

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 813 of the Regular Session

1 State of Arkansas
2 87th General Assembly
3 Regular Session, 2009
4

A Bill

SENATE BILL 926

5 By: Senators Bookout, Capps, Horn, D. Johnson, R. Thompson
6 By: Representatives R. Green, Cash, Ingram, Kidd, B. Wilkins
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For An Act To Be Entitled

10 AN ACT TO AMEND ARKANSAS LAW CONCERNING THE AWARD
11 PROCEDURE FOR PUBLIC IMPROVEMENTS BY INSTITUTIONS
12 OF HIGHER EDUCATION; AND FOR OTHER PURPOSES.
13

Subtitle

14 TO AMEND ARKANSAS LAW CONCERNING THE
15 AWARD PROCEDURE FOR PUBLIC IMPROVEMENTS
16 BY INSTITUTIONS OF HIGHER EDUCATION.
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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 § 22-9-203(f), concerning the award procedure
23 for public improvement projects, is amended to read as follows:

24 (f)(1) In the event that all bids submitted exceed the amount
25 appropriated for the award of the contract and if bidding on alternates was
26 not required by the plans and specifications, the county, municipality,
27 school district, ~~or~~ other local taxing unit, or institution of higher
28 education shall have the authority to negotiate an award with the apparent
29 responsible low bidder but only if the low bid is within twenty-five percent
30 (25%) of the amount appropriated.

31 (2) If the plans and specifications for the project require bids
32 on alternates in addition to a base bid, there shall be no more than three
33 (3) alternates, and the alternates shall:

34 (A) Be deductive; and

35 (B) Be set forth in the plans and specifications in



1 numerical order.

2 (3) If all bids submitted exceed the amount appropriated for the
3 award of the contract, then the county, municipality, school district, ~~or~~
4 other local taxing unit, or institution of higher education may determine the
5 apparent responsible low bidder by deducting the alternates in numerical
6 order.

7 (4) After making the deductions, if the cost of the project is
8 less than twenty-five percent (25%) above the amount appropriated, then and
9 only in that event, the county, municipality, school district, ~~or~~ other local
10 taxing unit, or institution of higher education may negotiate an award with
11 the low bidder so determined.

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13 **APPROVED: 4/3/2009**
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