

CS FOR HOUSE BILL NO. 288(L&C)

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - FIRST SESSION

BY THE HOUSE LABOR AND COMMERCE COMMITTEE

Offered: 5/2/95
Referred: Rules

Sponsor(s): REPRESENTATIVE JAMES

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to procurement preferences."

2 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

3 * **Section 1.** AS 36.30.170(b) is amended to read:

4 (b) The procurement officer shall award a contract based on solicited bids to
5 the lowest responsive and responsible bidder after an Alaska bidder preference of five
6 percent, an Alaska products preference as described in AS 36.30.322 - 36.30.338, and
7 a recycled products preference under AS 36.30.339 have been applied. In this
8 subsection, "Alaska bidder" means a person who

9 (1) holds a current Alaska business license;

10 (2) submits a bid for goods, services, or construction under the name
11 as appearing on the person's current Alaska business license;

12 (3) has, for a period of six months immediately preceding the date
13 of the bid, maintained a place of business within the state that offers the supplies,
14 services, or construction of the general nature solicited by the agency and that is
15 staffed by the bidder or an employee of the bidder [FOR A PERIOD OF SIX

1 MONTHS IMMEDIATELY PRECEDING THE DATE OF THE BID];

2 (4) is incorporated or qualified to do business under the laws of the
3 state, is a sole proprietorship and the proprietor is a resident of the state, or is a
4 partnership and all partners are residents of the state; and

5 (5) if a joint venture, is composed entirely of ventures that qualify
6 under (1) - (4) of this subsection.

7 * **Sec. 2.** AS 36.30.170(e) is amended to read:

8 (e) If a bidder qualifies under (b) of this section as an Alaska bidder, is a
9 **qualifying entity** [SOLE PROPRIETORSHIP OWNED BY AN INDIVIDUAL WHO
10 IS A PERSON WITH A DISABILITY], and is the lowest responsible and responsive
11 bidder with a bid that is not more than 10 percent higher than the lowest bid, the
12 procurement officer shall award the contract to that bidder. This subsection does not
13 give a bidder who would otherwise qualify for a preference under this subsection a
14 preference over another bidder who would otherwise qualify for a preference under this
15 subsection or (f) of this section. **In this subsection, "qualifying entity" means a**

16 **(1) sole proprietorship owned by a person with a disability;**

17 **(2) partnership if each of the partners is a person with a disability;**

18 **or**

19 **(3) corporation that is wholly owned by individuals if each of the**
20 **individuals is a person with a disability.**

21 * **Sec. 3.** This Act applies to bids that are submitted on or after the effective date of this
22 Act.