

Request for Proposal

*For an Online Integrated and Searchable Records Database
Management System including Digitizing Services.*

Issuance Date: November 6, 2023

Arkansas Secretary of State

State Capitol Building
Business Office
500 Woodlane Street, Suite 12
Little Rock, AR 72201



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Confidentiality Statement

This document, including attachments, is intended only for use by the addressee and may contain legally privileged and/or confidential, copyrighted, trademarked, patented, or otherwise restricted information. If you are not the intended recipient of this document (or the person responsible for delivering this document to the intended recipient), you are advised that any dissemination, distribution, printing, or copying of this document, and any attachment(s) thereto, is strictly prohibited and violation of this condition may infringe upon copyright, trademark, patent, or other laws protecting proprietary or intellectual property. If you have received this document in error, please respond to the originator at the address below and permanently delete and/or shred all information.

Submission Details

Submission Instructions

This Request for Proposal (RFP) is a solicitation for design and cost proposals and is not an offer of contract. It is the intent of the Arkansas Secretary of State (SOS) not to base contract award solely on bid price, but to evaluate vendors on multiple criteria including experience, system design and specifications, cost proposal, etc. Prospective respondents are advised to carefully read all instructions, terms, and conditions provided in this RFP prior to submitting a response. Failure to adhere to any instruction, term, or condition may result in rejection of the response. Vendors should pay particular attention to the following:

- Incomplete responses are subject to rejection by the SOS. Failure to sign the Vendor Certification Form and Cost Proposal by an authorized representative shall render the response invalid.
- The SOS shall not be responsible for any costs incurred by the vendor in the preparation of any response to this RFP or oral presentation, should one be requested.
- All materials submitted in response to this RFP, and subsequent fee agreements, contracts, or both, are subject to the state Freedom of Information Act.
- The SOS may request any clarifications, additional information, or data during the RFP review and vendor selection process.
- Responses shall be accepted continuously until the stated deadline and may be withdrawn by the vendor at any time.
- The SOS may reject any or all responses and may waive technical or immaterial errors therein.
- Although as a constitutional office, the SOS is an “exempt agency” under most Arkansas procurement laws, it is the intent of the SOS to adhere to procurement policies, such as those contained within this RFP, which ensure the selection of the most responsive and responsible vendor who shall accomplish the requisite scope of work in an efficient and transparent manner.
- The vendor shall submit one original submission with five accompanying copies, along with a USB flash drive containing all required forms.

The SOS welcomes responses from small, minority-owned, women-owned, and veteran-owned businesses and does not discriminate against any entity, company, or individual on the basis of race, color, religion, creed, sex, age, disability or medical condition, national origin, or veteran status, or any other category protected by federal, state, and local anti-discrimination laws.

Submission Deadline

All responses to this RFP shall be received by the SOS, at the physical or email delivery address stated below, no later than: December 6, 2023, at 4:00 pm CST. Responses received after 4:00 pm CST on December 6, 2023, shall be considered late and shall be returned to the vendor without further review.

Submission Delivery

Vendor's complete response shall be delivered to the following physical or email address:

Arkansas Secretary of State
Attn: Business Office, Hanan Malak
500 Woodlane Street, Suite 12
Little Rock, AR 72201
Phone: 501-682-2008
Email: purchasing@sos.arkansas.gov

Request for Proposals Questions and Clarifications

Vendors may submit written questions requesting clarification of information contained within this RFP. Please reference the RFP number (*RFP # 24-007*) in the subject line. Written questions shall be addressed only to:

Hanan Malak, Purchasing Department
500 Woodlane Street, Suite 12
Little Rock, AR 72201
Phone: 501-682-2008
Email: purchasing@sos.arkansas.gov

The deadline for submitting questions specific to the RFP shall be November 17, 2023 at 4:00 pm CST. Answers to any questions submitted will be provided no later than November 22, 2023 at 4:00 pm CST.

