

MAR 8 2006
Place On Calendar

HOUSE FILE 2705
BY COMMITTEE ON STATE GOVERNMENT

(SUCCESSOR TO HSB 626)

Passed House, Date 3-21-06 Passed Senate, Date _____
Vote: Ayes 99 Nays 0 Vote: Ayes _____ Nays _____
Approved April 20, 2006

A BILL FOR

1 An Act providing for changes relating to specified aspects of the
2 operation of the department of administrative services.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 2705

1 Section 1. Section 8A.206, Code Supplement 2005, is
2 amended to read as follows:

3 8A.206 INFORMATION TECHNOLOGY STANDARDS.

4 1. The department ~~shall develop~~, in consultation
5 conjunction with the technology governance board, ~~recommended~~
6 shall develop and adopt information technology standards for
7 ~~consideration-with-respect~~ applicable to the procurement of
8 information technology by all participating agencies. ~~It is~~
9 ~~the intent of the general assembly that information technology~~
10 ~~standards be established for the purpose of guiding such~~
11 ~~procurements.~~ Such standards, unless waived by the
12 department, shall apply to all information technology
13 procurements for participating agencies.

14 2. The office of the governor or the office of an elective
15 constitutional or statutory officer shall consult with the
16 department prior to procuring information technology and
17 consider the information technology standards recommended
18 adopted by the department, and provide a written report to the
19 department relating to the office's decision regarding such
20 acquisitions.

21 Sec. 2. Section 8A.504, subsection 1, paragraph d, Code
22 Supplement 2005, is amended to read as follows:

23 d. "State agency" means a board, commission, department,
24 including the department of administrative services, or other
25 administrative office or unit of the state of Iowa or any
26 other state entity reported in the Iowa comprehensive annual
27 financial report, or a political subdivision of the state, or
28 an office or unit of a political subdivision. "State agency"
29 does include the clerk of the district court as it relates to
30 the collection of a qualifying debt. "State agency" does not
31 include the general assembly, or the governor, or any
32 ~~political subdivision of the state, or its offices and units.~~

33 EXPLANATION

34 This bill provides for changes relating to the operation of
35 the department of administrative services.

1 The bill provides for the elimination of inconsistent
2 language regarding the development and adoption of information
3 technology standards by the department and the board, and the
4 standards' application.

5 Additionally, the bill includes political subdivisions
6 within the definition of "state agency" for purposes of
7 establishing a debt collection setoff procedure for collection
8 of debts owed to the state or its agencies. Currently,
9 political subdivisions are specifically excluded from the
10 definition.

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HOUSE FILE 2705

H-8321

1 Amend House File 2705 as follows:

2 1. Page 1, by inserting before line 1 the
3 following:

4 "Section 1. Section 8A.204, subsection 3,
5 paragraph g, subparagraph (4), Code Supplement 2005,
6 is amended to read as follows:

7 (4) Review and approval of all concept papers and
8 documentation related to requests for proposals prior
9 to issuance for all information technology devices,
10 hardware acquisition, information technology services,
11 software development projects, and information
12 technology outsourcing for agencies that exceed the
13 greater of a total cost of fifty thousand dollars or a
14 total involvement of seven hundred fifty agency staff
15 hours. The review and approval of concept papers and
16 documentation as provided in this subparagraph shall
17 occur prior to the issuance of the related request for
18 proposals. Notwithstanding section 21.5, subsection
19 1, the board, by vote of at least six members, may
20 hold a closed session to review and discuss concept
21 papers and documentation related to a request for
22 proposals if the board determines that the public
23 disclosure of such discussion prior to the issuance of
24 the request for proposals may disadvantage any
25 potential vendors.

26 The board shall keep detailed minutes of all
27 discussion, persons present, and action occurring at a
28 closed session, and shall also tape record all of the
29 closed session. The minutes and the tape recording of
30 a session closed under this subparagraph shall be made
31 available for public examination when a final decision
32 is made regarding whether to issue the request for
33 proposals. All board actions and decisions regarding
34 this information shall be made in open meetings and
35 appropriately recorded."

