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Representative Gannon of Wilmington moves that the House propose to the Senate that the bill be amended after Sec. 1, Improvements to Privatization Contracting, by inserting the following:

Sec. 2. 3 V.S.A. § 343 is amended to read:

§ 343. PRIVATIZATION CONTRACTS; PROCEDURE

(a) ~~No~~ An agency ~~may~~ shall not enter into a privatization contract, unless all of the following are satisfied:

* * *

(b)(1) A privatization contract shall contain specific performance measures regarding quantity, quality, and results, and guarantees regarding the services performed.

(2) The contractor shall submit reports, as required by the contract, to the agency on the contractor’s compliance with the specific performance measures set out in the contract.

(3) The agency may not renew the contract if the contractor fails to comply with the specific performance measures set out in the contract, as required by subdivision (1) of this subsection.

(c)(1) Each year the Auditor of Accounts shall review all privatization contracts and issue an annual report to the Governor and to the General Assembly, analyzing for each contract whether it is achieving:

1 (A) the 10 percent cost savings requirement set forth in subsection
2 (a)(2) of this section;

3 (B) the performance measures incorporated into the contract as
4 required under subdivision (b)(1) of this section.

5 (2) If the Auditor of Accounts finds in the report issued under
6 subdivision (1) of this subsection that a privatization contract has not met the
7 cost savings as required under subdivision (a)(2) of this section or performance
8 measures as required under subdivision (b)(1) of this section, the agency shall
9 review whether to renew the privatization contract or perform the work with
10 State employees.

11 Sec. 3. EFFECTIVE DATE

12 This act shall take effect on passage.