

1 STATE OF OKLAHOMA

2 2nd Session of the 56th Legislature (2018)

3 HOUSE BILL 3391

By: Goodwin

6 AS INTRODUCED

7 An Act relating to roads and bridges; amending 69  
8 O.S. 2011, Section 1101, which relates to the  
9 Oklahoma Highway Code of 1968; providing for the  
10 suspension of certain contracts for time certain to  
11 ensure corrective action; providing for cancellation  
12 of contract; defining term; and providing an  
13 effective date.

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

14 SECTION 1. AMENDATORY 69 O.S. 2011, Section 1101, is  
15 amended to read as follows:

16 Section 1101. A. All contracts for construction work upon the  
17 state highway system shall be let and awarded pursuant to the  
18 provisions of the Public Competitive Bidding Act of 1974. If the  
19 project advertised pursuant to the provisions of the Public  
20 Competitive Bidding Act of 1974 is for the construction of more than  
21 eight (8) miles of road, and is not a surface treatment only  
22 project, said advertisement shall provide for bids on sections of  
23 the road no longer than eight (8) miles, as well as bids on the  
24 project as a whole. If the project advertised pursuant to the

1 provisions of the Public Competitive Bidding Act of 1974 is a  
2 surface treatment only project of more than twenty (20) miles of  
3 road, the advertisement shall provide for bids on sections of the  
4 road no longer than twenty (20) miles, as well as bids on the  
5 project as a whole.

6 B. The Department may extend a contract no more than twenty-  
7 five percent (25%) of the length and extent of the original project.  
8 The price for the extension work shall not be greater than the  
9 contract unit basis.

10 C. Procedures and contracts for construction work upon the  
11 state highway system and integral related work contracts requiring  
12 Disadvantaged Business Enterprise participation that do not conform  
13 with the federal Disadvantaged Business Enterprise requirements,  
14 inclusive of good-faith efforts, shall be delayed or suspended up to  
15 sixty (60) days by the Attorney General to allow for corrective and  
16 conforming action. Without corrective or conforming action, the  
17 contract shall be cancelled. For purposes of this subsection,  
18 "Disadvantaged Business Enterprise" means a for-profit small  
19 business concern:

20 1. That is at least fifty-one percent (51%) owned by one or  
21 more individuals who are both socially and economically  
22 disadvantaged or, in the case of a corporation, in which fifty-one  
23 percent (51%) of the stock is owned by one or more such individuals;  
24 and

1        2. Whose management and daily business operations are  
2 controlled by one or more of the socially and economically  
3 disadvantaged individuals who own it.

4        SECTION 2. This act shall become effective November 1, 2018.

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