

Introduced: 2/8/84
Referred: State Affairs and
Finance

BY THE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR

1 IN THE SENATE

2

SENATE BILL NO. 421

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

THIRTEENTH LEGISLATURE - SECOND SESSION

5

A BILL

6 For an Act entitled: "An Act relating to public contracts; and providing
7 for an effective date."

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

9 * Section 1. AS 36.98 is amended by adding a new section to read:

10 Sec. 36.98.075. CLAIMS FOR BID PREPARATION COSTS. (a) A claim
11 for reimbursement of reasonable costs incurred in preparing a personal
12 services contract bid must be presented, within 30 days after award of
13 the contract or notice of cancellation of the bid solicitation, to the
14 appropriate administrative or executive officer of the state agency
15 that solicited the bid.

16 (b) A claimant under (a) of this section is entitled to reim-
17 bursement if

18 (1) the claimant's bid should have been selected for award
19 of the contract under AS 36.98.040 and the agency unreasonably reject-
20 ed the bid;

21 (2) the rejection of the claimant's bid resulted from an
22 action taken by the agency in bad faith; or

23 (3) the agency arbitrarily and unreasonably cancelled the
24 bid solicitation.

25 (c) After a claim is filed under this section, the provisions of
26 AS 44.77 apply to it.

27 * Sec. 2. AS 37.05 is amended by adding a new section to read:

28 Sec. 37.05.245. CLAIMS FOR BID PREPARATION COSTS. (a) A claim
29 for reimbursement of reasonable costs incurred in preparing a purchase

1 contract bid must be presented, within 30 days after award of the
2 contract or notice of cancellation of the bid solicitation, to the
3 appropriate administrative or executive officer of the state agency
4 that solicited the bid.

5 (b) A claimant under (a) of this section is entitled to reim-
6 bursement if

7 (1) the claimant's bid should have been selected for award
8 of the contract under AS 37.05.240 and the agency unreasonably re-
9 jected the bid;

10 (2) the rejection of the claimant's bid resulted from an
11 action taken by the agency in bad faith; or

12 (3) the agency arbitrarily and unreasonably cancelled the
13 bid solicitation.

14 (c) After a claim is filed under this section, the provisions of
15 AS 44.77 apply to it.

16 * Sec. 3. AS 44.77.010(c) is repealed.

17 * Sec. 4. This Act takes effect immediately in accordance with AS 01.-
18 10.070(c).