Opening of Responses

Responses submitted by the deadline shall be opened at the following location at the date and time specified below:

December 7, 2023; 9:00 am CST

Arkansas Secretary of State
500 Woodlane Street, Suite 12
Little Rock, AR 72201

All vendors responding to the RFP shall be notified of the final selection.

General Information

Purpose

The Arkansas Secretary of State (SOS) is soliciting Requests for Proposal (RFP) from qualified vendors to provide an updated online integrated and searchable records management database along with digitization services. This updated database shall allow all records that are on file with the Secretary of State's Elections office to be viewable online to the public. Vendor will be responsible for digitizing, quality assurance testing and indexing with metadata all rules and regulations, annexation files, journals of the House and Senate, athlete agent filings, and Acts of Arkansas

The successful vendor shall provide to the SOS a single, browser-based, centralized, searchable records management database as specified in this RFP. The vendor shall provide all requisite hardware; software; facilities (as required); digitization services; application and system security; licensing; information technology project management services; data systems coordination; ongoing system operations, maintenance, and support services; training services (including individual SOS staff training and manuals specific to SOS administrators); and direct customer support services as delineated in the detailed specifications. All data in databases and information generated and stored by the database shall remain the exclusive property of the SOS.

Vendors shall respond to the RFP with two (2) options for the SOS: a Cloud-based or a system on a local server provided by the SOS.

Black Out Period

From the time of publication of this RFP until award of the contract, all communication pertaining to this RFP shall be directed to the contact person, or her designee, listed on page four (4) of this RFP. Vendors are strictly prohibited against communicating with any other SOS personnel regarding this RFP process. Violation of this policy may result in the disqualification of a vendor's response.

Contract Award

It is the intent of the SOS that any contract awarded in response to this RFP shall be a term contract executed with a single vendor. The SOS shall enter into negotiations with the most responsive bidder to finalize a contract. If the SOS is unable to negotiate a contract for the services to be provided with the most responsive vendor, negotiations shall be formally terminated and negotiations with subsequent vendors shall be initiated. The negotiation process shall be repeated until a successful vendor has been determined, or until such time as the SOS decides not to move forward with a contract. Selection of the vendor shall be at the sole discretion, and in the best interest, of the SOS, and is final.

Contract Terms and Conditions

Any vendor selected shall be required to enter into a formal written contract with the SOS prior to the commencement of services. Any contract entered into pursuant to this RFP is not assignable nor are the duties thereunder delegable by either party without the written consent of the other party to the contract.

Final written approval of all project work shall be obtained from the SOS prior to initial delivery and installation. The SOS and the vendor shall reach agreement on any additional fee(s) that may apply should substantial changes (at no fault of the vendor) be required.

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Payments shall be made in accordance with the terms and conditions of the payment provisions of the contract signed by the successful vendor and the SOS, subject to legislative appropriations. Vendor acknowledges that the SOS is subject to constitutional and statutory limitations on spending and cannot expend funds unless specifically appropriated by the Arkansas General Assembly. The SOS agrees to exercise its best efforts to obtain funding at the contract rate during each annual session of the Arkansas General Assembly.

Detailed Specifications

Vendor's official response packet shall contain responses that best exemplify their ability to meet all of the detailed specifications delineated below. Modifications shall be made only in response to addenda issued by the Secretary of State (SOS). Vendors are advised to check the SOS website periodically for any issued addenda.

