

AMENDMENTS TO LB485

Introduced by Hunt, 8.

1 1. Strike the original sections and insert the following new
2 sections:

3 Section 1. Section 73-501, Reissue Revised Statutes of Nebraska, is
4 amended to read:

5 73-501 (1) The purposes of sections 73-501 to 73-510 are to
6 establish a standardized, open, and fair process for selection of
7 contractual services, using performance-based contracting methods to the
8 maximum extent practicable, and to create an accurate reporting of
9 expended funds for contractual services. This process shall promote a
10 standardized method of selection for state contracts for services,
11 assuring a fair assessment of qualifications and capabilities for project
12 completion. There shall also be an accountable, efficient reporting
13 method of expenditures for these services.

14 (2) The provisions of sections 73-501 to 73-510 shall not apply to
15 contracts for services executed for the purpose of managing educational
16 lands by the Board of Educational Lands and Funds, pursuant to sections
17 72-201 to 72-251 and Article VII, section 6, of the Constitution of
18 Nebraska.

19 Sec. 2. Section 73-502, Reissue Revised Statutes of Nebraska, is
20 amended to read:

21 73-502 For purposes of sections 73-501 to 73-510:

22 (1) Contract for services means any contract that directly engages
23 the time or effort of an independent contractor whose purpose is to
24 perform an identifiable task, study, or report rather than to furnish an
25 end item of supply, goods, equipment, or material;

26 (2) Division means the materiel division of the Department of
27 Administrative Services;

1 (3) Emergency means necessary to meet an urgent or unexpected
2 requirement or when health and public safety or the conservation of
3 public resources is at risk;

4 (4) Occasional means seasonal, irregular, or fluctuating in nature;

5 (5) Sole source means of such a unique nature that the contractor
6 selected is clearly and justifiably the only practicable source to
7 provide the service. Determination that the contractor selected is
8 justifiably the sole source is based on either the uniqueness of the
9 service or sole availability at the location required;

10 (6) State agency means any agency, board, or commission of this
11 state, including any officer or state agency established by the
12 Constitution of Nebraska other than the University of Nebraska, the
13 Nebraska state colleges, the courts, or the Legislature; ~~or any officer~~
14 ~~or state agency established by the Constitution of Nebraska~~; and

15 (7) State agency director means (a) for contracts entered into by a
16 state agency other than an officer or agency established by the
17 Constitution of Nebraska, the director or executive head of the agency,
18 (b) for contracts entered into by a board, commission, or department
19 established by the Constitution of Nebraska, the designee of the board,
20 commission, or department, and (c) for contracts entered into by any
21 other state constitutional officer, the state constitutional officer or
22 the designee of the state constitutional officer; and

23 (8) ~~(7)~~ Temporary means a finite period of time with respect to a
24 specific task or result relating to a contract for services.

25 Sec. 3. Original sections 73-501 and 73-502, Reissue Revised
26 Statutes of Nebraska, are repealed.