

[Ark. Code § 19-11-234.]

§ 19-11-234. Competitive bidding: Arkansas Procurement Law

- (a) (1) Competitive bidding is a method of procurement which requires obtaining bids by:
- (A) Direct mail request to prospective bidders and obtaining written bids; or
 - (B) Telephone; or
 - (C) Telegraph; or
 - (D) Written form; or
 - (E) Electronic media.
- (2) A competitive bid form authorized by the State Procurement Director must be completed.
- (3) If three (3) competitive bids are not obtained on purchases when bids are required, the form must show the names of at least three (3) firms contacted in attempting to obtain competition or show the reason three (3) firms were not contacted.
- (4) (A) Only firms which sell the type of commodity or service to be procured shall be contacted.
- (B) The purchase procedures outlined in this section shall not apply to commodities, technical and general services, and professional and consultant services under state contract.
- (b) (1) Contracts in which the purchase price exceeds twenty thousand dollars (\$20,000) and is less than or equal to seventy-five thousand dollars (\$75,000) may be awarded by use of competitive bidding procedures.
- (2) However, in any such instances, competitive sealed bidding is permitted.
- (c) (1) (A) All procurements shall be awarded to the responsive and responsible bidder who has submitted the lowest bid that meets the requirements, criteria, and specifications.
- (B) Delivery time required must be reasonable and consonant with current industry norms.
- (2) Complete justification must be given if award is made to other than the low bidder.
- (d) Repeated small quantity procurements to circumvent the competitive bid limits or failure to obtain competitive bids without justification shall constitute a violation of these procedures and shall result in withdrawal of the state agency's competitive bid privileges.