State of Arkansas	As Engrossed: H2/12/15	
90th General Assembly	A BIII	
Regular Session, 2015		HOUSE BILL 1278
By: Representative Sabin		
	For An Act To Be Entitled	
AN ACT TO AMEND THE PROCUREMENT LAWS CONCERNING THE		
EXPERIENCE REQUIRED FOR OFFERORS AND BIDDERS; AND FOR OTHER PURPOSES.		
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BIDD	ERS.	
BE IT ENACTED BY THE C	GENERAL ASSEMBLY OF THE STATE OF	F ARKANSAS:
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	or offeror rather than the key	y personnel of the bidder
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personnel often do not qualify to compete for state contracts even though the		
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	90th General Assembly Regular Session, 2015  By: Representative Sabin  AN ACT TO EXPERIENCE OTHER PURE  TO A THE BIDD  BE IT ENACTED BY THE (  SECTION 1. Arka amended to add an add: 19-11-267. Experiments (a)(1) The General (A) qualifications often to of experience to qualifications of the bidder or offeror; (C) personnel often do not executives and employed (D) new businesses and to	Poth General Assembly Regular Session, 2015  By: Representative Sabin  For An Act To Be Entitled  AN ACT TO AMEND THE PROCUREMENT LAWS CONCEXPERIENCE REQUIRED FOR OFFERORS AND BIDDOTHER PURPOSES.  Subtitle  TO AMEND THE PROCUREMENT LAWS CONCEXPERIENCE REQUIRED FOR OFFEROR BIDDERS.  BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF SECTION 1. Arkansas Code Title 19, Chapter 11 amended to add an additional section to read as following the section of requirement.  (a) (1) The General Assembly finds that:  (A) Invitations for bids and requirements of the process of the bidder or offeror rather than the key or offeror:  (C) As a result, new businesses were section to the process of the pr

1	(2) The General Assembly intends for this section to:
2	(A) Encourage entrepreneurship;
3	(B) Level the playing field for new businesses to compete
4	for business opportunities; and
5	(C) Enable new businesses with highly qualified personnel
6	to compete for state contracts.
7	(b) If an invitation for bids, a request for proposals, or a request
8	for qualifications under this chapter requires a certain amount of experience
9	or a certain number of years in existence for the bidder or offeror, the
10	requirement shall be satisfied by either:
11	(1)(A) The amount of experience of the bidder or offeror.
12	(B) A bidder or offeror may use the combined experience of
13	its owners or senior executive staff to satisfy the requirement under
14	subdivision (b)(1) of this section; or
15	(2) The combined amount of experience of the key personnel of
16	the bidder or offeror that will be responsible for satisfying the
17	requirements of the contract to be procured.
18	(c)(1) However, before the issuance of an invitation for bid, request
19	for proposal, or request for qualifications, the Office of State Procurement
20	or a procurement agency may determine in writing that the combined experience
21	of the key personnel of a bidder or offeror under subdivision (b)(2) of this
22	section would be insufficient to adequately satisfy the requirements of the
23	invitation for bids, request for proposals, or request for qualifications.
24	(2) A written determination under subdivision (c)(l) of this
25	section shall include the following:
26	(A) A specific description of the products or services
27	that the office or procurement agency seeks to procure; and
28	(B) A detailed statement of the reasons the combined
29	experience of the key personnel of a bidder or offeror would be insufficient.
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