



LAWS OF ALASKA

2000

Source

HCS CSSB 220(JUD)

Chapter No.

71

AN ACT

Relating to the requirements for partnerships and limited liability companies to qualify for the Alaska bidder preference and a certain disability preference under the State Procurement Code; and providing for an effective date.

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

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Approved by the Governor: May 22, 2000

Actual Effective Date: May 23, 2000

AN ACT

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

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

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

(1) holds a current Alaska business license;

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

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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 members are residents of the**
7 **state**, or is a partnership **under AS 32.05 or AS 32.11** and all partners are residents
8 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 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).