

P3 Legislative Snapshot

ARKANSAS

State P3 Legislative Status: Broadly-enabled P3 authority for state agencies and higher education institutions.

1. Does this state have broadly-enabling P3 legislation?

Yes, for public entities that are defined as an agency or instrumentality of the state, including without limitation, a department, an agency, an institution of higher education, a board, or a commission. Public entities do not include a political subdivision of the state or any other local or regional governmental entity, including without limitation a city of the first class, a city of the second class, an incorporated town, a county, a school district, an improvement district, a water authority, a public facilities board, a solid waste management district, or a water distribution district.

2. Does this state allow for Unsolicited Proposals?

No.

3. What is this state's P3 Review Process (i.e., multi-step: RFI, RFQ, RFP – even for unsolicited proposals)?

Any public entity seeking approval of a proposed project to be developed under the Partnership for Public Facilities and Infrastructure Act (PPFIA) shall submit two copies of the signed, completed application to the Arkansas Economic Development Commission (AEDC). Public entities are encouraged to seek the advice of AEDC and Arkansas Development Finance Authority (ADFA) regarding potential PPFIA projects as early as possible, preferably prior to or during development of the application. Public entities, however, are required to seek the advice and consent of AEDC and the ADFA.

4. Does this state have a Centralized Agency dedicated to P3?

The Arkansas Economic Development Commission (AEDC).

5. Is this a Home Rule state, with limitations or opportunities for P3?

Limited to counties.

6. What Projects or Asset Classes are eligible for P3 in this state?

Projects that serve a public purpose, including without limitation a ferry, mass transit facility, vehicle parking facility, port facility, power generation facility, fuel supply facility, combined heating and power facility, central utility plant facility, distributed generation facility, oil or gas pipeline, water supply facility, water treatment intake and distribution facility, wastewater treatment and collection facility, waste treatment facility, hospital, library, school, educational facility, medical or nursing care facility, recreational facility, administrative facility, law enforcement facility, fire department facility, public administrative office, toll road, correctional facility, technology infrastructure facility, public building, transportation system, or other similar facility currently available or to be made available to a public entity for public use, including without limitation a structure, parking area, appurtenance, and other related or unrelated infrastructure that might otherwise be described in a comprehensive agreement.

7. Are there Projects where the P3 procurement method has been applied?

No.

8. What is the legislative foundation for P3s in this state?

[Arkansas Code Annotated Title 22 Chapter 10.](#)