



Representative Sam Kito III

Alaska State Legislature

Sectional Analysis

House Bill 24

Qualifications-Based Selection in State-Funded Contracts

Section 1. Amends AS 36.90 by adding a new section to article 2.

Subsection a. directs the contracting person to negotiate with the most qualified and suitable professional person of demonstrated competence to perform the services; requires the contract to be awarded at fair and reasonable compensation; requires consideration of proximity unless federal law prohibits it.

Subsection b. directs the contracting person to negotiate with the next most qualified professional person if an agreement cannot be reached with the most qualified, and so on in order of ranking.

Subsection c. allows the contracting person to reject all or part of a proposal.

Subsection d. exempts contracts awarded in a situation of public necessity from this section.

Subsection e. allows price to be included as a factor in selection when the services are repetitious, and when the scope, nature and amount of services are thoroughly defined; stipulates that price may be a factor in selection only if a majority of the persons involved by the contracting person in proposal evaluation are registered in the state to perform architectural, engineering, or land surveying services.

Subsection f. states that this section does not apply to a contract that incorporates both design services and construction.

Subsection g. defines the terms "contracting person," "grant recipient," "school district," "professional person," and "state-funded."