

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

A Bill

HOUSE BILL 1276

5 By: Representative Rankin
6 By: Senator Faris
7

For An Act To Be Entitled

10 AN ACT TO AMEND PORTIONS OF THE GENERAL ACCOUNTING AND
11 BUDGETARY PROCEDURES LAW PERTAINING TO THE PROCESSING
12 OF CAPITAL IMPROVEMENT CONTRACTS AND BID BONDS; AND
13 FOR OTHER PURPOSES.
14

Subtitle

16 AN ACT TO AMEND PORTIONS OF THE GENERAL
17 ACCOUNTING AND BUDGETARY PROCEDURES LAW
18 PERTAINING TO THE PROCESSING OF CAPITAL
19 IMPROVEMENT CONTRACTS AND BID BONDS.
20
21

22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
23

24 SECTION 1. Arkansas Code 19-4-1402 is amended to read as follows:
25 19-4-1402. Contracts to be filed.

26 Executed counterparts of all contracts entered into by any state agency
27 with respect to proposed projects for new improvements or major repairs or
28 additions to existing buildings and facilities shall be filed with the
29 Arkansas State Building Services prior to the issuance of any vouchers making
30 payments under any such contract, unless the contract is exempted from
31 Arkansas State Building Services' jurisdiction by any law or regulation
32 promulgated pursuant the Arkansas Administrative Procedure Act.
33

34 SECTION 2. Arkansas Code 19-4-1405(b)(2) is amended to read as follows:

35 (2) However, the agency shall have the right to reject any or all
36 bids and to waive any formalities.

SECTION 3. Arkansas Code 19-4-1405(d)(1) is amended to read as follows:

(d)(1) Every bid submitted on state agency construction contracts shall be void unless accompanied by a cashier's check drawn upon a bank or trust company doing business in this state or by a corporate bid bond for projects over the amount of ~~fifty thousand dollars (\$50,000)~~ twenty thousand dollars (\$20,000). No bid bond shall be required for projects under or equal to the amount of ~~fifty thousand dollars (\$50,000)~~ twenty thousand dollars (\$20,000).

SECTION 4. Arkansas Code 19-4-1411(a)(1) is amended to read as follows:

(a)(1) When a contractor submits a properly prepared request for payment of work completed on state construction projects and the request for payment conforms with the provisions of the contract award and laws of the State of Arkansas, the following maximum time is allowed for the processing of the payment requests by the various parties involved, excluding time required for transmittal from one (1) party to another:

- (A) ~~Architect~~ Design Professional - Five (5) working days;
- (B) State agency - Five (5) working days, including preparation of voucher and submission for payment;
- (C) Arkansas State Building Services - ~~Two (2)~~ Five (5) working days;
- (D) Department of Finance and Administration - Five (5) working days.

SECTION 5. EMERGENCY CLAUSE. It is found and determined by the General Assembly that an inconsistency in the laws regarding bid bonds exist and causes confusion for contractors of the state for public works projects. Therefore, an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health and safety shall become effective on the date of its approval by the Governor. If the bill is neither approved nor vetoed by the Governor, it shall become effective on the expiration of the period of time during which the Governor may veto the bill. If the bill is vetoed by the Governor and the veto is overridden, it shall become effective on the date the last house overrides the veto.