

NOTICES OF RULEMAKING DOCKET OPENING

The Administrative Procedure Act (APA) requires the publication of Notices of Rulemaking Docket Opening when an agency opens a rulemaking docket to consider rulemaking. Under the APA effective January 1, 1995, agencies must submit a Notice of Rulemaking Docket Opening before beginning the formal rulemaking process.

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF ADMINISTRATION STATE PROCUREMENT OFFICE

Editor's Note: The following Notice of Rulemaking Docket Opening was reviewed per Executive Order 2012-03 as issued by Governor Brewer. (See the text of the executive order on page 3286.) The Governor's Office authorized the notice to proceed through the rulemaking process on August 29, 2013.

[R13-174]

1. Title and its heading:
Chapter and its heading:
Article and its heading:

2, Administration
7, Department of Administration – State Procurement Office
1, General Provisions
3, Source Selection and Contract Formation (Part B, Competitive Sealed Bidding, Part C, Competitive Sealed Proposals, Part D, Procurements Not Exceeding the Amount Prescribed in A.R.S. § 41-2535, Part E, Limited Competition for Procurements Exceeding the Amount Prescribed in A.R.S. § 41-2535, Part F, Competitive Selection Process for Services of Clergy, Physicians, Dentists, Legal Counsel, or Certified Public Accountants)
4, Specifications
5, Procurement of Construction and Specified Professional Services
6, Contract Clauses
9, Legal and Contractual Remedies (Part A, Protest of Solicitations and Contract Awards)

Section numbers:

R2-7-101, R2-7-B301, R2-7-B302, R2-7-B306, R2-7-B312, R2-7-B314, R2-7-B315, R2-7-B316, R2-7-C301, R2-7-C302, R2-7-C306, R2-7-C311, R2-7-C314, R2-7-C315, R2-7-C316, R2-7-C317, R2-7-C318, R2-7-D301, R2-7-D302, R2-7-D303, R2-7-D304, R2-7-D305, R2-7-E301, R2-7-F301, R2-7-F302, R2-7-F303, R2-7-F304, R2-7-F305, R2-7-F306, R2-7-F307, R2-7-F308, R2-7-F309, R2-7-F310, R2-7-403, R2-7-503, R2-7-604, R2-7-605, R2-7-606, R2-7-607, R2-7-A909, R2-7-A910 and R2-7-A911 (Sections may be added, deleted or modified as necessary.)

2. The subject matter of the proposed rule:

The purpose of this rulemaking is to address statutory changes that were passed during the 2013 legislative session. Other changes may be made to improve processes. Additionally, the rulemaking will update the rules and bring them into conformance with current practice. Subject matter of these rules is the procurement and management of all materials, services and construction for the state of Arizona. The statutes and the rules are based on the American Bar Association Model Procurement Code and are commonly referred to as the "Arizona Procurement Code."

3. A citation to all published notices relating to the proceeding:

None

4. The name and address of agency personnel with whom persons may communicate regarding the rule:

Name: Jean A. Clark, State Procurement Administrator
Address: Department of Administration
State Procurement Office
100 N. 15th Ave., Suite 201
Phoenix, AZ 85007
Telephone: (602) 542-9136
Fax: (602) 542-5508

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E-mail: Jean.Clark@azdoa.gov
or
Name: Rob Smook, ADOA Rules Administrator
Address: Department of Administration
Fleet Management Office
1501 W. Madison
Phoenix, AZ 85007
Telephone: (602) 542-6161
Fax: (602) 542-3125
E-mail: Robert.smook@azdoa.gov

5. The time during which the agency will accept written comments and the time and place where oral comments may be made:

Written comments will be accepted Monday through Friday from 8:00 a.m. and 5:00 p.m. at the locations listed above. The schedule for oral proceedings is to be determined and will be published in a future issue of the *Register*.

6. A timetable for agency decisions or other action on the proceeding, if known:

It is expected that this rulemaking will be completed in 2013.