

**DEPARTMENT OF TRANSFORMATION AND SHARED SERVICES, OFFICE OF STATE PROCUREMENT**

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**SUBJECT:** Rule Governing Time Period for Submission of Resolution of Protested Solicitations and Awards, R:2:19-11-244.3

**DESCRIPTION:** The Department of Transformation and Shared Services' Office of State Procurement seeks to amend its Rule Governing Time Period for Submission of Resolution of Protested Solicitations and Awards R2:19-11-244.3. The proposed amendment to the rule establishes that protested solicitations and awards shall be submitted in writing within fourteen (14) calendar days after the calendar day on which the contract is awarded or the notice of anticipation to award the contract is posted, whichever occurs first.

**PUBLIC COMMENT:** A public hearing was held on October 26, 2021. The public comment period expired on November 9, 2021. The Office received no comments.

The proposed effective date is pending legislative review and approval.

**FINANCIAL IMPACT:** The agency states that the amended rule has no financial impact.

**LEGAL AUTHORIZATION:** The proposed amendments include changes made in light of Act 487 of 2021, sponsored by Senator Scott Flippo, which clarified the law concerning the time for submitting a protest under the Arkansas Procurement Law. Pursuant to Arkansas Code Annotated § 19-11-225(a)(1), the State Procurement Director shall adopt rules in accordance with the applicable provisions of the Arkansas Procurement Law, Ark. Code Ann. §§ 19-11-201 through 19-11-281, and of the Arkansas Administrative Procedure Act, § 25-15-201 et seq.