1. The vendor's proposed Records Management Database ("Database") shall apply to the following documents submitted to and maintained by the SOS:
 - a. Arkansas Administrative Rules and Regulations
 - b. Secretary of State Municipal Annexation Files
 - c. Arkansas Journals of House and Senate
 - d. Acts of Arkansas
 - e. Arkansas Registered Athlete Agents
2. The System shall perform all file management and online search functions from a common platform.
3. The System shall be browser-based.
4. SOS system administrators shall be able to configure role-based permissions and individual user permissions.
5. The database must allow the direct import of common electronic document types (such as, but no limited to: TIF, PDF, JPG, Microsoft Office standard formats such as docx and xlsx).
6. Files shall be uploaded by using a drag-and-drop or direct scan system.
7. Database shall have the ability to identify duplicate documents.
8. The System shall be database driven with the capability of searching and retrieving files based on the contents of the individual record.
9. The System shall be comprised of three (3) environments, each hosted on separate physical or virtual servers:
 - a. Development Environment.
 - b. Test Environment.
 - c. Production Environment.
10. The vendor shall maintain responsibility for daily data and System backup activities.
11. To ensure functionality across the widest range of users, the Database shall provide the ability to fully function on all modern web browsers (Edge, Firefox, Chrome, Safari, ect.)
12. Utilizes a mobile-friendly, responsive design that is compatible on iOS and Android Mobile devices.

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13. The Database shall provide the following minimum online functionalities:
 - a. Support the uploading of new records by the SOS. Up-loadable document formats shall include electronic word processing files, portable document format files, Excel spreadsheets, or equivalent formats that may be saved in a read-only format and combined into a single document that is available to the public in an electronically-searchable format.
 - b. Allow for SOS administrators and the public to search and retrieve documents based on the following factors; contents of the document, date or partial date the document was filed, title or partial title of the document.
 - i. Some records are handwritten therefore the vendor will be required to accommodate for the search retrieval of these documents.
 - c. Database shall store records for legacy documents and future documents that shall be filed with the Secretary of State.
 - d. The application shall provide both a web browser and a desktop client user interface
 - e. The application shall ensure a mandatory amount of metadata is captured for each document or record in the Secretary of States office.
 - f. The application shall have safety protocols to ensure that documents are not accidentally deleted or overwritten by a user.
 - g. The application must have the ability to capture, store, retrieve, and reproduce irregular-sized documents.
14. The System shall allow SOS administrators to:
 - a. Manage all content..
 - b. File paper filings via direct document scanning.
 - c. Create new category forms as mandated.
 - d. Ability to edit database
15. The System shall provide members of the public the ability to:
 - a. Search all documents that are on file with the Secretary of States office.
 - b. Create sortable queries based upon the following criteria
 - i. Document type
 - ii. Year document was filed/received
 - iii. Contents of document
16. The proposed System shall be fully compliant with both Americans with Disabilities Act (ADA) and Help America Vote Act (HAVA) requirements.
17. The System shall be capable of full functionality in both a hosted and hosting environment.

OPTION 1 - HOSTING ENVIRONMENT:

- The vendor shall provide a secure hosting environment with a technical architecture that shall support the System application.
- The System shall provide rapid transaction (no more than three second response time) speed for filers, SOS users, and online public searches.
- The hosted solution shall provide a System that is fail-safe for operations and secure from external attacks or attempts at corruption.

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- The hosted solution shall provide a detailed disaster recovery plan.
- The hosted solution shall provide detailed security architecture for hardware, firewalls, and intrusion detection and prevention software that meets or exceeds Arkansas State Information Technology Security Policy and Standards.

OPTION 2 - HOSTING ENVIRONMENT:

