

1 ENGROSSED SENATE  
2 BILL NO. 340

By: Myers of the Senate

3 and

4 Liebmann of the House

5  
6  
7 [ public buildings and public works - modifying  
8 definition - deleting reimbursement - repealer -  
9 emergency ]

10

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

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

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

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

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

23 3. "Construction manager" means an individual, firm,  
24 corporation, association, partnership, copartnership, or any other

1 legal entity possessing the qualifications to provide services of  
2 construction management which include, but are not necessarily  
3 limited to, design review, scheduling, cost control, value  
4 engineering, constructability evaluation, preparation and  
5 coordination of bid packages, and construction administration;

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

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

14 6. "Director" means the Director of the Department of Central  
15 Services;

16 7. "Division" means the Construction and Properties Division of  
17 the Department of Central Services;

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

22 a. to construct, renovate, alter, repair, maintain, or  
23 improve real property or fixtures of real property, and  
24

1           b. that does not constitute "construction" as defined by  
2           the Public Building Construction and Planning Act; and

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

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

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

22           SECTION 3.           REPEALER           61 O.S. 2001, Sections 151, 152,  
23 153, 154, 155, 156, and 157, are hereby repealed.

