

Fiscal Estimate - 2013 Session

Original
 Updated
 Corrected
 Supplemental

LRB Number 13-1594/1	Introduction Number SB-083
Description Appeal or protest of a service contract award	
Fiscal Effect	
State: <input type="checkbox"/> No State Fiscal Effect <input checked="" type="checkbox"/> Indeterminate <input type="checkbox"/> Increase Existing Appropriations <input type="checkbox"/> Increase Existing Revenues <input type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget <input type="checkbox"/> Decrease Existing Appropriations <input type="checkbox"/> Decrease Existing Revenues <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Create New Appropriations <input type="checkbox"/> Decrease Costs	
Local: <input type="checkbox"/> No Local Government Costs <input type="checkbox"/> Indeterminate 1. <input type="checkbox"/> Increase Costs 3. <input type="checkbox"/> Increase Revenue <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory 2. <input type="checkbox"/> Decrease Costs 4. <input type="checkbox"/> Decrease Revenue <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	
5. Types of Local Government Units Affected <input type="checkbox"/> Towns <input type="checkbox"/> Village <input type="checkbox"/> Cities <input type="checkbox"/> Counties <input type="checkbox"/> Others <input type="checkbox"/> School Districts <input type="checkbox"/> WTCS Districts	
Fund Sources Affected Affected Ch. 20 Appropriations <input type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEGS	
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Date 4/4/2013	

Fiscal Estimate Narratives

DOA 4/4/2013

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Assumptions Used in Arriving at Fiscal Estimate

Senate Bill (SB) 83, if enacted, would require that if the Department or its agent receives a timely notice of intent to protest or appeal a decision or a timely protest or appeal to a procurement of contractual services then the Department or its agent may not proceed with contractual services until a decision is made on the protest or appeal. The prohibition would not apply if the Secretary of DOA provides a written determination that proceeding is necessary to protect public health or safety.

The State Procurement Manual, under PRO-I-13, currently provides that "When a timely notice of either an intent to protest, a protest, or an appeal is received, the state will not proceed further with the solicitation or with the award of the contract until a decision is rendered in response to the protest or appeal, or unless the Secretary of the Department of Administration, after consultation with the head of the procuring agency, makes a written determination that the award of the contract without delay is necessary to protect substantial interests of the state." This provision has rarely been used.

While enactment of the bill could result in a delay in implementation of contractual services contracts for which a protest or appeal is filed, the additional restrictions to the Secretary's authority are not likely to have a substantial impact on current operations.

Long-Range Fiscal Implications

None.