

Hall of the House of Representatives
84th General Assembly - Regular Session, 2003
Amendment Form

Subtitle of House Bill No. 2601

"AN ACT TO PROVIDE FOR JOB ORDER CONTRACTING AND ON CALL CONTRACTOR
PROCUREMENTS."

Amendment No. 1 to House Bill No. 2601.

Amend House Bill No. 2601 as originally introduced:

Page 1, delete lines 21 through 36 and insert the following:

“SECTION 1. Arkansas Code Title 19, Chapter 4, Subchapter 14 is amended to add additional sections to read as follows:

19-4-1416. Job order contracting.

(a) For purposes of this section:

(1) "Job order contracting" means the acquisition of contracting services using a selection method that requires contractors to submit qualifications and prices based on wage rates inclusive of fringes and burden, plus a pricing matrix for markups on materials and subcontractors.

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

(B) The contractor shall be required to bid all subcontractor work and the agency or the institution of higher education shall receive and open the bids with the contractor present at bid opening date.

(b)(1) The agency or institution of higher education may supply all materials for the work with no additional markup if the materials may be purchased off state contracts at a lesser price than the contractor would be able to procure.

(c)(1)(A) After a state agency or institute of higher education has prepared appropriate scope documents and achieved appropriate reviews, it shall advertise for bids, award and file contracts for the contemplated work as identified in §§ 19-4-1401 through 19-4-1405.

(B) Additional work may be awarded based upon the initial bid within the fiscal year.

(2)(A) The bidder may not submit a multiplier representing estimated cost inflation as part of the formal bid process.

(B) The bid will represent the fixed price amount for the fiscal year.

(3) The most qualified bidder offering the best value for the



institution shall be selected to perform the construction services identified in the construction specifications.

(d)(1) Job order contracting bid awards shall not extend beyond one (1) fiscal year and shall not exceed three hundred thousand dollars (\$300,000) per construction job for the first year of the contract for state agencies and institutions of higher education with education and general appropriations for the 2003 fiscal year equal or exceeding ten million (\$10,000,000), and shall not exceed one hundred thousand dollars (100,000) per construction job for agencies or institutions of higher education with education and general appropriations for the 2003 fiscal year of less than ten million (\$10,000,000).

(2) However, reasonable extensions may be granted at the beginning of each new fiscal year not to exceed a total of four (4) years, if:

(A) The price remains mutually agreeable to the state agency or institution of higher education and the contractor; and

(B) The quality of the work is satisfactory to the state agency or institution of higher education.

(3) On or before the four-year threshold, the agency or institution will bid the construction service to assure competitive opportunities and lowest cost circumstances.”

AND

Page 2, delete lines 1 through 19

The Amendment was read _____
By: Representative Pritchard
MTB/JGR - 040420030955
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Chief Clerk