

STATE OF OKLAHOMA

2nd Session of the 57th Legislature (2020)

SENATE BILL 1316

By: Paxton

AS INTRODUCED

An Act relating to counties and county officers;  
authorizing an online bidding process; providing  
requirements of the online bidding process; providing  
for codification; providing an effective date; and  
declaring an emergency.

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

SECTION 1. NEW LAW A new section of law to be codified  
in the Oklahoma Statutes as Section 1508 of Title 19, unless there  
is created a duplication in numbering, reads as follows:

A. When a county purchasing agent determines that electronic or  
online bidding is more advantageous than other procurement methods  
provided by the laws of this state, the purchasing agent may use  
online bidding to obtain bids as authorized by The Oklahoma Central  
Purchasing Act or the Public Building Construction and Planning Act  
for the purchase of goods, services, construction or information  
services.

B. The online bidding process shall provide:

1        1. A designated opening and closing date and time. At the  
2 opening date and time, counties shall begin accepting online  
3 electronic bids. Online bids shall be accepted until the designated  
4 closing date and time;

5        2. The posting of all online bids electronically and updating  
6 of bids on a real-time basis by counties;

7        3. The authorization for counties to require bidders to  
8 register before the opening date and time and, as part of that  
9 registration, require bidders to agree to any terms, conditions or  
10 other requirements of the solicitation or applicable acts;

11       4. The authorization for counties to also require potential  
12 bidders to prequalify as bidders and to restrict solicitations to  
13 prequalified online bidders; and

14       5. The retention of the authority of counties to determine the  
15 criteria that will be used as the basis for making awards.

16       C. The provisions of this section shall not apply to bid or  
17 proposal sealing or opening provisions found in any state law other  
18 than The Oklahoma Central Purchasing Act or the Public Bidding  
19 Construction and Planning Act.

20       D. All bids submitted electronically through the online bidding  
21 process pursuant to the provisions of this section are subject to  
22 the same public disclosure laws that govern bids received pursuant  
23 to sealed bid procurement procedures pursuant to The Oklahoma  
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1 Central Purchasing Act or the Public Building Construction and  
2 Planning Act.

3 E. All remedies available to counties and suppliers through the  
4 sealed bid process pursuant to The Oklahoma Central Purchasing Act  
5 or the Public Building Construction and Planning Act are also  
6 available to counties and online bidders in an online bidding  
7 process.

8 SECTION 2. This act shall become effective July 1, 2020.

9 SECTION 3. It being immediately necessary for the preservation  
10 of the public peace, health or safety, an emergency is hereby  
11 declared to exist, by reason whereof this act shall take effect and  
12 be in full force from and after its passage and approval.

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