

State of Arkansas
76th General Assembly
Regular Session, 1987
By: Representative Landers

HOUSE BILL 1665

"AN ACT TO AMEND ARK. STAT. 14-293 TO GRANT ARKANSAS BIDDERS CONTRACTING FOR SERVICES WITH PUBLIC AGENCIES THE SAME PREFERENCE GRANTED ARKANSAS BIDDERS WHO SELL COMMODITIES TO PUBLIC AGENCIES; AND FOR OTHER PURPOSES."

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

SECTION 1. Subsection (b) of Section 76 of Act 482 of 1979, as amended, the same being Arkansas Statutes 14-293(b), is hereby amended to read as follows:

"(b) Preference of Arkansas bidders over non-resident bidders in purchases under competitive bids. All public agencies shall, in the purchase of commodities and services by competitive bidding, accept the lowest qualified bid from a bidder resident in Arkansas provided that said bid does not exceed the lowest qualified bid from a non-resident bidder by more than five percent (5%), and provided that one or more bidders resident in Arkansas made written claim for a preference at the time the bids were submitted. In calculating the preference to be allowed, the appropriate purchasing officials pursuant to Act 482 of 1979 shall take the amount of each bid of the Arkansas bidder who claimed the preference and deduct five percent (5%) from its total. If after making such deduction, the bid of any Arkansas bidder claiming the preference is lower than the bid of the non-resident bidder, then the award shall be made to the Arkansas bidder which submitted the lowest bid regardless of whether that particular Arkansas bidder claimed the preference.

The preference provided for herein shall be applicable only in comparing bids where one or more bids are by a bidder resident in Arkansas and the other bid or bids are by a non-resident bidder, and shall have no application with respect to competing bids if both bidders are resident in Arkansas as defined herein. Provided, if any provision or condition of this Act conflicts with

any provision of federal law or any rule or regulation made under federal law pertaining to federal grants-in-aid programs or other federal aid programs, such provision or condition shall not apply on such federal supported contracts for the purchase of commodities and services, to the extent that the conflict exists, but all provisions or conditions of this Act with which there is no conflict shall apply to contracts to purchase commodities and services to be paid in whole or in part from federal funds."

SECTION 2. All laws or parts of laws in conflict with this Act are hereby repealed.

