

STATE OF OKLAHOMA

2nd Session of the 58th Legislature (2022)

SENATE BILL 1391

By: Garvin

AS INTRODUCED

An Act relating to state government; amending 74 O.S. 2021, Section 85.17A, which relates to state agency bidding preference; expanding required preferences; requiring state agencies to provide certain explanation under certain circumstances; and providing an effective date.

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

SECTION 1. AMENDATORY 74 O.S. 2021, Section 85.17A, is amended to read as follows:

Section 85.17A. A. State agencies shall not discriminate against bidders from states or nations outside Oklahoma, except as provided by this section. State agencies shall reciprocate the bidding preference given by other states or nations to bidders domiciled in their jurisdictions for acquisitions pursuant to the Oklahoma Central Purchasing Act. The Purchasing Division shall provide to certified procurement officers information regarding the reciprocity provided by other states. This information shall be used by state agencies in evaluating bids.

B. For purposes of awarding contracts state agencies shall:

1 1. Give preference to goods and services that have been
2 manufactured or produced in this state if the price, fitness,
3 availability and quality are otherwise equal;

4 2. Give preference to goods and services from another state
5 over foreign goods or services if goods or services manufactured or
6 produced in this state are not equal in price, fitness, availability
7 or quality; ~~and~~

8 3. Give preference to goods and services provided by bidders
9 that have at least seventy-five percent (75%) of their total work
10 force located within this state; and

11 ~~3.~~ 4. Add a percent increase to the bid of a nonresident bidder
12 equal to the percent, if any, of the preference given to the bidder
13 in the state in which the bidder resides.

14 C. State agencies shall provide an explanation to any bidder
15 that is domiciled in this state as to why a bid that was submitted
16 was not accepted.

17 SECTION 2. This act shall become effective November 1, 2022.

18
19 58-2-2379 KR 1/19/2022 10:04:22 AM
20
21
22
23
24
25