

PROPOSED AMENDMENT

SENATE AMENDMENTS TO S.B. 1344

(Reference to printed bill)

1 Strike everything after the enacting clause and insert:

2 "Section 1. Title 41, chapter 23, article 1, Arizona Revised Statutes,
3 is amended by adding section 41-2505, to read:

4 41-2505. Preference for Arizona bidders for identical bids;
5 reciprocal preference; definitions

6 A. FOR CONTRACTS AWARDED PURSUANT TO SECTION 41-2533, SUBSECTION G, AN
7 ARIZONA BIDDER SHALL BY GIVEN PREFERENCE OVER ANONRESIDENT BIDDER IF THERE
8 ARE TWO OR MORE LOW, RESPONSIVE OFFERS FROM RESPONSIBLE BIDDERS THAT ARE
9 IDENTICAL IN PRICE.

10 B. A PURCHASING AGENCY SHALL ADD A PER CENT INCREASE TO THE BID OF A
11 NONRESIDENT BIDDER EQUAL TO THE PER CENT, IF ANY, OF THE PREFERENCE GIVEN TO
12 THE BIDDER IN THE STATE IN WHICH THE BIDDER RESIDES. ON OR BEFORE JANUARY 1
13 OF EACH YEAR, THE DEPARTMENT SHALL PUBLISH A LIST OF STATES THAT GIVE
14 PREFERENCE TO IN-STATE BIDDERS WITH THE PER CENT INCREASE APPLIED IN EACH
15 STATE. A PURCHASING AGENCY MAY RELY ON THE NAMES OF STATES AND PERCENTAGES
16 SO PUBLISHED IN DETERMINING THE LOWEST RESPONSIBLE BIDDER WITHOUT INCURRING
17 ANY LIABILITY TO ANY BIDDER.

18 C. FOR THE PURPOSES OF THIS SECTION:

19 1. "ARIZONA BIDDER" MEANS A BIDDER WHO SATISFIES ALL OF THE FOLLOWING:

20 (a) IS AUTHORIZED TO TRANSACT BUSINESS IN THIS STATE.

21 (b) MAINTAINS ITS HEADQUARTERS IN THIS STATE FOR NOT LESS THAN TWELVE
22 CONSECUTIVE MONTHS BEFORE SUBMITTING A BID.

23 (c) HAS PAID ALL ASSESSED TAXES.

24 2. "HEADQUARTERS" MEANS A PRINCIPLE CENTRAL ADMINISTRATIVE OFFICE
25 WHERE PRIMARY HEADQUARTERS RELATED FUNCTIONS AND SERVICES ARE PERFORMED,

1 INCLUDING FINANCIAL, PERSONNEL, ADMINISTRATIVE, LEGAL, PLANNING AND SIMILAR
2 BUSINESS FUNCTIONS.”

3 Amend title to conform

AL MELVIN

2/9/12
1:30 PM
S: JT/ly