



STATE OF ARKANSAS  
**Department of Finance  
and Administration**

**OFFICE OF STATE PROCUREMENT**  
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## Memorandum

**TO:** Purchasing Agents, Agency Procurement Officials, and Chief Fiscal Officers;  
**FROM:** Joseph A. Giddis  
**DATE:** August 11, 2005  
**SUBJECT:** ACT 2157 of 2005: Requirement for Vendor Equal Opportunity Policy

Act 2157 of the 85<sup>th</sup> Regular Session requires that any entity or person bidding, responding to a request for proposal or qualifications, or negotiating a contract with the state on a contract for professional or consulting services submit, to the Office of State Procurement (OSP), their most current equal opportunity policy (EO Policy). The act does not define "state agencies". For purposes of implementation, State agency is defined at 19-11-203(30) (A).

Obtaining the EO Policy is a one time requirement. Once a contractor has their EO Policy on file it is not necessary for them to re-submit that policy every time they bid on a solicitation. Contractors will be encouraged to submit their policies in an electronic form.

The Office of State Procurement will be responsible for obtaining the necessary documents on those solicitations issued by this office. Colleges and Universities who have an APO will maintain their own institution files.

Agencies will be responsible for obtaining the required EO policy documents for Professional Consultant Services contracts and submitting those documents with the PCS contract forms to OSP.

Although vendors are encouraged to have a viable equal opportunity policy, a written response from a vendor that the vendor does not have an equal opportunity policy is considered that vendor's equal opportunity policy and will be acceptable in complying with the requirement.

The requirement does not apply to small orders or quote bids issued in accordance with the bid limits established in the Procurement Law.