

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.
Act 677 of the Regular Session

1 State of Arkansas
2 87th General Assembly
3 Regular Session, 2009

A Bill

SENATE BILL 767

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5 By: Senator Faris
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For An Act To Be Entitled

9 AN ACT TO AMEND THE RESOLUTION OF PROTESTED
10 SOLICITATIONS AND AWARDS FOR STATE CONTRACTS TO
11 PROVIDE FOR A DEADLINE TO PROTEST THE
12 SOLICITATION PROCESS BEFORE TO OPENING THE
13 SOLICITATION RESPONSES; AND FOR OTHER PURPOSES.
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Subtitle

15 TO AMEND THE PROTESTED SOLICITATIONS AND
16 AWARDS PROCESS FOR STATE CONTRACTS.
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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22 SECTION 1. Arkansas Code 19-11-244(a) and (b), concerning the
23 resolution of protested solicitations and awards, are amended to read as
24 follows:

25 (a)(1) Any actual or prospective bidder, offeror, or contractor who is
26 aggrieved in connection with the solicitation ~~or award~~ of a contract may
27 protest by presenting a written notice at least seventy-two (72) hours before
28 the filing deadline for the solicitation response to the State Procurement
29 Director or the head of a procurement agency.

30 (2) Any actual bidder, offeror, or contractor who is aggrieved
31 in connection with the award of a contract may protest to the:

32 (A) Director; or

33 (B) Head of a procurement agency.

34 ~~(2)~~(3) The protest shall be submitted in writing within fourteen
35 (14) calendar days after the aggrieved person knows or should have known of



1 the facts giving rise to the grievance.

2 (b)(1) Prior to the commencement of an action in court or any other
3 action provided by law concerning the controversy, the director, the head of
4 a procurement agency, or a designee of either officer may settle and resolve
5 a protest ~~of an aggrieved bidder, offeror, or contractor, actual or~~
6 ~~prospective,~~ concerning the solicitation or award of a contract.

7 (2) This authority shall be exercised in accordance with laws
8 governing the Arkansas State Claims Commission and the regulations
9 promulgated by the director.

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11 **APPROVED: 3/27/2009**
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