

1 STATE OF OKLAHOMA

2 1st Session of the 55th Legislature (2015)

3 HOUSE BILL 2119

By: McBride

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6 AS INTRODUCED

7 An Act relating to public buildings and public works;  
8 amending 61 O.S. 2011, Sections 108, 111, 115 and  
9 138, which relate to bidding and contracts; modifying  
requirements related to bid documents and contracts;  
and providing an effective date.

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

13 SECTION 1. AMENDATORY 61 O.S. 2011, Section 108, is  
14 amended to read as follows:

15 Section 108. ~~Each~~ The successful bidder shall accompany the ~~bid~~  
16 executed contract with a written statement under oath disclosing the  
17 following information:

18 1. The nature of any partnership, joint venture or other  
19 business relationships then in effect or which existed within one  
20 (1) year prior to the date of such statement with the architect,  
21 engineer or other party to the project;

22 2. Any such business relationship then in effect or which  
23 existed within one (1) year prior to the date of such statement  
24 between any officer or director of the bidding company and any

1 officer or director of the architectural or engineering firm or  
2 other party to the project; and

3 3. The names of all persons having any such business  
4 relationships and the positions they hold with their respective  
5 companies or firms. If none of the business relationships  
6 hereinabove mentioned exist, then a statement to that effect.

7 SECTION 2. AMENDATORY 61 O.S. 2011, Section 111, is  
8 amended to read as follows:

9 Section 111. The awarding of a contract to the lowest  
10 responsible bidder or bidders shall be made within thirty (30) days  
11 after the opening of bids unless the governing body of the awarding  
12 public agency, by formal recorded action and for good cause shown,  
13 provides for a reasonable extension of that period, which extension  
14 period shall not in any event exceed fifteen (15) days where only  
15 state or local funds are involved, or not to exceed ninety (90) days  
16 on any award of contract for the construction of a public  
17 improvement where funds are utilized which are furnished by an  
18 agency of the United States Government. Upon mutual written  
19 agreement between the lowest responsible bidder or bidders and the  
20 awarding public agency, the Division, or awarding public agency may  
21 extend the contract award period no more than one hundred twenty  
22 (120) days from the bid opening date.

23 SECTION 3. AMENDATORY 61 O.S. 2011, Section 115, is  
24 amended to read as follows:

1 Section 115. Any agreement or collusion among bidders,  
2 prospective bidders or material suppliers in restraint of freedom of  
3 competition by agreement to bid at a fixed price or to refrain from  
4 bidding, or otherwise, shall render the bids of such bidders void.  
5 Persons willfully violating this section shall be guilty of a  
6 felony. Each successful bidder shall accompany ~~the bid~~ an executed  
7 contract with a sworn statement that the successful bidder has not  
8 been a party to any such agreement. The form of the statement shall  
9 be substantially as provided in Section 85.22 of Title 74 of the  
10 Oklahoma Statutes, but modified in wording to refer to the  
11 appropriate public agency requesting bids.

12 SECTION 4. AMENDATORY 61 O.S. 2011, Section 138, is  
13 amended to read as follows:

14 Section 138. Any ~~competitive bid~~ executed contract submitted  
15 pursuant to the Public Competitive Bidding Act of 1974 to a school  
16 district, county or municipality for furnishing of goods or services  
17 shall be accompanied by the sworn noncollusion statement contained  
18 in Section 85.22 of this title, modified in wording to refer to the  
19 school district, county or municipality instead of the state.

20 SECTION 5. This act shall become effective November 1, 2015.

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22 55-1-5215 MAH 01/13/15  
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