

STATE OF OKLAHOMA

2nd Session of the 49th Legislature (2004)

HOUSE BILL HB2193:

Deutschendorf

AS INTRODUCED

An Act relating to technology; amending 62 O.S. 2001, Sections 41.5i and 41.5j, which relate to the Information Services Division of the Office of State Finance; providing for exemption from the Oklahoma Central Purchasing Act for certain agencies that meet certain criteria; authorizing the Information Services Division to procure certain goods and services for state agencies; requiring procurements to be made in accordance with certain regulations; authorizing the Information Services Division to establish certain specifications for certain blanket purchasing contracts; providing for emphasis on certain criteria; allowing certain vendors to compete for contracts; providing an effective date; and declaring an emergency.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 62 O.S. 2001, Section 41.5i, is amended to read as follows:

Section 41.5i In addition to the powers and duties as defined elsewhere in this title, the Information Services Division of the Office of State Finance shall:

1. Coordinate statewide planning for communication and telecommunications needs of state government, including, but not limited to, voice, data, radio, video and facsimile transmissions through analysis of each agency's long-term communication and telecommunications plans;

2. Develop and integrate a statewide communications plan to address the design requirements and networks necessary to serve agency needs, which will consist of as a minimum:

- a. an inventory of communication or telecommunication equipment owned, leased or rented for use in communication services for state government, including communication services provided as part of any other total system to be used by the state or any of its agencies,
  - b. current budget plans, expenditures and resources necessary to operate any and all systems included in the above inventory,
  - c. major development projects proposed for the current fiscal year and the next three (3) fiscal years and the anticipated results and benefits to be achieved, and
  - d. an explanation of revisions to previous plans;
3. Establish minimum mandatory standards and protocols for:
- a. communication networks and equipment,
  - b. wide area and local area systems,
  - c. integration of equipment, systems and joint usage,
  - d. operating systems or methods to be used to meet communications requirements efficiently and effectively,
  - e. rendering of aid between state government and its political subdivisions with respect to organizing of communications systems, and
  - f. an economical and cost-effective utilization of communication services.

Such standards and protocols shall be compatible with the standards and protocols established for the Oklahoma Government Telecommunications Network created in Section ~~4~~ 41.5m of this ~~act~~ title;

4. Serve as a focal point for all statewide projects involving current communications vendors where the focus of such authority can

substantially enhance the state communications plan or the savings which can be achieved thereunder;

5. Provide, when requested by political subdivisions of the state, for the organizing of communications or telecommunications systems and service between the state and its political subdivisions and enter into agreements to effect the purposes of this section;

6. Cooperate with any federal, state or local emergency management agency in providing for emergency communications and telecommunication services;

7. Apply for, receive, and hold, or assist agencies in applying for, receiving or holding such authorizations, licenses and allocations of channels and frequencies to carry out the purposes of this section;

8. Accomplish such other purposes as may be necessary or incidental to the administration of its authority or functions pursuant to law; ~~and~~

9. Provide support for telecommunication networks of state agencies through analysis of each agency's telecommunications needs and requirements and promotion of the use of the Oklahoma Government Telecommunications Network created in Section ~~4~~ 41.5m of this ~~act~~ title; and

10. Exempt from compliance with the provisions of the Oklahoma Central Purchasing Act, but not from competitive bid requirements, any state agency that establishes, to the satisfaction of the Information Services Division, its ability and willingness to administer efficiently and effectively the procurement of communications or telecommunications services or that has been subjected to another review process coordinated through or approved by the Information Services Division.

SECTION 2. AMENDATORY 62 O.S. 2001, Section 41.5j, is amended to read as follows:

Section 41.5j A. No agency of the executive branch of the state shall use state funds for or enter into any agreement for the acquisition, development or enhancement of a communication or telecommunication system including voice, data, radio, video and facsimile systems, without written authorization of the Director of State Finance. The Director of State Finance shall verify that any such acquisition, development or enhancement is compatible with the operation of the Oklahoma Government Telecommunications Network created in Section 41.5m of this title.

B. Not later than September 1 of each year, all agencies of the state presently using or contemplating the use of voice, data, radio, video and facsimile communication or telecommunication systems shall submit to the Information Services Division of the Office of State Finance a long-range plan summarizing the agency's detailed plan, for not less than the current fiscal year and the ensuing three (3) fiscal years. Agencies may submit to the Information Services Division of the Office of State Finance revisions or amendments to its long-range plan as deemed necessary by the agencies. The plan shall include at a minimum:

1. An inventory of communication or telecommunication equipment owned, leased or rented for use in all communication services for state government, including communication services provided as part of any other total system to be used by the state or any of its agencies;

2. Current budget plans, expenditures and resources necessary to operate any and all systems included in the above inventory;

3. Major development projects proposed for the current fiscal year and the next three (3) fiscal years and the anticipated results and benefits to be achieved;

4. An explanation of revisions to previous plans;

5. Key project dates; and

6. Specific segments which will be included in the agency budget request for the ensuing fiscal year.

C. No agency of the executive branch of the state shall enter into any agreement for the acquisition, development or enhancement of a communication or telecommunication system or service including voice, data, radio, video and facsimile systems, unless the cost of such addition, change, improvement or development has been included in the statewide communications plan of the Information Services Division, as said plan may have been amended or revised.

D. State agencies may enter into interagency contracts to share communications and telecommunications resources for mutually beneficial purposes. The contract shall clearly state how its purpose contributes to the development or enhancement or cost reduction of a state network which includes voice, data, radio, video or facsimile systems. The contract shall be approved by the Information Services Division before any payments are made.

E. The Information Services Division may procure telecommunications goods and services of every description and information technology goods and services of every description for its own benefit or on behalf of other state agencies to the extent authorized by the Division. Procurements made pursuant to this subsection shall be made in accordance with the provisions of the Oklahoma Central Purchasing Act unless the Division has adopted alternative regulations governing these type of procurements.

F. Should the Information Services Division, or any state agency authorized by the Division, elect to procure personal computers and related peripheral equipment pursuant to any type of blanket purchasing arrangement, under which state agencies may purchase goods from any vendor following competitive procurement but without the conduct of an individual procurement by or for the using agency, it shall establish, with the cooperation of the Department of Central Services, performance-based specifications for the

selection of equipment. Establishment of such contracts shall emphasize performance criteria including price, quality, and delivery without regard to "brand name". All vendors meeting the performance requirements as established by the Department of Central Services shall be afforded the opportunity to compete for the contracts.

G. The provisions of this section shall not apply to the telecommunications network known as OneNet whether said network is governed or operated by the Oklahoma State Regents for Higher Education or any other state entity assigned responsibility for OneNet.

SECTION 3. This act shall become effective July 1, 2004.

SECTION 4. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

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