

1 STATE OF OKLAHOMA

2 1st Session of the 56th Legislature (2017)

3 COMMITTEE SUBSTITUTE
4 FOR

5 SENATE BILL NO. 563

By: Bergstrom of the Senate

and

6 Murphey of the House

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9 COMMITTEE SUBSTITUTE

10 An Act relating to public buildings and public works;
11 establishing certain purchasing provisions for school
12 districts; clarifying types of purchasing;
13 establishing that certain purchasing practices are
14 available to local public procurement units;
15 providing definitions; providing for codification;
16 and providing an effective date.

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

18 SECTION 1. NEW LAW A new section of law to be codified
19 in the Oklahoma Statutes as Section 139 of Title 61, unless there is
20 created a duplication in numbering, reads as follows:

21 A. In addition to any authority to enter an agreement pursuant
22 to the Interlocal Cooperation Act, any school district, including a
23 technology school district, may either participate in, sponsor,
24 conduct or administer a cooperative purchasing agreement for the
acquisition of any commodities or services with one or more public

1 agencies in accordance with an agreement entered into between the
2 participants. Such cooperative purchasing may include, but is not
3 limited to, joint or multiparty contracts between public agencies
4 and open-ended state public procurement contracts.

5 B. Any local public procurement unit may either participate in,
6 sponsor, conduct or administer a cooperative or piggybacking
7 purchasing agreement for the acquisition of any commodities or
8 services, including construction services, with one (1) or more
9 public procurement units or external procurement units in accordance
10 with an agreement entered into between the participants. Such
11 cooperative purchasing may include, but is not limited to, joint or
12 multiparty contracts between public procurement units and open-ended
13 state public procurement unit contracts which are made available to
14 local public procurement units. Purchases made in accordance with
15 this subsection by a local public procurement unit have satisfied
16 any procurement regulation, not including federal regulations that
17 may apply due to the federal source of the funding for the
18 anticipated purchase.

19 C. For purposes of this section, the following definitions
20 apply:

21 1. "Local public procurement unit" shall mean, inter alia, any
22 county, city, town, state agency, and any other subdivision of the
23 state or public unit or agency thereof;

1 2. "External procurement unit" shall mean, any buying
2 organization in the United States not located in this state which,
3 if located in this state, would qualify as a public procurement
4 unit; and

5 3. "Cooperative or piggybacking purchasing agreement" shall
6 mean an agreement between a local public procurement unit and
7 another local public procurement unit or an external procurement
8 unit to authorize the use of a contract procured by one of the
9 parties to the agreement to benefit the other party to the
10 agreement.

11 SECTION 2. This act shall become effective November 1, 2017.

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