

1 STATE OF OKLAHOMA

2 1st Session of the 52nd Legislature (2009)

3 COMMITTEE SUBSTITUTE
4 FOR

5 SENATE BILL NO. 340

6 By: Myers

7 COMMITTEE SUBSTITUTE

8 [public buildings and public works - modifying
9 definition - deleting reimbursement -
10 emergency]

11
12 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

13 SECTION 1. AMENDATORY 61 O.S. 2001, Section 61, as last
14 amended by Section 6, Chapter 271, O.S.L. 2006 (61 O.S. Supp. 2008,
15 Section 61), is amended to read as follows:

16 Section 61. As used in Sections 61 through 65 of this title:

17 1. "Administrator" means the State Construction Administrator
18 of the Construction and Properties Division of the Department of
19 Central Services;

20 2. "Chief administrative officer" means an individual
21 responsible for directing the administration of a state agency. The
22 term does not mean one or all of the individuals that make policy
23 for a state agency;

1 3. "Construction manager" means an individual, firm,
2 corporation, association, partnership, copartnership, or any other
3 legal entity possessing the qualifications to provide services of
4 construction management which include, but are not necessarily
5 limited to, design review, scheduling, cost control, value
6 engineering, constructability evaluation, preparation and
7 coordination of bid packages, and construction administration;

8 4. "Department" means the Department of Central Services;

9 5. "Consultant" means an individual or legal entity possessing
10 the qualifications to provide licensed architectural, registered
11 engineering, or registered land surveying services or other
12 individuals or legal entities possessing specialized credentials and
13 qualifications as may be needed to ~~plan~~ provide evaluation, planning
14 or design services for any public building, construction project,
15 maintenance project, or a public work improvement project;

16 6. "Director" means the Director of the Department of Central
17 Services;

18 7. "Division" means the Construction and Properties Division of
19 the Department of Central Services;

20 8. "Project" means plans or designs for a public work
21 improvement, except the transportation facilities under the
22 jurisdiction of the Department of Transportation or the Oklahoma
23 Transportation Authority;

24

- 1 a. to construct, renovate, alter, repair, maintain, or
2 improve real property or fixtures of real property, and
3 b. that does not constitute "construction" as defined by
4 the Public Building Construction and Planning Act; and

5 9. "State agency" means an agency, office, officer, bureau,
6 board, counsel, court, commission, institution, unit, division, body
7 or house of the executive or judicial branches of state government,
8 whether elected or appointed, excluding only political subdivisions
9 of the state.

10 SECTION 2. AMENDATORY 61 O.S. 2001, Section 62.2, as
11 last amended by Section 9, Chapter 271, O.S.L. 2006 (61 O.S. Supp.
12 2008, Section 62.2), is amended to read as follows:

13 Section 62.2 The Construction and Properties Division of the
14 Department of Central Services may enter into contracts with
15 construction managers and consultants registered with the
16 Construction and Properties Division for the purpose of providing
17 minor services to a state agencies requisitioning agency. The
18 contracts shall provide for services on an as-needed basis and shall
19 not exceed One Hundred Thousand Dollars (\$100,000.00) per
20 construction manager or consultant during one (1) year. ~~The~~
21 ~~requisitioning state agency shall reimburse the Division for the fee~~
22 ~~of the construction manager or consultant that provides the~~
23 ~~services.~~

1 SECTION 3. REPEALER 61 O.S. 2001, Sections 151, 152,
2 153, 154, 155, 156, and 157, are hereby repealed.

3 SECTION 4. It being immediately necessary for the preservation
4 of the public peace, health and safety, an emergency is hereby
5 declared to exist, by reason whereof this act shall take effect and
6 be in full force from and after its passage and approval.

7
8 52-1-1679 JT 2/17/2009 8:55:56 AM

9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24