

STATE OF OKLAHOMA

1st Session of the 44th Legislature (1993)

HOUSE BILL NO. 1186

By: Paulk

AS INTRODUCED

An Act relating to public buildings and public works;  
amending 61 O.S. 1991, Section 122, which relates  
to the Public Competitive Bidding Act of 1974;  
authorizing certain injunctive action and damages  
against successful bidders awarded competitive bids  
under certain conditions; and providing an  
effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 61 O.S. 1991, Section 122, is  
amended to read as follows:

Section 122. A. Any taxpayer of the State of Oklahoma, or any  
bona fide unsuccessful bidder on a particular public construction  
contract, ~~within ten (10) days after any such contract has been  
executed~~ upon discovery of any violation specified in paragraphs 1  
through 3 of this subsection, is empowered to bring suit in the  
district court of the county where the work, or the major part of  
it, is to be done to enjoin the performance of such contract if  
entered:

1. Entered into in violation of the provisions of this act;

2. Entered into while such successful bidder is in violation of the Employment Security Act of 1980 or if the bidder becomes in violation of the act during the performance of the contract; or

3. Entered into while such successful bidder is in violation of the Workers' Compensation Act or if the bidder becomes in violation of the act during the performance of the contract.

B. In addition to the suit provided for in subsection A of this section, any bona fide unsuccessful bidder on a particular public construction contract, upon discovery of any violation specified in paragraphs 1 through 3 of subsection A of this section or within one (1) year after any such contract has been completed, may bring an action for damages against the successful bidder in the district court of the county where the work, or the major part of it, is to be done.

SECTION 2. This act shall become effective September 1, 1993.

44-1-5524

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