36 2. Page 1, by inserting after line 20 the
37 following:

38 "Sec. ____ . Section 8A.311, Code Supplement 2005, is
39 amended by adding the following new subsection:

40 NEW SUBSECTION. 1A. Notwithstanding section 72.3,
41 if the competitive bidding procedure used by the
42 department involves the use of a reverse auction or
43 similar competitive bidding procedure requiring the
44 disclosure of bid information submitted by vendors,
45 the department shall disclose the bid information as
46 necessary and appropriate."

47 3. By renumbering as necessary.

By ROBERTS of Carroll
LENSING of Johnson

H-8321 FILED MARCH 20, 2006

HOUSE FILE 2705
BY COMMITTEE ON STATE GOVERNMENT

(SUCCESSOR TO HSB 626)

(As Amended and Passed by the House March 21, 2006)

Passed House, Date _____ Passed Senate, Date 4-10-06
Vote: Ayes _____ Nays _____ Vote: Ayes 50 Nays 0
Approved _____

A BILL FOR

1 An Act providing for changes relating to specified aspects of the
2 operation of the department of administrative services.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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5 House Amendments

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1 Section 1. Section 8A.204, subsection 3, paragraph g,
2 subparagraph (4), Code Supplement 2005, is amended to read as
3 follows:

4 (4) Review and approval of all concept papers and
5 documentation related to requests for proposals prior-to
6 issuance for all information technology devices, hardware
7 acquisition, information technology services, software
8 development projects, and information technology outsourcing
9 for agencies that exceed the greater of a total cost of fifty
10 thousand dollars or a total involvement of seven hundred fifty
11 agency staff hours. The review and approval of concept papers
12 and documentation as provided in this subparagraph shall occur
13 prior to the issuance of the related request for proposals.

14 Notwithstanding section 21.5, subsection 1, the board, by vote
15 of at least six members, may hold a closed session to review
16 and discuss concept papers and documentation related to a
17 request for proposals if the board determines that the public
18 disclosure of such discussion prior to the issuance of the
19 request for proposals may disadvantage any potential vendors.

20 The board shall keep detailed minutes of all discussion,
21 persons present, and action occurring at a closed session, and
22 shall also tape record all of the closed session. The minutes
23 and the tape recording of a session closed under this
24 subparagraph shall be made available for public examination
25 when a final decision is made regarding whether to issue the
26 request for proposals. All board actions and decisions
27 regarding this information shall be made in open meetings and
28 appropriately recorded.

29 Sec. 2. Section 8A.206, Code Supplement 2005, is amended
30 to read as follows:

31 8A.206 INFORMATION TECHNOLOGY STANDARDS.

32 1. The department ~~shall-develop~~, in consultation
33 conjunction with the technology governance board, ~~recommended~~
34 shall develop and adopt information technology standards for
35 consideration-with-respect applicable to the procurement of

1 information technology by all participating agencies. ~~It is~~
2 ~~the intent of the general assembly that information technology~~
3 ~~standards be established for the purpose of guiding such~~
4 ~~procurements.~~ Such standards, unless waived by the
5 department, shall apply to all information technology
6 procurements for participating agencies.

7 2. The office of the governor or the office of an elective
8 constitutional or statutory officer shall consult with the
9 department prior to procuring information technology and
10 consider the information technology standards recommended
11 adopted by the department, and provide a written report to the
12 department relating to the office's decision regarding such
13 acquisitions.

14 Sec. 3. Section 8A.311, Code Supplement 2005, is amended by
15 adding the following new subsection:

16 NEW SUBSECTION. 1A. Notwithstanding section 72.3, if the
17 competitive bidding procedure used by the department involves
18 the use of a reverse auction or similar competitive bidding
19 procedure requiring the disclosure of bid information
20 submitted by vendors, the department shall disclose the bid
21 information as necessary and appropriate.

