

2013 -- H 5959

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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 Marshall, Malik, Shekarchi, Costantino, and Almeida

Date Introduced: April 04, 2013

Referred To: House Finance

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 37-2-80 of the General Laws in Chapter 37-2 entitled "State
2 Purchases" is hereby amended to read as follows:

3 **37-2-80. Selection of vendors and services with place of business located in Rhode**
4 **Island.** -- The State of Rhode Island and Providence Plantations has a large number of well-
5 qualified vendors and service-oriented businesses. (a) In instances where contracts are entirely
6 supported by state funds and two (2) or more vendors or service providers are judged to be equal
7 on all other factors, the chief purchasing officer shall select a vendor or service provider whose
8 headquarters or primary place of business is located within the state or secondly select those
9 entities that propose a joint venture with a vendor or service provider whose headquarters or
10 primary place of business is within the state.

11 **(b) The chief purchasing officer shall add a percent increase to the original bid of a**
12 **nonresident bidder equal to the percent, if any, of the preference given to such nonresident bidder**
13 **in the state in which such nonresident bidder resides. If, after application of such percent increase,**
14 **the bidder that submits the lowest responsible qualified bid is a resident bidder, the chief**
15 **purchasing officer shall award such contract to such resident bidder provided such resident bidder**
16 **agrees, in writing, to meet the original lowest responsible qualified bid. Any such agreement by**
17 **such resident bidder to meet the original lowest responsible qualified bid shall be made not later**
18 **than seventy-two (72) hours after such resident bidder receives notice from the chief purchasing**
19 **officer that such resident bidder may be awarded such contract if such resident bidder agrees to**

1 [meet the original lowest responsible qualified bid.](#)

2 (c) This section shall not apply to contracts that are financed in part or in their entirety by
3 the federal government, including, but not limited to, contracts supported by the Federal Highway
4 Administration (FHA), the Federal Railroad Administration (FRA), the Federal Aviation
5 Administration (FAA) or the Environmental Protection Agency (EPA).

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

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

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RELATING TO PUBLIC PROPERTY AND WORKS -- STATE PURCHASES

1 This act would mandate the state purchasing officer add a percent increase to the original
2 bid of a nonresident bidder equal to the percent of the preference given to a nonresident bidder in
3 the state in which the nonresident bidder resides. If a resident bidder is the low bidder after this
4 adjustment, the contract would be awarded to the resident bidder provide the resident bidder
5 agrees to meet the original lowest bid.

6 This act would take effect upon passage.

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