- The vendor shall provide an option that incorporates all of the requirements above for a System that shall be hosted in an SOS-provided data center.
18. The vendor shall provide a System risk plan that shall address, at a minimum, the risks to information security and the controls necessary to prevent unauthorized and/or illegal access, misuse, destruction, or theft of SOS information technology assets.
 19. The vendor shall provide the SOS with a Maintenance Support Plan which implements the following maintenance and user support elements:
 - a. Continuous software maintenance for the term of the agreement that includes new versions and upgrades, and authorized enhancements to the System as a result of ongoing maintenance.
 - b. Use of State-approved encrypted security methodology. Updates that are small or moderate in scope, and emergency modifications, may be provided remotely through an FTP server or the Internet, only after approval from SOS, and after notification to SOS that such updates or emergency modifications shall be applied with approved and appropriate security.
 - c. Updating all documentation to incorporate any new versions of the software products that comprise the System.
 - d. Ensuring, at no additional expense to the SOS, that the System shall remain current to the core-operating environment (operating system and database) in which it was built and delivered.
 - e. Processes and procedures for notifying SOS of problems or issues affecting the System.
 - f. Unlimited telephone and on-site (as needed) support to SOS administrators to resolve System issues or problems during non-peak and peak filing periods.
 - g. Performance of maintenance activities only during SOS-approved maintenance windows.
 - h. Testing all proposed software patches and configuration changes in the test environment prior to deployment to the production environment.
 - i. Testing all patches and configuration changes after deployment to the production system to ensure system stability and the desired results of the software changes or configuration changes were achieved. In the event of failure, the vendor shall restore the system to its previous state.
 - j. Updating and incorporating new software versions in response to changes proposed by the Arkansas Ethics Commission or enacted by the Arkansas General Assembly.

Response Documents

As stated on page four (4) of this Request for Proposals, all responses shall be submitted by 4:00 pm CST on 12/06/2023 to:

Arkansas Secretary of State
Attn: Business Office, Hanan Malak
500 Woodlane Street, Suite 12
Little Rock, AR 72201
Phone: 501-682-2008
Email: purchasing@sos.arkansas.gov

Individual responses received by mail shall be enclosed in an outer sealed envelope or container prominently marked with the RFP number (*RFP # 24-007*), submission deadline (*December 6, 2023*), responder's name, and return address.

Individual responses received via email shall prominently state the RFP number (*RFP # 24-007*) submission deadline *December 6, 2023*, responder's name, and return address.

Response Documents Shall Include (Ordered and Labeled as Follows):

1. **Vendor Information:**
 - a. Provide a Letter of Introduction, signed by an officer or principal of the vendor, which:
 - i. Summarizes the history of the vendor, the number of years in business, business structure, locations, and number of employees.
 - ii. Illustrates the vendor's unique abilities to meet the specified requirements of this Request for Proposals. Examples may include specialized experience, skills, certifications, and awards attained.
 - iii. Includes the name of a designated contact person, physical address, email address, and phone number to be used for communication related to interviews and vendor selection.
 - b. Provide a detailed description of the vendor's experience and qualifications (for at least five (5) years) as an informational technology provider of Campaign Finance Filing and Reporting Systems, or similar filing and reporting systems, consistent with the above scope of work. Responses should indicate the vendor's proficiency in creating websites and applications with a focus on site usability and user experience and demonstrate knowledge and proficiency with leading-edge Web and media solutions, architectures, technologies, nomenclature, development practices, and use of industry best practices. Include:
 - i. The names of the clients;
 - ii. A description of the contracts.
 - iii. The length of the contracts and reasons for termination.

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- c. List any contracts that have been cancelled for non-performance or default within the past five (5) years.
- d. List any litigation with prior or current clients.
- e. Provide a summary of current workload and ongoing contracts.

2. Project Team (Key Staff):

- a. Provide resumes for all proposed project managers/supervisors who will be assigned to the contract to oversee all contractual obligations and responsibilities and serve as the primary contact for the SOS. Highlight previous experience in this role.
- b. Provide a description of project team members to be assigned to this project, their experience, and areas of specialization specific to the proposed scope of work.
- c. Describe the process by which work will be assigned, implemented, and tested.

3. References:

Provide the names and contact information for at least three (3) references familiar with the quality of your work of similar nature as that described in the above scope of work. Preference shall be given to references from states in which the vendor has successfully implemented a statewide campaign finance filing and reporting system.

4. Proposed System:

Provide a formal, detailed description of the design, development, testing, implementation, and ongoing maintenance of the System proposed to achieve all of the criteria specified in the detailed specifications of the RFP (pp. 6-10).

