

EXHIBIT I

TITLE 29

§ 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.)