

**State Government Contract
Assessment
By Barry Williams**

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Introduction:

The Center for the Study of Responsive Law (CSRL) surveyed¹ the online availability of state government contracting information for all 50 states and the District of Columbia. The CSRL examined the following:

1. Do states provide any online information about the contracts they issue?
2. Is the information presented in a format that will allow taxpayers, citizen groups and the media to analyze the way in which the government is spending tax money?
3. Which states demonstrated the "best practices" in providing complete data in a form that is user friendly?
4. Which states have done the worst job in providing online information about the contracts they issue?

Methodology:

In recent years the federal government has taken some important, though modest steps in making contracting information available online. The Federal Funding Accountability and Transparency Act² required the creation of a single searchable website that includes in each federal award: The name of the entity receiving the award; information on the award, including the transaction type and funding agency; and, location of the entity receiving the award. This information is now available at <http://www.USASpending.gov>. Elaborating on the federal disclosure model, the CSRL report identifies the following features as optimally included in the state-based contracting disclosure system: the name of the recipient of the contract; the full amount of the contract; the recipient's location; the parent company of the contract recipient; the agency funding the expenditure; the type of transaction; program source; the award title; the period of the contract; the place of performance; and, a competitive means of acquiring a contract from the state government. The CSRL also looked at whether the state provides the full text of the contract or a summary of the contract, and whether the online publication of information is mandated by executive order or by statute.

To assess which state governments (as well as the government of the District of Columbia) provided the best information with regard to their spending, the CSRL undertook a state-by-state inspection of each state government's websites.

Results:

The seven states with the best performance are, in alphabetical order, Illinois, Indiana, Montana, New Jersey, Oklahoma, Texas and Vermont. On the opposite end of the spectrum, the seven states with the worst performance are Kentucky, Louisiana, Minnesota, Mississippi, Rhode Island,

¹ See Appendix

² Federal Funding Accountability and Transparency Act, S.2590, 109th Cong., Second Sess. (2006).

Wisconsin and Wyoming.

Best Practices:

Illinois:

The Illinois Department of Central Management Services provides a good example of the amount of information that state governments should provide to the citizenry. Illinois provides a summary of the spending of the contract and a Portable Document Format (PDF) copy of the contract. Of the information that the CSRL was searching for, Illinois provided the following: recipient's name; amount of the transaction; recipient's location; funding agency; transaction type; award title; period of the contract; place of performance; program source; and, the competitive means necessary to obtain a contract from the state of Illinois.

Despite the amount and quality of data that the state of Illinois provides via the internet, there is still room for improvement. Illinois does not disclose the parent company of a contract recipient.

Indiana:

Indiana's Department of Administration provides a variety of useful contract information on its website. Indiana provides a summary of the contract and a PDF version of the contract text. The information provided by Indiana through its procurement site includes: recipient's name; amount of the transaction; recipient's location; funding agency; transaction type; award title; period of the contract; place of performance; program source; and, the competitive means for obtaining the Indiana spending contract.

Indiana does not disclose the parent company of a contract recipient.

Montana:

The General Services Division of the Montana State Government provides a wide variety of contracting information for its taxpayers. Montana provides a summary of the contract as well as a PDF version. Through the summary and the PDF, Montana's General Services Division provides the following information: contract recipient's name; amount of the contract; location of the recipient; funding agency; type of transaction; the award title; period of the contract; place of performance; the funding source of the program; and, the competitive means of obtaining a procurement contract from the state of Montana.

Montana could better serve its taxpayers by disclosing the parent company of contract recipients.

New Jersey:

New Jersey's Division of Purchase and Property, through the Department of Treasury, provides the taxpayers of New Jersey with a useful resource to monitor where their tax dollars are being spent. New Jersey offers a summary and the full text of the contract. Through the text and summary, the Division of Purchase and Property provides the following information: recipient's name; amount of

spending; recipient's location; the funding agency; transaction type; award title; start and end dates of the contract; program source; place of performance; and, the competitive means of obtaining the contract.

The Division of Purchase and Property does not provide information regarding the parent company of the entity receiving a purchasing contract from New Jersey.

Oklahoma:

The Oklahoma Department of Central Services provides a good deal of information to its taxpayers via summaries of the contract and the full text of the contract. Through the Department of Central Services website, citizens can access the following information regarding state purchasing contracts: name and location of contract recipient; amount; funding agency; transaction type; the award title; date range of the contract; the place of performance; program source; and, the competitive means of obtaining the contract.

Despite the wealth of information that is provided by the Department of Central Services, Oklahoma does not provide information regarding the parent company of the award recipient.