5. Cost Proposal:

Total cost proposal provided in accordance with the above scope of work, exclusive of all state and local sales taxes, to design, implement, install and deliver a fully-functional System in accordance with the scope of work delineated in this RFP. Shall be completed in ink or typewritten. (See forms section, page 16.)

6. Required Forms:

Complete, sign, and submit the following forms with your response packet:

- a. Vendor Certification Form
- b. Cost Proposal
- c. Illegal Immigrant Contractor Disclosure Certification Form
- d. W-9 Form
- e. Contract and Grant Disclosure and Certification Form
- f. Company's Equal Opportunity Policy

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Scoring Process

Proposal Scoring

Proposals shall be evaluated and scored by Secretary of State raters based upon requirements set forth in this Request for Proposals and ranked in order of qualification from highest to lowest. Response packets that do not meet submission requirements shall be disqualified and not evaluated.

The maximum point values for each proposal requirement to be scored are as follows:

Proposal Requirements	Maximum Possible Points
Vendor Information	10
Project Team (Key Staff)	10
References	10
Proposed System	40
Cost Proposal	30
Total Possible Proposal Score	100

To derive the average score for each vendor, the combined scores for each rater for that vendor shall be added and divided by the total number of raters.

Cost Proposal Scoring

The maximum amount of cost proposal points shall be given to the vendor with the lowest total cost, including maintenance costs for five (5) years as provided on the bid price sheet.

The amount of price points given to the remaining vendors shall be allocated using the formula $(A/B)*C=D$ where:

- A= Lowest Total Cost
- B= Second (third, fourth, fifth, etc.) Lowest Total Cost
- C= Maximum Points for Lowest Total Cost (30)
- D= Total Cost Points Received

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Vendor Certification Form (Shall be signed and included with response)

Company Name: _____

Company Representative/Title: _____

Address: _____

City: _____ State/Zip: _____

Contact Phone #: _____

Email: _____

Tax ID # (TIN or SSN): _____ (Include copy of current W-9 Form)

Small Business: Yes No

Minority Business: Yes No

Women-Owned Business: Yes No

Veteran-Owned Business: Yes No

Do you or anyone at your company have a relative that works at the Arkansas Secretary of State's office?

Yes No

If yes, please provide the name(s) of such relative(s) and their relationships below:

I certify that this response is accurate and true and made without prior understanding, agreement, or connection with any corporation, firm, or person submitting a response for the same services and is in all respect fair and without outside control, collusion, fraud, or otherwise illegal action. I understand that collusion in public procurement is a violation of state and federal law and can result in fines, prison sentences, and civil damage awards. I agree to abide by all conditions of this Request for Proposals and certify that I am authorized to bind the vendor to any resulting contract.

Authorized Signature

Date

Print or Type Name

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Cost Proposal

Shall be completed in ink or typewritten.

Total cost proposal provided in accordance with the above scope of work, exclusive of all state and local sales taxes, to design, implement, install and deliver a fully-functional System in accordance with the scope of work delineated in this RFP.

\$ _____ (USD)

Plus, an all-inclusive annual licensing, maintenance, operations and user support fee, exclusive of all state and local sales taxes, for:

Year 1: \$ _____

Year 2: \$ _____

Year 3: \$ _____

Year 4: \$ _____

Year 5: \$ _____

Authorized Signature

Date

Print or Type Name

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Illegal Immigrant Contractor Disclosure Certification Form

Act 157 of 2007 of the Arkansas General Assembly requires that any business or person responding to a Request for Proposal for professional services, technical and general services, or any category of construction in which the total dollar value is \$25,000 or greater certify, prior to the award of the contract, that they do not employ or contract with any illegal immigrants. Online certification shall be done at the following address:

<https://www.ark.org/dfa/immigrant/index.php/user/login>

Print screen-shot of the certification and attach to this form.

