

1 STATE OF OKLAHOMA

2 2nd Session of the 57th Legislature (2020)

3 HOUSE BILL 3271

By: Boles

6 AS INTRODUCED

7 An Act relating to counties and county officers;
8 amending 19 O.S. 2011, Section 1500.1, as amended by
9 Section 2, Chapter 358, O.S.L. 2013 (19 O.S. Supp.
10 2019, Section 1500.1), which relates to county
11 purchasing; establishing an online bidding process
12 for counties; providing for online bidding procedure
13 contents; and providing an effective date.

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

14 SECTION 1. AMENDATORY 19 O.S. 2011, Section 1500.1, as
15 amended by Section 2, Chapter 358, O.S.L. 2013 (19 O.S. Supp. 2019,
16 Section 1500.1), is amended to read as follows:

17 Section 1500.1 A. Except as otherwise provided by Section 1500
18 et seq. of this title, the county purchasing agent shall have the
19 authority to develop, implement and promote policies and procedures
20 that allow the procurement of materials and equipment through
21 contracts that are flexible, value based and are in the best
22 interests of the state and its political subdivisions.

23 B. Except as otherwise provided, the county purchasing agent
24 shall have the authority to use electronic commerce for ~~the~~

1 solicitation, notification, and other purchasing processes. For
2 purposes of this subsection, "electronic commerce" means the use of
3 electronic methods to enable solicitations, supplier response,
4 notice of contract award, county acquisition processes, or any other
5 function to make an acquisition.

6 C. Counties shall have the authority to conduct a procurement
7 transaction or online bidding by electronic means subject to the
8 provisions of the Uniform Electronic Transactions Act.

9 D. The county shall establish an online bidding process, which
10 shall provide:

11 1. A designated opening and closing date and time. At the
12 opening date and time, counties shall begin accepting online
13 electronic bids. Online bids shall be accepted until the designated
14 closing date and time, except as provided by paragraph 6 of this
15 subsection;

16 2. The posting of all online bids electronically and updating
17 of bids on a real-time basis by the county;

18 3. The authorization for the county to require bidders to
19 register before the opening date and time and, as part of that
20 registration, require bidders to agree to any terms, conditions or
21 other requirements of the solicitation or applicable acts;

22 4. The authorization for the county to also require potential
23 bidders to prequalify as bidders and to restrict solicitations to
24 prequalified online bidders;

1 5. The retention of the authority of the county to determine
2 the criteria that will be used as the basis for making awards; and

3 6. The authorization for the board of county commissioners, in
4 the event the county determines that a significant error or event
5 occurred that affected the electronic receipt of any online bid by
6 the county, to determine it is in the best interest of the county to
7 allow the county to accept an electronic bid after the specified
8 official closing date and time.

9 SECTION 2. This act shall become effective November 1, 2020.

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11 57-2-9514 AMM 12/27/19
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