

SHORT TITLE: Public works; requiring engineer's estimate for
Department of Transportation to be public record; effective date;
emergency.

STATE OF OKLAHOMA

2nd Session of the 45th Legislature (1996)

SENATE BILL NO. 987

By: Stipe

AS INTRODUCED

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; providing an effective date; and declaring an emergency.

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the distribution of said information after notice of the bid has been given, unless the solicitation of bids has been withdrawn or the particular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 all engineering estimates 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.

SECTION 3. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

45-2-1771

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