

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

State of Arkansas
91st General Assembly
Regular Session, 2017

As Engrossed: H3/23/17
A Bill

HOUSE BILL 2096

By: Representative G. Hodges

By: Senator Hester

For An Act To Be Entitled

AN ACT TO AMEND THE ARKANSAS PROCUREMENT LAW; TO AMEND PROVISIONS OF PROCUREMENT LAW TO REFLECT THE IMPACT OF INFLATION ON THE COST OF GOODS AND SERVICES AND TO ENCOURAGE MORE PARTICIPATION BY SMALL BUSINESSES; AND FOR OTHER PURPOSES.

Subtitle

TO AMEND PROVISIONS OF PROCUREMENT LAW TO REFLECT THE IMPACT OF INFLATION ON THE COST OF GOODS AND SERVICES AND TO ENCOURAGE MORE PARTICIPATION BY SMALL BUSINESSES.

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

SECTION 1. Arkansas Code § 19-11-204(13), concerning the definitions relating to source selection and contract formation under the Arkansas Procurement Law, is amended to read as follows:

(13)(A)(i) "Small procurements" means ~~any~~ a procurement not exceeding a purchase price of ~~ten thousand dollars (\$10,000)~~ twenty thousand dollars (\$20,000).

(ii) Small ~~purchases~~ procurements may be procured without seeking competitive bids or competitive sealed bids.

~~(ii)~~ (iii) However, competition should be used to the maximum extent practicable.

(B) Items under state contract are excluded.



SECTION 2. Arkansas Code § 19-11-222(a), concerning the State Procurement Director's exclusive jurisdiction over procurement, is amended to read as follows:

(a) The State Procurement Director shall have exclusive jurisdiction over the procurement of:

- (1) Items subject to Arkansas Constitution, Amendment 54;*
- (2) Wholesale gasoline, oil, and related products;*
- (3) Tires;*

(4)(A) Passenger motor vehicles and trucks, except highway construction and highway maintenance equipment or any specialized type of equipment used in highway construction, except as otherwise provided in this subchapter.

(B) The director may issue a request for qualifications for the procurement of passenger motor vehicles and trucks to compile a qualified vendor list that includes vendors in multiple areas of the state;

- (5) Paper products;*
- (6) New and used school buses for state agencies;*
- (7) A purchasing card program and travel card program to include implementation and administration; and*
- (8) An electronic commerce procurement solution to include planning and administration consistent with the established financial systems of the state.*

SECTION 3. Arkansas Code § 19-11-229(b)(1), concerning competitive sealed bidding under the Arkansas Procurement Law, is amended to read as follows:

(b)(1) Contracts exceeding an estimated purchase price of ~~fifty thousand dollars (\$50,000)~~ seventy-five thousand dollars (\$75,000) shall be awarded by competitive sealed bidding unless a determination is made in writing by the agency procurement official or the State Procurement Director that this method is not practicable and advantageous and specifically states the reasons that this method is not practicable and advantageous.

SECTION 4. Arkansas Code § 19-11-234(b)(1), concerning competitive bidding under the Arkansas Procurement Law, is amended to read as follows:

(b)(1) Contracts in which the purchase price exceeds ~~ten thousand dollars (\$10,000)~~ twenty thousand dollars (\$20,000) and is less than or equal to ~~fifty thousand dollars (\$50,000)~~ seventy-five thousand dollars (\$75,000) may be awarded by use of competitive bidding procedures.

/s/G. Hodges