

AN ACT

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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Columbia
Official Code*

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To amend, on a temporary basis, the District of Columbia Public Postsecondary Education Reorganization Act to grant the Board of Trustees of the University of the District of Columbia independent procurement authority; and to amend the District of Columbia Procurement Practices Act of 1985 to exempt the Board of Trustees of the University of the District of Columbia from the requirements of the District of Columbia Procurement Practices Act of 1985 except for the requirements pertaining to contract protests, appeals, and claims.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “University of the District of Columbia Procurement Authority Temporary Amendment Act of 2009”.

Sec. 2. The District of Columbia Public Postsecondary Education Reorganization Act, approved October 26, 1974 (88 Stat. 1423; D.C. Official Code § 38-1202.01 *et seq.*), is amended as follows:

(a) Section 201(a) (D.C. Official Code § 38-1202.01(a)) is amended by striking the phrase “the University; provided, however, that contracting for the purchase or disposal of goods and services shall be carried out by the Office of Contracting and Procurement on behalf of the Board of Trustees.” and inserting the phrase “the University.” in its place.

Note,
§ 38-1202.01

(b) Section 206 (D.C. Official Code § 38-1202.06) is amended as follows:

Note,
§ 38-1202.06

(1) Paragraph (15) is amended by striking the word “and” at the end.

(2) Paragraph (16) is amended to read as follows:

“(16) Generally determine, control, supervise, manage, and govern all affairs of the University of the District of Columbia and, pursuant to paragraph (19) of this section, adopt policies and regulations considered necessary for efficient governance;”.

(3) Paragraph (17) is repealed.

(4) Paragraph (18) is amended by striking the period and inserting the phrase “; and” in its place.

(5) A new paragraph (19) is added to read as follows:

“(19)(A) Procure all goods and services necessary to operate the University independent of the Office of Contracting and Procurement and the requirements of the District of Columbia Procurement Practices Act of 1985, effective February 21, 1986 (D.C. Law 6-85; D.C. Official Code § 2-301.01 *et seq.*) (“Act”), except as specified in section 320 of the Act; provided, that the Council has approved proposed rules governing the procurement of goods and services.

“(B) The proposed rules shall be submitted to the Council for a 45-day period of review, excluding Saturdays, Sundays, legal holidays, and days of Council recess. If the Council does not approve or disapprove the proposed rules, in whole or in part, by resolution, within the 45-day review period, the proposed rules shall be deemed disapproved.”.

Sec. 3. Section 320 of the District of Columbia Procurement Practices Act of 1985, effective April 12, 1997 (D.C. Law 11-259; D.C. Official Code § 2-303.20), is amended by adding a new subsection (v) to read as follows:

Note,
§ 2-303.20

“(v) Nothing in this act shall affect the authority of the Board of Trustees of the University of the District of Columbia; except, that Title IX shall apply to contract protests, appeals, and claims arising from procurements of the University of the District of Columbia Board of Trustees.”.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 602(c) (3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 5. Effective date.

(a) This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved

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December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

(b) This act shall expire after 225 days of its having taken effect.

Chairman
Council of the District of Columbia

Mayor
District of Columbia