

1 State of Arkansas
2 88th General Assembly
3 Regular Session, 2011
4

A Bill

SENATE BILL 304

5 By: Senator B. Pritchard
6 By: Representative T. Rogers
7

For An Act To Be Entitled

9 AN ACT TO AMEND PROVISIONS OF ARKANSAS LAW CONCERNING
10 THE AWARD OF CAPITAL IMPROVEMENT CONTRACTS BY THE
11 ARKANSAS BUILDING AUTHORITY; AND FOR OTHER PURPOSES.
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Subtitle

15 TO AMEND PROVISIONS OF ARKANSAS LAW
16 CONCERNING THE AWARD OF CAPITAL
17 IMPROVEMENT CONTRACTS BY THE ARKANSAS
18 BUILDING AUTHORITY.
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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23 SECTION 1. Arkansas Code § 19-4-1416(a)(2), concerning the definition
24 of "on-call contracting", is amended to read as follows:

25 (2)~~(A)~~ "On-call contracting" means the ability of the state
26 agency or institution of higher education to continue to call upon the
27 successful bidder to conduct additional construction services as required by
28 the state agency or institution of higher education.

29 ~~(B) The contractor shall be required to bid all~~
30 ~~subcontractor work and the state agency or the institution of higher~~
31 ~~education shall receive and open the bids with the contractor present at bid~~
32 ~~opening date.~~
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34 SECTION 2. Arkansas Code § 22-9-201(c)(3), concerning the definition
35 of "emergency contracting procedures", is amended to read as follows:

36 (3) "Emergency contracting procedures" means the acquisition of



1 services and materials for capital improvements, including without limitation
2 acquisitions funded in whole or in part with insurance proceeds, that are in
3 accordance with the Arkansas Building Authority minimum standards and
4 criteria.

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6 SECTION 3. Arkansas Code § 22-9-204(e) and (f), concerning the work of
7 subcontractors, is amended to read as follows:

8 (e) It shall be mandatory that the mechanical, plumbing, electrical,
9 and roofing, and sheet metal subcontractors named on the form of proposal by
10 the prime contractor awarded a contract under the provisions of this
11 subchapter be given contracts by the prime contractor in keeping with their
12 proposals to perform the items for which they were named.

13 (f)(1) It shall be a violation of this section for any prime
14 contractor to submit a bid listing unlicensed contractors or to use
15 unlicensed contractors on a public works project if the listed work of the
16 unlicensed contractors or portion of the unlicensed contractors' work is
17 twenty thousand dollars (\$20,000) or more.

18 (2) It shall be a violation of this section for any
19 subcontractor who is not licensed by the board to contract to perform work on
20 a public works project if the listed work of the subcontractor or portion of
21 the subcontractor's work is twenty thousand dollars (\$20,000) or more.

22 (3) The board has jurisdiction over violations of this
23 subsection under § 17-25-103.

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