

Offered: 4/4/85
Referred: Judiciary and
Finance

Original sponsors: Koponen, Sund
Szymanski, et al

BY THE LABOR AND
COMMERCE COMMITTEE

1 IN THE HOUSE

2

CS FOR HOUSE BILL NO. 278 (L&C)

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FOURTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

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

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

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

11 Sec. 36.98.043. ARCHITECTURAL, ENGINEERING, AND LAND SURVEYING
12 CONTRACTS. (a) Notwithstanding the provisions of AS 36.98.010(3) and
13 36.98.040, a state agency shall negotiate a contract with the most
14 qualified and suitable firm or person of demonstrated competence for
15 architectural, engineering, or land surveying services. The state
16 agency shall award a contract for those services at fair and reason-
17 able compensation as determined by the state agency, after consid-
18 eration of the estimated value of the services to be rendered, and the
19 scope, complexity, and professional nature of the services.

20 (b) If negotiations with the most qualified and suitable firm or
21 person under (a) of this section are not successful, the state agency
22 shall negotiate a contract with other qualified persons or firms of
23 demonstrated competence, in order of public ranking. The state agency
24 may reject all or part of a proposal.

25 (c) This section does not apply to contracts awarded in a situa-
26 tion of public necessity if the person responsible for execution of
27 the contract on behalf of the state agency certifies in writing that a
28 situation of public necessity exists.

29 (d) Notwithstanding the other provisions of this section, a

1 state agency may include price as a factor in selecting architectural,
2 engineering, and land surveying services when, in the judgment of the
3 state agency, the scope, nature, and amount of services required are
4 sufficiently defined to reasonably enable firms and individuals making
5 proposals to compete with a substantially equal understanding and
6 interpretation of the services required. In order to include price as
7 a factor in selection, the state agency shall involve in the evalua-
8 tion of the proposals at least one person who is registered in the
9 state to perform the architectural, engineering, or land surveying
10 services that are the primary services to be provided by the contract.

11 * Sec. 2. This Act applies to requests for bids or proposals for archi-
12 tectural, engineering, and land surveying services issued after the effec-
13 tive date of this Act.

14 * Sec. 3. This Act takes effect immediately in accordance with AS 01.-
15 10.070(c).