

# PROPOSED AMENDMENT

## HB 1242 # 2

### DIGEST

Quantity purchase agreement. Provides that if a nonprofit agency for individuals with disabilities (qualified agency) withdraws from a department of administration (department) pilot project through which the qualified agency sells products or services to governmental bodies through a third party contractor, the department must award the qualified agency a quantity purchase agreement (QPA) for the same products and services and under the same terms under which the qualified agency had a QPA with the department before participating in the pilot project.

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- 1       Page 3, after line 11, begin a new paragraph and insert:  
2       "SECTION 2. IC 5-22-13-6 IS ADDED TO THE INDIANA CODE  
3       AS A **NEW SECTION TO READ AS FOLLOWS [EFFECTIVE**  
4       **UPON PASSAGE]: Sec. 6. (a) This section applies to a qualified**  
5       **agency that:**  
6               **(1) participates in a pilot project; and**  
7               **(2) before the qualified agency's participation in the pilot**  
8               **project, had a QPA awarded by the department to sell**  
9               **products or services directly to governmental bodies that the**  
10              **qualified agency currently sells through the third party**  
11              **contractor under the pilot project.**  
12              **(b) As used in this section, "department" refers to the Indiana**  
13              **department of administration created by IC 4-13-1-2.**  
14              **(c) As used in this section, "pilot project" refers to a project**  
15              **established by the department through which a qualified agency**  
16              **sells products or services covered by this chapter to governmental**  
17              **bodies through a third party contractor that has been awarded a**  
18              **contract by the department under this article.**  
19              **(d) As used in this section, "QPA" refers to a quantity purchase**  
20              **agreement.**  
21              **(e) After a qualified agency withdraws from the pilot project, at**  
22              **the request of the qualified agency, the department shall award to**  
23              **the qualified agency a QPA for the same supplies or services that**  
24              **the qualified agency provided through the third party contractor.**

1       **The department shall award a QPA to the qualified agency not**  
2       **later than thirty (30) days after the date of the qualified agency's**  
3       **request.**

4       **(f) The department shall award a QPA to the qualified party:**  
5       **(1) without requiring a new procurement under this article;**  
6       **and**  
7       **(2) under the same terms and conditions under which the**  
8       **qualified agency previously had a QPA with the department.**

9       **(g) This section does not release a qualified agency from any**  
10      **contractual obligations that it might otherwise owe to the third**  
11      **party contractor.**

12      **SECTION 3. An emergency is declared for this act."**

13      Renumber all SECTIONS consecutively.

(Reference is to HB 1242 as introduced.)