

Introduced: 2/23/82
Referred: Labor & Commerce,
Transportation and Finance

BY THE RULES COMMITTEE
BY REQUEST

1 IN THE SENATE

2 SENATE BILL NO. 819

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to contracts for architectural, engi-
7 neering, and land surveying services; and providing
8 for an effective date."

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

10 * Section 1. AS 36 is amended by adding a new chapter to read:

11 CHAPTER 30. PROFESSIONAL SERVICE CONTRACTS.

12 Sec. 36.30.010. CONTRACTS FOR ARCHITECTURAL, ENGINEERING, AND
13 LAND SURVEYING SERVICES. (a) The state shall select persons or firms
14 for the performance of architectural, engineering, or land surveying
15 services and award contracts for these services at fair and reasonable
16 prices only on the basis of demonstrated competence and qualification
17 for the type of professional services required.

18 (b) In awarding a contract for the services of an architect,
19 engineer, or land surveyor registered under AS 08.48 the state shall
20 select the person or firm best qualified to perform the desired work on
21 the basis of demonstrated competence and professional qualifications.
22 An attempt shall be made to negotiate a contract with the person or
23 firm selected at a price that is fair and reasonable. Before selection
24 and negotiation, the state shall not request or consider any statement,
25 bid or estimate of fees, estimate of time required, or charges for
26 architectural, engineering, or land surveying services for the proposed
27 project or request any other submission or action that would violate
28 AS 08.48 or a regulation adopted under AS 08.48.

29 (c) Subject to the criteria in (b) of this section, a particular

1 procedure for the selection of architects, engineers, or land surveyors
2 or for the award of contracts is not required. The state shall publicly
3 rank proposals or offers received in response to a request for services.
4 The state shall attempt to negotiate a fair and reasonable price with
5 the contractor best qualified to perform the desired work and to nego-
6 tiate a fair and reasonable price with other contractors, in order of
7 ranking, if negotiations with the first-ranked contractor are not
8 successful. The state may reject all or part of a proposal.

9 (d) This section does not apply to contracts awarded in an emer-
10 gency if the person responsible for execution of the contract on behalf
11 of the state certifies in writing that an emergency exists.

12 (e) In this section "state" includes political subdivisions of
13 the state and agencies of the state and its political subdivisions.

14 * Sec. 2. AS 36.95.010 is amended by adding a new paragraph to read:

15 (8) "emergency" means a condition of imminent danger to the
16 public health, safety or welfare or a condition that requires immediate
17 action to prevent harm to a person or property.

18 * Sec. 3. AS 37.05.230 is amended by adding a new paragraph to read:

19 (9) requests for and acceptance of bids or other proposals
20 for architectural, engineering, or land surveying services shall comply
21 with AS 36.30.010.

22 * Sec. 4. AS 37.05.240 is amended by adding a new subsection to read:

23 (b) A contract for architectural, engineering, or land surveying
24 services shall be awarded in accordance with AS 36.30.010.

25 * Sec. 5. This Act applies to requests for bids or proposals for archi-
26 tectural, engineering, and land surveying services issued after the effective
27 date of this Act.

28 * Sec. 6. This Act takes effect immediately in accordance with AS 01.10.-
29 070(c).