

EXHIBIT G

TITLE 16

§ 9604. Commission for the Purchase of Products and Services for the Blind and Other Severely Handicapped Individuals -- Powers and duties; sheltered workshop; qualified rehabilitation facility.

(a) The Commission for the Purchase of Products and Services of the Blind and Other Severely Handicapped Individuals shall provide a market for products and services of visually handicapped and severely handicapped individuals. The Director of the Division for the Visually Impaired and the representative from the Delaware Association of Rehabilitation Facilities shall determine, with the advice of the Commission, the price of all products manufactured and services provided by the Delaware Industries for the Blind or qualified rehabilitation facility which are offered for sale to the various agencies of the State. The price shall recover for the Delaware Industries for the Blind and qualified rehabilitation facility the cost of raw materials, labor, overhead and delivery costs, but shall not include a profit to the the Commission or to the Delaware Industries for the Blind or qualified rehabilitation facility. The Director of the Division for the Visually Impaired and the representative from the Delaware Association of Rehabilitation Facilities, with the advice of the Commission, may revise such prices from time to time in accordance with changing cost factors, and may make such rules and regulations concerning specifications, time of delivery and other matters of operation as shall be necessary to carry out the purposes of the Delaware Industries for the Blind and qualified rehabilitation facility and this chapter.

(b) The Commission shall create subcommittees to facilitate its work. It shall act as an advisory committee to the Director of the Division for the Visually Impaired and the appointee from the Delaware Association of Rehabilitation Facilities in the operation of the Delaware Industries for the Blind and qualified rehabilitation facility and shall provide technical assistance to the Delaware Industries for the Blind in the areas of sales promotion, public relations, market development, market analysis and budget preparation.

(c) The Commission shall create a subcommittee comprised of the Director of Government Support Services or the Director's designated representative, 2 appointed members of the Commission and the representative from the Delaware Association of Rehabilitation

Facilities. This subcommittee shall function as advisors for qualified rehabilitation facilities and shall adopt policies and procedures for the awarding of contracts or subcontracts to qualified rehabilitation facilities. This subcommittee will select a provider for a product or service when more than 1 qualified rehabilitation facility submits quotations. Selection of the provider will be based on criteria set by this subcommittee to facilitate the equitable allocation of orders among qualified rehabilitation facilities. The subcommittee shall encourage diversity in products and services provided by qualified rehabilitation facilities and shall discourage unnecessary duplication or competition between qualified rehabilitation facilities.

(d) The Director of the Division for the Visually Impaired and the appointee from the Delaware Association of Rehabilitation Facilities shall publish periodically a list of products and services provided by the Delaware Industries for the Blind and qualified rehabilitation facilities which the Commission recommends as suitable for procurement by agencies of this State pursuant to this chapter. The list shall be distributed to every person who procures materials for each agency of the State. (59 Del. Laws, c. 566, § 1; 63 Del. Laws, c. 259, § 1; 64 Del. Laws, c. 85, § 5; 69 Del. Laws, c. 291, § 173; 70 Del. Laws, c. 186, § 1; 73 Del. Laws, c. 143, § 4; 75 Del. Laws, c. 88, § 22(3).)

§ 6908. Section powers and duties.

(a) In addition to the powers and duties prescribed by other sections in this chapter, the Section shall:

(1) Review and recommend improvements to the State's procurement process;

(2) Function as the contracting agent in central or joint contracting for state agencies provided, that, at a minimum, all contracts are awarded in conformance with the requirements of this chapter. The Section is required to meet or exceed the requirements of the agencies;

(3) Function as a resource for state agencies by providing, on request, procurement information and or assistance;

(4) Serve as a clearinghouse for procurement information for materiel and services for both agencies and vendors;

(5) Promulgate rules and regulations to effect this chapter. Such rules and regulations shall be promulgated according to the Administrative Procedures Act in Chapter 101 of this title and shall be approved by the Contracting and Purchasing Advisory Council;

(6) Establish procedures through which all public works contracts, which are paid in whole or in part through public funds, include provisions requiring the contractor, its agents, and employees to implement a mandatory drug testing program for all employees or agents working on the job site in nonclerical positions. Provisions governing mandatory drug testing shall be incorporated into all public works contracts and the rules governing the administration of such tests by the contractor shall be promulgated by the Director pursuant to this subsection; and

(7) Assume such other powers, duties and functions as the Director of the Office may assign which are not otherwise inconsistent with the laws of this State.

(b) The Office shall not charge any agency any fee for central contracting services. The Director of the Office may charge any agency of this State local government unit or volunteer fire departments within the State for which the Office makes purchases, supplies, contractual services or to which it distributes materiel a reasonable service charge. The Office shall deposit such charges into a special account to be used to effectuate the purposes of the Office. (70 Del. Laws, c. 601, § 5; 75 Del. Laws, c. 88, §§ 16(5), 22; 75 Del. Laws, c. 283, § 1.)