ENGROSSED SENATE
BILL NO. 291

By: Aldridge of the Senate

and

Case of the House

[roads, bridges and ferries - plans and specifications -

emergency]

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

SECTION 1. AMENDATORY 69 O.S. 2001, Section 633, as amended by Section 1, Chapter 419, O.S.L. 2004 (69 O.S. Supp. 2004, Section 633), is amended to read as follows:

Section 633. A. When any culvert or bridge is to be constructed at an estimated cost of ~~Fifty Thousand Dollars ($50,000.00)~~ Seventy-five Thousand Dollars ($75,000.00) or more, or any culvert or bridge reconstruction is to be accomplished at an estimated cost of Seventy-five Thousand Dollars ($75,000.00) or more, or grade-and-drainage project is to be developed, or reconstruction, replacement or major repairs are to be accomplished by the board of county commissioners acting alone or in cooperation with the state or federal government, at an estimated cost of One Hundred Fifty Thousand Dollars ($150,000.00) or more, in either event, engineering plans and specifications shall be prepared by the county engineer to insure sound engineering practices. The project shall be advertised for bids pursuant to Section 1101 of this title, and the contract shall be let only after notice at a public letting. If the construction work can be completed for a cost below or equal to the estimate of the engineer or below any bid submitted at a public letting and so entered in its journal, nothing in this title shall prevent the board from causing the same to be built by day

labor, force account, and purchase by the county of materials as provided by law.

B. If the board of county commissioners deems it necessary, it may consult and seek the advice of the Department of Transportation regarding the design, construction and maintenance of the project, and the Department of Transportation may furnish advice for any of the projects to insure sound engineering practices. If provided, the services shall be furnished without cost or expense to the county.

C. The board may authorize the county clerk to draw warrants for the amount of payrolls for labor furnished under the day labor system, when the payrolls are certified to as correct by the engineer or person in charge of the work, and the payroll shall be passed upon by the board following certification.

SECTION 2. AMENDATORY 69 O.S. 2001, Section 601.3, is amended to read as follows:

Section 601.3 A. On or before ~~December 1~~ September 30 of each year the board of county commissioners shall adopt an annual ~~accomplishment~~ priority plan and budget for the construction ~~and maintenance~~ of road, bridge, culvert and drainage projects during the next ~~calendar~~ federal fiscal year and ~~a priority plan for the construction and maintenance of road, bridge, culvert and drainage projects for~~ the four (4) years succeeding the next ~~calendar~~ federal fiscal year, based upon available existing and estimated future funds ~~provided for by law for these purposes. Both plans~~ administered by the Department of Transportation for county bridges and roads. The plan shall be filed by the board of county commissioners with the Department of Transportation and the county clerk.

B. The board of county commissioners may amend annual ~~accomplishment and~~ priority plans and budgets, but any amendment

shall be filed with the Department of Transportation and county clerk.

~~C. At the close of each calendar year, the board of county commissioners shall file an annual project status report with the Department of Transportation and the county clerk detailing the progress made toward completion of each project contained in the annual road, bridge, culvert and drainage project construction and maintenance accomplishment plan during the previous year; what portion of the work on each project was completed by contract; with whom the contract was made; and the total funds expended on each contract.~~

~~D. Annual accomplishment plans, priority plans and associated amendments and annual project status reports shall be open for public inspection unless otherwise provided by law.~~

~~E. Nothing contained in this section shall prohibit the board of county commissioners from using county equipment and regularly employed county road personnel on an approved project within their capability.~~

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.

Passed the Senate the 7th day of March, 2005.

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Presiding Officer of the Senate

Passed the House of Representatives the ____ day of _____, 2005.

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Presiding Officer of the House
of Representatives