

LEGISLATURE OF NEBRASKA

ONE HUNDRED FIRST LEGISLATURE

FIRST SESSION

**LEGISLATIVE BILL 168**

FINAL READING

Introduced by Avery, 28.

Read first time January 12, 2009

Committee: Government, Military and Veterans Affairs

A BILL

- 1 FOR AN ACT relating to the state purchasing bureau; to provide for
- 2 reverse auctions as prescribed; and to provide powers and
- 3 duties for the bureau.
- 4 Be it enacted by the people of the State of Nebraska,

1           Section 1. (1) Notwithstanding any other provision of  
2 law, the state purchasing bureau created by section 81-1118 may  
3 use a reverse auction for the acquisition of goods if the bureau  
4 determines that the use of a reverse auction would be advantageous  
5 to the state.

6           (2) If the bureau conducts a reverse auction, the bureau  
7 shall provide notification of the intent to use the reverse  
8 auction process in the bid solicitation documents and, unless the  
9 solicitation is canceled, an award shall be made to the bidder  
10 determined by the bureau to be the lowest responsible bidder at the  
11 close of the bidding process. The bureau may require bidders to  
12 register before the opening date and time of the reverse auction.

13           (3) The bureau may contract with a third-party vendor to  
14 conduct a reverse auction pursuant to this section.

15           (4) The bureau may adopt and promulgate rules and  
16 regulations to implement this section.

17           (5) For purposes of this section, reverse auction means  
18 a process in which (a) bidders compete to provide goods in an  
19 open and interactive environment, which may include the use of  
20 electronic media, (b) bids are opened and made public immediately,  
21 and (c) bidders are given opportunity to submit revised bids until  
22 the bidding process is complete.