

1 State of Arkansas  
2 91st General Assembly  
3 Regular Session, 2017  
4

# A Bill

HOUSE BILL 1595

5 By: Representative Holcomb  
6 By: Senator Caldwell  
7

## For An Act To Be Entitled

9 AN ACT TO AMEND THE AWARD PROCEDURE FOR PUBLIC  
10 IMPROVEMENT CONTRACTS; AND FOR OTHER PURPOSES.  
11

## Subtitle

12  
13 TO AMEND THE AWARD PROCEDURE FOR PUBLIC  
14 IMPROVEMENT CONTRACTS.  
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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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20 SECTION 1. Arkansas Code § 22-9-202(b)(2)(C), concerning statutory  
21 construction, is amended to read as follows:

22 (C) Construction work from one (1) or more separate  
23 contractors under separate contract or invoice so that the work is not  
24 included in calculating the bid requirement threshold of ~~twenty thousand~~  
25 ~~dollars (\$20,000)~~ thirty-five thousand dollars (\$35,000).  
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27 SECTION 2. Arkansas Code § 22-9-202(c), concerning statutory  
28 construction, is amended to read as follows:

29 (c) This section and §§ 22-9-203 and 22-9-204 do not amend or repeal  
30 any law that requires the publication of notice in those instances in which  
31 the estimated amount of the cost of the proposed improvements within the  
32 scope of the contract is ~~less than twenty thousand dollars (\$20,000)~~ more  
33 than thirty-five thousand dollars (\$35,000).  
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35 SECTION 3. The introductory language of Arkansas Code § 22-9-203(a),  
36 concerning the award procedure for public improvements, is amended to read as



1 follows:

2 (a) Except as provided under § 14-58-105, a contract providing for the  
3 making of major repairs or alterations, for the erection of buildings or  
4 other structures, or for making other permanent improvements shall not be  
5 entered into by the state or an agency of the state or by a county,  
6 municipality, school district, or other local taxing unit with any contractor  
7 in instances in which all estimated costs of the work ~~shall~~ exceed the sum of  
8 ~~twenty thousand dollars (\$20,000)~~ thirty-five thousand dollars (\$35,000)  
9 unless:

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11 SECTION 4. Arkansas Code § 22-9-203(c)(2)(A), concerning award  
12 procedures and requirements, is amended to read as follows:

13 (2)(A)(i) Every bid submitted on public construction  
14 contracts for any political subdivision of the state ~~shall be~~ is void unless  
15 accompanied by a cashier's check drawn upon a bank or trust company doing  
16 business in this state or by a corporate bid bond.

17 (ii) Every bid submitted on public construction  
18 contracts for the state or any agency or department of the state ~~shall be~~ is  
19 void unless accompanied by a cashier's check drawn upon a bank or trust  
20 company doing business in this state or by a corporate bid bond, except for  
21 projects under ~~twenty thousand dollars (\$20,000)~~ thirty-five thousand dollars  
22 (\$35,000).

23 (iii) ~~No~~ A bid bond ~~shall be~~ is not required for  
24 public construction contracts for the state or any agency or department of  
25 the state under or equal to ~~twenty thousand dollars (\$20,000)~~ thirty-five  
26 thousand dollars (\$35,000).

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28 SECTION 5. Arkansas Code § 22-9-209(a), concerning the renovation of  
29 historic sites, is amended to read as follows:

30 (a) A contract for the altering, repairing, or renovation of a  
31 recognized historic site or structure owned by the ~~State of Arkansas~~ state or  
32 with title vested in the name of a state agency or of another taxing  
33 authority in which the estimated cost of the work equals or exceeds the sum  
34 of ~~twenty thousand dollars (\$20,000)~~ thirty-five thousand dollars (\$35,000)  
35 shall not be entered into between the state agency or taxing authority and  
36 any contractor unless the state agency or taxing authority has first

1 published notice of intention to receive bids for improvements one (1) time  
2 each week for not less than two (2) consecutive weeks in a newspaper of  
3 general circulation published in the county in which the proposed  
4 improvements are to be made or in a trade journal reaching the construction  
5 industry.

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