

(3) ANY CONTINUING OR TRANSITIONAL COSTS THAT WOULD BE DIRECTLY ASSOCIATED WITH CONTRACTING FOR THE WORK, INCLUDING UNEMPLOYMENT COMPENSATION AND THE COST OF TRANSITIONAL SERVICES; OR AND

(4) ADDITIONAL COSTS OF PERFORMANCE OF THE WORK BY STATE EMPLOYEES, INCLUDING THE SALARIES AND BENEFITS OF ADDITIONAL STAFF AND THE COST OF ADDITIONAL SPACE, EQUIPMENT, AND MATERIALS NEEDED TO PERFORM THE FUNCTION.

~~10-106-~~ 8-806.

(A) A PROCUREMENT AGENCY THAT SEEKS TO ENTER INTO A SERVICE CONTRACT SHALL SUBMIT TO THE DEPARTMENTS A FORMAL PLAN OF ASSISTANCE TO THE STATE EMPLOYEES WHO WILL BE ADVERSELY IMPACTED BY THE SERVICE CONTRACT.

(B) THE PLAN SHALL INCLUDE, BUT IS NOT LIMITED TO, THE FOLLOWING PROVISIONS:

(1) EFFORTS BY THE PROCUREMENT AGENCY TO PLACE AFFECTED EMPLOYEES IN VACANT POSITIONS IN THAT AGENCY OR OTHER STATE AGENCIES;

(2) PROVISIONS IN THE SERVICE CONTRACT, IF FEASIBLE, FOR THE HIRING OF DISPLACED EMPLOYEES BY THE CONTRACTOR;

(3) PRIOR NOTIFICATION TO AFFECTED EMPLOYEES 6 MONTHS IN ADVANCE OF THE ADVERSE IMPACT OR ON THE DATE THE CONTRACT IS SIGNED, WHICHEVER IS SOONER;

(4) DEMONSTRATION BY THE AGENCY THAT IT HAS TAKEN FORMAL AND POSITIVE STEPS IN CONSIDERING ALTERNATIVES TO CONTRACTING, INCLUDING REORGANIZATION, REEVALUATION OF SERVICE, AND REEVALUATION OF PERFORMANCE.

~~10-107-~~ 8-807.

THE DEPARTMENTS MAY CERTIFY A SERVICE CONTRACT TO THE BOARD ONLY IF THEY FIND THAT:

(1) THE POTENTIAL ECONOMIC ADVANTAGE OF CONTRACTING IS NOT OUTWEIGHED BY THE PUBLIC'S INTEREST IN HAVING THE PARTICULAR FUNCTION PERFORMED DIRECTLY BY THE STATE GOVERNMENT;

(2) THE CONTRACT DOES NOT ADVERSELY AFFECT THE STATE'S AFFIRMATIVE ACTION EFFORTS;

(3) THE CONTRACT WILL INCLUDE ADEQUATE CONTROL MECHANISMS TO INSURE THAT THE WORK IS CARRIED OUT AS PROVIDED IN THE TERMS OF THE CONTRACT; AND

(4) THE CONTRACT COMPLIES WITH ALL OF THE REQUIREMENTS OF THIS ARTICLE.