

Offered: 4/19/85
Referred: Labor and Commerce

Original sponsors: Sturgulewski and Rodey

1 IN THE SENATE
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3 CS FOR SENATE BILL NO. 204 (C&RA)
4 IN THE LEGISLATURE OF THE STATE OF ALASKA
5 FOURTEENTH LEGISLATURE - FIRST SESSION
6 A BILL
7 For an Act entitled: "An Act relating to contracts for architectural,
8 engineering, and land surveying services; and provid-
9 ing for an effective date."
10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:
11 * Section 1. AS 36.90 is amended by adding a new section to read:
12 Sec. 36.90.100. COMPLIANCE OF CONTRACTS WITH PROFESSIONAL REGIS-
13 TRATION REQUIREMENTS. The state or a political subdivision of the
14 state may not award a contract for architectural, engineering, or land
15 surveying services to
16 (1) an individual who is not registered under AS 08.48 to
17 perform the architectural, engineering, or land surveying services
18 required by the contract;
19 (2) a partnership that is not qualified under AS 08.48.251
20 to provide the architectural, engineering, or land surveying services
21 required by the contract; or
22 (3) a corporation that is not authorized under AS 08.48.241
23 to offer the architectural, engineering, or land surveying services
24 required by the contract.
25 * Sec. 2. AS 36.98 is amended by adding a new section to read:
26 Sec. 36.98.043. ARCHITECTURAL, ENGINEERING, AND LAND SURVEYING
27 CONTRACTS. (a) Notwithstanding the provisions of AS 36.98.010(3) and
28 36.98.040, a state agency shall negotiate a contract with the most
29 qualified and suitable firm or person of demonstrated competence for
architectural, engineering, or land surveying services. The state

1 agency shall award a contract for those services at fair and reason-
2 able compensation as determined by the state agency, after considera-
3 tion of the estimated value of the services to be rendered, and the
4 scope, complexity, and professional nature of the services.

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

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

14 (d) Notwithstanding the other provisions of this section, a
15 state agency may include price as a factor in selecting architectural,
16 engineering, and land surveying services when, in the judgment of the
17 state agency, the scope, nature, and amount of services required are
18 sufficiently defined to reasonably enable firms and individuals making
19 proposals to compete with a substantially equal understanding and
20 interpretation of the services required. In order to include price as
21 a factor in selection, the state agency shall involve in the evalua-
22 tion of the proposals at least one person who is registered in the
23 state to perform the architectural, engineering, or land surveying
24 services that are the primary services to be provided by the contract.

25 (e) The consideration of price under (d) of this section as a
26 factor in the selection of architectural, engineering, and land sur-
27 veying services may not exceed 20 percent of the scoring formula used
28 in evaluating proposals. The state agency shall base the evaluation
29 of price on a previously established schedule that objectively

1 correlates price with points scored.

2 (f) This section does not apply to a contract that incorporates
3 both design and construction services.

4 * Sec. 3. This Act applies to requests for bids or proposals for archi-
5 tectural, engineering, and land surveying services issued after the effec-
6 tive date of this Act.

7 * Sec. 4. This Act takes effect immediately in accordance with AS 01.--
8 10.070(c).

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