

THE HOUSE OF REPRESENTATIVES
Monday, March 3, 2008

House Bill No. 2492

HOUSE BILL NO. 2492 - By: HILLIARD of the House and ____ of the Senate.

An Act relating to water; amending 82 O.S. 2001, Section 569, which relates to advertisement for certain contracts; raising amount of contract requiring advertisement; and providing an effective date.

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

1 SECTION 1. AMENDATORY 82 O.S. 2001, Section 569, is amended to read as
2 follows:

3 Section 569. When it is determined to let the work of a conservancy district by
4 contract, contracts in amounts to exceed ~~Seven Thousand Five Hundred Dollars~~
5 ~~(\$7,500.00)~~ Twenty-five Thousand Dollars (\$25,000.00) shall be advertised after notices
6 calling for bids have been published once a week, for three (3) consecutive weeks
7 completed on date of last publication, which shall not be less than fourteen (14) days
8 from the first publication, in at least one newspaper in each county, where any part of
9 the work under terms of the contract is to be performed, and the board may let ~~said~~ the
10 contract to the lowest and best bidder, who shall give a good and approved bond, with
11 ample security, equal in amount to the total of the bid, conditioned on the carrying out of
12 the contract, to completion, and shall file the ~~said~~ bond and contract with the secretary of
13 ~~said~~ the district in amount and conditions as provided by law, conditioned on the

1 carrying out of the contract. ~~But this~~ This contract shall not be let to another than the
2 lowest bidder until a hearing before the court ~~has been had~~ occurred with notice to all
3 parties interested, as ordered by the court and an order obtained from the court. Such
4 contract shall be in writing, and shall be accompanied by or shall refer to plans and
5 specifications for the work done, prepared by the chief engineer. ~~Said~~ The contract shall
6 be approved by the board of directors and signed by the president of the board and by the
7 contractor, and shall be executed in duplicate. Provided, that in case of sudden
8 emergency when it is necessary in order to protect the district, the advertising of
9 contracts may be waived upon the unanimous consent of the board of directors, with the
10 approval of the court or the judge in vacation; and provided, further, that the action of
11 ~~said the~~ board of directors in awarding a contract shall, upon application of any
12 interested taxpayer, be reviewed by the district court at a time and place specified by the
13 judge of ~~said the~~ court and the order of ~~said the~~ district court may be appealed from, by
14 either the board of directors or any interested taxpayer, to the Supreme Court of the
15 State of Oklahoma in the same manner as other appeals under civil procedure.

16 SECTION 2. This act shall become effective November 1, 2008.

17 COMMITTEE REPORT BY: COMMITTEE ON NATURAL RESOURCES, dated 02-28-
18 08 - DO PASS.