

1 **State of Arkansas**
2 **80th General Assembly**
3 **Regular Session, 1995**
4 **By: Representative Newman**

A Bill

ACT 983 OF 1995
HOUSE BILL 1958

For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE 22-2-107 TO ENUMERATE THE
9 VARIOUS SECTIONS OF THE STATE BUILDING SERVICES AND TO
10 PRESCRIBE THE FUNCTIONS AND DUTIES OF EACH; AND FOR OTHER
11 PURPOSES."

Subtitle

14 "TO ENUMERATE THE VARIOUS SECTIONS OF
15 THE STATE BUILDING SERVICES AND
16 PRESCRIBE FUNCTIONS AND DUTIES OF EACH."

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

20 SECTION 1. Arkansas Code 22-2-107 is amended to read as follows:

21 "22-2-107. Creation of sections.

22 (a) There are created within the State Building Services the following
23 sections which shall have the duties and responsibilities designated by the
24 Director of the State Building Services with the approval of the council and
25 which may include, in relation to other provisions of this chapter, the duties
26 and responsibilities respectively designated below:

27 (1) Construction Section. The Construction Section shall:

28 (A) Supervise the bidding and awarding of contracts for new
29 construction and renovations for or by state agencies' capital improvements;

30 (B) Approve methods of finance and establish and maintain
31 complete construction files on all jobs including plans and specifications for
32 alterations, renovations, and repairs of all capital improvements;

33 (C) Approve all proposed contracts, change orders, and
34 payments requests;

35 (D) Ensure that on-site inspection of all construction
36 projects, alterations, and repairs is accomplished on a regular basis and

1 maintain records of such inspections; obtain and maintain construction
2 inspection reports from architects or engineers or their consultants from
3 state agencies and institutions for all capital improvement construction
4 projects;

5 (E) (i) The design professional shall conduct visits to
6 determine the responsibility and performance required by the contract
7 documents.

8 (ii) On-site observations shall concur with the
9 contractor's payment request and shall be submitted in written form with the
10 pay request.

11 (iii) The inspection reports shall be as adopted by the
12 Arkansas State Building Services Council.

13 (iv) State agencies shall engage the services of
14 licensed architects or engineers for all projects covered by §§ 17-14-101 et
15 seq. and 17-27-101 et seq.;

16 (F) Ensure that the construction of all projects complies
17 with the contract documents.

18 (2) Building Operation/Maintenance Section. The Building
19 Operation/Maintenance Section shall:

20 (A) Operate, maintain, and manage public buildings as
21 required by the provisions of this chapter or otherwise by law;

22 (B) Provide for maintenance and operation including
23 janitorial services for any buildings, structures, or grounds which are owned,
24 leased, or managed by the State Building Services as may be required by the
25 provisions of this chapter;

26 (C) Develop and, upon adoption by the council, enforce
27 procedures, standards, and criteria designed to standardize the level of
28 maintenance on all public buildings and other capital improvements;

29 (3) Architectural Section. The Architectural Section shall be
30 directed by an architect registered and licensed to practice architecture in
31 the state who shall have had seven (7) years experience as a registered
32 architect. The section shall:

33 (A) Establish procedures, as approved by the Council, for
34 the selection of architectural and building design consultant services by
35 state agencies and the State Building Services, which procedures shall ensure

1 an equitable opportunity for all persons and firms;

2 (B) Encourage within the rules and regulations of the
3 state, the timely and expedient commitment and expenditure of appropriations
4 for construction;

5 (C) Establish standard fee schedules, as approved by the
6 Council, for architectural and building design consultant services for capital
7 improvements.

