

1 STATE OF OKLAHOMA

2 2nd Session of the 54th Legislature (2014)

3 HOUSE BILL 3134

By: Jackson

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6 AS INTRODUCED

7 An Act relating to Oklahoma Department of Wildlife  
8 Conservation; exempting certain fish and wildlife  
9 conservation contracts from bidding requirements of  
10 the Public Competitive Bidding Act of 1974; requiring  
11 certain other bidding process; allowing work to  
12 commence in accordance with certain policies;  
13 amending 74 O.S. 2011, Section 85.3A, as amended by  
14 Section 3, Chapter 106, O.S.L. 2012 (74 O.S. Supp.  
15 2013, Section 85.3A), which relates to exempted  
16 entities under The Oklahoma Central Purchasing Act;  
17 exempting certain fish and wildlife conservation  
18 contracts from compliance with the provisions of The  
19 Oklahoma Central Purchasing Act; requiring purchases  
20 to be subject to internal purchasing procedures;  
21 requiring the Director of Wildlife Conservation to  
22 approve purchases; providing for codification; and  
23 providing an effective date.

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

20 SECTION 1. NEW LAW A new section of law to be codified  
21 in the Oklahoma Statutes as Section 103.7 of Title 61, unless there  
22 is created a duplication in numbering, reads as follows:

23 For purposes of the provisions of the Public Competitive Bidding  
24 Act of 1974, contracts not exceeding Fifty Thousand Dollars

1 (\$50,000.00) entered into solely for projects and activities by the  
2 Oklahoma Department of Wildlife Conservation relating to fish and  
3 wildlife conservation that occur on lands owned or managed by the  
4 Oklahoma Wildlife Conservation Commission shall not be considered to  
5 be public construction contracts and shall not be required to be  
6 open for competitive bidding as set forth in the Public Competitive  
7 Bidding Act of 1974. However, the contract shall be subject to a  
8 bidding process established by the Department or may be negotiated  
9 with a qualified contractor, as determined by the Director of  
10 Wildlife Conservation. Work may be commenced in accordance with the  
11 purchasing policies of the Department.

12 SECTION 2. AMENDATORY 74 O.S. 2011, Section 85.3A, as  
13 amended by Section 3, Chapter 106, O.S.L. 2012 (74 O.S. Supp. 2013,  
14 Section 85.3A), is amended to read as follows:

15 Section 85.3A A. Compliance with the provisions of The  
16 Oklahoma Central Purchasing Act shall not be required of:

- 17 1. County government;
- 18 2. The Oklahoma State Regents for Higher Education, the  
19 institutions, centers, or other constituent agencies of The Oklahoma  
20 State System of Higher Education;
- 21 3. The telecommunications network known as OneNet;
- 22 4. The Department of Public Safety gun range;
- 23 5. The State Treasurer for the following purchases:

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- 1 a. services, including, but not limited to, legal  
2 services to assist in the administration of the  
3 Uniform Unclaimed Property Act, as provided in Section  
4 668 of Title 60 of the Oklahoma Statutes, and  
5 b. software, hardware and associated services to assist  
6 in the administration of funds and securities held by  
7 the state, as provided in Section 71.2 of Title 62 of  
8 the Oklahoma Statutes;

9 6. CompSource Oklahoma if CompSource Oklahoma is operating  
10 pursuant to a pilot program authorized by Sections 3316 and 3317 of  
11 this title; ~~or~~

12 7. The Oklahoma Wheat Utilization, Research and Market  
13 Development Commission; or

14 8. The Oklahoma Department of Wildlife Conservation for  
15 projects and activities relating to fish and wildlife conservation  
16 that occur on lands owned or managed by the Oklahoma Wildlife  
17 Conservation Commission. However, any purchases or acquisitions  
18 shall be subject to internal purchasing procedures established by  
19 the Department which are fair and reasonable and are compliant with  
20 state procurement practices and rules promulgated pursuant to the  
21 Oklahoma Central Purchasing Act. The Director of Wildlife  
22 Conservation shall review and approve all purchases or acquisitions.

23 B. The State Purchasing Director may form an advisory committee  
24 consisting of representatives from entities exempted from the

1 provisions of The Oklahoma Central Purchasing Act. The purpose of  
2 the committee shall be to allow committee members to provide input  
3 into the development of shared state purchasing contracts,  
4 collaboratively participate in the integration of their purchasing  
5 platforms or electronic purchasing catalogs, analyze solutions that  
6 may be used by state government to meet the purchasing needs of the  
7 entities, explore joint purchases of general use items that result  
8 in mutual procurement of quality goods and services at the lowest  
9 reasonable cost and explore flexibility, administrative relief, and  
10 transformation changes through utilization of procurement  
11 technology.

12 C. At the invitation of the State Purchasing Director entities  
13 exempted from the provisions of The Oklahoma Central Purchasing Act  
14 shall participate in the advisory committee referenced in subsection  
15 B of this section.

16 D. The State Purchasing Director may invite representatives of  
17 local government and local common education entities to participate  
18 as members of the advisory committee.

19 SECTION 3. This act shall become effective November 1, 2014.

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