



Alaska State Legislature

Senator Anna Fairclough — Senate District M

Senate Bill 12 - Sectional Analysis

*** Section 1:** Amends AS 24.55.275

Updates a citation to reflect the renumbering of a preference.

*** Section 2:** Amends AS 36.15.050(a)

Amends the local agricultural preference to grant a seven percent cost preference to the qualifying bid rather than to the low bid, making this preference consistent with other procurement preferences.

*** Section 3:** Amends AS 36.15.050(b)

Amends the local fisheries preference to grant a seven percent cost preference to the qualifying bid rather than to the low bid, making this preference consistent with other procurement preferences.

*** Section 4:** Amends AS 36.15.050 by adding a new subsection (h)

Amends the local agricultural and fisheries preferences to disallow a bidder from being granted both a local agricultural/fisheries preference and an Alaska product preference under another statute.

*** Section 5:** Amends AS 36.30.010

Amends the salary of the Chief Procurement Officer from range 27 to range 25 due to changes made to the position, which will no longer serve as Director of the Division of General Services.

*** Section 6:** Amends AS 36.30.015(e)

Updates a citation to reflect the renumbering of a preference.

*** Section 7:** Amends AS 36.30.015(f)

Updates a citation to reflect the renumbering of a preference.

* **Section 8:** Amends AS 36.30.015(h)

Updates a citation to reflect the renumbering of a preference.

* **Section 9:** Amends AS 36.30.020

Updates a citation to reflect the renumbering of a preference.

* **Section 10:** Amends AS 36.30.030

Updates a citation to reflect the renumbering of a preference.

* **Section 11:** Amends AS 36.30.080(f)

Increases the threshold limit for small procurements of leased space from 3,000 square feet to 7,000 square feet, consistent with section 18.

* **Section 12:** Amends AS 36.30.110(b)

Clarifies Alaska business license requirements for competitive sealed bids and qualification for the Alaska bidder preference. This change requires bidders to show proof of their Alaska Business License prior to award, but requires the license at the time of bid submission in order to qualify for the Alaska bidder preference.

* **Section 13:** Amends AS 36.30.130(a)

Eliminates reference to a procurement officer's use of vendor lists, reflecting the repeal of the statute establishing the vendor lists, consistent with section 33.

* **Section 14:** Amends AS 36.30.170 by repealing and reenacting

Updates a citation to reflect the renumbering of the Alaska bidder preference.

* **Section 15:** Amends AS 36.30.210(b)

Clarifies construction contractor registration requirements, now explicitly requiring registration before award of a contract.

* **Section 16:** Amends AS 36.30.210(e)

Clarifies Alaska business license requirements for competitive sealed proposals and qualification for the Alaska bidder preference using language consistent with that used in section 13.

* **Section 17:** Amends AS 36.30 by adding a new section 36.30.290

Adds a new section allowing an agency to accept electronic bids and proposals.

* **Section 18:** Amends AS 36.30.320(a)

Increases the threshold under which a state agency may use informal procurement process to \$100,000 for goods and professional services, to \$200,000 for construction, and 7,000 square feet for lease of space.

* **Section 19:** Amends AS 36.30 by adding a new section 36.30.321

Adds a new section consolidating the Alaska bidder preference, Alaska veterans' preference, and other preferences formerly at AS 36.30.170(b). This section also simplifies the qualification for the disability and employment program preferences, eliminates the seldom used employers of people with disabilities preference, and excludes real estate leases from application of procurement preferences.

* **Section 20:** Amends AS 36.30.322(a)

Modifies the use of local forest products statute to grant a seven percent cost preference to the qualifying bid rather than to the low bid, making this preference consistent with other preferences.

* **Section 21:** Amends AS 36.30.336 by repealing and reenacting

Clarifies which preferences are cumulative and which may not be combined. (example: bidders cannot claim both an employment program preference and a disabled bidder preference)

* **Section 22:** Amends AS 36.30.655

Eliminates reference to the removal of debarred or suspended persons from vendor lists, reflecting the repeal of the statute establishing the vendor lists, consistent with section 33.

* **Section 23:** Amends AS 36.30.990 by adding a new paragraph

Moves the definition for "Alaska bidder" (formerly contained in 36.30.170(b)) and adds new definitions for "in writing" and "written" to include information in electronic form.

* **Section 24:** Amends AS 36.90.049(a)

Updates a citation to reflect the renumbering of a preference.

* **Section 25:** Amends AS 38.35.017(a)

Updates a citation to reflect the renumbering of a preference.

* **Section 26:** Repeals AS 36.30.050, which established the vendor lists, repeals AS 36.30.175, which established the veteran preference, because it has been relocated to AS 36.30.321(f), repeals AS 36.30.250(b), because competitive sealed proposals preference application language is now included in section 19 (AS 36.30.321), and repeals AS 36.30.335 because language outlining application of certain preferences is now included in section 21 (AS 36.30.336).

* **Section 27:** Amends the uncodified law of the State of Alaska

Clarifies the application of this bill to pending solicitations during the transition period.

* **Section 28:** Effective Date

This bill is effective immediately.