

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 83rd General Assembly
3 Regular Session, 2001
4

As Engrossed: S2/14/01

A Bill

Act 542 of 2001
HOUSE BILL 1373

5 By: Representative Hutchinson
6 By: Senator B. Walker
7

For An Act To Be Entitled

10 AN ACT TO AMEND ARKANSAS CODE 22-2-107 PERTAINING TO
11 STATE BUILDING SERVICES; AND FOR OTHER PURPOSES.

Subtitle

14 AN ACT TO AMEND ARKANSAS CODE 22-2-107
15 PERTAINING TO STATE BUILDING SERVICES.
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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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20 SECTION 1. Arkansas Code 22-2-107(a) is amended to read as follows:

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

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

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

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

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

36 (D) Ensure that on-site inspection of all construction

1 projects, alterations, and repairs is accomplished on a regular basis and
2 maintain records of such inspections;

3 (E) Obtain and maintain construction inspection reports
4 from architects or engineers or their consultants from state agencies and
5 institutions for all capital improvement construction projects;

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

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

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

14 (iv) State agencies shall engage the services of
15 licensed architects or engineers for all projects covered by the Arkansas
16 Architectural Act, § 17-15-101 et seq., and the Arkansas Engineering Act, §
17 17-30-101 et seq.;

18 (G) Ensure that the construction of all projects complies
19 with the contract documents;

20 (H)(i) Establish and manage a list of contractors desiring
21 written notice of invitations to bid and establish by regulation a fee, not
22 to exceed twenty-five dollars (\$25.00) annually, for receiving a written
23 notice of an invitation to bid.

24 (ii) Subscription fees collected pursuant to this
25 section shall be deposited in the State Building Services Fund;

26 (2) ~~Building Operation/Maintenance~~ Operations Section. The
27 ~~Building Operation/Maintenance~~ Operations Section shall:

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

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

34 (C) Develop and, upon adoption by the State Building
35 Services Council, enforce procedures, standards, and criteria designed to
36 standardize the level of maintenance on all public buildings and other

1 capital improvements;

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

6 (A) Establish procedures, as approved by the State
7 Building Services Council, for the selection of architectural and building
8 design consultant services by state agencies and Arkansas State Building
9 Services, which procedures shall ensure an equitable opportunity for all
10 persons and firms;

11 (B) Encourage, within the rules and regulations of the
12 state, the timely and expedient commitment and expenditure of appropriations
13 for construction;

14 (C) Establish standard fee schedules, as approved by the
15 council, for architectural and building design consultant services for
16 capital improvements;

17 (D) Develop and, upon adoption by the council, establish
18 minimum design standards and criteria, which shall be made available to all
19 architects in the state;

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

22 (F) Review and approve, consistent with the provisions of
23 this chapter, contracts for architectural and building design consultant
24 services, preliminary plans, cost estimates, building programs, feasibility
25 studies, and construction bid documents for capital improvements, and mediate
26 architectural design and construction-related problems;

27 (G) Assist in analyzing architectural design and
28 construction problems at state-owned facilities;

29 (H) Ensure that state agencies shall engage the services
30 of licensed architects and licensed engineers for all appropriate capital
31 improvement projects contracted, not exempted by the requirements of the
32 Arkansas Architectural Act, § 17-15-101 et seq., and the Arkansas Engineering
33 Act, § 17-30-101 et seq., and the Arkansas Public Works Act, § 22-9-101 et
34 seq;

35 (4) Leasing Real Estate Services Section. The Leasing Real
36 Estate Services Section shall:

1 (A) Develop and enforce minimum leasing, sale, and
2 purchase of property standards and criteria for consideration and adoption by
3 the State Building Services Council;

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

6 (C) Assist state agencies and the council in determining
7 and evaluating rental space needs and the allocation of space for state
8 agencies;

9 (D) Conduct surveys to determine available rental space
10 which meets minimum leasing standards and criteria and which may be available
11 for use by state agencies;

12 (E) Otherwise carry out and administer those duties and
13 responsibilities delegated to the ~~Leasing~~ Real Estate Services Section by the
14 director and assist state agencies and the council to ensure that rental
15 space acquired and utilized by state agencies is acquired and utilized in a
16 manner consistent with the intent of this chapter so that no state agency
17 shall lease space which is not absolutely essential to the efficient
18 performance of its duties and responsibilities;

19 (F) Carry out and administer those duties and
20 responsibilities involving the purchase or selling of property by state
21 agencies, which are under the jurisdiction of the Arkansas State Building
22 Services, so as to ensure that such property is sold or purchased in a manner
23 consistent with Arkansas laws and regulations;

24 (5) Engineering Section. The Engineering Section shall be
25 directed by an engineer registered and licensed to practice engineering in
26 the state who shall have had seven (7) years experience as a registered
27 engineer. The section shall:

28 (A) Establish procedures, as approved by the State
29 Building Services Council, for the selection of engineering and environmental
30 services by state agencies and Arkansas State Building Services, which
31 procedures shall ensure an equitable opportunity for all persons and firms;

32 (B) Encourage, within the rules and regulations of the
33 state, the timely and expedient commitment and expenditure of appropriations
34 for construction;

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

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

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

6 (F) Review and approve, consistent with the provisions of
7 this chapter, contracts for engineering and environmental services,
8 preliminary plans, construction plans, and construction bid documents for
9 capital improvements;

10 (G) Assist in analyzing engineering problems at state-
11 owned facilities;

12 (H) Ensure that state agencies shall engage the services
13 of licensed architects and licensed engineers for all appropriate capital
14 improvement projects contracted, not exempted by the requirements of the
15 Arkansas Architectural Act, § 17-15-101 et seq., the Arkansas Engineering
16 Act, § 17-30-101 et seq., and the Arkansas Public Works Act, § 22-9-101 et
17 seq.

18 /s/ Hutchinson

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21 APPROVED: 3/2/2001
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