

A-Engrossed
House Bill 3366

Ordered by the House May 4
Including House Amendments dated May 4

Sponsored by Representative RILEY; Representatives BEYER, ROSENBAUM, SCHAUFLER, SHIELDS, Senators G GEORGE, WESTLUND

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

Requires Oregon Department of Administrative Services to maintain records about state contracts for consulting services and report information about those contracts to Governor[, *President of Senate and Speaker of House of Representatives*] **and Legislative Assembly**.

Requires department to maintain records about state procurement contracts of more than [*\$15,000*] **\$50,000** and report information about those contracts to Governor[, *President of Senate and Speaker of House of Representatives*] **and Legislative Assembly**.

Provides that reports are public records. Requires state official or agency that discloses report to redact certain information about contract employees included in report.

A BILL FOR AN ACT

1
2 Relating to public disclosures about state contracts.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1. (1) The Oregon Department of Administrative Services shall maintain re-**
5 **ords documenting the employment of persons pursuant to public contracts for consulting**
6 **services entered into by state agencies. No later than 180 days after the end of each fiscal**
7 **year, the department shall submit to the Governor and the Legislative Assembly a report**
8 **summarizing the following information for each state agency:**

9 (a) **The number of contracts entered into for consulting services during the previous**
10 **fiscal year;**

11 (b) **The name and address of each contractor;**

12 (c) **The total dollar value of each contract;**

13 (d) **The consulting services performed under each contract;**

14 (e) **Whether competitive bidding was used in awarding each contract;**

15 (f) **The number of contract employees performing consulting services;**

16 (g) **The types of services the contract employees provide; and**

17 (h) **The number of hours the contract employees worked and their total compensation**
18 **under the contract.**

19 (2) **For purposes of the report required under subsection (1) of this section, a public**
20 **contract for consulting services means any contract that a state agency enters into for**
21 **analysis, evaluation, research, training, data processing, computer programming, engineer-**
22 **ing, environmental health and mental health services, accounting, auditing, paralegal, legal**
23 **or similar services.**

24 (3) **The report required under subsection (1) of this section is a public record under ORS**

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 192.410 to 192.505. However, in disclosing the report, the state official or agency making the
2 disclosure shall redact the name or Social Security number of any individual contract em-
3 ployee that is included in the document.

4 (4) All state agencies shall require all contractors, including subcontractors, that provide
5 consulting services for state purposes pursuant to a contract, to submit an annual employ-
6 ment report for each contract for services that includes, for each employment category
7 within the contract, the number of employees employed to provide services under the con-
8 tract, the number of hours the employees work and the employees' total compensation under
9 the contract. Employment reports must be submitted to the state agency that awarded the
10 contract and must be available for public inspection and copying. However, in disclosing an
11 employment report, the state agency making the disclosure shall redact the name or Social
12 Security number of any individual contract employee that is included in the document.

13 (5) To support prudent procurement management, oversight and policy making, the de-
14 partment shall maintain records concerning active procurement contracts of more than
15 \$50,000. No later than 180 days after the end of each fiscal year, the department shall submit
16 to the Governor and the Legislative Assembly a report that includes the following informa-
17 tion:

18 (a) A listing of individual and centralized contracts subtotaled by state agency and type
19 of goods or service, including the contractors' names, dollar value of the contracts, state
20 agencies that let the contracts or that purchased off centralized contracts, expenditures
21 made on each contract and by which agencies during the previous fiscal year and life to date,
22 citing contract category codes and source selection method, including lowest price, best
23 value, sole source, negotiated and emergency procurement;

24 (b) The frequency of contracts awarded during the previous fiscal year arranged by the
25 number of bids or proposals and the source selection method;

26 (c) The number of contracts disapproved by the department during the previous fiscal
27 year and the reasons for disapproval arranged by state agency and source selection method,
28 and the number and outcome of bid protests;

29 (d) A summary report listing:

30 (A) The total number of contracts awarded for the previous fiscal year and the total
31 year-to-date expenditures for all contracts, with subtotals arranged by state agency and
32 major contract category including, but not limited to, consultant, construction, equipment,
33 grants, leases, miscellaneous services, printing, repayment agreements, intergovernmental
34 agreements and goods;

35 (B) A comparison of centralized and agency contracts arranged by number of contracts,
36 number of agencies purchasing off of centralized contracts or entering into contracts, con-
37 tract amounts and year-to-date expenditures; and

38 (C) A comparison of contracts arranged by source selection method, number of con-
39 tracts, contract amounts and year-to-date expenditures; and

40 (e) For each contract for services for state purposes, the number of employees, arranged
41 by employment category within the contract, employed to provide services under the con-
42 tract, the number of hours the employees work and their total compensation under the
43 contract.

44 (6) The report required under subsection (5) of this section is a public record under ORS
45 192.410 to 192.505 and must be available for public inspection and copying. However, in dis-

1 closing the report, the department or the state official disclosing the report shall redact the
2 name or Social Security number of any individual contract employee that is included in the
3 document.

4 SECTION 2. Section 1 of this 2007 Act is added to and made a part of ORS 279A.140 to
5 279A.155.

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