

ADOPTED

Senators Shafer of the 48th and Bethel of the 54th offered the following amendment:

1 *Amend the LC 37 1471S substitute to HB 1067 by striking line 6 and inserting in lieu thereof*
 2 *the following:*

3 license requirements; to amend Code Section 50-5-67 of the Official Code of Georgia
 4 Annotated, relating to state purchasing through competitive bidding, so as to provide for
 5 certain state contracting and bidding requirements; to provide for related matters; to repeal
 6 conflicting laws; and for other

7 *By inserting between lines 252 and 253 the following:*

SECTION 8A.

9 Code Section 50-5-67 of the Official Code of Georgia Annotated, relating to state purchasing
 10 through competitive bidding, is amended by revising subsection (b) as follows:

11 "(b)(1) Except as otherwise provided for in this part, all contracts for the purchases of
 12 supplies, materials, equipment, or services other than professional and personal
 13 employment services made under this part shall, wherever possible, be based upon
 14 competitive bids and shall be awarded to the lowest responsible bidder, taking into
 15 consideration the quality of the articles to be supplied and conformity with the
 16 specifications which have been established and prescribed, the purposes for which the
 17 articles are required, the discount allowed for prompt payment, the transportation charges,
 18 and the date or dates of delivery specified in the bid and any other cost affecting the total
 19 cost of ownership during the life cycle of the supplies, materials, equipment, or services
 20 as specified in the solicitation document. Competitive bids on such contracts shall be
 21 received in accordance with rules and regulations to be adopted by the commissioner of
 22 administrative services; which ~~rules and regulations~~ shall prescribe, among other things,
 23 the manner, time, and places for proper advertisement for the bids, indicating the time
 24 and place when the bids will be received; the article for which the bid shall be submitted
 25 and the specification prescribed for the article; the amount or number of the articles
 26 desired and for which the bids are to be made; and the amount, if any, of bonds or
 27 certified checks to accompany the bids. Any and all bids so received may be rejected.

28 (2)(A) As used in this paragraph, the term:

29 (i) 'Commercial use applications' means self-propelled, self-powered, or pull-type
 30 equipment and machinery, including diesel engines. The term shall not include motor
 31 vehicles requiring registration and certificate of title or equipment that is considered
 32 consumer goods, as that term is defined in Code Section 11-9-102.

33 (ii) 'Multiple award schedule contract' means a contract that allows multiple vendors
34 to be awarded a state contract for goods or services by providing catalogues of
35 equipment and attachments to eligible purchasers including state agencies,
36 departments, institutions, public school districts, and political subdivisions. Multiple
37 award schedule contract bids shall be evaluated based upon a variety of factors,
38 including but not limited to discounts, total life costs, service, warranty, machine
39 performance and durability, resale value, product support, and past vendor
40 performance. Multiple award schedule contracts shall allow multiple vendors to bid
41 and be awarded a contract based upon the value of their products and demonstrated
42 results in competitive pricing, product updates, transparency, administrative savings,
43 expedited procurement, and flexibility for state purchasers.

44 (B) When the commissioner of administrative services determines it to be in the best
45 interest of the state, a multiple award schedule contract may be let for the purchase of
46 equipment used for commercial use applications. All bidders for contracts for the
47 purchase of equipment for commercial use applications shall be required to submit a
48 complete bid package and be the authorized dealer or vendor for a leading manufacturer
49 of equipment used for commercial use applications. Bidders may add additional
50 equipment with a guaranteed minimum discount off the manufacturer's suggested
51 consumer list price in the bid in order to increase the options available to the state.

52 (C) Nothing in this paragraph shall limit multiple award schedule contracts to
53 commercial use applications."