



1 utilization of land owned by this state. Requirements of the master  
2 planning process shall include:

- 3 a. reporting by each state agency concerning facility  
4 needs,
- 5 b. data acquisition of condition and performance  
6 benchmarking of state agency facilities,
- 7 c. analyses and audits of state agency facilities,  
8 properties and leaseholds to determine critical and  
9 long-range needs,
- 10 d. development of state agency long-range strategic  
11 facility plans,
- 12 e. short-range project programming to identify budget  
13 requests for facility capital improvements and asset  
14 management decisions, and
- 15 f. an annual capital plan for all state agencies  
16 submitted to the Legislature for line-item  
17 appropriation requests;

18 2. Review and approve all construction plans and specifications  
19 to ensure compliance with good construction practices and space  
20 standards, costs of project, proposed construction timetables, and  
21 agency need for the project;

22 3. Inspect prior to acceptance and final payment all completed  
23 projects for which the Department issued bid solicitations to ensure  
24 compliance with the plans and specifications of the project;

1       4. Select and hire consultants and construction managers for  
2 projects as determined or approved by the Department. The  
3 Department shall select, award and execute contracts to consultants  
4 and construction managers that provide services to state agencies  
5 subject to ~~this act~~ the Public Facilities Act;

6       5. Develop and issue solicitations for award of state agency  
7 contracts for construction services. The Department shall have  
8 final approval authority for contracts and contract documents.  
9 Neither the Department nor any public entity shall, for performance  
10 of work that requires that a contractor be licensed by this state,  
11 issue a solicitation to, or make a contract with, a contractor not  
12 licensed by this state;

13       6. Review inspections performed by consultants and construction  
14 managers during construction, perform primary inspections when  
15 consultants or construction managers are not used, and final  
16 inspections after completion;

17       7. Establish standards and policies as required to standardize  
18 facility assessment and benchmarking, facility operations and  
19 maintenance, asset preservation, design and energy standards, space  
20 utilization, material testing, indexes of efficiency, economy, and  
21 effectiveness;

22       8. Monitor indices of facility condition, effectiveness of  
23 operations and maintenance programs, deferred maintenance  
24 prioritization, effectiveness of planning processes, budgeting for

1 capital needs, application of facility standards as established by  
2 the Department, and performance outcomes of construction projects to  
3 ensure maximum efficiency in the expenditure of state funds for  
4 asset management and preservation of the state's capital real  
5 property;

6 9. Coordinate, monitor and report on statewide energy  
7 conservation programs delegated to the Office;

8 10. Provide property leasing and brokerage services delegated  
9 to the Office;

10 11. Report fraud or waste in any construction project by  
11 written notification with documentation for the report to the  
12 Attorney General. The Attorney General shall take appropriate  
13 action to protect the interest of the state; and

14 12. Prequalify as good and sufficient insurance carriers,  
15 bonding companies and surety companies to meet provisions of  
16 Sections 1 and 134 of this title. The Director shall promulgate  
17 rules to establish criteria to determine whether a carrier or  
18 company is good and sufficient. The prequalification requirement  
19 and process shall not violate the provisions of Section 135 of this  
20 title.

21 B. When a state agency employs a licensed architect or licensed  
22 engineer as a full-time employee, ~~said~~ the licensed employee may  
23 ~~conduct~~ approve required facility planning, ~~prepare~~ project plans  
24 and specifications and monitor construction work as prescribed by

1 the ~~Department~~ state agency. The agency may develop, issue and  
2 award solicitations associated with actions taken under this  
3 subsection so long as the requirements of the Public Facilities Act  
4 and the Public Competitive Bidding Act are met by the state agency.

5 State agencies authorized to employ licensed architects and  
6 engineers for the purposes of this section include:

7 1. The Department of Transportation with respect to highways,  
8 bridges and dams;

9 2. The Oklahoma State Regents for Higher Education and its  
10 constituent institutions;

11 3. The Military Department of the State of Oklahoma;

12 4. The Oklahoma Tourism and Recreation Department on projects  
13 in excess of Fifty Thousand Dollars (\$50,000.00); and

14 5. The Department of Human Services.

15 C. Not later than December 31, 2012, with the advice of the  
16 State Facilities Director, the Director of the Office of Management  
17 and Enterprise Services shall provide a report containing  
18 recommendations to the Legislature for the streamlining,  
19 integration, and consolidation of state construction, maintenance,  
20 and real property management processes to maximize capital assets  
21 and achieve cost savings to the state. The report shall identify  
22 the necessary planning processes for transitioning from a  
23 decentralized capital budgeting process to a centralized annual  
24

1 capital plan appropriation process, to be implemented no later than  
2 January 1, 2014.

3 SECTION 2. It being immediately necessary for the preservation  
4 of the public peace, health or safety, an emergency is hereby  
5 declared to exist, by reason whereof this act shall take effect and  
6 be in full force from and after its passage and approval.

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8 COMMITTEE REPORT BY: COMMITTEE ON GOVERNMENT MODERNIZATION AND  
9 EFFICIENCY, dated 04/06/2021 - DO PASS.

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