

1 STATE OF OKLAHOMA

2 2nd Session of the 52nd Legislature (2010)

3 SENATE BILL 1887

By: Anderson

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5  
6 AS INTRODUCED

7 An Act relating to public buildings and public works;  
8 amending 61 O.S. 2001, Section 103, as amended by  
9 Section 15, Chapter 271, O.S.L. 2006 (61 O.S. Supp.  
10 2009, Section 103), which relates to the Public  
11 Competitive Bidding Act of 1974; providing  
12 alternative process for satisfying competitive  
13 bidding; and providing an effective date.

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

15 SECTION 1. AMENDATORY 61 O.S. 2001, Section 103, as  
16 amended by Section 15, Chapter 271, O.S.L. 2006 (61 O.S. Supp. 2009,  
17 Section 103), is amended to read as follows:

18 Section 103. A. Unless otherwise provided by law, all public  
19 construction contracts exceeding Fifty Thousand Dollars (\$50,000.00)  
20 shall be let and awarded to the lowest responsible bidder, by open  
21 competitive bidding after solicitation for sealed bids, in  
22 accordance with the provisions of the Public Competitive Bidding Act  
23 of 1974. No work shall be commenced until a written contract is  
24 executed and all required bonds and insurance have been provided by  
the contractor to the awarding public agency.

1 B. Except as provided in subsection D of this section, public  
2 construction contracts less than Fifty Thousand Dollars (\$50,000.00)  
3 shall be let and awarded to the lowest responsible bidder by receipt  
4 of written bids. No work shall be commenced until a written  
5 contract is executed and proof of insurance has been provided by the  
6 contractor to the awarding public agency.

7 C. Except as provided in subsection D of this section, public  
8 construction contracts for less than Two Thousand Five Hundred  
9 Dollars (\$2,500.00) for minor maintenance or minor repair work may  
10 be negotiated with a qualified contractor. No work shall be  
11 commenced until a written contract is executed and proof of  
12 insurance has been provided by the contractor to the awarding public  
13 agency.

14 D. The provisions of this subsection shall apply to public  
15 construction for minor maintenance or minor repair work to public  
16 school district property. Such public construction contracts for  
17 less than Twenty-five Thousand Dollars (\$25,000.00) may be  
18 negotiated with a qualified contractor. Such public construction  
19 contracts equal to or greater than Twenty-five Thousand Dollars  
20 (\$25,000.00) but less than Fifty Thousand Dollars (\$50,000.00) shall  
21 be let and awarded to the lowest responsible bidder by receipt of  
22 written bids. No work shall be commenced on any such public  
23 construction contract until a written contract is executed and proof

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1 of insurance has been provided by the contractor to the awarding  
2 public agency.

3 E. Requirements for competitive bidding may be satisfied by  
4 both public school districts and technology center school districts  
5 through their participation in the bidding process of an interlocal  
6 joint or cooperative undertaking formed pursuant to Section 1004 of  
7 Title 74 of the Oklahoma Statutes.

8 SECTION 2. This act shall become effective November 1, 2010.

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