

**JOINT RESOLUTION - REQUEST FOR PROPOSALS**

2011 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Howard A. Stephenson**

House Sponsor: David G. Butterfield

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**LONG TITLE**

**General Description:**

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

**Highlighted Provisions:**

This resolution:

- ▶ requires that the determination to issue a request for proposals (RFP) for the legislative branch is the responsibility of the Legislative Management Committee;
- ▶ provides that, upon approving the issuance of an RFP, the Legislative Management Committee:
  - shall assign the drafting of the RFP to the Office of Legislative Research and General Counsel (OLRGC);
  - may assign another staff office to work with the OLRGC;
  - shall assign a person, committee, group of people, or staff office to review and issue the RFP;
  - may assign a committee, person, group of people, or staff office to review RFP responses;
  - shall assign a committee, person, group of people, or staff office to make a final decision regarding award of the contract; and
  - 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 analysis, report,  
29 recommendation, or consultation, determine whether the contractor fulfilled its obligations, and  
30 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.

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**Legislative Review Note**  
as of 2-1-11 6:25 AM

**Office of Legislative Research and General Counsel**

# FISCAL NOTE

S.J.R. 13

SHORT TITLE: **Joint Resolution - Request for Proposals**

SPONSOR: **Stephenson, H.**

2011 GENERAL SESSION, STATE OF UTAH

## STATE GOVERNMENT (UCA 36-12-13(2)(b))

Enactment of this resolution likely will not materially impact the state budget.

## LOCAL GOVERNMENTS (UCA 36-12-13(2)(c))

Enactment of this resolution likely will not result in direct, measurable costs and/or benefits for local governments.

## DIRECT EXPENDITURES BY UTAH RESIDENTS AND BUSINESSES (UCA 36-12-13(2)(d))

Enactment of this resolution likely will not result in direct, measurable expenditures by Utah residents or businesses.