

ENROLLED SENATE
BILL NO. 987

By: Stipe and Leftwich of the
Senate

and

Adair of the House

An Act relating to public works; amending 61 O.S. 1991, Section 116, as amended by Section 4, Chapter 239, O.S.L. 1992 (61 O.S. Supp. 1995, Section 116), which relates to disclosure of terms of bids; requiring disclosure of certain engineering estimate; and providing an effective date.

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

SECTION 1. AMENDATORY 61 O.S. 1991, Section 116, as amended by Section 4, Chapter 239, O.S.L. 1992 (61 O.S. Supp. 1995, Section 116), is amended to read as follows:

Section 116. Any disclosure by an employee of a public agency of the terms of a bid submitted in response to a bid notice issued by a public agency in advance of the time set for opening of all bids so submitted shall be unlawful. It shall also be unlawful for any person to solicit, possess or receive information which is to be contained in a bid notice of a public agency, for use in preparing a bid, in advance of the date on which said bid notice is to be made equally and uniformly known to all prospective bidders and the public, and it shall further be unlawful for any employee of a public agency to withhold or impede the distribution of said information after notice of the bid has been given, unless the solicitation of bids has been withdrawn or the particular information in question has been deleted or replaced through alteration of the bid notice and said withdrawal or alteration has been made equally and uniformly known. The Department of Transportation excepted, the public agency's engineering estimate of the actual cost of the project shall remain confidential until the bids have been opened. The Department of Transportation shall publish such portion of engineering estimates as the State Transportation Commission deems appropriate consistent with nationwide bidding standards, at least ten (10) days prior to the bid submission closing date. Any violation of this section shall constitute a felony and shall render the proceedings void and require solicitation and award anew.

SECTION 2. This act shall become effective July 1, 1996.
Passed the Senate the 29th day of April, 1996.

President of the Senate

Passed the House of Representatives the 17th day of April, 1996.

Speaker of the House of
Representatives