

(S. B. 2050)

(No. 277)

(Approved August 15, 2008)

## **AN ACT**

To amend Section 7 of Act No. 97 of June 10, 2000, as amended, known as the “Puerto Rico Vocational Rehabilitation Act,” in order to exempt the Administration from the requirements of Act No. 164 of July 23, 1974, as amended, when acquiring specialized and technological equipment; and to clarify that said exemption shall include the acquisition of goods and services without being subject to the Exclusive Register for Bidders.

### **STATEMENT OF MOTIVES**

The goals and purposes of the Vocational Rehabilitation Administration are directed to achieving the employment of persons with disabilities. For such reason, the transfer of the Vocational Rehabilitation Administration from the Department of the Family to the Department of Labor and Human Resources was authorized through Act No. 97 of June 10, 2000, known as the “Puerto Rico Vocational Rehabilitation Act.”

It is estimated that, at present, the Vocational Rehabilitation Administration renders services to approximately 30,000 persons with disabilities who require rehabilitation in order to obtain a job. The Administration has over 1,290 employees in different positions whose function is the rendering of services to persons with disabilities. Some of the services rendered by the Administration require the acquisition of equipment and materials for the population it serves. At present, the Administration is exempted from the application of Act No. 164 of July 23, 1974, as amended, known as the “General Services Administration Act.”

This Act, however, is not clear as to whether said exemption includes the acquisition of specialized and technological equipment in addition to the acquisition of personal property, equipment, materials and articles, as well as the nonprofessional, professional and consulting services that are necessary for the operations and for the prompt rendering of services to consumers. The acquisition of these equipments is essential for the works conducted by the Administration. The services offered by the Vocational Rehabilitation Administration and the special population to which said services are directed require that the same be rendered promptly and dynamically.

Among its responsibilities, the Administration may acquire—by any lawful means—own, administer, sell, lease or otherwise provide for any property, service and supplies or any interest therein that is necessary to achieve its purposes. Subjecting the Vocational Rehabilitation Administration to the requirements of Act No. 164, *supra*, for the acquisition of specialized and technological equipments affects its performance. Said limitation affects persons with disabilities who strive to better themselves and to be self-sufficient in our society.

This Bill has the purpose of clarifying that the Vocational Rehabilitation Administration shall not be subject to the requirements of Act No. 164, *supra*, as to the acquisition of specialized and technological equipment, in addition to the acquisition of personal property, equipment, materials and articles, nonprofessional, professional and consulting services. This exclusion shall serve to improve the services rendered by the Vocational Rehabilitation Administration.

Furthermore, it is hereby clarified that the purchases made by the Vocational Rehabilitation Administration shall not be subject to the provisions of Act No. 85 of June 18, 2002, as amended, known as the

“Exclusive Register for Bidders Act.” This Act requires that any natural or juridical person interested in entering the goods and services acquisition market of the executive agencies and public corporations of the Commonwealth of Puerto Rico shall be bound to register in the Register created by the same.

Imposing the obligation of subjecting the purchases of the Vocational Rehabilitation Administration to the Exclusive Register for Bidders does not contribute with expediting purchase procedures, since often times the specialized equipment required cannot be obtained through the bidders in said Register.

***BE IT ENACTED BY THE LEGISLATURE OF PUERTO RICO:***

Section 1.- Section 7 of Act No. 97 of June 10, 2000, as amended, is hereby amended to read as follows:

The Administration shall acquire nonprofessional, professional and consulting services, specialized and technological equipment, personal property, equipment, materials, and articles that are essential and necessary for the operations thereof and to render services to consumers promptly, without being subject to the provisions of Act No. 164 of July 23, 1974, as amended, known as the “General Services Administration Act,” and Act No. 85 of June 18, 2002, which creates the Exclusive Register for Bidders. The Administrator, in compliance with the applicable Federal laws, shall establish, through regulations, the standards, criteria, and procedures that shall govern the purchase and acquisition of personal property, equipment, materials, articles, specialized and technological equipment and professional, nonprofessional, and consulting services that are necessary and essential to provide services to the consumers.

Section 2.- This Act shall take effect immediately after its approval.

## CERTIFICATION

I hereby certify to the Secretary of State that the following Act No. 277 (S. B. 2050) of the 7<sup>th</sup> Session of the 15<sup>th</sup> Legislature of Puerto Rico:

**AN ACT** to amend Section 7 of Act No. 97 of June 10, 2000, as amended, known as the “Puerto Rico Vocational Rehabilitation Act,” in order to exempt the Administration from the requirements of Act No. 164 of July 23, 1974, as amended, when acquiring specialized and technological equipment; and to clarify that said exemption shall include the acquisition of goods and services without being subject to the Exclusive Register for Bidders.

has been translated from Spanish to English and that the English version is correct.

In San Juan, Puerto Rico, today 15<sup>th</sup> of September of 2009.

Solange I. De Lahongrais, Esq.  
Director