Company Name: _____

Company Representative/Title: _____

Address: _____

City: _____ State/Zip: _____

Date: _____

ILLEGAL IMMIGRANT CERTIFICATION

Pursuant to Arkansas Code Annotated § 19-11-105, Contractor(s) **shall** certify with OSP that they do not employ or contract with illegal immigrants.

By signing below, the Contractor agrees and certifies that they do not employ illegal immigrants and will not employ illegal immigrants during the remaining aggregate term of the contract.

Contract Number	
AASIS Number	
Description	
Contractor	

Contractor Signature: _____

Date: _____

CONTRACT AND GRANT DISCLOSURE AND CERTIFICATION FORM

Failure to complete all of the following information may result in a delay in obtaining a contract, lease, purchase agreement, or grant award with any Arkansas State Agency.

SUBCONTRACTOR: _____ SUBCONTRACTOR NAME: _____
 Yes No

TAXPAYER ID NAME: _____ IS THIS FOR: Goods? Services? Bot ?

YOUR LAST NAME: _____ FIRST NAME: _____ M.I.: _____

ADDRESS: _____

CITY: _____ STATE: _____ ZIP CODE: _____ COUNTRY: _____

AS A CONDITION OF OBTAINING, EXTENDING, AMENDING, OR RENEWING A CONTRACT, LEASE, PURCHASE AGREEMENT, OR GRANT AWARD WITH ANY ARKANSAS STATE AGENCY, THE FOLLOWING INFORMATION MUST BE DISCLOSED:

FOR INDIVIDUALS *

Indicate below if: you, your spouse or the brother, sister, parent, or child of you or your spouse *is* a current or former: member of the General Assembly, Constitutional Officer, State Board or Commission Member, or State Employee:

Position Held	Mark (√)		Name of Position of Job Held <small>[senator, representative, name of board/ commission, data entry, etc.]</small>	For How Long?		What is the person(s) name and how are they related to you? <small>[i.e., Jane Q. Public, spouse, John Q. Public, Jr., child, etc.]</small>	
	Current	Former		From MM/YY	To MM/YY	Person's Name(s)	Relation
General Assembly							
Constitutional Officer							
State Board or Commission Member							
State Employee							

None of the above applies

FOR AN ENTITY (BUSINESS) *

Indicate below if any of the following persons, current or former, hold any position of control or hold any ownership interest of 10% or greater in the entity: member of the General Assembly, Constitutional Officer, State Board or Commission Member, State Employee, or the spouse, brother, sister, parent, or child of a member of the General Assembly, Constitutional Officer, State Board or Commission Member, or State Employee. Position of control means the power to direct the purchasing policies or influence the management of the entity.

Position Held	Mark (√)		Name of Position of Job Held <small>[senator, representative, name of board/commission, data entry, etc.]</small>	For How Long?		What is the person(s) name and what is his/her % of ownership interest and/or what is his/her position of control?		
	Current	Former		From MM/YY	To MM/YY	Person's Name(s)	Ownership Interest (%)	Position of Control
General Assembly								
Constitutional Officer								
State Board or Commission Member								
State Employee								

None of the above applies

Contract and Grant Disclosure and Certification Form

Failure to make any disclosure required by Governor's Executive Order 98-04, or any violation of any rule, regulation, or policy adopted pursuant to that Order, shall be a material breach of the terms of this contract. Any contractor, whether an individual or entity, who fails to make the required disclosure or who violates any rule, regulation, or policy shall be subject to all legal remedies available to the agency.

As an additional condition of obtaining, extending, amending, or renewing a contract with a state agency I agree as follows:

1. Prior to entering into any agreement with any subcontractor, prior or subsequent to the contract date, I will require the subcontractor to complete a **CONTRACT AND GRANT DISCLOSURE AND CERTIFICATION FORM**. Subcontractor shall mean any person or entity with whom I enter an agreement whereby I assign or otherwise delegate to the person or entity, for consideration, all, or any part, of the performance required of me under the terms of my contract with the state agency.

