

State of Arkansas
91st General Assembly
Regular Session, 2017

A Bill

HOUSE BILL 1595

By: Representative Holcomb
By: Senator Caldwell

For An Act To Be Entitled

AN ACT TO AMEND THE AWARD PROCEDURE FOR PUBLIC
IMPROVEMENT CONTRACTS; AND FOR OTHER PURPOSES.

Subtitle

TO AMEND THE AWARD PROCEDURE FOR PUBLIC
IMPROVEMENT CONTRACTS.

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

SECTION 1. Arkansas Code § 22-9-202(b)(2)(C), concerning statutory construction, is amended to read as follows:

(C) Construction work from one (1) or more separate contractors under separate contract or invoice so that the work is not included in calculating the bid requirement threshold of ~~twenty thousand dollars (\$20,000)~~ thirty-five thousand dollars (\$35,000).

SECTION 2. Arkansas Code § 22-9-202(c), concerning statutory construction, is amended to read as follows:

(c) This section and §§ 22-9-203 and 22-9-204 do not amend or repeal any law that requires the publication of notice in those instances in which the estimated amount of the cost of the proposed improvements within the scope of the contract is ~~less than twenty thousand dollars (\$20,000)~~ more than thirty-five thousand dollars (\$35,000).

SECTION 3. The introductory language of Arkansas Code § 22-9-203(a), concerning the award procedure for public improvements, is amended to read as



follows:

(a) Except as provided under § 14-58-105, a contract providing for the making of major repairs or alterations, for the erection of buildings or other structures, or for making other permanent improvements shall not be entered into by the state or an agency of the state or by a county, municipality, school district, or other local taxing unit with any contractor in instances in which all estimated costs of the work ~~shall~~ exceed the sum of ~~twenty thousand dollars (\$20,000)~~ thirty-five thousand dollars (\$35,000) unless:

SECTION 4. Arkansas Code § 22-9-203(c)(2)(A), concerning award procedures and requirements, is amended to read as follows:

(2)(A)(i) Every bid submitted on public construction contracts for any political subdivision of the state ~~shall be~~ is void unless accompanied by a cashier's check drawn upon a bank or trust company doing business in this state or by a corporate bid bond.

(ii) Every bid submitted on public construction contracts for the state or any agency or department of the state ~~shall be~~ is void unless accompanied by a cashier's check drawn upon a bank or trust company doing business in this state or by a corporate bid bond, except for projects under ~~twenty thousand dollars (\$20,000)~~ thirty-five thousand dollars (\$35,000).

(iii) ~~No~~ A bid bond ~~shall be~~ is not required for public construction contracts for the state or any agency or department of the state under or equal to ~~twenty thousand dollars (\$20,000)~~ thirty-five thousand dollars (\$35,000).

SECTION 5. Arkansas Code § 22-9-209(a), concerning the renovation of historic sites, is amended to read as follows:

(a) A contract for the altering, repairing, or renovation of a recognized historic site or structure owned by the ~~State of Arkansas~~ state or with title vested in the name of a state agency or of another taxing authority in which the estimated cost of the work equals or exceeds the sum of ~~twenty thousand dollars (\$20,000)~~ thirty-five thousand dollars (\$35,000) shall not be entered into between the state agency or taxing authority and any contractor unless the state agency or taxing authority has first

published notice of intention to receive bids for improvements one (1) time each week for not less than two (2) consecutive weeks in a newspaper of general circulation published in the county in which the proposed improvements are to be made or in a trade journal reaching the construction industry.

APPROVED: 03/28/2017