

***Building Authority Minimum Standards and Criteria, Section 3, PROPOSED RULE CHANGE:
MARK UP***

3-101 CAPITAL IMPROVEMENTS

(A) Whenever an Agency intends to construct buildings and facilities or to make repairs or additions and improvements to existing buildings and facilities, the procedures as outlined in this manual ~~must~~ shall be followed.

(B) Capital improvement projects ~~\$20,000~~ \$35,000 or less shall be exempt from -ABA- (Construction and Design Review Sections) oversight. Capital improvement projects in the amount of ~~\$5,000.00~~ \$25,000 or less may be bid or made by the open market. These projects shall be known as a "Small Order."

(C) Capital improvement projects which exceed ~~\$5,000~~ \$25,000 and are ~~\$20,000~~ \$35,000 or less (between ~~\$5,000.01~~ \$25,000.01 and ~~\$20,000.00~~ \$35,000) shall be contracted by contacting and requesting a minimum of three (3) bonafide bidders to bid the work. These projects shall be known as a "Quote Bid."

(D) See §3-408 (E) for guidance pertaining to change orders which increases the contract above the exempt amount.

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State of Arkansas
91st General Assembly
Regular Session, 2017

A Bill

HOUSE BILL 1595

By: Representative Holcomb
By: Senator Caldwell

For An Act To Be Entitled

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

Subtitle

TO AMEND THE AWARD PROCEDURE FOR PUBLIC
IMPROVEMENT CONTRACTS.

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

SECTION 1. Arkansas Code § 22-9-202(b)(2)(C), concerning statutory
construction, is amended to read as follows:

(C) Construction work from one (1) or more separate
contractors under separate contract or invoice so that the work is not
included in calculating the bid requirement threshold of ~~twenty thousand~~
~~dollars (\$20,000)~~ thirty-five thousand dollars (\$35,000).

SECTION 2. Arkansas Code § 22-9-202(c), concerning statutory
construction, is amended to read as follows:

(c) This section and §§ 22-9-203 and 22-9-204 do not amend or repeal
any law that requires the publication of notice in those instances in which
the estimated amount of the cost of the proposed improvements within the
scope of the contract is ~~less than twenty thousand dollars (\$20,000)~~ more
than thirty-five thousand dollars (\$35,000).

SECTION 3. The introductory language of Arkansas Code § 22-9-203(a),
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:

10

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).

27

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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