Texas:

Texas' Office of the Comptroller, through the website "Window on State Government", provides information in an easy-to-use interface for taxpayers. The state government of Texas provides its contract information through both a summary and a PDF version of the contract. Texas provides the following information online: name of recipient; amount of the reward; location of recipient; parent company information; transaction type; award title; duration of the contract; program source; place of performance; and, the competitive means through which the contract was acquired.

Texas, however, fails to provide information regarding the funding agency of the contract.

Vermont:

The Office of Purchasing and Contracts for the state of Vermont provides robust contract information to its citizenry. Vermont publishes summaries and the full contract online. Through the Office of Purchasing and Contracts, taxpayers are able to find out the following information: name and location of contract recipient; amount of the contract; funding agency; transaction type; award title; term of the contract; place of performance; program source; and, the competitive means to acquire the state contract.

Vermont's Office of Purchasing and Contracts does not provide information regarding the parent company of the recipient.

Worst Practices:

The CSRL has determined that there are four states that either do not provide sufficient information or provide no contract information whatsoever. These states are Minnesota, Mississippi and Rhode

Island. The CSRL also chose Kentucky, Louisiana, Wisconsin and Wyoming as examples of states that provide minimal information.

Kentucky:

The Kentucky OpenDoor program, beginning January 1, 2009, is a transparency initiative of the state of Kentucky made through an executive order. OpenDoor provides a summary of government spending, but does not provide the full text of the contract available in a searchable format. Kentucky makes available information pertaining to the amount spent, the agency that spent the funds and the competitive means for obtaining the contract. Despite these positive steps, the state does not provide information regarding the recipient's name or location, recipient's parent company, transaction type, program source, award title, term of the contract or place of performance.

Louisiana:

The state of Louisiana, through the Division of Administration, recently started the Louisiana Transparency and Accountability website (LA TRAC), through which taxpayers can look at the budget of the state. Through this website, citizens are able to obtain the name of the recipient and the amount of the award. Although this is a good start, there is still much room for improvement in Louisiana's open government initiative. Most importantly, LA TRAC should provide the full text of the contract online.

Wisconsin:

The State of Wisconsin's Government Accountability Board has created a website called "Contract Sunshine." Through the contract summaries on this website, citizens can obtain information pertaining to the name of the recipient, the amount of the contract, start and end times of the contractual obligation and the competitive means of obtaining a contract from the state of Wisconsin.

Wyoming:

The General Services Division of the state of Wyoming provides procurement information for taxpayers through a summary of spending. The CSRL has concluded that while Wyoming provides information on the name of the recipient, the term of the contract and the competitive means of obtaining the contract, the state falls very short in the goal of full disclosure. Although this is a good foundation for contract information, the citizens of Wyoming are left with very little information that would provide ample disclosure of where, and how, their tax dollars are being spent.

Conclusion:

There has been progress in the disclosure of procurement information via state government websites. Although there are no states, as of yet, that fully fit the criteria obtained from USASpending.gov, there are many states that provide a good deal of information to their citizens.

Moving forward every state should provide full and easy-to-search data, including the full text of the contracts.

For questions regarding the research, please contact:

