

Stricken language would be deleted from and underlined language would be added to present law.
Act 1189 of the Regular Session

State of Arkansas
89th General Assembly
Regular Session, 2013

As Engrossed: S3/27/13
A Bill

SENATE BILL 1092

By: Senator Elliott

For An Act To Be Entitled

AN ACT TO AMEND PROVISIONS OF THE ARKANSAS CODE
CONCERNING PROCUREMENT LAWS AS THEY RELATE TO
MINORITY VENDORS; AND FOR OTHER PURPOSES.

Subtitle

TO AMEND PROVISIONS OF THE ARKANSAS CODE
CONCERNING PROCUREMENT LAWS AS THEY
RELATE TO MINORITY VENDORS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code § 19-11-204(13)(A)(i), concerning the definition of "small procurements", is amended to read as follows:

(13)(A)(i) "Small procurements" means any procurement not exceeding a purchase price of ~~five thousand dollars (\$5,000)~~ ten thousand dollars (\$10,000). Small purchases may be procured without seeking competitive bids or competitive sealed bids.

SECTION 2. Arkansas Code § 19-11-229(b)(1), concerning competitive sealed bidding, is amended to read as follows:

(b)(1) Contracts exceeding an estimated purchase price of ~~twenty-five thousand dollars (\$25,000)~~ fifty thousand dollars (\$50,000) shall be awarded by competitive sealed bidding, unless a determination is made in writing by the agency procurement official or the State Procurement Director ~~of the Office of State Procurement of the Department of Finance and Administration~~ that this method is not practicable and advantageous and specifically states the reasons that this method is not practicable and advantageous.



SECTION 3. Arkansas Code § 19-11-234(b)(1), concerning competitive bidding, is amended to read as follows:

(b)(1) Contracts in which the purchase price exceeds ~~five thousand dollars (\$5,000)~~ ten thousand dollars (\$10,000) and is less than or equal to ~~twenty five thousand dollars (\$25,000)~~ fifty thousand dollars (\$50,000) may be awarded by use of competitive bidding procedures.

SECTION 4. Arkansas Code § 19-11-1006(a)(1), concerning the required submission of contracts, is amended to read as follows:

(a)(1) All contracts for professional services or consultant services, except for those which are specifically exempt from review, requiring the services of an individual for regular full-time or part-time weekly work where the total contract amount exceeds ~~twenty five thousand dollars (\$25,000)~~ fifty thousand dollars (\$50,000) must be presented to the Legislative Council or to the Joint Budget Committee, if the General Assembly is in session, before the execution date of the contract.

SECTION 5. Arkansas Code § 19-11-1012(b)(9)(A), concerning standard contract forms, is amended to read as follows:

(9)(A) For any contract in which the total compensation exclusive of reimbursable expenses to be paid by the state agency does not exceed ~~twenty five thousand dollars (\$25,000)~~ fifty thousand dollars (\$50,000), a purchase order may be utilized in lieu of the standard form or forms prescribed by the director.

SECTION 6. Arkansas Code § 25-36-104 is amended to read as follows:

25-36-104. Data recording and tracking.

(a)(1) The State Procurement Director shall track data regarding minority participation in state contracts that exceed ~~twenty five thousand dollars (\$25,000)~~ fifty thousand dollars (\$50,000).

(2) The data shall include, but not be limited to, information regarding:

(A) The dollar amount for each contract awarded to a minority-owned business;

(B) The total dollar amount spent on contracts by each

state agency; and

(C) *The number and percentage of minority-owned businesses awarded contracts by the agency.*

(b) *The director shall report the data required under subsection (a) of this section semiannually to the Governor and to the cochairs of the Legislative Council and to the Legislative Joint Auditing Committee and the Minority Business Advisory Council.*

(c)(1) *Each state agency shall include in its budget report to the Joint Budget Committee a listing of all contracts in amounts exceeding ~~twenty five thousand dollars (\$25,000)~~ fifty thousand dollars (\$50,000) awarded to minority-owned businesses.*

(2) *The vice president or vice chancellor for finance of each state college and university shall include in his or her budget report to the Joint Budget Committee a listing of all contracts in amounts exceeding ~~twenty five thousand dollars (\$25,000)~~ fifty thousand dollars (\$50,000) awarded to minority-owned businesses.*

(d) *The director shall promulgate rules and regulations necessary for the implementation of this chapter.*

/s/Elliott

APPROVED: 04/12/2013