

1 STATE OF OKLAHOMA

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

3 HOUSE BILL 1759

By: Enns

4
5 AS INTRODUCED

6 An Act relating to roads, bridges and ferries;
7 amending 69 O.S. 2001, Section 633, as last amended
8 by Section 1, Chapter 174, O.S.L. 2005 (69 O.S. Supp.
9 2008, Section 633), which relates to county bridge
10 construction; increasing certain project thresholds;
11 amending 69 O.S. 2001, Section 662, as amended by
12 Section 3, Chapter 157, O.S.L. 2006 (69 O.S. Supp.
13 2008, Section 662), which relates to county bridge
14 improvement; increasing certain account reimbursement
15 limits; providing an effective date; and declaring an
16 emergency.

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

18 SECTION 1. AMENDATORY 69 O.S. 2001, Section 633, as last
19 amended by Section 1, Chapter 174, O.S.L. 2005 (69 O.S. Supp. 2008,
20 Section 633), is amended to read as follows:

21 Section 633. A. When any culvert or bridge is to be
22 constructed at an estimated cost of ~~Seventy five Thousand Dollars~~
23 ~~(\$75,000.00)~~ One Hundred Fifty Thousand Dollars (\$150,000.00) or
24 more, or any culvert or bridge reconstruction is to be accomplished
at an estimated cost of ~~Seventy five Thousand Dollars (\$75,000.00)~~
One Hundred Fifty Thousand Dollars (\$150,000.00) or more, or grade-

1 and-drainage project is to be developed, or reconstruction,
2 replacement or major repairs are to be accomplished by the board of
3 county commissioners acting alone or in cooperation with the state
4 or federal government, at an estimated cost of ~~One Hundred Fifty~~
5 ~~Thousand Dollars (\$150,000.00)~~ Three Hundred Thousand Dollars
6 (\$300,000.00) or more, in either event, engineering plans and
7 specifications shall be prepared by the county engineer to insure
8 sound engineering practices. The project shall be advertised for
9 bids pursuant to Section 1101 of this title, and the contract shall
10 be let only after notice at a public letting. If the construction
11 work can be completed for a cost below or equal to the estimate of
12 the engineer or below any bid submitted at a public letting and so
13 entered in its journal, nothing in this title shall prevent the
14 board from causing the same to be built by day labor, force account,
15 and purchase by the county of materials as provided by law.

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

23 C. The board may authorize the county clerk to draw warrants
24 for the amount of payrolls for labor furnished under the day labor

1 system, when the payrolls are certified to as correct by the
2 engineer or person in charge of the work, and the payroll shall be
3 passed upon by the board following certification.

4 SECTION 2. AMENDATORY 69 O.S. 2001, Section 662, as
5 amended by Section 3, Chapter 157, O.S.L. 2006 (69 O.S. Supp. 2008,
6 Section 662), is amended to read as follows:

7 Section 662. A. The program and funds shall be administered by
8 the Oklahoma Department of Transportation under a minimum of
9 policies, guidelines and engineering design standards. Approved
10 projects will be awarded to contractors by the State Transportation
11 Commission or by other federal or state agencies under their normal
12 competitive bidding procedures, excluding prequalification of
13 bidders. Force account road projects may be approved for a county
14 by the Transportation Commission. No force account county bridge
15 project shall be reimbursed in excess of ~~Two Hundred Thousand~~
16 ~~Dollars (\$200,000.00)~~ Four Hundred Thousand Dollars (\$400,000.00).
17 No county road project in excess of ~~Two Hundred Thousand Dollars~~
18 ~~(\$200,000.00)~~ Four Hundred Thousand Dollars (\$400,000.00), excluding
19 the cost for engineering, right-of-way acquisition, and utility
20 relocation, in cost shall be done by the force account method.

21 B. Funds available for the County Bridge and Road Improvement
22 Act shall not be subject to fiscal year limitations and shall be
23 available for encumbrance and expenditure purposes for a period of
24

1 thirty (30) months from the effective date such funds are
2 appropriated.

3 C. In order to receive reimbursement for constructing a force
4 account bridge, a county shall have sufficient funds in the County
5 Bridge and Road Improvement Fund to pay the reimbursement request
6 cost. Upon completion of a force account bridge, the board of
7 county commissioners shall request an inspection of the bridge in
8 accordance with the criteria set forth by the National Bridge
9 Inventory Program.

10 D. When the force account bridge has been inspected and
11 achieves a load rating of H. twenty (20) tons or greater, the board
12 of county commissioners may submit a request for reimbursement to
13 the Department of Transportation. The county shall receive
14 reimbursement for all costs claimed relating to the construction of
15 the bridge provided the inspection report indicates that the county
16 has met or exceeded the criteria set forth in this section. The
17 resolution for reimbursement submitted by the board of county
18 commissioners shall serve to satisfy the requirements of Section
19 41.16 of Title 62 of the Oklahoma Statutes. County force account
20 bridges eligible for reimbursement from the County Bridge and Road
21 Improvement Fund shall meet or exceed the following criteria:

22 1. The bridge has been built according to the current edition
23 of the County Bridge Standards manual or from field notes drawn by a
24 registered professional engineer that provide the basic structural

1 requirements to achieve a load rating of H. twenty (20) tons or
2 greater. Field notes may be handwritten specifications or sketches
3 which have been stamped or signed;

4 2. The finished bridge shall achieve a twenty-ton or greater
5 rating. The rating criteria shall be determined by the National
6 Bridge Inventory and approved by the Department of Transportation
7 for bridges twenty (20) feet or more in length;

8 3. The subsurface foundation of the bridge shall meet the
9 minimum guidelines established by using approved engineering
10 methods, details of which shall be kept as shop notes;

11 4. The finished bridge shall have a minimum roadway width of
12 twenty-four (24) feet; and

13 5. Materials used in the construction of the bridge shall meet
14 or exceed the specifications for materials as specified in the
15 current edition of the County Bridge Standards or certified in
16 writing by the engineer or supplier.

17 E. Monies from the County Bridge and Road Improvement Fund may
18 be used to establish minimum standards for guardrail applications on
19 low-traffic-volume county roads. The board of directors of the
20 association representing the county commissioners of Oklahoma may
21 request the development of guardrail standards for bridges on low-
22 traffic-volume county roads, as defined in the county road standard
23 manual, the cost of which shall be paid from monies from the County
24 Bridge and Road Improvement Fund.

1 F. Prior to construction of the bridge, a county may request
2 that construction supervision be provided by the Circuit Engineering
3 District of which the county is a member to ensure quality control
4 and quality assurance.

5 SECTION 3. This act shall become effective July 1, 2009.

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

10

11 52-1-5793 CJB 12/29/08

12

13

14

15

16

17

18

19

20

21

22

23

24