

STATE OF OKLAHOMA

1st Session of the 49th Legislature (2003)

CONFERENCE COMMITTEE SUBSTITUTE  
FOR ENGROSSED  
SENATE BILL 453

By: Morgan of the Senate

and

Askins of the House

CONFERENCE COMMITTEE SUBSTITUTE

An Act relating to port authorities; amending 82 O.S. 2001, Section 1112, which relates to contracts; conforming certain contract amounts to the Public Competitive Bidding Act of 1974; and providing an effective date.

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

SECTION 1. AMENDATORY 82 O.S. 2001, Section 1112, is amended to read as follows:

Section 1112. A. Contracts for the creation, construction, alteration, or repair of any building, structure, or other improvement undertaken by a port authority created in accordance with Section 1102 of this title ~~and involving an expenditure exceeding Twelve Thousand Five Hundred Dollars (\$12,500.00)~~ shall be subject to the Public Competitive Bidding Act of 1974. Except as otherwise provided by subsection B of this section, no sale of any real property or property having a fair market value exceeding ~~Twelve Thousand Five Hundred Dollars (\$12,500.00)~~ the "public construction contract" amount specified by the Public Competitive Bidding Act of 1974 shall be made by the port authority unless notice calling for bids for the same shall have been given by publication as provided by Section 1101 of this title. No such contract shall be let except to the lowest responsible bidder. No such sale shall be made except to the highest responsible bidder.

In the case of any sale of land by the port authority requiring competitive bids, specifications for the bids for such sale shall be in such form and detail as shall be determined by the port authority. Provided, however, should the port authority find that an immediate emergency exists, which findings shall be entered in the minutes of the port authority, by reason of which an expenditure in an amount exceeding ~~Twelve Thousand Five Hundred Dollars~~ ~~(\$12,500.00)~~ the "public construction contract" amount specified by the Public Competitive Bidding Act of 1974 is necessary in order to avoid loss of life, substantial damage to property, or damage to the public peace or safety, then such contracts may be made and entered into without public notice or competitive bids.

B. Competitive bids shall not be required for the sale of real property or property by a port authority if:

1. Such real property or property is to be sold for industrial development purposes;

2. The real property or property was acquired by the port authority for industrial development purposes; and

3. The contract for the sale of such real property or property has been approved by the board of directors of such port authority.

Every contract let shall be in writing, and if the same involves work or construction, it shall be accompanied by or shall refer to plans and specifications for the work to be done, prepared for and approved by the port authority, signed by the chairman of the port authority and by the contractor, and shall be executed in triplicate.

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

49-1-1531

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