

1 STATE OF OKLAHOMA

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

3 SENATE BILL 340

By: Myers

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5
6 AS INTRODUCED

7 An Act relating to public buildings and public works;
8 amending 61 O.S. 2001, Sections 61, as last amended
9 by Section 6, Chapter 271, O.S.L. 2006 and 62.2, as
10 last amended by Section 9, Chapter 271, O.S.L. 2006
11 (61 O.S. Supp. 2008, Sections 61 and 62.2), which
12 relate to definitions and minor service contracts;
13 modifying definition; deleting reimbursement for
14 certain fee; repealing 61 O.S. 2001, Sections 151,
15 152, 153, 154, 155, 156, and 157, which relate to the
16 Oklahoma Lighting Energy Conservation Act; and
17 providing an effective date.

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

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

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

23 1. "Administrator" means the State Construction Administrator
24 of the Construction and Properties Division of the Department of
Central Services;

2. "Chief administrative officer" means an individual
responsible for directing the administration of a state agency. The

1 term does not mean one or all of the individuals that make policy
2 for a state agency;

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

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

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

18 6. "Director" means the Director of the Department of Central
19 Services;

20 7. "Division" means the Construction and Properties Division of
21 the Department of Central Services;

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

3 a. to construct, renovate, alter, repair, maintain, or
4 improve real property or fixtures of real property, and

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

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

12 SECTION 2. AMENDATORY 61 O.S. 2001, Section 62.2, as
13 last amended by Section 9, Chapter 271, O.S.L. 2006 (61 O.S. Supp.
14 2008, Section 61), is amended to read as follows:

15 Section 61. The Construction and Properties Division of the
16 Department of Central Services may enter into contracts with
17 construction managers and consultants registered with the
18 Construction and Properties Division for the purpose of providing
19 minor services to a state agencies agency. The contracts shall
20 provide for services on an as-needed basis and shall not exceed One
21 Hundred Thousand Dollars (\$100,000.00) per construction manager or
22 consultant during one (1) year. ~~The requisitioning state agency~~
23 ~~shall reimburse the Division for the fee of the construction manager~~
24 ~~or consultant that provides the 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. This act shall become effective November 1, 2009.

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5 52-1-1009 JT 3/6/2009 3:56:19 AM

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