

1 State of Arkansas
2 90th General Assembly
3 Regular Session, 2015
4

As Engrossed: H3/17/15

A Bill

HOUSE BILL 1843

5 By: Representative Murdock
6

For An Act To Be Entitled

8 AN ACT TO PROMOTE FAIRNESS IN THE BIDDING PRACTICES
9 FOR THE CONSTRUCTION OF PUBLICLY FUNDED PROJECTS; TO
10 REQUIRE JUSTIFICATION OF AWARDING A PUBLICLY FUNDED
11 PROJECT TO A BIDDER OTHER THAN THE LOW BIDDER; AND
12 FOR OTHER PURPOSES.
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Subtitle

15 TO PROMOTE FAIRNESS IN THE BIDDING
16 PRACTICES FOR THE CONSTRUCTION OF
17 PUBLICLY FUNDED PROJECTS; AND TO REQUIRE
18 JUSTIFICATION OF AWARDING A PUBLICLY
19 FUNDED PROJECT TO A BIDDER OTHER THAN THE
20 LOW BIDDER.
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24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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26 *SECTION 1. Arkansas Code § 19-11-804, concerning the selection of a*
27 *bidder on a contract, is amended to add an additional subsection to read as*
28 *follows:*

29 *(c)(1) If a contract under this chapter is awarded to a qualified*
30 *bidder that is not the lowest bidder on a contract, the Office of State*
31 *Procurement shall provide to the lowest bidder on a contract the*
32 *justification for not awarding the contract to the lowest bidder on the*
33 *contract.*

34 *(2) The justification required under subdivision (c)(1) of this*
35 *section shall:*

36 *(A) Provide details of possible issues or concerns with*



1 the lowest bidder's bid on a contract; and

2 (B) Explain to the bidder the process to respond to any
3 concerns contained in their bid.

4 (3) A final decision detailing why the bid was not awarded to
5 the lowest bidder on the contract.

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/s/Murdock

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