



SPONSOR: Rep. Jaques & Sen. Lockman

HOUSE OF REPRESENTATIVES
150th GENERAL ASSEMBLY

HOUSE BILL NO. 347

AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO PROCUREMENT.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

1 Section 1. The General Assembly finds and declares all of the following:

2 (1) On March 12, 2020 Governor John C. Carney declared a State of Emergency for the State of Delaware
3 effective as of March 13, 2020 due to the serious public health threat created by the novel coronavirus, "Covid-19."

4 (2) On March 24, 2020 Governor John C. Carney issued the Sixth Modification of the March 12, 2020
5 Declaration of a State of Emergency for a the State of Delaware Due to a Public Health Threat (the Sixth Modification)
6 which, among other things, authorized under specified conditions: a) the extension of statutory time periods pertaining
7 to State procurement; b) electronic execution of bid documents; and c) bid openings without in person attendance.

8 (3) Continuation of the provisions in the Sixth Modification pertaining to State procurement beyond the
9 duration of the State of Emergency is in the public interest.

10 Section 2. Amend Chapter 69 of Title 29 of the Delaware Code by making deletions as shown by strike through
11 and insertions as shown by underlining as follows:

12 Chapter 69. State Procurement

13 Subchapter 1. General Provisions

14 § 6904 Exceptions.

15 (o) Due to the disruption of State and Delaware business operations due to COVID-19, the following
16 modifications to the requirements of this chapter are necessary:

17 (1) Time periods

18 The time periods in this chapter may be extended with written approval of the Director up to 15 business days
19 for any bids or proposals pending as of [the effective date of this Act] or submitted thereafter, including those for
20 public works and professional services procurement.

21 (2) Receipt, opening and recording of bids and requests for proposals

22 Bid responses and proposals may be accepted electronically. The electronic receipt shall serve as the official
23 time stamp provided that the hard copy mailed shall match the electronic submission without exception. Bid and

24 proposal openings shall be recorded and published without in person attendance provided that bid and proposal receipts
25 are certified by the State and timely announced on Bids.Delaware.Gov.

26 (3) Execution of Documents

27 Documents requiring execution may be executed electronically.

28 Section 3. This Act expires on March 31, 2021.

SYNOPSIS

This Act continues in effect a provision contained in the Sixth Modification of the Declaration of a State of emergency for the State of Delaware Due to a Public Health Threat issued on March 24, 2020 which allows the Director of Management and Budget to approve the extension of statutory time periods pertaining to procurement of goods and services by State agencies for up to 15 days, permits bids and proposals to be submitted electronically, allows for electronic execution of documents and dispenses with any requirement that bids or responses to requests for proposals be published and recorded in the presence of interested parties.