

Potential Amendment to S. 111

3 V.S.A. § 343 is amended to read:

§ 343. Privatization Contracts Procedure

(a) An agency shall not enter into a privatization contract, unless all of the following are satisfied:

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(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 criteria set out in the contract.

(3) The contract may be cancelled without prejudice to the agency if the contractor fails to comply with the performance criteria set out in the contract.

(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:

(A) The minimum 10 percent cost-savings requirement set forth in subsection (a)(2) of this section [currently subsection (2)].

(B) The performance measures incorporated into the contract as required under subsection (b)(1) of this section.

(2) If the Auditor of Accounts finds in the report issued under subsection (c)(1) of this section that a privatization contract has not met the cost savings or performance measures, the agency shall review the merits of cancelling the privatization contract and performing the work with State employees.