

SUBJECT: Rule 3.38; Bid Specs for Contracted Reappraisals

DESCRIPTION: This clarifies some of what is required as to bids to do reappraisals. It reads as follows:

All contracted reappraisals will utilize standardized bid specifications developed by the ACD. Any variations from these standardized bid specifications must be in the form of an addendum and must be approved by the ACD. All bid specifications must be submitted to the ACD ~~30 days before advertising for requests for proposals~~ in accordance with Arkansas Code Annotated 26-26-1905. Limiting conditions that unfairly restrict competition will not be allowed.

PUBLIC COMMENT: The department did not hold a public hearing. They did not receive any public comments.

Matthew Miller with the Bureau of Legislative Research noted that the rule revision replaces language on bid specifications being provided 30 days before advertising with language saying the bid specifications must be submitted in accordance with § 26-26-1905 (a statute specifying the department's rulemaking authority). Mr. Miller asked if another rule specified when the bid specifications must be submitted.

RESPONSE: There is no specific deadline by which assessors must submit the bid specifications for ACD approval before advertising for bids. The purpose of this Rule 3.38 change was to remove the thirty-day pre-advertising deadline. Last year one county had some issues and the assessor's office missed the deadline, and ACD had to administratively waive the thirty-day wait so the county could advertise in time to get the bids in before starting their reappraisal. So now the bid specs could come in to ACD three days before advertisement so long as ACD had time to review/approve the bid specs before the specs were advertised in the paper. There is an ACD administrative process and checklist the assessors must follow with respect to contracting for reappraisals (ACD trains the assessors on the process).

The proposed effective date is September 15, 2012.

CONTROVERSY: This is not expected to be controversial.

FINANCIAL IMPACT: There is no financial impact.

LEGAL AUTHORIZATION: Arkansas Code § 26-26-1905 authorizes the Assessment Coordination Department to develop and implement reappraisal procedures to be followed by counties. The department shall follow preestablished department rules to determine whether a reappraisal plan is approved or rejected.

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**RULE 3.38
BID SPECS FOR CONTRACTED REAPPRAISALS**

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*Adopted 10/01/99
Amended 12/20/00
Amended 3/03/02
Amended*