

**ALC Report  
For Emergency Review of  
Technical and General Services Contracts**

**December 21, 2016**

On December 20, 2016, Senator Bill Sample and Representative David Branscum, Co-Chairs of the Legislative Council and Senator Bart Hester and Representative Jeff Wardlaw, Co-Chairs of Review Subcommittee received written notification from Larry Walther, DFA Director requesting review of a Technical and General Services (TGS) Contract.

The contract for DFA Employee Benefits Division with DataPath will provide for the administration and management of Health Savings Accounts (HSA) for the state.

Under Rule 17 of the Rules of the Arkansas Legislative Council, on December 21, 2016, the Co-Chairs of the Legislative Council and ALC Review Subcommittee unanimously determined that emergency review of the contract was essential to enable the agency to perform essential services. Following is a summary of the contract that was given emergency review and a copy of the request from Larry Walther.


**SUMMARY SCHEDULE OF STATE AGENCY CONTRACTS  
FOR ARKANSAS LEGISLATIVE COUNCIL REVIEW  
AS REQUIRED BY ARKANSAS CODE 19-11-1006**

*Technical & General Services Contracts*

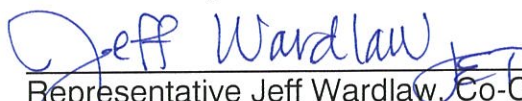
1. Agency: DFA-Management Services		Contractor: DataPath Administrative Services, Inc.	
		Location: Little Rock	State: AR
Total Authorized:	Org. Term: 01/01/2017 12/31/2017	Procurement: EMG	
Total After Review:	\$806,568.00	Funding: Trust - 90% - [ ]; Other - 9% - [Cafeteria ]	
Total Projected:	\$806,568.00	Contract Number: 4600039381	
<u>Org/Amt:</u>	<u>Amount</u>	<u>Paid To Date</u>	<u>Objective:</u>
Original:	806,568.00		
The contract is for administration and management of Health Savings Accounts (HSA) for the State (ASE) and Public School (PSE) Employees. Duties of the Administrator shall include claims processing to allow for employee reimbursements via check and direct deposit, processing of an electronic payment card (debit card), processing cash contributions to employee Health Savings Accounts, providing distribution assistance for employee HSA, facilitating investment access to HSA funds, and comprehensive customer service for all members.			

Respectfully Submitted,

  
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Senator Bill Sample, Co-Chair  
Arkansas Legislative Council

  
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Senator Bart Hester, Co-Chair  
ALC Review Subcommittee

  
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Representative David Branscum, Co-Chair  
Arkansas Legislative Council

  
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Representative Jeff Wardlaw, Co-Chair  
ALC Review Subcommittee



STATE OF ARKANSAS  
**Department of Finance  
and Administration**

**OFFICE OF THE DIRECTOR**

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December 20, 2016

Senator Bart Hester  
Co-Chair, Arkansas Legislative Council – Review Subcommittee  
State Capitol  
500 Woodlane St. Suite 320  
Little Rock, AR 72201-1090

Representative Jeff Wardlaw  
Co-Chair, Arkansas Legislative Council – Review Subcommittee  
State Capitol  
500 Woodlane St. Suite 350  
Little Rock, AR 72201-1089

RE: Emergency Procurement Review

Senator Hester and Representative Wardlaw,

Pursuant to Ark. Code Ann. § 19-11-233, the Department of Finance and Administration, Employee Benefits Division (EBD) requested my authorization to enter into a technical and general services contract with DataPath Administrative Services, Inc. (DataPath). I granted authorization for EBD to move forward with an emergency contract, finding that it was necessary to preserve the functional capability of the agency.

Under Office of State Procurement rules, an emergency technical and general service contract over one hundred thousand dollars (\$100,000) must be submitted to the Legislative Council. Under its emergency action procedures, the Co-chairpersons of the Legislative Council and/or the Co-chairpersons of the Legislative Council Review Committee may review the contract on behalf of the Legislative Council, provided that a written report of the review process is presented to the Legislative Council at its next regular meeting. See R1:19-11-233(e).

In accordance with Arkansas law and rule, I respectfully request an expedited review of the emergency contract requested by EBD by the co-chairs of the ALC Review Subcommittee.

If you have any questions or concerns, please feel free to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Larry Walther", written in a cursive style.

Larry Walther  
Director, DFA

cc: Edward R. Armstrong, Director, OSP  
Chris Howlett, Director, EBD