22 Sec. 4. Section 8A.504, subsection 1, paragraph d, Code
23 Supplement 2005, is amended to read as follows:

24 d. "State agency" means a board, commission, department,
25 including the department of administrative services, or other
26 administrative office or unit of the state of Iowa or any
27 other state entity reported in the Iowa comprehensive annual
28 financial report, or a political subdivision of the state, or
29 an office or unit of a political subdivision. "State agency"
30 does include the clerk of the district court as it relates to
31 the collection of a qualifying debt. "State agency" does not
32 include the general assembly, or the governor, or any
33 ~~political subdivision of the state, or its offices and units.~~

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Roberts, chair
Bulka
Lensing
Paetzler
Tomenga

Succ. By
SF 02705

HSB 626
STATE GOVERNMENT

SENATE/HOUSE FILE _____

BY (PROPOSED DEPARTMENT OF
ADMINISTRATIVE SERVICES BILL)

Passed Senate, Date _____ Passed House, Date _____

Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____

Approved _____

A BILL FOR

1 An Act providing for changes relating to specified aspects of the
2 operation of the department of administrative services.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section 8A.204, subsection 3, paragraph g,
2 subparagraph (4), Code Supplement 2005, is amended to read as
3 follows:

4 (4) Review and approval of all requests for proposals
5 prior to issuance for all information technology devices,
6 hardware acquisition, information technology services,
7 software development projects, and information technology
8 outsourcing for agencies that exceed the greater of a total
9 cost of fifty thousand dollars or a total involvement of seven
10 hundred fifty agency staff hours. The board, by majority
11 vote, may close a meeting to the public for the purpose of
12 considering a request for proposals. However, all board
13 actions and decisions regarding a request for proposals shall
14 be made in open meetings and appropriately recorded.

15 Sec. 2. Section 8A.206, Code Supplement 2005, is amended
16 to read as follows:

17 8A.206 INFORMATION TECHNOLOGY STANDARDS.

18 1. The department ~~shall-develop~~, in consultation
19 conjunction with the technology governance board, ~~recommended~~
20 shall develop and adopt information technology standards for
21 consideration-with-respect applicable to the procurement of
22 information technology by all participating agencies. ~~It-is~~
23 ~~the-intent-of-the-general-assembly-that-information-technology~~
24 ~~standards-be-established-for-the-purpose-of-guiding-such~~
25 ~~procurements~~. Such standards, unless waived by the
26 department, shall apply to all information technology
27 procurements for participating agencies.

28 2. The office of the governor or the office of an elective
29 constitutional or statutory officer shall consult with the
30 department prior to procuring information technology and
31 consider the information technology standards recommended
32 adopted by the department, and provide a written report to the
33 department relating to the office's decision regarding such
34 acquisitions.

35 Sec. 3. Section 8A.504, subsection 1, paragraph d, Code

1 Supplement 2005, is amended to read as follows:

2 d. "State agency" means a board, commission, department,
3 including the department of administrative services, or other
4 administrative office or unit of the state of Iowa or any
5 other state entity reported in the Iowa comprehensive annual
6 financial report, or a political subdivision of the state, or
7 an office or unit of a political subdivision. "State agency"
8 does include the clerk of the district court as it relates to
9 the collection of a qualifying debt. "State agency" does not
10 include the general assembly, or the governor, or any
11 political-subdivision-of-the-state, or its offices and units.

12 EXPLANATION

13 This bill provides for changes relating to the operation of
14 the department of administrative services. The bill provides
15 for an exception to the open meetings law for meetings of the
16 technology governance board in which requests for proposals
17 are being discussed or reviewed prior to issuance, if
18 conducting a closed meeting is approved by a majority vote of
19 the board. The bill provides, however, that all board actions
20 and decisions regarding a request for proposals shall be made
21 in an open meeting and appropriately recorded. The requests
22 for proposals subject to this provision, pursuant to Code
23 section 8A.204, subsection 3, paragraph "g", relate to
24 information technology devices, hardware acquisition,
25 information technology services, software development
26 projects, and information technology outsourcing for agencies
27 that exceed the greater of a total cost of \$50,000 or a total
28 involvement of 750 agency staff hours.