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APPENDIX

ST	K	Sum	RN	AMT	RL	PC	FA	TT	PS	AT	Date	PP	CM	Law	EO
AL	YES	YES	YES	YES	YES	YES	YES	YES	NO	YES	YES	NO	YES	*	*
AK	NO	YES	YES	YES	NO	*	YES	YES	NO	YES	YES	NO	NO	*	*
AZ	Some	YES	YES	YES	YES	*	YES	YES	NO	YES	YES	YES	YES	*	*
AR	YES	NO	YES	YES	YES	*	YES	YES	NO	YES	YES	NO	YES	*	*
CA	NO	YES	YES	YES	NO	YES	YES	YES	NO	NO	YES	NO	YES	*	*
CO	YES	YES	YES	YES	YES	YES	NO	YES	NO	YES	YES	NO	YES	*	*
CT	YES	YES	YES	YES	YES	*	YES	NO	NO	YES	YES	YES	YES	*	*
DC	NO	YES	YES	YES	YES	*	YES	YES	NO	YES	YES	NO	NO	*	*
DE	YES	NO	YES	YES	YES	*	YES	YES	NO	YES	YES	YES	YES	*	*
FL	YES	Partia	YES	YES	YES	*	YES	YES	NO	YES	YES	NO	YES	*	*
GA	YES	YES	YES	YES	YES	*	YES	YES	NO	YES	YES	NO	YES	*	*
HI	NO	YES	YES	YES	NO	*	YES	YES	NO	YES	NO	NO	YES	*	*
ID	YES	YES	YES	YES	YES	*	NO	YES	NO	YES	YES	NO	YES	*	*
IL	YES	YES	YES	YES	YES	*	YES	YES	NO	YES	YES	YES	YES	*	*
IN	YES	YES	YES	YES	YES	*	YES	YES	NO	YES	YES	YES	YES	*	*
IA	YES	YES	YES	YES	YES	*	YES	YES	NO	YES	YES	NO	YES	YES	*
KS	YES	YES	YES	YES	YES	*	YES	NO	NO	NO	YES	YES	YES	YES	*
KY	NO	YES	NO	YES	NO	*	YES	NO	NO	NO	NO	NO	YES	*	YES
LA	NO	YES	Yes	YES	NO	*	NO	NO	NO	NO	NO	NO	YES	*	*
ME	NO	YES	YES	NO	YES	*	NO	NO	NO	NO	YES	NO	YES	NO	NO
MD	YES	YES	YES	YES	YES	*	NO	YES	NO	YES	YES	NO	YES	*	*
MA	NO	YES	YES	YES	YES	*	YES	YES	NO	YES	YES	NO	YES	*	*
MI	YES	YES	YES	YES	Some	*	YES	NO	NO	YES	YES	NO	YES	*	*
MN	NO	NO	NO	NO	NO	*	NO	NO	NO	NO	NO	NO	YES	NO	NO
MS	YES	NO	YES	YES	YES	*	NO	YES	YES	YES	YES	NO	YES	NO	NO
MO	YES	YES	YES	YES	YES	*	NO	YES	NO	YES	YES	NO	YES	*	*
MT	YES	YES	YES	YES	YES	*	YES	YES	NO	YES	YES	YES	YES	*	*
NE	YES	YES	YES	YES	YES	*	NO	NO	NO	NO	YES	NO	YES	*	*
NV	YES	YES	YES	YES	YES	*	YES	YES	NO	YES	YES	NO	YES	*	*
NH	YES	YES	YES	YES	YES	*	YES	YES	NO	YES	YES	NO	YES	*	*
NJ	YES	YES	YES	YES	YES	*	YES	YES	NO	YES	YES	YES	YES	*	*
NM	YES	Partia	YES	NO	YES	*	NO	NO	NO	NO	YES	NO	YES	*	*
NY	YES	YES	YES	YES	YES	*	NO	YES	NO	YES	YES	YES	YES	*	*
NC	YES	NO	YES	YES	YES	*	NO	YES	NO	YES	YES	NO	YES	*	*
ND	YES	YES	YES	YES	YES	*	NO	NO	NO	NO	YES	NO	YES	*	*
OH	YES	Partia	YES	YES	YES	*	YES	YES	NO	YES	YES	NO	YES	*	*
OK	YES	YES	YES	YES	YES	*	YES	YES	NO	YES	YES	YES	YES	*	*
OR	YES	NO	YES	NO	YES	*	YES	YES	NO	YES	YES	NO	YES	*	*
PA	YES	YES	YES	YES	YES	*	NO	NO	NO	NO	YES	NO	YES	*	*
RI	YES	NO	YES	NO	YES	*	NO	YES	NO	YES	YES	NO	YES	*	*
SC	YES	YES	YES	YES	YES	*	YES	NO	NO	NO	YES	YES	YES	*	*
SD	YES	YES	YES	YES	YES	*	NO	YES	NO	YES	YES	NO	YES	*	*
TN	YES	YES	YES	YES	YES	*	NO	NO	NO	YES	YES	YES	YES	*	*
TX	YES	YES	YES	YES	YES	YES	NO	YES	NO	YES	YES	YES	YES	YES	NO
UT	YES	YES	YES	YES	YES	*	YES	NO	NO	NO	YES	NO	YES	*	*
VT	YES	YES	YES	YES	YES	*	YES	YES	NO	YES	YES	YES	YES	*	*
VA	YES	YES	YES	YES	YES	*	YES	YES	NO	YES	YES	NO	YES	*	*
WA	YES	YES	YES	YES	YES	*	NO	YES	NO	YES	YES	NO	YES	*	*
WV	YES	NO	YES	YES	YES	*	NO	YES	NO	NO	YES	NO	YES	*	*
WI	YES	YES	YES	YES	YES	*	YES	YES	YES	NO	YES	NO	YES	*	*
WY	NO	YES	YES	NO	NO	*	NO	NO	NO	NO	YES	NO	YES	*	*

Key:

K = Full text of contract online	PS = Program Source
Sum = Summary of contract	AT = Award Title
RN = Recipient Name	Date = Contract Period
AMT = Full amount of contract	PP = Place of Performance
RL = Recipient Location?	CM = Competitive Means of Acquiring Contract
PC = Parent Company information	Law = Contracts placed online due to state law
FA = Funding Agency	EO = Contracts placed online due to Executive Order
TT = Transaction Type	

* The state's disclosure in this field was non-existent or not explicit.