

Document: Tenn. Code Ann. § 4-56-105**Tenn. Code Ann. § 4-56-105****Copy Citation**

Current through 2017 Regular Session (Chapter 493).

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4-56-105. Powers and duties of chief procurement officer.

The chief procurement officer has the power and duty to:

- (1) Effective January 1, 2012, establish a single, public procurement web site that includes how to do business with the state; registration for bidders; posting of all procurements in process and related status to award; and a database of established contracts by state agencies, departments and institutions;
- (2) Effective April 1, 2012, develop a transition plan that provides for the implementation by date and action to consolidate the procurement and contracting for goods, services and grants; to include employee job classifications for the state procurement office and agency procurement functions that include development and training plans and other plans as prescribed and approved by the commission;
- (3) Develop and propose to the general assembly any changes required to consolidate statutes;
- (4) Develop proposed rules and regulations, policies, standards and procedures consistent with this chapter and title 12, chapters 3 and 4 and approved by the commission that establish:
 - (A) A central procurement process with opportunities for strategic sourcing;

- (B)** A central contract management process;
 - (C)** A central grant management process that will assist agencies in identifying grant opportunities and provide for a central database of information regarding grant recipients and sub-recipients for monitoring purposes;
 - (D)** A central performance and quality assurance process that assists agencies in identifying risk areas and recommending contract performance and management best practices; and
 - (E)** A central bidder relations management process to include a central bidder registration database and program for conducting business with the state, which provides bidders and vendors with training and assistance with technical matters, procurement notification, and contract and grant awards;
- (5)** Develop and conduct training to foster professional development and certification for the state procurement office and agency procurement staff to promote procurement excellence, either independently or in cooperation with other state governments, municipalities or other units of local government, or other persons. In conducting this training, the chief procurement officer shall:
- (A)** Prescribe professional and accountability standards and guidelines for procurement, contract, grant, performance and quality assurance management personnel;
 - (B)** Conduct or participate in procurement education and training programs;
 - (C)** Conduct research into existing and new methods of procurement; and
 - (D)** Establish and maintain an electronic library of education and training courses and technical reference resources;
- (6)** Delegate authority to designees or to any department, agency, or official, subject to additional approvals including approval by the comptroller of the treasury and such other requirements as prescribed in rules, regulations, standards, policies and procedures approved by the commission;
- (7)** Establish and maintain agenda and minutes of the commission and the council and all actions of both, which shall be open to public inspection during regular office hours and on the single public procurement web site in accordance with bylaws established by the council and commission. The chief procurement officer shall chair the council. Except

as otherwise indicated, all requirements of this section shall be ready for implementation by the chief procurement officer by April 1, 2012;

- (8)** Prescribe the manner in which goods and services shall be purchased, delivered, stored and distributed;
- (9)** Require periodic reports by departments, institutions and agencies of state government of stocks of supplies, materials, and equipment on hand and prescribe the form of such reports;
- (10)** Prescribe the dates for making requisitions and estimates, the periods for which they are to be made and the manner of authentication;
- (11)** Prescribe the manner of inspecting all deliveries of supplies, materials, and equipment and of making chemical and physical tests of samples submitted with solicitation responses, and sample deliveries to determine whether deliveries have been made to departments, institutions, and agencies in compliance with specifications;
- (12)** Prescribe the manner for the handling and processing of specifications, estimates, requisitions, solicitations, responses to solicitations, and all reports made and required to be made to the department;
- (13)** Prescribe the manner in which respondents may qualify and show responsibility in compliance;
- (14)** Prescribe the manner for responding to solicitations on lease-purchase contracts and multi-year contracts for the rental of personal property;
- (15)** Prescribe the manner that provides for and regulates the advertisement, soliciting, and letting of state contracts that include escalator clauses;
- (16)** Resolve controversies concerning protests of qualification of respondents, suspension from competing, solicitations, and stay of award prior to actual award;
- (17)** Prescribe the manner for conducting discussions and negotiations, particularly with respect to participants and safeguarding of information, for all solicitation types;
- (18)** Prescribe the process to be followed in making data available to respondents of solicitations;
- (19)** Prescribe the process to be followed by agencies in requisitioning goods or services through the central procurement office; and

(20) Provide for any other matters that may be necessary to give effect to the powers and duties of the chief procurement officer under this section by rules and regulations, standards, policies and procedures approved by the commission.

History

Acts 2010, ch. 1098, § 1; 2011, ch. 295, §§ 5, 7, 8; 2012, ch. 537, §§ 5, 6; 2012, ch. 626, §§ 1, 2; 2013, ch. 403, § 4.

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