

CS FOR SENATE BILL NO. 220(FIN)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIRST LEGISLATURE - SECOND SESSION

BY THE SENATE FINANCE COMMITTEE

Offered: 4/13/00

Referred: Rules

Sponsor(s): SENATE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to the requirements for partnerships and limited liability
2 companies to qualify for the Alaska bidder preference and a certain disability
3 preference under the State Procurement Code; and providing for an effective
4 date."

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

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

7 (b) The procurement officer shall award a contract based on solicited bids to
8 the lowest responsive and responsible bidder after an Alaska bidder preference of five
9 percent, an Alaska products preference as described in AS 36.30.322 - 36.30.338, and
10 a recycled products preference under AS 36.30.337 have been applied. In this
11 subsection, "Alaska bidder" means a person who

12 (1) holds a current Alaska business license;

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

1 (3) has maintained a place of business within the state staffed by the
 2 bidder or an employee of the bidder for a period of six months immediately preceding
 3 the date of the bid;

4 (4) is incorporated or qualified to do business under the laws of the
 5 state, is a sole proprietorship and the proprietor is a resident of the state, **is a limited**
 6 **liability company organized under AS 10.50 and all managing members are**
 7 **residents of the state,** or is a partnership **under AS 32.05 or AS 32.11** and all
 8 partners are residents of the state; and

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

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

12 (e) If a bidder qualifies under (b) of this section as an Alaska bidder, is a
 13 qualifying entity, and is the lowest responsible and responsive bidder with a bid that
 14 is not more than 10 percent higher than the lowest bid, the procurement officer shall
 15 award the contract to that bidder. This subsection does not give a bidder who would
 16 otherwise qualify for a preference under this subsection a preference over another
 17 bidder who would otherwise qualify for a preference under this subsection or (f) of this
 18 section. In this subsection, "qualifying entity" means a

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

20 (2) partnership **under AS 32.05 or AS 32.11** if each of the partners is
 21 a person with a disability; [OR]

22 (3) **limited liability company organized under AS 10.50 if each of**
 23 **the managing members is a person with a disability; or**

24 (4) corporation that is wholly owned by individuals and each of the
 25 individuals is a person with a disability.

26 * **Sec. 3.** This Act takes effect immediately under AS 01.10.070(c).