CONCISE EXPLANATORY STATEMENT

AGENCY: Rhode Island Turnpike and Bridge Authority (RITBA)

RULE IDENTIFIER: ERLID 2418

RULE TITLE: Regulations Governing Prequalification of Contractors

REASON FOR RULEMAKING: The purpose of this action is to repeal RITBA's Regulations Governing Prequalification of Contractors because RITBA is simultaneously amending its Procurement Rules, and RITBA wishes to avoid duplication or overlap. Under the recently-amended Administrative Procedures Act ("APA"), RITBA believes that it is more appropriate to set forth all of its procurement-related regulations in a single document (i.e., its Procurement Rules).

TESTIMONY AND COMMENTS: RITBA did not expect this repeal to be controversial and thus proceeded as a Direct Final Rule. No comments or objections were received during the comment period between July 19, 2018 and August 18, 2018.

CHANGE TO TEXT OF THE RULE: This is a repeal and therefore there are no modifications or changes between the text of the rule as proposed and the text of the final rule.

REGULATORY ANALYSIS: The Regulatory Analysis of the Rhode Island Turnpike & Bridge Authority (RITBA) required by R.I. Gen. Laws §42-35-2.9 with respect to RITBA's proposed repeal of its Regulations Governing Prequalification of Contractors:

RITBA believes that repealing its Regulations Governing Prequalification of Contractors is appropriate because RITBA is simultaneously amending its Procurement Rules. Accordingly, RITBA wishes to avoid duplication or overlap, and under the recently-amended Administrative Procedures Act ("APA"), RITBA believes that it is more appropriate to set forth all of its procurement-related regulations in a single document (i.e., its Procurement Rules). Therefore, by repealing its Regulations Governing Prequalification of Contractors, RITBA will ensure that all of its procurement-related regulations are set forth solely in the Procurement Rules.

In the development of the proposed repeal, consideration was given to: (1) alternative approaches; (2) overlap or duplication with other statutory and regulatory provisions; and (3) significant economic impact on small business. Other than as stated above, no alternative approach, duplication, or overlap was identified based upon available information.