

State of Arkansas

CALL ITEM 35

76th General Assembly

Third Extraordinary Session, 1988

HOUSE BILL 1022

By: Representative Matthews

"AN ACT TO AMEND ARKANSAS CODE 14-58-303 TO PROVIDE THAT
FIRST CLASS CITIES ARE NOT REQUIRED TO UTILIZE COMPETITIVE
BIDDING PROCEDURES FOR PROFESSIONAL SERVICES CONTRACTS;
AND FOR OTHER PURPOSES."

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

SECTION 1. Arkansas Code 14-58-303 is hereby amended to read as follows:

"14-58-303. Purchases and contracts generally.

(a) In a city of the first class, the mayor or his duly authorized representative shall have exclusive power and responsibility to make purchases of all supplies, apparatus, equipment, materials, and other things requisite for public purposes in and for the city and to make all necessary contracts for work or labor to be done or material or other necessary things to be furnished for the benefit of the city, or in carrying out any work or undertaking of a public nature therein.

(b) (1) The municipal governing body shall provide, by ordinance, the procedure for making all purchases which do not exceed the sum of five thousand dollars (\$5,000).

(2) (A) (i) Where the amount of expenditure for any purpose or contract exceeds the sum of five thousand dollars (\$5,000), the mayor or his duly authorized representative shall invite competitive bidding thereon by legal advertisement in any local newspaper. Provided, however, competitive bidding is not required for professional services contracts.

(ii) Bids received pursuant to the advertisement shall be opened and read on the date set for receiving the bids in the presence of the mayor or his duly authorized representative, together with any committee that may be named by the mayor or the governing body for this purpose.

(iii) The officials designated to receive the bids shall have

exclusive power to award the bid to the lowest responsible bidder.

(iv) The mayor and any committee designated to receive bids may reject any and all bids received.

(B) The governing body, by ordinance, may waive the requirements of competitive bidding in exceptional situations where this procedure is deemed not feasible or practical."

SECTION 2. All laws and parts of laws in conflict with this Act are hereby repealed.

SECTION 3. Emergency. It is hereby found and determined by the General Assembly that first class cities should not be required to comply with competitive bidding procedures for professional services contracts; that this Act will exclude professional services contracts from the competitive bidding requirements for first class cities; and that this Act should go into effect immediately in order to allow first class cities to obtain professional services in the most efficient manner. Therefore, an emergency is hereby declared to exist and this Act being immediately necessary for the preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval.

