

BILL ANALYSIS

H.B. 2337
By: Harper-Brown
Government Efficiency & Reform
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties note that the Texas procurement and support services, a division of the comptroller of public accounts, is responsible for awarding and managing hundreds of statewide contracts on behalf of more than 200 state agencies and approximately 1,900 cooperative purchasing members. To this end, the division maintains a vendor performance tracking system that seeks to reduce risk in the contract award process by providing a comprehensive tool for evaluating vendor performance. Through data submitted online by state agencies, among other contributors, the system tracks and provides performance scores for all vendors that are issued purchase orders by the comptroller and provides ratings based on performance.

The parties point out that, unfortunately, only a small percentage of agencies actually contribute to the system and that submissions per fiscal year have decreased steadily. H.B. 2337 seeks to enhance the effectiveness of this tool by requiring agencies to use and contribute to the vendor performance tracking system.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 2337 amends the Government Code to require each state agency, after a purchasing contract is completed or otherwise terminated, to review the vendor's performance under the contract and report to the comptroller of public accounts, using a vendor performance tracking system provided for in the bill's provisions, on the results of the review regarding the vendor's performance. The bill requires the comptroller to evaluate a vendor's performance based on the information reported by the state agency and criteria established by the comptroller. The bill requires the comptroller to establish an evaluation process that allows vendors who receive an unfavorable performance review to protest any classification given by the comptroller and to include the performance reviews in the vendor performance tracking system. The bill requires a state agency to use the system to determine whether to award a contract to a vendor reviewed in the database. The bill requires the comptroller to make the vendor performance tracking system accessible to the public on the comptroller's Internet website.

EFFECTIVE DATE

September 1, 2013.