

"AN ACT TO AMEND SUBSECTION (J) OF SECTION 27 OF ACT 482 OF 1979, AS AMENDED [ARK. STATS. 14-252(J)]; TO AMEND SUBSECTION (B) OF SECTION 29 OF ACT 482 OF 1979, AS AMENDED [ARK. STATS. 14-254(B)], PERTAINING TO PURCHASING PROCEDURES TO BE FOLLOWED IN MAKING SMALL PURCHASES AND PURCHASES FOR WHICH COMPETITIVE SEALED BIDDING IS REQUIRED; AND FOR OTHER PURPOSES."

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

SECTION 1. That subsection (J) of Section 27 of Act 482 of 1979, as amended, the same being subsection (J) of Section 14-252 of the Arkansas Statutes, is hereby amended to read as follows:

"(J) Small Purchases means any procurement not exceeding a purchase price of \$500. Small purchases may be procured without seeking competitive bids or competitive sealed bids; however, competition should be used to the maximum extent practicable. Items under State contract are excluded."

SECTION 2. That subsection (B) of Section 29 of Act 482 of 1979, as amended, the same being subsection (B) of Section 14-254 of the Arkansas Statutes, is hereby amended to read as follows:

"(B) Conditions for Use. Contracts exceeding an estimated purchase price of \$5,000 shall be awarded by competitive sealed bidding unless a determination is made in writing by the Agency Purchasing Official or the State Purchasing Director that this method is not practicable and advantageous, and specifically states the reasons therefor. The State Purchasing Director may provide by regulation that it is not practicable to procure specified types of commodities or services by competitive sealed bidding. Factors to be considered in determining whether competitive sealed bidding is not practicable shall include whether: (1) purchase descriptions are suitable for award on the basis of the lowest evaluated bid price; and (2) the available sources, the time and place of performance, and other relevant circumstances are appropriate for the use of competitive sealed bidding."

SECTION 3. All laws and parts of laws in conflict with this Act are hereby repealed.

APPROVED: 4/1/87
