

Israel Boycott Restriction Instructions

Guidelines for obtaining certification from vendors as required by Arkansas law (Ark. Code Ann. § 25-1-503)

Agencies should require the successful bidder to complete and return the Restriction of Boycott of Israel Certification form or check the Israel Boycott Restriction Confirmation checkbox on the solicitation template. These are located on the “Procurement Forms and Reporting” page of the Office of State Procurement website. This document must be attached to the AASIS contract or purchase order, or a printed version must be kept in the bid record.

Type of Procurement	Who acquires the certification
State Contracts: Resulting from OSP solicitations	OSP
State Contracts: Resulting from cooperative purchasing	OSP
Agency Contracts: Resulting from agency solicitations	Agency
Agency Contracts: Resulting from cooperative purchasing	Agency
Purchase Order: Released against a state contract	Not required - the certification is acquired when the contract is created.
Purchase Order: Released against an agency contract	Not required - the certification is acquired when the contract is created.
Purchase Order: Stand alone; not in reference to any contract	Agency

No Certification Required:

- (1) The requirement that a company certify that it does not boycott Israel does not apply to:
 - (a.) Contracts with a total potential value of less than one thousand dollars (\$1,000); or
 - (b.) A company that offers to provide the goods or services for at least twenty percent (20%) less than the lowest certifying business.
- (2) The requirement applies to written contracts only and is to be applied prospectively. Any written contract entered into prior to August 1, 2017 does not require certification.
- (3) Vendors are not required to submit a certificate for purchases made with a p-card as they do not require a written contract.
- (4) Certification is required at the time a written contract is entered into; renewals or extensions of contracts do not require certification.

Repeat Certifications Not Required:

Once a vendor has submitted certification that they do not participate in a boycott of Israel, there is no need to repeat the request for subsequent contracts as long as the certificate is effective and on file. The contracting public entity should keep the certification on file for audit purposes.

If a vendor decides to participate in a boycott of Israel after having submitted the certification, it is the responsibility of the vendor to notify the public entity of the change in status.

Remedy for Violation:

If the contractor violates the above certification or is found to be noncompliant during the term of the contract, the state may require the contractor to remedy the violation within 60 days of discovery of that violation. Failure to remedy the violation within the 60-day period may result in termination for breach of contract, and the contractor may be liable to the State for the State’s actual damages.