

1 IN THE HOUSE

BY MR. KUBLEY

2

HOUSE BILL NO. 279

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

THIRD LEGISLATURE - SECOND SESSION

5

A BILL

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For an Act entitled: "An Act relating to contracts or purchases  
7 of the state when the accepted bidder de-  
8 faults; and providing for an effective  
9 date."

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

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\* Section 1. AS 37.05.240 is amended to read:

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Sec. 37.05.240. AWARD OF CONTRACTS AND PURCHASES. A

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contract or purchase made by or under the supervision of the

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department for which competitive bids are required shall be

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awarded to the lowest responsible bidder, taking into con-

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sideration conformity with the specifications, terms of

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delivery, and other conditions imposed in the call for bids.

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Bids may be rejected, and a bid shall be rejected if it

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contains a material alteration or erasure. The department

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may reject the bid of a bidder who is in arrears on taxes

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due the state or who failed to perform on a previous contract

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with the state. Where competitive bids are required and

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where all bids are rejected, new bids shall be called for as

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in the first instance. Before the awarding of a contract

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for a building or the making of repairs upon a building, the

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department shall see that the bids conform with plans and

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specifications approved by the Department of Public Works.

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All bids with the names of the bidders and the amounts of

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the bids, together with all documents pertaining to the

1 award of a contract, shall be made a part of a file or  
2 record and retained by the department for three years, un-  
3 less reproduced by microfilming, and these files or records  
4 are open to public inspection at all reasonable times. An  
5 aggrieved bidder may within five days after an award of  
6 contract appeal to the department for hearing, with notice  
7 to interested parties, for redetermination and final award  
8 in accordance with law. When a bid has been accepted and  
9 the bidder defaults, the department shall readvertise the  
10 contract or purchase.

11 \* Sec. 2. This Act takes effect on the day after its passage  
12 and approval or on the day it becomes law without such approval.  
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