and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 5 of Title 50 of the Official Code of Georgia Annotated, relating to the
2 Department of Administrative Services, so as to provide for display on the Internet of the
3 names of successful bidders, the names of unsuccessful bidders, and the reasons for rejecting
4 bidders; to provide that such information shall remain available on the Internet for at least
5 12 months; to provide for exceptions to reporting requirements for bid opportunities in
6 certain circumstances; to provide for publication of bid opportunities whose value is expected
7 to exceed a specified amount; to provide for related matters; to repeal conflicting laws; and
8 for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

10 style="text-align:center">**SECTION 1.**

11 Chapter 5 of Title 50 of the Official Code of Georgia Annotated, relating to the Department
12 of Administrative Services, is amended in Code Section 50-5-67, relating to competitive
13 bidding for state purchases, by striking in its entirety subsection (d) and inserting in its place
14 the following:

15 "(d) Every bid conforming to the terms of the advertisement provided for in this Code
16 section, together with the name of the bidder, shall be recorded, and all such records with
17 the name of the successful bidder indicated thereon shall, after award or letting of the
18 contract, be subject to public inspection upon request. The Department of Administrative
19 Services shall also, within five days after the award or letting of the contract, publish the
20 name of the successful bidder on public display in a conspicuous place in the department's
21 office and on a designated Internet site that is part of, or linked to, the Georgia Procurement
22 Registry described in subsection (b) of Code Section 50-5-69 so that it may be easily seen
23 by the public. The public notice on public display shall also show the price or the amount
24 for which the contract was let and the commodities covered by the contract. The
25 Department of Administrative Services shall also and in the same manner, within five days
26 after the award or letting of the contract, publish on public display the names of all persons

1 whose bids were rejected by it, together with a statement giving the reasons for such
 2 rejection. All the information required to be placed on public display in a conspicuous
 3 place at the office of the Department of Administrative Services and on a designated
 4 Internet site that is part of, or linked to, the Georgia Procurement Registry shall also be
 5 recorded in a permanent book to be kept by the Department of Administrative Services,
 6 which record shall always be subject to public inspection upon request. The information
 7 placed on the Internet shall remain available in that medium for at least 12 months. Bids
 8 shall be opened in public by the Department of Administrative Services, which shall
 9 canvass the bids and award the contract according to the terms of this part. A proper bond
 10 for the faithful performance of any contract shall be required of the successful bidder in the
 11 discretion of the Department of Administrative Services. After the contracts have been
 12 awarded, the Department of Administrative Services shall certify to the various
 13 departments, institutions, and agencies of the state government the sources of the supplies
 14 and the contract price of the various supplies, materials, and equipment so contracted for."

15 SECTION 2.

16 Said chapter is further amended in Code Section 50-5-69, relating to purchase without
 17 bidding, central bid registry, procurement cards, rules, and emergency purchases, by striking
 18 in its entirety subsection (b) and inserting in its place the following:

19 "(b) The department shall establish a central bid registry to advertise the various
 20 procurement and bid opportunities of state government. Such central bid registry shall be
 21 entitled the Georgia Procurement Registry and shall operate in accordance with appropriate
 22 rules and regulations applicable to the department's responsibility to manage the state's
 23 procurement system. It shall be the responsibility of each agency, department, board,
 24 commission, authority, and council to report to the department its bid opportunities in a
 25 manner prescribed by the Department of Administrative Services. There shall be no
 26 exception granted to any agency, department, board, commission, authority, or council
 27 from the requirements of this Code section unless said exception is incorporated into a
 28 subsection of this Code section. The commissioner of administrative services is authorized
 29 and directed to promulgate rules and regulations to carry out this responsibility and shall
 30 determine the most economical method to conduct public notification of such bid
 31 opportunities, provided that the rules and regulations require publication of all bid
 32 opportunities whose value can reasonably be expected to exceed \$10,000.00."

33 SECTION 3.

34 All laws and parts of laws in conflict with this Act are repealed.