

Amendment: 7

Representative BANNISTER proposes the following amendment:

SECTION 117 - GENERAL PROVISIONS

NEW

117.jocpp (GP: Job Order Contracting Pilot Program) For the current fiscal year, Procurement Services of the State Fiscal Accountability Authority may pilot test a job order contracting method on behalf of one or more governmental bodies or public procurement units by entering into job order contracts to acquire construction services when the exact time or exact quantities of future jobs are not known at the time of contract award. Procurement Services shall determine, in its sole discretion, which governmental bodies and public procurement units may participate in the pilot project. Procurement Services may enter into job order contracts with up to four businesses for each geographic area for each licensing classification and sub-classification for construction.

For purposes of this proviso, the term 'job order contract' means a contract that provides for the issuance of job orders for the performance of construction, renovation, and repair work, where contractors propose an adjustment factor or factors to be applied to a catalog of preset unit prices calculated using local prevailing wage rates, local equipment, and local material costs, and where individual job orders are issued to the awarded contractors on an as-needed basis and the price paid for the work is a lump sum of the preset unit prices needed to complete the job order multiplied by the quantity required multiplied by the adjustment factor.

For purposes of the pilot project, an individual project using job orders may not exceed five hundred thousand dollars and the sum of all individual job orders may not exceed four million dollars per contract. Work may not be divided artificially in order to avoid these limits. A single project must not be performed using job order contracts in combination with contracts awarded pursuant to Section 11-35-1550 of the 1976 Code.

For purposes of the pilot project, a job order must clearly specify all tasks to be performed or property to be delivered under the order so the full price for the performance of the work can be established when the order is placed. All job orders must be issued on a fixed-price basis. All job orders must be issued within the period of the contract and must be within the scope and maximum value of the contract. Each job order shall provide an itemized list of each construction tasks required to complete the work with the task's associated unit price and applied adjustment factor. Each job order proposal shall be certified as contract compliant by a reviewer independent of the contractor.

Any solicitation for a job order contract must include the following: (1) the period of the contract; (2) the maximum dollar value of the services to be procured under the contract; (3) the maximum dollar value of the services to be procured under a single job order; (4) a description that reasonably describes the licensing classification and the general scope, nature, complexity,

and purposes of the services to be procured under the contract in a manner that will enable a prospective bidder to decide whether to submit a bid; (5) the procedures that the governmental body will use for issuing job orders for the pilot program; (6) if applicable, the geographic area to which the job order contract applies; ordinarily, a geographically contiguous area should not be subdivided; and (7) the number of job order contracts to be awarded.