

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas
90th General Assembly
Regular Session, 2015

As Engrossed: H3/17/15
A Bill

HOUSE BILL 1843

By: Representative Murdock

For An Act To Be Entitled

AN ACT TO PROMOTE FAIRNESS IN THE BIDDING PRACTICES FOR THE CONSTRUCTION OF PUBLICLY FUNDED PROJECTS; TO REQUIRE JUSTIFICATION OF AWARDING A PUBLICLY FUNDED PROJECT TO A BIDDER OTHER THAN THE LOW BIDDER; AND FOR OTHER PURPOSES.

Subtitle

TO PROMOTE FAIRNESS IN THE BIDDING PRACTICES FOR THE CONSTRUCTION OF PUBLICLY FUNDED PROJECTS; AND TO REQUIRE JUSTIFICATION OF AWARDING A PUBLICLY FUNDED PROJECT TO A BIDDER OTHER THAN THE LOW BIDDER.

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

SECTION 1. Arkansas Code § 19-11-804, concerning the selection of a bidder on a contract, is amended to add an additional subsection to read as follows:

(c)(1) If a contract under this chapter is awarded to a qualified bidder that is not the lowest bidder on a contract, the Office of State Procurement shall provide to the lowest bidder on a contract the justification for not awarding the contract to the lowest bidder on the contract.

(2) The justification required under subdivision (c)(1) of this section shall:

(A) Provide details of possible issues or concerns with



the lowest bidder's bid on a contract; and

(B) Explain to the bidder the process to respond to any concerns contained in their bid.

(3) A final decision detailing why the bid was not awarded to the lowest bidder on the contract.

/s/Murdock