29 The bill also provides for the elimination of inconsistent
30 language regarding the development and adoption of information
31 technology standards by the department and the board, and the
32 standards' application.

33 Additionally, the bill includes political subdivisions
34 within the definition of "state agency" for purposes of
35 establishing a debt collection setoff procedure for collection

1 of debts owed to the state or its agencies. Currently,
2 political subdivisions are specifically excluded from the
3 definition.

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HOUSE FILE 2705

AN ACT

PROVIDING FOR CHANGES RELATING TO SPECIFIED ASPECTS OF THE
OPERATION OF THE DEPARTMENT OF ADMINISTRATIVE SERVICES.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 8A.204, subsection 3, paragraph g, subparagraph (4), Code Supplement 2005, is amended to read as follows:

(4) Review and approval of all concept papers and documentation related to requests for proposals prior to issuance for all information technology devices, hardware acquisition, information technology services, software development projects, and information technology outsourcing for agencies that exceed the greater of a total cost of fifty thousand dollars or a total involvement of seven hundred fifty agency staff hours. The review and approval of concept papers and documentation as provided in this subparagraph shall occur prior to the issuance of the related request for proposals. Notwithstanding section 21.5, subsection 1, the board, by vote of at least six members, may hold a closed session to review and discuss concept papers and documentation related to a request for proposals if the board determines that the public disclosure of such discussion prior to the issuance of the request for proposals may disadvantage any potential vendors.

The board shall keep detailed minutes of all discussion, persons present, and action occurring at a closed session, and shall also tape record all of the closed session. The minutes and the tape recording of a session closed under this subparagraph shall be made available for public examination when a final decision is made regarding whether to issue the

request for proposals. All board actions and decisions regarding this information shall be made in open meetings and appropriately recorded.

Sec. 2. Section 8A.206, Code Supplement 2005, is amended to read as follows:

8A.206 INFORMATION TECHNOLOGY STANDARDS.

1. The department ~~shall develop, in consultation~~ conjunction with the technology governance board, ~~recommended shall develop and adopt information technology standards for consideration with respect applicable to the procurement of information technology by all participating agencies. It is the intent of the general assembly that information technology standards be established for the purpose of guiding such procurements.~~ Such standards, unless waived by the department, shall apply to all information technology procurements for participating agencies.

2. The office of the governor or the office of an elective constitutional or statutory officer shall consult with the department prior to procuring information technology and consider the information technology standards recommended adopted by the department, and provide a written report to the department relating to the office's decision regarding such acquisitions.

Sec. 3. Section 8A.311, Code Supplement 2005, is amended by adding the following new subsection:

NEW SUBSECTION. 1A. Notwithstanding section 72.3, if the competitive bidding procedure used by the department involves the use of a reverse auction or similar competitive bidding procedure requiring the disclosure of bid information submitted by vendors, the department shall disclose the bid information as necessary and appropriate.

Sec. 4. Section 8A.504, subsection 1, paragraph d, Code Supplement 2005, is amended to read as follows:

d. "State agency" means a board, commission, department, including the department of administrative services, or other

administrative office or unit of the state of Iowa or any other state entity reported in the Iowa comprehensive annual financial report, or a political subdivision of the state, or an office or unit of a political subdivision. "State agency" does include the clerk of the district court as it relates to the collection of a qualifying debt. "State agency" does not include the general assembly, or the governor, or any political-subdivision-of-the-state, or its-offices-and-units.

CHRISTOPHER C. RANTS
Speaker of the House

JEFFREY M. LAMBERTI
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2705, Eighty-first General Assembly.

MARGARET THOMSON
Chief Clerk of the House

Approved _____, 2006

THOMAS J. VILSACK
Governor