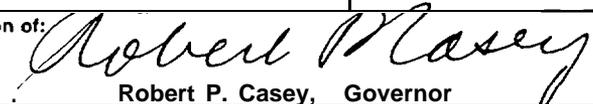


Commonwealth of Pennsylvania
GOVERNOR'S OFFICE
EXECUTIVE ORDER

Subject: Contractor Responsibility Program		Number: 1990-3
Date: June 29, 1990	Distribution: B	By Direction of:  Robert P. Casey, Governor

- WHEREAS, Commonwealth agencies, in order to exercise their powers, duties, and responsibilities, enter into a variety of contracts and make grants and loans; and
- WHEREAS, this administration is firmly committed to take all steps necessary to ensure that Commonwealth agencies contract with responsible and competent contractors and that the Commonwealth's contract, grant, and loan process is free of fraud, waste, abuse, and other wrongdoing; and
- WHEREAS, the public interest requires an efficient and effective program to identify, evaluate, and sanction appropriately, contractors that do not meet the standards of responsibility, that render deficient performance, or that engage in wrongdoing or other activity adversely affecting their fitness to contract with Commonwealth agencies; and
- WHEREAS, pursuant to Executive Order 1980-13, the Secretary of the Budget has been delegated authority to develop and publish minimum standards with respect to contracts for the purchase of services by Commonwealth agencies; and
- WHEREAS, pursuant to The Administrative Code of 1929, 71 P.S. §51 et seq., the Secretary of General Services has authority to prescribe rules and regulations for the purchase of goods and services, the leasing of property, and the construction of improvements by the Department of General Services.

NOW, THEREFORE, I, Robert P. Casey, Governor of the Commonwealth of Pennsylvania, by virtue of the authority invested in me by the Constitution of the Commonwealth of Pennsylvania and other laws, do hereby order as follows:

1. The Secretary of the Budget and the Secretary of General Services shall coordinate the development of a Contractor Responsibility Program designed to identify, evaluate, and sanction appropriately, contractors that do not meet the standards of responsibility, that render deficient performance, or that engage in wrongdoing, or other activity adversely affecting their fitness to contract with Commonwealth agencies.
2. The Secretaries shall consult with the General Counsel and the State Inspector General in developing and implementing this program.

3. The Secretaries shall cooperate in the development and maintenance of a centralized system to collect from and disseminate to Commonwealth agencies information **concerning** a contractor's lack of responsibility, deficient performance, wrongdoing, or other activity adversely affecting its fitness to contract with Commonwealth **agencies**, including any sanctions imposed against a contractor under this program.

4. The Secretaries shall promulgate such directives, rules, or regulations as necessary to develop and implement this program. Such directives, rules, or regulations shall:

(a) provide standards and procedures for the determination by Commonwealth agencies of contractor responsibility;

(b) provide for the investigation and evaluation of reports of **deficient** performance or other wrongdoing by contractors;

(c) provide standards and procedures for the determination of deficient performance or other wrongdoing by contractors;

(d) mandate the reporting of instances where a contractor lacks responsibility, engages in wrongdoing, or renders **deficient** performance;

(e) provide for the imposition of appropriate sanctions against contractors that have engaged in wrongdoing, rendered deficient performance or otherwise lack responsibility, including suspension and debarment from the privilege of contracting with any Commonwealth agency;

(f) provide for the use of informal means, where appropriate, to improve the responsibility, performance, and conduct of the Commonwealth's contractors;

(g) provide for the centralized collection and dissemination of reports relating to contractor wrongdoing, deficient performance, lack of responsibility, or other activity adversely affecting fitness to contract with Commonwealth agencies;

(h) provide for the centralized collection and dissemination of information **concerning** sanctions imposed against contractors; and

(i) provide for the **collection** of Information regarding contractor **responsibility** from independent agencies and sources outside of Commonwealth government, such as other states, the federal government, local government, and private industry.

5. All agencies, officers, and employees under the Governor's jurisdiction shall cooperate fully in the development and implementation of this program. Independent agencies and their officers and employees are also encouraged to participate.