

STATE OF OKLAHOMA

1st Session of the 49th Legislature (2003)

COMMITTEE SUBSTITUTE
FOR ENGROSSED
SENATE BILL NO. 246

By: Leftwich of the Senate

and

Paulk of the House

COMMITTEE SUBSTITUTE

An Act relating to public buildings and public works; amending 61 O.S. 2001, Section 202.1, which relates to the Public Building Construction and Planning Act; updating references; providing for the use of specified construction management project delivery methods when an emergency exists; deleting certain requirement for promulgating rules; and providing an effective date.

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

SECTION 1. AMENDATORY 61 O.S. 2001, Section 202.1, is amended to read as follows:

Section 202.1 A. The design-build and at-risk construction management project delivery methods shall not be used without the written approval of the Director of ~~the Department of~~ Central Services or an act of the Legislature specifying design-build or at-risk construction management for a ~~particular~~ project or an emergency pursuant to Section 130 of this title. In all instances where the design-build project or at-risk construction management delivery method is authorized, construction administration shall be performed by the State Construction Administrator, the Administrator's designee or designees, or otherwise by contract or contract provision approved by the Director of ~~the Department of~~ Central Services for construction administration by another party.

B. The provisions of subsection A of this section shall not apply to projects by contract pursuant to an interagency agreement under Section 581 of Title 74 of the Oklahoma Statutes or to projects a state agency performs solely with the staff of the agency.

C. The Department of Central Services shall, pursuant to the Administrative Procedures Act ~~and with regard for such recommendations or other assistance as it may receive from the Advisory Task Force on Public Construction and Renovation Laws,~~ promulgate rules to effect procedures and processes necessary to the fulfillment of its responsibilities under subsection A of this section.

SECTION 2. This act shall become effective November 1, 2003.

49-1-6690 SCE 04/02/03