2. I will include the following language as a part of any agreement with a subcontractor:

Failure to make any disclosure required by Governor's Executive Order 98-04, or any violation of any rule, regulation, or policy adopted pursuant to that Order, shall be a material breach of the terms of this subcontract. The party who fails to make the required disclosure or who violates any rule, regulation, or policy shall be subject to all legal remedies available to the contractor.

3. No later than ten (10) days after entering into any agreement with a subcontractor, whether prior or subsequent to the contract date, I will mail a copy of the **CONTRACT AND GRANT DISCLOSURE AND CERTIFICATION FORM** completed by the subcontractor and a statement containing the dollar amount of the subcontract to the state agency.

I certify under penalty of perjury, to the best of my knowledge and belief, all of the above information is true and correct and that I agree to the subcontractor disclosure conditions stated herein.

Signature _____ Title _____ Date _____

Vendor Contact Person _____ Title _____ Phone No. _____

Agency use only

Agency _____ Agency _____ Agency _____ Contact _____ Contract
Number _____ Name _____ Contact Person _____ Phone No. _____ or Grant No. _____

Reset Form

Print Form

19-11-104. Equal Opportunity Policy.

(a) The purpose of this section is to require any entity or person bidding on a state contract, responding to a request for proposals regarding a state contract, responding to a request for qualifications regarding a state contract, or negotiating a contract with the state for professional or consulting services to submit to the Office of State Procurement the most current equal opportunity policy of the entity or person.

(b) The office and a state agency shall require a copy of the most current equal opportunity policy of an entity or person to be filed with the office or state agency for public inspection as a condition precedent to:

- (1) Accepting a letter of intent, bid, proposal, or statement of qualification with regard to a state contract from the entity or person; or
- (2) Entering negotiations with the entity or person for a professional or consulting services contract with the state.

History. Acts 2005, No. 2157, § 1.

R1:19-11-104. COLLECTION AND MAINTENANCE OF VENDOR EEO POLICIES.

Equal Opportunity Policies are required from vendors who submit responses to state agencies or the Office of State Procurement for procurements of Professional and Consultant Services where the dollar value is greater than \$25,000.

The Office of State Procurement will maintain a file of vendor Equal Opportunity Policies. State agencies which issue solicitations will be responsible for confirming that vendors have a current E.O. Policy on file with the State either through requesting that it be supplied with the solicitation response; maintaining an agency file of vendor supplied E.O. Policies or by accessing and checking the files maintained by the Office of State Procurement. A contract may not be awarded prior to determining that a copy of the vendor's current E.O. Policy is on file with the State.

Vendors will be responsible for supplying the State with updated versions of their respective E.O. Policies as they are implemented.

19-11-105. Illegal immigrants — Prohibition — Public contracts for services.

(a) As used in this section:

- (1) "Contractor" means a person having a public contract with a state agency for professional services, technical and general services, or any category of construction in which the total dollar value of the contract is twenty-five thousand dollars (\$25,000) or greater;
- (2) "Exempt agency" means the constitutional departments of the state, the elected constitutional offices of the state, the General Assembly, including the Legislative Council and the Legislative Joint Auditing Committee and supporting agencies and bureaus thereof, the Arkansas Supreme Court, the Court of Appeals, circuit courts, prosecuting attorneys, and the Administrative Office of the Courts;
- (3) "Illegal immigrant" means any person not a citizen of the United States who has:
 - (A) Entered the United States in violation of the federal Immigration and Nationality Act of 1952, 8 U.S.C. § 1101 et seq., or regulations issued under the act;
 - (B) Legally entered the United States but without the right to be employed in the United States; or
 - (C) Legally entered the United States subject to a time limit but has remained illegally after expiration of the time limit;