

STATE OF OKLAHOMA

2nd Session of the 44th Legislature (1994)

HOUSE CONCURRENT
RESOLUTION NO. 1117

By: Matlock of the House

and

Easley of the Senate

AS INTRODUCED

A Concurrent Resolution directing the State Board of Registration for Professional Engineers and Land Surveyors to attempt to resolve and rectify impairment to certain municipalities resulting from promulgation of certain rules; and directing distribution.

WHEREAS, on June 11, 1993, the State Board of Registration for Professional Engineers and Land Surveyors promulgated OAC Rules 245:15-15-2 and 245:15-15-3(c), which relate to definitions for ethical marketing of services and solicitation of professional employment from governmental clients; and

WHEREAS, the rules restrict engineers and land surveyors from discussing fees for services with governmental clients until after the client has selected the engineer or land surveyor; and

WHEREAS, the same rules do not apply to contracts with private industries; and

WHEREAS, at least 16 cities have charters that require competitive bids based on lowest and best bids for purchases of all services including services provided by professional engineers and land surveyors; and

WHEREAS, at least 32 cities have ordinances that require competitive bids based on lowest and best bids for purchases of all

services including services provided by professional engineers and land surveyors; and

WHEREAS, the effect of OAC Rules 245:15-15-2 and 245:15-15-3(c) would be to impair the ability of governmental entities to ensure lowest and best bid; and

WHEREAS, in this severe economic climate, the public demands cost-effective decision-making; and

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE 2ND SESSION OF THE 44TH OKLAHOMA LEGISLATURE, THE SENATE CONCURRING THEREIN:

THAT the Oklahoma State Legislature hereby directs the State Board of Registration for professional Engineers and Land Surveyors to appoint a delegation to meet with the Oklahoma Municipal League and other interested parties and attempt to negotiate a solution and resolve and rectify the impairment caused by Rules 245:15-15-2 and 245:15-3(c) upon municipalities whose ordinances or charters require competitive bidding to be based on lowest and best bid.

THAT copies of this resolution be distributed to the Governor, the Board of Registration for Professional Engineers and Land Surveyors, the Oklahoma Municipal League, and the Attorney General.

44-2-L9835

KSM