

Offered: 2/4/86
Referred Rules

Original sponsors: Sturgulewski and Rodey

1 IN THE SENATE

BY THE FINANCE COMMITTEE

2 CS FOR SENATE BILL NO. 204 (Finance)
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 FOURTEENTH LEGISLATURE - SECOND 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 36.90 is amended by adding a new section to read:

11 Sec. 36.90.100. COMPLIANCE OF CONTRACTS WITH PROFESSIONAL REGIS-
12 TRATION REQUIREMENTS. The state or a political subdivision of the
13 state may not award a contract for architectural, engineering, or land
14 surveying services to

15 (1) an individual who is not registered under AS 08.48 to
16 perform the architectural, engineering, or land surveying services
17 required by the contract;

18 (2) a partnership that is not qualified under AS 08.48.251
19 to provide the architectural, engineering, or land surveying services
20 required by the contract; or

21 (3) a corporation that is not authorized under AS 08.48.241
22 to offer the architectural, engineering, or land surveying services
23 required by the contract.

24 * Sec. 2. AS 36.98 is amended by adding a new section to read:

25 Sec. 36.98.043. ARCHITECTURAL, ENGINEERING, AND LAND SURVEYING
26 CONTRACTS. (a) Notwithstanding the provisions of AS 36.98.010(3) and
27 36.98.040, a state agency shall negotiate a contract with the most
28 qualified and suitable firm or person of demonstrated competence for
29 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 services required are repetitious in nature, and the
18 scope, nature, and amount of services required are sufficiently de-
19 fined by measurable and objective standards to reasonably enable firms
20 and individuals making proposals to compete with a clear understanding
21 and interpretation of the services required. In order to include
22 price as a factor in selection, the state agency shall involve in the
23 evaluation of the proposals at least one person who is registered in
24 the state to perform the architectural, engineering, or land surveying
25 services that are the primary services to be provided by the contract.

26 (e) This section does not apply to a contract that incorporates
27 both design and construction services.

28 * Sec. 3. This Act applies to requests for bids or proposals for archi-
29 tectural, engineering, and land surveying services issued after the

1 effective date of this Act.

2 * Sec. 4. This Act takes effect immediately in accordance with AS 01.--

3 10.070(c).

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