

AN ACT

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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Columbia
Official Code*

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To establish, on a temporary basis, the Contracting and Procurement Reform Task Force to improve the District's contracting and procurement laws and regulations, review the District's procurement and ethics provisions, review best practices nationally, and make findings and recommendations to the Mayor and Council.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Contracting and Procurement Reform Task Force Establishment Temporary Act of 2006".

Sec. 2. Establishment of the Contracting and Procurement Reform Task Force; duties.

(a) There is established the Contracting and Procurement Reform Task Force ("Task Force").

(b) The Task Force shall perform the following duties:

(1) Review the recommendations of all audit reports regarding contracting and procurement issued by the District of Columbia Office of the Inspector General ("OIG") and the District of Columbia Auditor within the past 5 years;

(2) Review and analyze the District's contracting and procurement laws and regulations;

(3) Review and analyze all reports required by law of the District of Columbia Office Contracting and Procurement ("OCP");

(4) Review recommendations of the Center for Innovation and Reform to improve contracting and procurement procedures in the District;

(5) Make a determination as to whether OCP and District agencies have followed the recommendations of the OIG, the Auditor, and the Committee on Government Operations to improve the contracting and procurement process in the District;

(6) Review the District's ethics and disciplinary provisions concerning contracting and procurement;

(7) Review the District's contracting and procurement laws relating to sole source awards, no-bid contracts, task orders, oral contract agreements, direct voucher authorizations and payments, and emergency awards; and

(8) Review contracting and procurement laws and regulations nationally and recommend improvements to the District's contracting and procurement procedures.

Sec. 3. Goals.

- (a) The Task Force shall consider the following goals and policy objectives:
- (1) Assess and improve the District's contracting and procurement process;
 - (2) Establish appropriate laws to decrease the over-utilization of sole-source contract awards;
 - (3) Enhance the District's ethics and disciplinary provisions regarding contracting and procurement;
 - (4) Make recommendations concerning the training or required re-training of current District contracting and procurement officials;
 - (5) Assess the District's use of emergency contract awards;
 - (6) Make recommendations to ensure that contracting and procurement processes result in timely competition;
 - (7) Review and make recommendations regarding the District's use of task orders and its impact on fair and open competition;
 - (8) Make recommendations concerning the District's contract ratification procedures and use of oral contracts; and
 - (9) Reforming the District's contracting and procurement process pursuant to best practices nationally.

Sec. 4. Membership.

- (a) The Task Force shall consist of 7 voting members and 2 nonvoting members.
- (1) The voting members shall include 7 contract or procurement law experts. Each voting member shall have a minimum of 7 years of experience as a lawyer specializing in contract or procurement law.
 - (2) The nonvoting members shall include the Chief Procurement Officer of the District of Columbia ("CPO") and a designee of the CPO.
- (b) Members shall serve without compensation. The members shall elect a Chairperson from among the voting members.

Sec. 5. Appointment.

The Council shall appoint 5 voting members of the Task Force. The Committee on Government Operations shall submit the names of 5 nominees to the Council for approval by resolution. The Mayor shall appoint 2 voting members. Task Force members shall be appointed by February 1, 2006.

Sec. 6. Meetings.

The Task Force shall meet as necessary to conduct its official business. A majority of the voting members shall constitute a quorum. The Task Force may act by an affirmative vote of at least 5 of its voting members.

Sec. 7. Powers.

All offices, agencies, and instrumentalities of the District government shall fully cooperate with the Task Force and provide requested information and documents.

Sec. 8. Report.

- (a) No later than August 1, 2006, the Task Force shall issue a report to the Council and the Mayor to improve the contracting and procurement process in the District.

Sec. 9. Fiscal impact statement.

The Council adopts the attached fiscal impact statement of the Budget Director 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. 10. 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 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