

1 **JOINT RESOLUTION - REQUEST FOR PROPOSALS**

2 2011 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Howard A. Stephenson**

5 House Sponsor: David G. Butterfield

7 **LONG TITLE**

8 **General Description:**

9 This joint resolution of the Legislature enacts provisions relating to the process of
10 issuing a request for proposals, analyzing responses, awarding a contract, and
11 evaluating results.

12 **Highlighted Provisions:**

13 This resolution:

- 14 ▶ requires that the determination to issue a request for proposals (RFP) for the
15 legislative branch is the responsibility of the Legislative Management Committee;
- 16 ▶ provides that, upon approving the issuance of an RFP, the Legislative Management
17 Committee:
- 18 • shall assign the drafting of the RFP to the Office of Legislative Research and
19 General Counsel (OLRGC);
 - 20 • may assign another staff office to work with the OLRGC;
 - 21 • shall assign a person, committee, group of people, or staff office to review and
22 issue the RFP;
 - 23 • may assign a committee, person, group of people, or staff office to review RFP
24 responses;
 - 25 • shall assign a committee, person, group of people, or staff office to make a final
26 decision regarding award of the contract; and
 - 27 • if the RFP is for an analysis, report, recommendation, or consultation, may
28 assign a committee, person, group of people, or staff office to review the
29 analysis, report, recommendation, or consultation, determine whether the

30 contractor fulfilled its obligations, and authorize payment to the contractor;

31 ▶ provides that OLRGC is responsible for providing legal advice and assistance in
32 relation to the legal requirements of the RFP process; and

33 ▶ provides that this rule does not apply to an RFP issued by a staff office to obtain a
34 good or service solely for a staff office.

35 **Special Clauses:**

36 None

37 **Legislative Rules Affected:**

38 ENACTS:

39 **JR1-4-101**



41 *Be it resolved by the Legislature of the state of Utah:*

42 Section 1. **JR1-4-101** is enacted to read:

43 **CHAPTER 4. MISCELLANEOUS RULES**

44 **Part 1. Procurement**

45 **JR1-4-101. Request for proposals.**

46 (1) A legislator, a legislative committee, the House, the Senate, or a staff office may
47 request that the Legislative Management Committee issue a request for proposals to obtain a
48 good or service for the Legislature, a legislative committee, the House, or the Senate.

49 (2) A person may not issue, on behalf of the Legislature, a legislative committee, the
50 House, or the Senate, a request for proposals, unless authorized by the Legislative Management
51 Committee.

52 (3) Upon approving the issuance of a request for proposals, the Legislative
53 Management Committee:

54 (a) shall assign the drafting of the request for proposals to the Office of Legislative
55 Research and General Counsel;

56 (b) may assign another staff office to work with the Office of Legislative Research and
57 General Counsel in drafting the request for proposals;

58 (c) shall assign a person, committee, group of people, or staff office to review the draft
59 request for proposals and give final approval for the request for proposals to be issued as
60 drafted;

61 (d) may assign a committee, person, group of people, or staff office to review
62 responses to the request for proposals and to make a recommendation regarding award of a
63 contract;

64 (e) shall assign a committee, person, group of people, or staff office to make a final
65 decision regarding whether to award a contract and to whom the contract shall be awarded; and

66 (f) if the request for proposals is for an analysis, report, recommendation, or
67 consultation, may assign a committee, person, group of people, or staff office to:

68 (i) review the analysis, report, recommendation, or consultation;

69 (ii) determine whether the contractor fulfilled its obligations in a satisfactory manner;

70 and

71 (iii) authorize payment to the contractor.

72 (4) The Office of Legislative Research and General Counsel is responsible for advising
73 and assisting a person or entity described in this rule in relation to the legal requirements of the
74 request for proposals process.

75 (5) This rule does not apply to a request for proposals issued by a staff office to obtain
76 a good or service solely for a staff office.