

2013 -- H 5477

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2013

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A N A C T

RELATING TO PUBLIC PROPERTY AND WORKS -- STATE PURCHASES

Introduced By: Representatives San Bento, Almeida, Johnston, and Baldelli-Hunt

Date Introduced: February 14, 2013

Referred To: House Finance

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 37-2-44 of the General Laws in Chapter 37-2 entitled "State
2 Purchases" is hereby amended to read as follows:

3 **37-2-44. Cost and pricing principles -- Regulations required.** -- The chief purchasing
4 officer shall issue regulations setting forth cost principles which shall be used:

5 (1) As guidelines in the negotiation of:

6 (i) Estimated costs of fixed prices when the absence of open market competition
7 precludes the use of competitive sealed bidding;

8 (ii) Adjustments for state-directed changes or modifications in contract performances;

9 and

10 (iii) Settlements of contracts which have been terminated.

11 (2) To determine the allowability of incurred costs [which shall include the cost of labor](#)
12 [and benefits of programs mandated by a worker's compensation insurer to maintain a discounted](#)
13 [premium rate modification](#) for the purpose of reimbursing costs under contract provisions which
14 provide for the reimbursement of costs; and

15 (3) As appropriate in any other situation where the determination of the estimated or the
16 incurred costs of performing contracts may be required.

1 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

RELATING TO PUBLIC PROPERTY AND WORKS -- STATE PURCHASES

1 This act would amend the law on state purchases so that when the chief purchasing
2 officer determines an allowable cost it would include the cost of labor and benefits of programs
3 mandated by a worker's compensation insurer.

4 This act would take effect upon passage.

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