

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

A Bill

HOUSE BILL 2200

5 By: Representatives M. Hodges, V. Flowers
6 By: Senator Elliott
7

For An Act To Be Entitled

9 AN ACT TO AMEND STATE PROCUREMENT LAWS; TO MODIFY THE
10 DEFINITION OF "SMALL PROCUREMENTS" UNDER THE ARKANSAS
11 PROCUREMENT LAW; TO INCREASE THE ABILITY OF THE STATE
12 TO CONTRACT WITH CERTIFIED MINORITY BUSINESS
13 ENTERPRISES; TO ELIMINATE BURDENSOME DISCLOSURE
14 REQUIREMENTS; AND FOR OTHER PURPOSES.
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Subtitle

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18 TO MODIFY THE DEFINITION OF "SMALL
19 PROCUREMENTS"; TO INCREASE THE ABILITY OF
20 THE STATE TO CONTRACT WITH CERTIFIED
21 MINORITY BUSINESS ENTERPRISES; AND TO
22 ELIMINATE BURDENSOME DISCLOSURE
23 REQUIREMENTS.
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26 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
27

28 SECTION 1. Arkansas Code § 19-11-204(13), concerning definitions
29 relating to source selection and contract formation under the Arkansas
30 Procurement Law, is amended to read as follows:

31 (13)(A)~~(i)~~ "Small procurements" means ~~any a~~ a procurement ~~not~~
32 ~~exceeding a~~ that does not exceed the following purchase price ~~of ten thousand~~
33 ~~dollars (\$10,000). Small purchases~~ and may be procured without seeking
34 competitive bids or competitive sealed bids;

35 (i) To assist the state in ensuring that ten percent
36 (10%) of the total amount expended in state-funded and state-directed public



1 construction programs and procurement of commodities and services for the
 2 state each fiscal year is paid to minority business enterprises under the
 3 Minority Business Economic Development Act, § 15-4-301 et seq., twenty-five
 4 thousand dollars (\$25,000) if the procurement is with a certified minority
 5 business enterprise; and

6 (ii) For all procurements not satisfying the
 7 requirements of subdivision (13)(A)(i) of this section, ten thousand dollars
 8 (\$10,000).

9 ~~(ii) However, competition (B) Competition~~ should be
 10 used to the maximum extent practicable.

11 ~~(B) (C)~~ Items under state contract are excluded.

12
 13 SECTION 2. Arkansas Code § 19-11-1012(b)(6), concerning standard
 14 contract forms for professional and consultant services contracts, is
 15 repealed.

16 ~~(6)(A) The names of all individuals who will be supplying~~
 17 ~~services to the state agency or to third party beneficiaries under the terms~~
 18 ~~of the contracts, so far as those names are known to the contractor at the~~
 19 ~~time of the execution of the contract.~~

20 ~~(B) If the names of all individuals supplying services~~
 21 ~~under the contract are not available at the time of the execution of the~~
 22 ~~contract, the contract shall contain a provision requiring the contractor to~~
 23 ~~submit periodically the names of individuals supplying services as soon as~~
 24 ~~the identity of those individuals is known to the contractor;~~