8 (D) Develop and, upon adoption by the Council, establish
9 minimum design standards and criteria, which shall be made available to all
10 architects in the state;

11 (E) Utilize, require, or undertake studies concerning the
12 needs for and costs of proposed capital improvements;

13 (F) Review and approve, consistent with the provisions of
14 this chapter, contracts for architectural and building design consultant
15 services, preliminary plans, cost estimates, building programs, feasibility
16 studies, and construction bid documents for capital improvements, and mediate
17 architectural design and construction related problems;

18 (G) Assist in analyzing architectural design and
19 construction problems at state owned facilities;

20 (H) Ensure that state agencies shall engage the services of
21 licensed architects and licensed engineers for all appropriate capital
22 improvement projects contracted, not exempted by the requirements of the
23 Arkansas Architectural Act Annotated Code 17-14-101 et seq., and the Arkansas
24 Engineering Act Annotated Code 17-27-101 et seq., and the Arkansas Public
25 Works Act Annotated Code 22-9-101 et seq.

26 (4) Leasing Section. The Leasing Section shall:

27 (A) Develop and enforce minimum leasing standards and
28 criteria for consideration and adoption by the council;

29 (B) Design standard lease forms to be approved by the
30 council for use by state agencies as provided in this chapter;

31 (C) Assist state agencies and the council in determining
32 and evaluating rental space needs and the allocation of space for state
33 agencies;

34 (D) Conduct surveys to determine available rental space
35 which meets minimum leasing standards and criteria and which may be available

1 for use by state agencies;

2 (E) Otherwise carry out and administer those duties and
3 responsibilities delegated to the Leasing Section by the director and assist
4 state agencies and the council to ensure that rental space acquired and
5 utilized by state agencies is acquired and utilized in a manner consistent
6 with the intent of this chapter so that no state agency shall lease space
7 which is not absolutely essential to the efficient performance of its duties
8 and responsibilities.

9 (5) Engineering Section. The Engineering Section shall be
10 directed by an engineer registered and licensed to practice engineering in the
11 state who shall have had seven (7) years experience as a registered engineer.

12 The section shall:

13 (A) Establish procedures as approved by the council, for
14 the selection of engineering and environmental services by state agencies and
15 the State Building Services, which procedures shall ensure an equitable
16 opportunity for all persons and firms;

17 (B) Encourage within the rules and regulations of the
18 state, the timely and expedient commitment and expenditure of appropriations
19 for construction;

20 (C) Establish standard fee schedules, as approved by the
21 council, for engineering and environmental services for capital improvements;

22 (D) Develop and, upon adoption by the council, establish
23 minimum design standards and criteria, which shall be made available to all
24 engineers in the state;

25 (E) Utilize, require, or undertake studies concerning the
26 needs for the costs of proposed capital improvements;

27 (F) Review and approve, consistent with the provisions of
28 this chapter, contracts for engineering and environmental services,
29 preliminary plans, construction plans, and construction bid documents for
30 capital improvements;

31 (G) Assist in analyzing engineering problems at state owned
32 facilities;

33 (H) Ensure that state agencies shall engage the services of
34 licensed architects and licensed engineers for all appropriate capital
35 improvement projects contracted, not exempted by the requirements of the

1 Arkansas Architectural Act Annotated Code 17-14-101 et seq., the Arkansas
2 Engineering Act, Annotated Code 17-27-101 et seq., and the Arkansas Public
3 Works Act Annotated Code 22-9-101 et seq.

4 (b) The director may transfer the various duties and functions among
5 the various sections of the State Building Services and effect any other
6 organizational or administrative changes as may be necessary to bring about
7 the efficient and effective implementation of this chapter."

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9 SECTION 2. All provisions of this act of a general and permanent nature
10 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
11 Revision Commission shall incorporate the same in the Code.

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13 SECTION 3. If any provision of this act or the application thereof to
14 any person or circumstance is held invalid, such invalidity shall not affect
15 other provisions or applications of the act which can be given effect without
16 the invalid provision or application, and to this end the provisions of this
17 act are declared to be severable.

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19 SECTION 4. All laws and parts of laws in conflict with this act are
20 hereby repealed.

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22 APPROVED: 4-6-95

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