

1 State of Arkansas
2 91st General Assembly
3 Regular Session, 2017
4

A Bill

HOUSE BILL 1595

5 By: Representative Holcomb
6 By: Senator Caldwell
7

For An Act To Be Entitled

9 AN ACT TO AMEND THE AWARD PROCEDURE FOR PUBLIC
10 IMPROVEMENT CONTRACTS; AND FOR OTHER PURPOSES.
11

Subtitle

12
13 TO AMEND THE AWARD PROCEDURE FOR PUBLIC
14 IMPROVEMENT CONTRACTS.
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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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20 SECTION 1. Arkansas Code § 22-9-202(b)(2)(C), concerning statutory
21 construction, is amended to read as follows:

22 (C) Construction work from one (1) or more separate
23 contractors under separate contract or invoice so that the work is not
24 included in calculating the bid requirement threshold of ~~twenty thousand~~
25 ~~dollars (\$20,000)~~ thirty-five thousand dollars (\$35,000).
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27 SECTION 2. Arkansas Code § 22-9-202(c), concerning statutory
28 construction, is amended to read as follows:

29 (c) This section and §§ 22-9-203 and 22-9-204 do not amend or repeal
30 any law that requires the publication of notice in those instances in which
31 the estimated amount of the cost of the proposed improvements within the
32 scope of the contract is ~~less than twenty thousand dollars (\$20,000)~~ more
33 than thirty-five thousand dollars (\$35,000).
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35 SECTION 3. The introductory language of Arkansas Code § 22-9-203(a),
36 concerning the award procedure for public improvements, is amended to read as



1 follows:

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

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

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

17 (ii) Every bid submitted on public construction
 18 contracts for the state or any agency or department of the state ~~shall be~~ is
 19 void unless accompanied by a cashier's check drawn upon a bank or trust
 20 company doing business in this state or by a corporate bid bond, except for
 21 projects under ~~twenty thousand dollars (\$20,000)~~ thirty-five thousand dollars
 22 (\$35,000).

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

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

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

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

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8 **APPROVED: 03/28/2017**
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